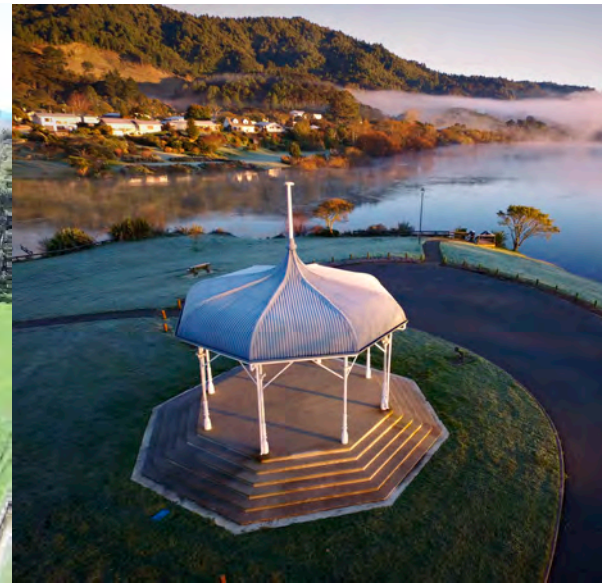


PROPOSED DISTRICT PLAN (STAGE I)



SUMMARY OF SUBMISSIONS **BY SUBMITTER**

Report: Summary of Submissions by Submitter Number/Name

Submitter Number:	2	Submitter:	Brett Wilkinson
Point Number	2.1		
Summary of Decision Requested:	<p>Amend the minimum lot size for the Residential Zone from 450m2 to 400m2 and initially apply this minimum to sites that have a road frontage</p> <p>AND</p> <p>Amend the building platform/building area for the Residential Zone to 50% of the lot area (ie: 200m2).</p>		
Decision Reasons:	<ul style="list-style-type: none"> • There is a requirement for more infill housing to make a better use of utilities already in place and save costs for the same. • To reduce the continuing subdivision of farmland and or productive land. • Front sites can be smaller as the berm and road are open space and provide necessary amenity. 		
Submitter Number:	3	Submitter:	Gulab Bilimoria
Organisation:	Bilimoria Consulting Ltd		
Point Number	3.1		
Summary of Decision Requested:	No specific decision sought, but submission states support for Chapter 16 Residential Zone.		
Decision Reasons:	<ul style="list-style-type: none"> • No reasons provided. 		
Submitter Number:	4	Submitter:	Peter Humphreys
Point Number	4.1		
Summary of Decision Requested:	Amend Rule 17.3.6 Dwelling, which requires that a dwelling in the Business Zone not be located at ground level.		
Decision Reasons:	<ul style="list-style-type: none"> • The submitter considers that this rule could affect their wish to build a granny flat type of accommodation on their property at 14 Herschel Street, Ngaruawahia to accommodate their disabled daughter or other family member. 		
Submitter Number:	5	Submitter:	Jan Maree Vodanovich
Point Number	5.1		
Summary of Decision Requested:	Retain the proposed Residential zoning for the property at 22 Whangarata Road, Tuakau.		
Decision Reasons:	<ul style="list-style-type: none"> • No reasons provided. 		
Submitter Number:	6	Submitter:	Rodney Ranstead
Point Number	6.1		
Summary of Decision Requested:	Delete the Significant Natural Area on the property at 149 Cogswell Road, Raglan.		
Decision Reasons:	<ul style="list-style-type: none"> • When the submitter moved into the property 19 years ago, the entire property was barren other than approximately 10 old fruit trees (see photographs in submission). • Over the 19 years, screening, shelterbelt and landscaping plants have been planted, both native and exotics as well as firewood trees. These trees are not significant or natural and have been planted for a specific reason (see photographs in submission). • The submitter would like to retain the right to remove these plants and trees for firewood or landscaping purposes. 		
Submitter Number:	7	Submitter:	Jason Howarth
Organisation:	Howarth Consulting		
Point Number	7.1		
Summary of Decision Requested:	Delete Rule 23.4.2 (a)(ii) and (iii) General Subdivision, in relation to a 1.1ha lot size.		
Decision Reasons:	<ul style="list-style-type: none"> • There is no rationale for 1.1ha. 		

- The shape of the Airport Noise Subdivision Control Boundary does not reflect the operational nature of larger aircraft using Hamilton Airport.
- The Air Noise Subdivision Control Boundary has no ground reference, the shape combined with different subdivision limits creates unusual and perverse outcomes.
- Plan Change 19 cited that Hamilton International Airport proposed schedules wide body jet operations on more than three occasions per week. This no longer occurs.
- There are no provisions relating to noise within the zone that address reverse sensitivity issues.
- There is a lack of operational knowledge of the airport when the boundaries were set. Current regional Air New Zealand aircraft conduct their visual approach west of the boundaries that have been set and the aircraft are conducting approaches in areas not inside the Air Noise Subdivision Control Boundary and over areas that have subdivided down to 5000m².
- Current noise control boundaries do not allow for the visual approach of aircraft arriving from the south.
- The boundaries do not account for instrument approaches made on other navigational aids
- Light aircraft operations are operating under visual flight conditions and account for 75% of all Hamilton airports aircraft movements between the airport and the river (See attachment to submission for full details).
- Traffic management systems implemented by Airways Corporations have limited circuit training traffic to no more than 4 at any one time. Similar limitations on other training has also been limited to 4 by Airways Corporation.
- The noise restriction boundaries lack operational understanding. Air New Zealand operated on average 12 flights a day with last arrivals scheduled before 9pm. Aircraft noise is minimal as the aircraft are turbo prop and not jet or turbo fan.
- Other practical measures include landing and take off on the opposing runway.

Submitter Number: 8 **Submitter:** Geoscience Society of New Zealand

Point Number 8.1

Summary of Decision Requested: Add a new schedule listing scheduled Outstanding Natural Features (ONF) in the district.

Decision Reasons:

- Outstanding Natural Features are geological sites and landforms. Marine and terrestrial ecosystems, cultural and historic sites are all protected through other clauses in the RMA.
- Outstanding natural features were included in the RMA after our Society's submission where a clause was needed to protect the outstanding aspects of NZ's unique geoheritage.
- Outstanding natural features are outstanding geological sites and landforms recognised by other territorial and local authorities in northern NZ: e.g. Far North District Council 113 ONFs, Whangarei District Scheme schedules 56 ONFs, Auckland Unitary Plan schedules 254 ONFs, Waitomo District 75 potential ONFs to be scheduled. All of the above are geoheritage features.
- Identifying and scheduling outstanding natural features are the most critical actions for a District Plan.

Point Number 8.2

Summary of Decision Requested: Add a new Schedule to Section D Appendices and Schedules, entitled "Important Geological Sites and Landforms", and include the following sites (from the Waikato District Plan - Franklin Section, Part 5, Schedule 5B) in the schedule.

[Daff Road Jurassic Plant Beds](#)
[Kaawa Creek-Ngatutura Bay Section](#)
[Kellyville Tuff Ring](#)
[Moeweka Quarry, Jurassic Fauna](#)
[Onewhero Tuff Ring](#)
[Opuatia Cliff Jurassic Fauna](#)
[Port Waikato to Tuakau Bridge Road Jurassic Section](#)
[Pukekawa III Scoria Cone](#)
[Huriwai Beach Jurassic Plant Beds](#)
[Waikato River Delta](#)

Decision Reasons:

- These features are currently Outstanding Natural Features in the Franklin Section of the operative Waikato District Plan.
- These features have been protected as Outstanding Natural Features since the 1990s.
- The Society has attended resource consent hearings and commented on applications which have helped defend them from inappropriate subdivision, use and development as defined in RMA clause 4b.
- Not scheduling or showing these Outstanding Natural Features on planning maps must be an oversight, as it appears to be tantamount to removing the protection they so desperately need and have had for quarter of a century.

Point Number 8.3

Summary of Decision Requested: Add the following additional Outstanding Natural Features (i.e. geological sites and landforms) as recorded in the NZ Geopreservation Inventory to a new schedule of Outstanding Natural Features as follows:

[1. Port Waikato sandspit](#)
[2. Ngāpuriri natural arch and surrounding karst](#)
[3. Huriwai-Waikawau coastal section](#)
[4. Waiwiri Beach unconformity and basal Waitemata group](#)
[5. Pukeatāhinga scoria cone](#)
[6. Onewhero scoria cone](#)
[7. Kauri Rd scoria cone](#)
[8. Onepoto volcanic cone](#)
[9. Te Kohanga tuff ring](#)
[10. Rasmussen Rd tuff ring](#)
[11. Waiuku volcanic cone](#)
[12. Pokeno scoria cone](#)
[13. Serpell Rd tuff ring](#)
[14. Puketoka conglomerate](#)
[15. Waikorea hot springs](#)
[16. Gibsons Beach unconformity and fossil karst](#)

- 17. Taupiri Gorge
- 18. Dunphall Bluffs Oligocene sandstone
- 19. Waingaro hot springs
- 20. Carters Beach shore platforms
- 21. Raglan coastal karst
- 22. Te Toto Gorge lava and pyroclastic sequence
- 23. Mt Karioi
- 24. Papnui Pt volcanics
- 25. Bridal veil Falls columnar jointed basalt
- 26. Lake Disappear blind valley
- 27. Lake Disappear karst
- 29. Taranki Pt karst
- 30. Aotea dune field
- 31. Helectite Hole karst

Decision Reasons:

- The significance and location of these outstanding features are outlined in the publicly accessible NZ Geopreservation Inventory.
- Outstanding natural features need to be identified, mapped and scheduled so that they can be protected from inappropriate subdivision, use and development, as required by RMA clause 4B and in Policy 15 of the NZ Coastal Policy Statement which states: avoid adverse effects of activities on outstanding natural features and outstanding natural landscapes in the coastal environment.
- Outstanding Natural Features are geological sites and landforms. Marine and terrestrial ecosystems, cultural and historic heritage sites are protected through other clauses in the RMA.
- Identifying and scheduling outstanding natural features and providing criteria for potentially identifying others are the most critical actions for the District Plan.

Point Number 8.4

Summary of Decision Requested: **Add** more policies and rules to protect Outstanding Natural Features and provide criteria for the potential identification of others.

Decision Reasons:

- Outstanding Natural Features need to be protected from inappropriate subdivision, use and development, as required by RMA clause 4B and Policy 15 of the NZ Coastal Policy Statement which states: "avoid adverse effects of activities on outstanding natural features and outstanding natural landscapes in the coastal environment".
- Outstanding Natural Features are geological sites and landforms. Marine and terrestrial ecosystems, cultural and historic heritage sites are protected through other clauses in the RMA.
- The protection of Outstanding Natural Features is the most critical action for the District Plan.
- Council needs to consider other District Plans in the region that contain objectives, policies and criteria relating to Outstanding Natural Features.

Point Number 8.5

Summary of Decision Requested: **Add** into Section 3.3 Outstanding Natural Features, criteria for identifying Outstanding Natural Features, similar to that in the Auckland Unitary Plan, Northland Regional Plan and other local districts:

Assessment criteria for identifying ONFs

- (a) the extent to which the landform, feature or geological site contributes to the understanding of the geology or evolution of the biota in the region, New Zealand or the earth;
- (b) the rarity or unusual nature of the site or feature;
- (c) the extent to which the feature is an outstanding representative example of the diversity of district's natural landforms and geological features;
- (d) the extent to which the landform, geological feature or site is part of a recognizable group of features (e.g. caves and karst group; South Auckland volcanoes group);
- (e) the extent to which the landform or geological feature contributes to the aesthetic value or visual legibility of the wider landscape;
- (f) the extent of community association with, or public appreciation of, the values of the feature or site;
- (g) the potential value of the feature or site for public education;
- (h) the potential value of the feature or site to provide additional understanding of the geological or biotic history;
- (i) the state of preservation of the feature or site;
- (j) the extent to which a feature or site is associated with an historically important natural event, geologically related industry, or individual involved in earth science research;
- (k) the importance of the feature or site to Mana Whenua.

Decision Reasons:

- Providing criteria for potential outstanding natural features are the most critical action for District Plans.
- Council officers and public need to have clarity as to what the criteria are for identifying outstanding natural features and how consent applications can be assessed against the values of individual outstanding natural features.

Submitter Number: 9

Submitter: Elvin Priest

Point Number 9.1

Summary of Decision Requested: **Amend** the Significant Natural Area boundary for the property at 524B State Highway 1, Tamahere by determining the correct boundary on-site.

Decision Reasons:

- The indicated boundary may be incorrect. If the boundary is to follow the gully edge, the boundary is incorrect up to 40m (The correct boundary should be determined on site). This was raised at a community open day in Tamahere.

Point Number 9.2

Summary of Decision Requested:	No specific decision is sought, but the submission provides further information about Maaori Site of Significance S14/84, on the property at 524B State Highway 1, Tamahere.
Decision Reasons:	<ul style="list-style-type: none"> This site was on an early proposed route for the Waikato expressway and was walked by Transit staff and a Maaori Elder associated with the Narrows Marae. The adjacent gully was a trail used for access. It was confirmed that the site was never a habited site and there were not burials in the area. Transit may have further information recorded from their survey. The proposed expressway route was later abandoned with no viable route around Hillcrest or Berkley. There is little physical sign of the defence ditches, just faint depressions for two possible ditches.

Submitter Number:	10	Submitter:	Chris Yu
Point Number	10.1		
Summary of Decision Requested:	Amend the planning map to reflect the extent and status of the Paa site on the property at 16 Shelby Lane, Tamahere OR Delete the Paa site from the property at 16 Shelby Lane, Tamahere if further investigation indicates no Paa site exists.		
Decision Reasons:	<ul style="list-style-type: none"> The submitter's communication with New Zealand Archaeological Association suggests there is no evidence that a Paa is located on this property. Previous correspondence with Council on this matter (attached to submission). 		

Submitter Number:	11	Submitter:	Jihong Chen
Point Number	11.1		
Summary of Decision Requested:	Amend the Significant Natural Area on the property at 996 Te Papatapu Road, Raglan, as the south area of the property is not a Significant Natural Area.		
Decision Reasons:	<ul style="list-style-type: none"> Natural habitat within property does not meet criteria for Significant Natural Areas as per criteria outlined in the Waikato Regional Council Technical Report 2017/36. Gently sloping knoll previously recommended as building platform via geotechnical report. Aerial photography has been used for classifying Significant Natural Areas from 2012 and this is not accurate. See submission for geotechnical report. There are no Significant Indigenous Vegetation and Significant habitats of Indigenous fauna. 		

Submitter Number:	12	Submitter:	Carl Ammon
Point Number	12.1		
Summary of Decision Requested:	Retain Chapter 1.4 Issues for Waikato District, except for the amendments sought below AND Amend Chapter 1.4 Issues for Waikato District to better address environmental issues associated with the agriculture, forestry and extractive industries; and to provide a clearer stance on addressing issues of water quality, soil conservation and the restoration of natural biodiversity.		
Decision Reasons:	<ul style="list-style-type: none"> The Waikato is a region with a strong agricultural base, but it is also growing economically and in population. The proposed plan lacks a strong vision of the need to address environmental matters and gives the impression that farming has priority over the environment. The two need to be progressed together. 		

Point Number	12.2		
Summary of Decision Requested:	Retain Section 1.6 Ngaa Iwi o Tainui ki te Waikato Takiwaa.		
Decision Reasons:	<ul style="list-style-type: none"> This section is clearer and provides more purpose and clarity with respect to it's priority than other sections of the plan. 		

Point Number	12.3		
Summary of Decision Requested:	Retain Section 1.12 Strategic directions and objectives for the district, in particular the focus on limiting urban spread and loss of productive and valuable land, except for the amendments sought below AND Amend Section 1.12 Strategic directions and objectives for the district to provide a stronger priority on environmental issues in respect to water and soil and the restoration of the natural environment. AND Amend Section 1.12 Strategic directions and objectives for the district to provide greater flexibility for alternative approaches in the urban development model, like housing.		
Decision Reasons:	<ul style="list-style-type: none"> This strategy means that little change will occur and the scale of degradation will outweigh the areas being preserved and protected. These are good strategies, but lack a brave and vital level of aspiration. Focusing on limiting urban spread and loss of productive and valuable land is a positive. Providing greater flexibility for alternative approaches in areas like housing is afforded to address the urban development model that has prevailed to date. 		

Point Number 12.4

Summary of Decision Requested: **Amend** Chapter 3 Natural Environment to strengthen the requirement for development to protect and improve biodiversity.

Decision Reasons:

- In this section there is a positive focus. However it is timid and vague in its commentary.
- There is a pressing need to address problems such as climate change and ecological degradation.
- Need to address the harm caused in the past in the main urban centres, agriculture and forestry.
- Development rules do not drive the aims of protecting biodiversity. For example developers should be obliged to set aside and restore natural areas in subdivision proposals. Presently little effort is made and areas are not protected even where established. The submission uses examples of the Te Ahiawa subdivision which restored significant native plants, improved water quality and soil protection, but are not formally protected.
- Excessive development as a rule is harmful and leaves a legacy for the future. Those planning subdivision should have to meet very high standards of environmental care and restoration. The costs associated with development will save money in the future and avoid problems with sewage, storm water, water supply, traffic congestion etc.
- The focus of Significant Natural Areas is positive but is a drop in the bucket and hides attention on the wider issues of degrading the natural environment. The classification needs extending to all the main valleys and waterways from mountain to the sea.

Point Number 12.5

Summary of Decision Requested: **Amend** Chapter 4 Urban Environment to be flexible to address the needs in varying communities, share costs for infrastructure, and protect the cultural identity of areas when under growth pressures and add more emphasis on cycling, walking, small buses and public areas rather than cars and retail.

Decision Reasons:

- The directions in this chapter are positive.
- The challenge is to be flexible enough to address the needs in varying communities.
- Smaller areas cannot afford all of the costs for infrastructure including sewage and water.
- Other areas need to have their cultural identity protected when under growth pressures and the short sighted drive to provide parking when people taking a bus ride or parking a little further out of town may be a better option.
- More emphasis is needed on cycling, walking, small buses and putting public areas ahead of cars and retail interests.
- In Raglan, areas were granted by Maori as common use places for people, children and families to enjoy and these are under pressure for car parks.

Point Number 12.6

Summary of Decision Requested: **Add** more policy like Chapter 5 Rural Environment.

Decision Reasons:

- More policy like this is needed.

Submitter Number: 13

Submitter: Jason Nadin

Point Number 13.1

Summary of Decision Requested: **Amend** the zoning of the property at 11 Limmer Road, Te Kowhai from Rural Zone to Country Living Zone.

Decision Reasons:

- Te Kowhai is more populated now with more houses than farm land in the area.
- The property is very close to the Hamilton City boundary.
- The proposed Rotokauri North 1450 lot subdivision is happening within 700m of our address.
- Greater broadband improvement for the area - will make it easier to gain ultrafast fibre broadband services in future due to building the proposed Rotokauri North subdivision.

Submitter Number: 14

Submitter: Steve Cochrane

Point Number 14.1

Summary of Decision Requested: **Amend** Section 22.4 Subdivision to provide for 2500m² lot sizes in Matangi.

Decision Reasons:

- The District Plan does not reflect the needs of some of the residents.
- Older residents not able to maintain grounds as large as they used to.
- For properties over 1 hectare, some parts are screened off and this seems a waste. The need to have livestock is not always convenient as the residents get older.
- The submitter lives in an area of elite soil types, but as these lifestyle sites are unproductive it would seem more effective to follow Waipa District and Matamata-Piako District Council's by allowing smaller lifestyle sites of 2500m²
- The Waikato Regional Council will permit a septic tank on this size site.
- Matangi has existing infrastructure with businesses, services and schooling. For the community to thrive or be sustained there needs to be growth.

Point Number 14.2

Summary of Decision Requested: **Amend** Rule 22.3.2 P1 Minor dwelling to accommodate caregivers, not just dependant relatives.

AND

Amend Rule 22.3.2 P1 Minor dwelling to provide more flexibility in the location of minor dwellings on the site.

Decision Reasons:

- More leniency with respect to the location for the minor dwelling unit as it may not be possible to locate a minor dwelling as per the Council rules.
- Applications for resource consent requesting dispensation can be made, but at additional cost. It should be the right of the land owner and not at the discretion of council
- Alterations will allow for someone who has become debilitated to stay in their present home rather than move.

Submitter Number:

15

Submitter:

Te Wananga o Aotearoa

Point Number

15.1

Summary of Decision Requested:

Retain the zoning comprised in CT142356 for the property at 113 Rotowaro Road, Hundy (Lot 1 DP 320197 and Lot 2 DP 334744) as Business and Residential as notified.

Decision Reasons:

- The proposed zoning is consistent with previous feedback and aligns with existing (and future) development at the subject property.
- The proposed zoning will simplify the existing zoning of the subject property being only two zones instead of three.
- The proposed zoning is appropriate for the existing land use activities and development at the subject property.
- The proposed Business Zone is appropriate for the existing education facilities and associated administration and office activities.
- The proposed Residential zoning (over part of the site) is compatible with the existing and established residential developments nearby, including the properties immediately to the east and north-east of the subject property.
- The property is well positioned for future residential development. It has frontage onto two public roads and can potentially connect to the existing Council services and infrastructure.
- The proposed Business zoning is compatible with the existing land use activities on the site and existing land use activities in the immediate surrounding area.
- The proposed zoning will provide an appropriate buffer area between the Industrial zoned land to the south and the proposed (and existing) Living zoned land to the north.
- The amendments proposed to the location of the zone boundary on Lot 1 DP 320197 provide a more logical zone boundary. The boundary follows existing development on the subject property.

Submitter Number:

16

Submitter:

Brett Beamsley

Point Number

16.1

Summary of Decision Requested:

Amend the zoning for 64 Upper Wainui Road, Raglan and the remaining smaller sections along Upper Wainui Road from Rural Zone to Living Zone.

Decision Reasons:

- Properties along the northern side of Upper Wainui Road change for no apparent reason from Living to Coastal, while property sizes do not change.
- Inequality in zoning.

Submitter Number:

17

Submitter:

Leigh Thompson

Point Number

17.1

Summary of Decision Requested:

Delete the Hamilton Basin Ecological Management Area from the property at 454 Pencarrow Road, Tamahere.

Decision Reasons:

- No information has been provided on what this change relates to.
- No mention of what it means to property owners in an area that covers a large part of the Waikato Region.
- Concerned this will mean an increase in rates.

Submitter Number:

18

Submitter:

Kevin Hutchinson

Organisation:

Waikato RiverCare Incorporated

Point Number

18.1

Summary of Decision Requested:

Amend Chapter 8.1 Reserve Provision, to recognise that the development and day-to-day use and maintenance of reserves are managed through Council's reserve management plans which provide for the continuation of reserve activities.

Decision Reasons:

- Maintenance is the key management action required to protect and maintain indigenous plant values on Council administered reserves and prevent the spread of weeds, pests into adjoining areas.

Point Number

18.2

Summary of Decision Requested:

Retain Policy 8.1.3(b)(iv) Esplanade reserves and walkways.

Decision Reasons:

- RiverCare would welcome new partnership opportunities within Council to develop and co-fund planting projects on esplanade reserves.
- Projects that RiverCare may be in a position to assist Council with include the Hamilton City Council funded fencing works upstream of Ngaruawahia on the true right bank of the Waikato River and Whatawhata to Ngaruawahia Waipa River esplanade reserves.

Point Number

18.3

Summary of Decision Requested:	Amend Policy 8.2.2(a)(ii) as follows: <i>(ii) protecting and enhancing significant natural areas <u>as identified in regional and district strategies.</u></i>
Decision Reasons:	<ul style="list-style-type: none"> Need to ensure Councils efforts link with co-funders and partner organisations eg Waipa/Waikato Healthy Rivers strategy.

Submitter Number:	19	Submitter:	John Wright
Organisation:	Jet Ski Racing New Zealand Inc		
Point Number	19.1		
Summary of Decision Requested:	Amend provisions relating to reserves and lakes to ensure they work together for club events and the use of existing facilities for selected non-commercial events.		
Decision Reasons:	<ul style="list-style-type: none"> Under two different district plans one area can be used and one cannot. This is an existing use but has come up when overlapping plans. 		
Point Number	19.2		
Summary of Decision Requested:	Amend Section C Rules to allow approved and correctly controlled clubs to use Lakes Waahi and Kainui for selected jet ski racing events during the calendar year, excluding shooting months.		
Decision Reasons:	<ul style="list-style-type: none"> There are numerous resources at these reserves and lakes that are available to power boats but excludes jet skis. Running 1 or 2 day events at these venues would allow greater use of the existing facilities and should be considered on application rather than open all year to limit the effects to existing users. Existing conditions limit small events to less than 500 people. This would not need to be altered. Increased turnover for tourism and hospitality providers in the general Hamilton area. 2 day events would attract riders, family and supporters from all over the country. Single day events would give local people something to do in their back yard, rather than travelling to Auckland, Tauranga, Rotorua and further south. Other Council's are supporting local not for profit clubs to use facilities and reserves. 		

Submitter Number:	20	Submitter:	Glenn Morse
Point Number	20.1		
Summary of Decision Requested:	Amend the table in Rule 22.4.1.6 (a)(i) Conservation lot subdivision to reduce the minimum 2ha area of Significant Natural Area to be legally protected to 1ha to enable more development.		
Decision Reasons:	<ul style="list-style-type: none"> This would allow the submitter and other persons in a similar situation to construct a dwelling upon existing available land to meet the targets of the district plan with minimum impact upon available greenfield land. 		
Point Number	20.2		
Summary of Decision Requested:	Amend the Significant Natural Area overlay affecting parts of the property located at 63 Parker Lane, Pukekohe to become a Queen Elizabeth II Trust area. OR Delete the Significant Natural Area from 63 Parker Lane, Pukekohe.		
Decision Reasons:	<ul style="list-style-type: none"> The area identified has minimal significant natural vegetation. The area is mostly pine trees and 50% of the ground covering is covered in wandering dew. Adding the Significant Natural Area to about 40% of our land will not support the submitter's aims of building another house on the property. 		

Submitter Number:	21	Submitter:	Anthony Hutt
Point Number	21.1		
Summary of Decision Requested:	Delete the Significant Natural Area overlay from the property at 154 Orini Road, Taupiri.		
Decision Reasons:	<ul style="list-style-type: none"> The Significant Natural Area has only been identified aerially. The areas in question are naturally flood prone. The area is predominantly mangroves, willows and pines, many of which are old and have fallen. Water is not flowing, but stagnant in times of severe rain or in dryer times, no water is present. Two representatives from Waikato Regional Council have visited the site and agree that these areas do not qualify for Significant Natural Areas's due to the nature of the foliage and the lie of the land. The Significant Natural Area overlay would limit further building or subdivisions in the future. The foliage is old and diminished since the aerial photo was taken and will continue to diminish. The submitter would like to be able to develop and plant the area further without restriction. 		

Submitter Number:	22	Submitter:	Bill McDonald
Point Number	22.1		
Summary of Decision Requested:	Add provisions to require new titles within the proposed Residential Zone abutting the Harrisville Motocross Track to recognise there is a motor sport facility nearby by requiring 'no complaint covenants' and extra sound-proofing for new dwellings.		
Decision Reasons:	<ul style="list-style-type: none"> Residential activities and motocross activities are not always compatible. The Pukekohe Motor Cycle Club and its track form a significant part of the local community and the broader sport of motocross in New Zealand. 		

Submitter Number:	23	Submitter:	Alarn Young
Organisation:	Kawasaki NZ		
Point Number	23.1		
Summary of Decision Requested:	Add provisions to require new titles within the proposed Residential Zone abutting the Harrisville Motocross Track to recognise there is a motor sport facility nearby requiring 'no complaint covenants' and extra sound-proofing for new dwellings.		
Decision Reasons:	<ul style="list-style-type: none"> Residential activities and motocross activities are not always compatible. The Pukekohe Motor Cycle Club and its track form a significant part of the local community and the broader sport of motocross in New Zealand. 		

Submitter Number:	24	Submitter:	Lewis Heels
Point Number	24.1		
Summary of Decision Requested:	Add provisions to require new titles within the proposed Residential Zone abutting the Harrisville Motocross Track to recognise there is a motor sport facility nearby requiring 'no complaint covenants' and extra sound-proofing for new dwellings.		
Decision Reasons:	<ul style="list-style-type: none"> Residential activities and motocross activities are not always compatible. The Pukekohe Motor Cycle Club and its track form a significant part of the local community and the broader sport of motocross in New Zealand. 		

Submitter Number:	25	Submitter:	Maurice Hayman
Point Number	25.1		
Summary of Decision Requested:	Add provisions to require new titles within the proposed Residential Zone abutting the Harrisville Motocross Track to recognise there is a motorsport facility nearby, have a 'no complaints covenant' and require new dwellings to have extra sound-proofing.		
Decision Reasons:	<ul style="list-style-type: none"> Residential activities and motocross activities are not always compatible. The Pukekohe Motor Cycle Club and its track form a significant part of the local community and the broader sport of motocross in New Zealand. 		

Submitter Number:	26	Submitter:	Brian Leatham
Point Number	26.1		
Summary of Decision Requested:	Add provisions to require new titles within the proposed Residential Zone abutting the Harrisville Motocross Track to recognise there is a motorsport facility nearby, have a 'no complaints covenant' and require new dwellings to have extra sound-proofing.		
Decision Reasons:	<ul style="list-style-type: none"> Residential activities and motocross activities are not always compatible. The Pukekohe Motor Cycle Club and its track are a significant part of the local community and the broader sport of motocross in New Zealand. This motorsport facility has also been established for years and has hosted international events. It is supported by a huge number of competitors nationwide. 		

Submitter Number:	27	Submitter:	Josh Charwood
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Point Number	27.1
Summary of Decision Requested:	Add provisions to require new titles within the proposed Residential Zone abutting the Harrisville Motocross Track at 115 Geraghty Maber Road to recognise there is a motor sport facility nearby, have a 'no complaints covenant' and require new dwellings to have extra sound-proofing.
Decision Reasons:	<ul style="list-style-type: none"> The property at 115 Harrisville Road abuts the eastern boundary of the well established motor sport facility. The track operation should therefore take precedence and not be subjected to any noise complaints if the property at 115 Harrisville Road is rezoned for residential purposes. The Harrisville Motocross Track has been in existence for many years and is a top internationally recognised facility.

Submitter Number:	28	Submitter:	Roko Urlich
Point Number	28.1		
Summary of Decision Requested:	Retain 22.4.1.2 General subdivision to enable the creation of a new 1.6ha lot from the 23ha at 2603 Highway 22, Glen Murray, except for the amendments sought below.		
	AND		
	Amend Rule 22.4.1.2 General subdivision to allow the new 1.6ha site to be net of the accessway.		
Decision Reasons:	<ul style="list-style-type: none"> The existing old farm house is not suitable for retirement purposes. Due to steep topography, any new dwelling would need to use the existing access and be located at the rear of the farm. 		

Submitter Number:	29	Submitter:	Wayne Reilly
Point Number	29.1		
Summary of Decision Requested:	Add provisions to require new titles within the proposed Residential Zone abutting the Harrisville Motocross Track to recognise there is motor sport facility nearby, have a 'no complaints covenant,' regarding noise and dust, and require new dwellings to have extra sound-proofing.		
Decision Reasons:	<ul style="list-style-type: none"> Residential activities and motocross activities are not always compatible. The Pukekohe Motor Cycle Club and its track form a significant part of the local community and the broader sport of motocross in New Zealand. 		

Submitter Number:	30	Submitter:	Henk Ensing
Point Number	30.1		
Summary of Decision Requested:	Amend the boundaries of the Significant Natural Area on the property at 383 Karariki Road, Hamilton as outlined on the maps provided with the submission.		
Decision Reasons:	<ul style="list-style-type: none"> The notified maps do not accurately represent the Significant Natural Area, and there are more practical boundaries for Significant Natural Areas on this property. 		
Point Number	30.2		
Summary of Decision Requested:	Amend the permitted activity provisions to enable exotic vegetation to be cleared at 383 Kakarariki Road, Hamilton		
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided. 		
Point Number	30.3		
Summary of Decision Requested:	No specific decision sought, but the submitter requests assistance with fencing and plants.		
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided. 		

Submitter Number:	31	Submitter:	Ting-Jung Lu
Point Number	31.1		
Summary of Decision Requested:	No specific decision sought, but submission states support for the property at 340C Laxon Road, Hamilton.		
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided. 		

Submitter Number:	32	Submitter:	Rupert Copping
Point Number	32.1		
Summary of Decision Requested:	Add provisions to require new titles within the proposed Residential Zone abutting the Harrisville Motocross Track to recognise there is a motor sport facility nearby requiring 'no complaint covenants' and extra sound-proofing for new dwellings.		
Decision Reasons:	<ul style="list-style-type: none"> The Harrisville motocross track and the Pukekohe Motor Cycle Club are a significant part of the local community and are of high importance to the broader sport of motocross in New Zealand. It is proposed to rezone land abutting this facility to residential and the two land uses are not always compatible. This change needs to be thoroughly thought through to ensure that problems are not created in the future and as a minimum there should be a covenant on the title referring to the proximity of a motor sport facility, the acceptance of the facility and the inability to complain about noise or dust from activities. 		

Submitter Number:	33	Submitter:	Tim Shepherd
Organisation:	Cyclespot Euro		
Point Number	33.1		
Summary of Decision Requested:	Amend the proposed Residential zoning adjoining the Harrisville Motorcross track by retaining the current operative zoning.		
Decision Reasons:	<ul style="list-style-type: none"> The Harrisville motocross track and the Pukekohe Motor Cycle Club are a significant part of the local community and are of high importance to the broader sport of motocross in New Zealand. It is proposed to rezone land abutting this facility to residential and the two land uses are not always compatible. This change needs to be thoroughly thought through to ensure that problems are not created in the future and as a minimum there should be a covenant on the title referring to the proximity of a motor sport facility, the acceptance of the facility and the inability to complain about noise or dust from activities. 		
Point Number	33.2		
Summary of Decision Requested:	Add a requirement that any new titles that are created in the Residential Zone around or nearby the Harrisville motocross track recognise the motor sport facility and are subject to no-complaints covenants in regards to noise and dust and are required to have extra sound proofing in any new dwelling.		
Decision Reasons:	<ul style="list-style-type: none"> The Harrisville motocross track and the Pukekohe Motor Cycle Club are a significant part of the local community and are of high importance o the broader sport of motocross in New Zealand. It is proposed to rezone land abutting this facility to residential and the two land uses are not always compatible. This change needs to be thoroughly though through to ensure that problems are not created in the future and as a minimum there should be a covenant on the title referring to the proximity of a motorsport facility, the acceptance of the facility and the inability to complain about noise or dust from activities. 		

Submitter Number:	34	Submitter:	Brett Titchmarsh
Point Number	34.1		
Summary of Decision Requested:	Amend the planning maps to include a walkway/cycle way for Tuakau as shown on the map attached to the submission.		
Decision Reasons:	<ul style="list-style-type: none"> The attached map details a proposed cycle way/walkway which has been suggested at consultation days / workshops. Placing this route on the maps will enable the community and WDC to start working towards completion of this route. Map attached to submission. 		
Point Number	34.2		
Summary of Decision Requested:	Amend Rule 16.3.9.3 Pl (a)(iv) Building setback – Waterbodies to 10m from mean high water springs.		
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided. 		

Submitter Number:	35	Submitter:	Malcolm Titchmarsh
Point Number	35.1		
Summary of Decision Requested:	No decision sought, but submission refers to Section 1.1 What is a District Plan.		
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided. 		
Point Number	35.2		
Summary of Decision Requested:	No decision sought, but submission refers to Section 1.2 What is the purpose of the Waikato District Plan.		

Decision Reasons:

- No reasons provided.

Point Number 35.3

Summary of Decision Requested: No decision sought, but submission refers to Section 1.3 Background.

Decision Reasons:

- No reasons provided.

Point Number 35.4

Summary of Decision Requested: No decision sought, but submission refers to 2346 Buckland Road, Tuakau.

Decision Reasons:

- No reasons provided.

Submitter Number: 36

Submitter: Corey Belfield

Point Number 36.1

Summary of Decision Requested: Amend the notified zoning of the property at 369 Scotsman Valley Road, Tauwhare from Rural to Country Living Zone as in the operative District Plan.

Decision Reasons:

- The submitter does not consider that their property is suitable to be zoned as rural. Their property is a small lifestyle block and the rural rules and regulations are not appropriate.
- The submitter considers that the area should be retained the operative zone of Country Living.
- The neighbouring properties are in the same boat.

Submitter Number: 37

Submitter: Graeme Ward

Point Number 37.1

Summary of Decision Requested: Amend the location of Heritage Item 174 Briarly House shown on the maps at 10 Titoki Drive to Titoki Drive.

Decision Reasons:

- Heritage item 174 is incorrectly located on the planning map. Item 174 is Briarly', former Tinne / Bourke farmhouse. Schedule 30.1 correctly identifies it as being at number 8, but the map incorrectly locates it at number 10.

Submitter Number: 39

Submitter: Douglas & Jane Rickit

Organisation: D & J Trust

Point Number 39.1

Summary of Decision Requested: Amend the zoning of the property at 131 Buckville Road, Pukekohe from Rural Zone to Country Living Zone.

Decision Reasons:

- Surrounding area to the north and west within the Auckland Council territory boundary is zoned Future Urban under the Auckland Unitary Plan. This potentially means residential development in the locality rather than open space rural environment. The property is in close proximity to Buckland village and Pukekohe and changing the zoning of the area from Rural to Country Living is a logical step.

Submitter Number: 40

Submitter: Mark De Lautour

Point Number 40.1

Summary of Decision Requested: Retain the Residential zone for the property at 46 Jackson Street, Ngaruawahia as notified.

Decision Reasons:

- This is only a small block of land that has no future for farming being close to the Waikato river and given the amount of rainfall during the winter months.
- This block of land offers elevation and balance to the surrounding flat land and could be a potentially attractive extension of the new residential housing in the Jackson Street area.
- New Zealand, moving forward, has a shortage of land for residential housing.
- Ngaruawahia will benefit from new housing and infrastructure.

Submitter Number:	41	Submitter:	Perry Hughes
Point Number	41.1		
Summary of Decision Requested:	Add a requirement that any new titles that are created in the Residential Zone alongside the Harrisville motocross track recognise the motor sport facility and are subject to no complaints covenants in regard to noise, and are required to have extra sound proofing in any new dwelling.		
Decision Reasons:	<ul style="list-style-type: none"> • Having residential zoning alongside an established motor sport activity area is not appropriate. • The Pukekohe Motorcycle club has the Harrisville motorcross track located right next to the proposed new Tuakau residential zoning. This facility is used by the surrounding community for motorcross events for many weekends during the summer. 		

Submitter Number:	43	Submitter:	Amelia Lategan
Point Number	43.1		
Summary of Decision Requested:	Reconsider the proposed zoning at 102A, 102D and 126 Travers Road, Te Kauwhata.		
Decision Reasons:	<ul style="list-style-type: none"> • Infilling could ruin the character of the village while estate development would overwhelm it. • Development could lead to the loss of a diverse range of farms. • Development could significantly change small wine production in Te Kauwhata which started in 1903. Currently there are only 3 plantations left in Te Kauwhata. • Wine production plays a big part in our town history and we stand to lose this. • This area is prone to flooding and more subdivision puts strain on the already overloaded waterways, as this is not considered during development. • Neighbours have not been consulted by developers to estimate the increase down stream flow of additional water on to their properties. • Subdivision will change the character of Travers Road adding more light pollution with (e.g. streetlights incorporated into developments). • Increase of vehicle movements and under developed walkways which will increase the risk and public safety to pedestrians utilising Travers Road as part of their walking and fitness routine. • The inconvenience of heavy vehicle traffic and the lack of control of heavy vehicle traffic during construction stages. 		

Submitter Number:	44	Submitter:	William Ormsby
Organisation:	Maniapoto Maori Trust Board		
Point Number	44.1		
Summary of Decision Requested:	<p>Amend clause (c) in Section 2.10 Iwi Management Plans, as follows:</p> <p><i>2.10 Iwi Management Plans The Waikato-Tainui Environmental Plan and the Maniapoto Iwi Management Plans are redress instruments of Treaty settlements: AND</i></p> <p><i>(1) A local authority served under section 15(a), preparing, reviewing, or changing a Resource Management Act 1991 planning document must recognise the environmental plan in the same manner as would be required under the Resource Management Act 1991 for any planning document recognised by an iwi authority.</i></p> <p><i>(2) A consent authority considering an application for a resource consent under section 104 of the Resource Management Act 1991 must have regard to the environmental plan, if it considers that section 104(1)(c) applies to the plan.</i></p> <p><i>(3) A person carrying out functions or exercising powers under sections 12 to 14 of the Fisheries Act 1996 must recognise and provide for the environmental plan to the extent to which its contents relate to the functions or powers.</i></p> <p><i>(4) A person carrying out functions or exercising powers under the conservation legislation in relation to the Waipa River and its catchment must have particular regard to the environmental plan to the extent to which its contents relate to the functions or powers.</i></p> <p><i>NOTE: It is Council's responsibility to show HOW it gives EFFECT to the Iwi Management Plans and how the Iwi Management Plan is APPLIED within the context of the Proposed District Plan and ALL of its chapters.</i></p>		
Decision Reasons:	<p>Nga wai o Maniapoto (Waipa River) Act 2012</p> <ul style="list-style-type: none"> • The overarching purpose of this Act is to restore and maintain the quality and integrity of the waters that flow into and form part of the Waipa River for present and future generations, and the care and protection of the mana tuku iho o Waiwaia. <p><u>Co-governance and Co-management</u></p> <ul style="list-style-type: none"> • Arrangements between the Crown and river iwi ushered in a new era of Crown-iwi co-management of the Waikato and Waipa River catchment. Co-management provides iwi with mechanisms to manage the river in partnership with central and local government. • The co-governance co-management arrangements allow for, joint management agreements, participation in specific and defined river-related resource consent decision-making, recognition of the Waikato-Tainui environmental plan and Ko Ta Maniapoto o Mahere Taiao & Ko Ta Maniapoto Mahere ika mo te Waipa and other river iwi plans and provision for regulations relating to fisheries and other matters managed under conservation legislation; and an integrated river management plan. <p><u>Joint Management Agreement with the Waikato District Council</u></p> <ul style="list-style-type: none"> • Te Awa o Waipa is a taonga to Maniapoto. Maniapoto have a deep-felt obligation and desire to restore, maintain and protect all of the waters that flow and/or fall within the Maniapoto rohe (Nga Wai o Maniapoto), whether the waters are above, on or underground. Te Mana o Te Wai (the quality and integrity of the waters) is paramount. The obligation includes the waters that flow into and form part of the Waipa River. The relationship between Maniapoto and the Waipa River is historic, intellectual, physical and spiritual. • Historically, Te Mana o Te Wai was such that it provided all manner of sustenance to Maniapoto including physical and spiritual nourishment that has, over generations, maintained the quality and integrity of Maniapoto marae, whanau, hapu and iwi. To Maniapoto the Waipa River has mana and in turn represents the mana of Maniapoto. <p>The Waipa River is a single indivisible entity that flows from Pekepeke to its confluence with the Waikato River and includes its waters, banks, bed (and all minerals under it) and its streams, waterways, tributaries, lakes, fisheries, vegetation, floodplains, wetlands, islands, springs, geothermal springs, water column, airspace and substratum as well as its metaphysical elements with its own mauri.</p>		

Submitter Number:	45	Submitter:	Kewwa Low
Organisation:	Geotec Low Ltd		
Point Number	45.1		
Summary of Decision Requested:	Amend zoning of the property at 2044 River Road, Horsham Downs from Rural to Country Living Zone.		
Decision Reasons:	<ul style="list-style-type: none"> • During the consultation phases leading up to the notification of the District Plan, planning staff had always maintained that there will be no significant changes to existing zones and that property owners will not be made any worse off as a result of the Proposed District Plan. This is contrary to ratepayer's expectations and will result in diminished public confidence in the public consultation process. • The change from Country Living to Rural Zone will have significant economic impact on the owners. 		

Submitter Number:	46	Submitter:	Marc ter Beek
Point Number	46.1		
Summary of Decision Requested:	Amend Rule 22.4.1.1 PR2 and PR3 Prohibited Subdivision to have Discretionary activity status rather than Prohibited activity status.		
Decision Reasons:	<ul style="list-style-type: none"> • Discretionary activity status is adequate to protect the high quality soil resource and productive capacity of the land, where the lot is already too small for economic farming. • Where land is already fragmented to uneconomically small size, Policy 5.2.3 is not advanced by Rule 22.4.1.1. 		
Point Number	46.2		
Summary of Decision Requested:	Delete Rule 22.4.3 Title Boundaries – Significant Natural Areas, heritage items, Maaori sites of significance and Maaori areas of significance.		
Decision Reasons:	<ul style="list-style-type: none"> • Rule 22.4.3 unnecessarily limits the future development potential of the land. The rule prevents other future property owners to own part of a Significant Natural Area. 		
Point Number	46.3		
Summary of Decision Requested:	Delete the Significant Natural Area from 49 Swallow Lane, Tamahere.		
Decision Reasons:	<ul style="list-style-type: none"> • The vegetation in this mapped area is of low quality and contains many invasive pest plants such as ivy, Jerusalem cherry, privet and other climbing and ground covering weed plants. • A substantial part of the identified Significant Natural Area does not have any undergrowth and is used for animal grazing. • The Significant Natural Area unnecessarily limits the future development of this land. • The narrow mapped area along the southern boundary of the site comprises exotic species only 		

Submitter Number:	48	Submitter:	Beverley Bell
Point Number	48.1		
Summary of Decision Requested:	Retain the Significant Natural Area mapped at 108c Ferguson Road, Whatawhata and neighbouring properties.		
Decision Reasons:	<ul style="list-style-type: none"> • The native vegetation is restored in part of the Significant Natural Area along a stream and wetland, and predator control is occurring. The increase in native bird numbers and plant coverage is noticeable. • The restored area is under threat from stock roaming into the area from an unfenced neighbouring property, through which the Significant Natural Area also goes. 		
Point Number	48.2		
Summary of Decision Requested:	Add a rule to require fencing of Significant Natural Areas to exclude stock.		
Decision Reasons:	<ul style="list-style-type: none"> • The existing legislation on fencing generally and Significant Natural Areas in particular does not go far enough to protect Significant Natural Areas from roaming stock and their environmental damage. Requests to the property owner from neighbours and Waikato District Council staff, and supplying educational materials have not changed the situation. • Waikato District Council should have the power to back up the requirement to exclude stock. 		

Submitter Number:	49	Submitter:	Lindsay Graham Schick
Organisation:	L Schick Trust Company		
Point Number	49.1		
Summary of Decision Requested:	Amend zoning of Lot 2 DP 459844 at 359 Bedford Toad, Te Kowhai from Rural Zone to Country Living Zone.		

Decision Reasons:

- This property is at present run as a dairy farm.
- It is too small and uneconomic.
- It is surrounded by lifestyle block.
- The area is also unsatisfied in the demand for quality lifestyle blocks of land.

Submitter Number:

50

Submitter:

Gary McMahon

Point Number

50.1

Summary of Decision Requested:

Amend Rule 23.4.2 RDI (a)(i) General subdivision to reduce the net site area from 5000m² to 3000m².

Decision Reasons:

- 3000m² is appropriate for Tamahere because in future it will become a dormitory suburb of Hamilton and greater density of development will help to meet the demand.
- Waste water disposal is still possible with 3000m² lots.
- This lot size will also be adequate to preserve the green open nature of Tamahere.

Point Number

50.2

Summary of Decision Requested:

Delete the Airport Subdivision Control Boundary from Map 27.2.

Decision Reasons:

- The Airport Subdivision Control Boundary unnecessarily restricts subdivision and development potential of land within the area.
- The Airport Subdivision Control Boundary is unnecessary to protect in airport as reverse sensitivity issues are sufficiently addressed by building insulation requirements in the plan.

Submitter Number:

51

Submitter:

Anthony Van Lieshout

Point Number

51.1

Summary of Decision Requested:

Amend zoning of the property at 165 Golding Road, Pukekohe from Rural Zone to Country Living Zone.

Decision Reasons:

- The surrounding area to the north and west within the Auckland Council territory boundary has been zoned Future Urban under the Auckland Unitary Plan.
- This could mean residential housing and therefore a residential environment in this locality rather than a large open space rural environment.
- The subject property does not contain prime soils.
- Given the close proximity to the village of Buckland and town of Pukekohe, a change of zoning from Rural to Country Living is a logical progression in zoning for this area.

Submitter Number:

52

Submitter:

Roelof Lategan

Point Number

52.1

Summary of Decision Requested:

No specific decision sought, but submitter opposes Chapter 16 Residential Zone.

Decision Reasons:

- No reason provided.

Point Number

52.2

Summary of Decision Requested:

Amend Section C: Rules to better deal with water runoff due to increased residential developments.

Decision Reasons:

- An increase in residential development has increased water runoff.
- Enforce stricter rules for developers to deal with additional stormwater runoff.
- Waterways, stormwater runoff and culverts must be taken into consideration.
- Property at 123 Travers Road, Te Kauwhata is zoned Country Living Zone and is experiencing increased water runoff due to increased residential development in surrounding area.

Submitter Number:

53

Submitter:

Ollie Kesing

Point Number

53.1

Summary of Decision Requested:

Amend Rule 22.2.7 Indigenous vegetation clearance inside a significant natural area to allow harvesting of forestry crops of manuka, blackwoods, pines and other crop trees.

Decision Reasons:

- The SNA covers areas of cropping Manuka, black woods, pines and other crops within the property.
- Will create issues on harvest.
- Others cropping Manuka may be affected.

Point Number 53.2

Summary of Decision Requested: **Amend** the boundaries of the significant natural area of the property #2003926 at Old Mountain Road, Waitetuna to align with the areas already protected through QEII covenants (see submission for mapped amendments).

Decision Reasons:

- The SNA covers areas of cropping Manuka, black woods, pines and other crops within the property.

Submitter Number: 54 **Submitter:** Thorntree Orchards Ltd

Point Number 54.1

Summary of Decision Requested: **Amend** the zoning of the properties near Pokeno bounded by State Highway 2 to the north, State Highway 1 to the west, Baird Road to the east and existing Village Zone to the south from Rural Zone to Village Zone.

Decision Reasons:

- Additional large lot Village development is required to meet the demand and projected population growth of Pokeno.
- The proposed Village Zone is a logical expansion of the existing Village Zone to the south of the submission area which is now largely developed.
- The Concept Plan enables future intensification of the area. The proposed layout ensures that additional roads can be constructed within the required yard setbacks, safeguarding a number of possible re-development options, all of which seek to limit the creation of undesirable rear lots.
- Residential development within the submission area will help to contain growth of Pokeno around the identified Town Centre.
- The proposed residential development supports the historical St Mary's Anglican Church and the Pokeno Domain.
- The residential development of the submission area would make a second underpass beneath SH1 viable. The Concept plan has identified suitable location based on engineering requirements and topography.
- To extend services, and enable greater pedestrian and cycling connectivity between east and west Pokeno.
- The proposed layout would remove existing access points from SH2 for residential properties which NZTA have identified as a primary safety concern. This will also alleviate safety concerns on the State Highway Network.
- The residential development will protect and restore important ecological features. This will provide significant amenity, environmental and ecological benefits.

Submitter Number: 55 **Submitter:** Shelley Munro

Point Number 55.1

Summary of Decision Requested: **Amend** the Proposed District Plan to consider the expansion of the connection from SH2 to Te Kauwhata via Kopuku or Okaria Roads by commuters.

Decision Reasons:

- Urban growth areas extend in the north all the way along the arterial SH2 roading due to easy and convenient accessibility of major cities and towns from Thames to Pukekohe to Te Kauwhata.

Point Number 55.2

Summary of Decision Requested: **Amend** the Proposed District Plan to only allow Rural enterprise in the Rural Zone that protects the natural environment.

Decision Reasons:

- Protect the quality of our degrading environment.
- It is this Clean Green tourism tag that keeps visitors coming.

Point Number 55.3

Summary of Decision Requested: **Amend** the Proposed District Plan to include sealing of roads close to waterways and specifically bordering the reserves such as river catchment areas.

Decision Reasons:

- Keeps waterways free of dust (silt), gravel from slips and washouts.
- Dust is an acknowledged health hazard.
- Residential properties will infill into these zones.
- Seal once.
- Save costs of continually reworking, grading, maintaining unsealed roads where water wash is frequent and traffic is increasing.

Point Number 55.4

Summary of Decision Requested: **Amend** the Proposed District Plan to not allow commercial or rural pollutants such as fertiliser plants near Significant Natural Areas.

Decision Reasons:

- Protect the quality of our degrading environment.
- It is this Clean Green tourism tag that keeps visitors coming.

Point Number 55.5

Summary of Decision Requested: **Amend** the Proposed District Plan to offer subsidies for self-sustaining enterprises or households.

Decision Reasons:

- Encourage independence from the grid.

Point Number 55.6

Summary of Decision Requested: Amend the Proposed District Plan to introduce signage to unsealed 100km/limit roads (yellow signs like on windy roads).

Decision Reasons:

- Safer speeds on rural gravel roads.
- Safer for stock, farm workers, dust pollution, farm fence damage and drivers.

Point Number 55.7

Summary of Decision Requested: Amend heritage areas or designations to include the natural wetlands where Maori tribes once fished for eels and harvested flax etc.

Decision Reasons:

- Recognition of the importance of wetlands in early NZ history.

Point Number 55.8

Summary of Decision Requested: Amend provisions relating to public reserves or nature areas to support the populations as a whole, not just a limited group.

Decision Reasons:

- Shooting should expect to cross paths with dog walkers, or kayakers or hikers.
- Shooting is no longer safe on public land.
- Increasing appreciation for natural environment.
- Attracting tourists not wanting to get shot.
- Increasing mobility with distances not being the restriction it was once for residents to explore further afield.

Point Number 55.9

Summary of Decision Requested: Amend the Proposed District Plan to extend urban growth areas in the north all the way along State highway 2.

Decision Reasons:

- Urban growth areas extend in the north all the way along the arterial SH2 roading due to easy and convenient accessibility of major cities and towns from Thames to Pukekohe to Te Kauwhata.
- Any where in close proximity to the main thoroughfares will likely be in demand.
- Infrastructure and services along SH2 planned and budgeted for such as town water, fibre, sewage, footpaths and playgrounds.

Point Number 55.10

Summary of Decision Requested: Amend the Proposed District Plan to plan for medical and public transport services along State highway 2.

Decision Reasons:

- No reasons provided.

Point Number 55.11

Summary of Decision Requested: Amend the Objective 5.1 The Rural Environment to maintain, enhance and improve the environment.

Decision Reasons:

- Most money gained from mining exploits does not get re-invested locally and employment opportunities are short-sighted.
- Long term physical and psychological effects on workers and local residents are not considered. Most rural employees, who are farmers, travel long distances and are sleep deprived. They are unable to hold jobs of their own and therefore fall back on benefits or take sick leave.
- Income from consents and applications should be future-proofed to provide benefit to all locals, rather than being limited to rehabilitation at the conclusion of works. Roads in the vicinity of the submitter's property are rarely upgraded to accommodate the extra traffic burden.
- Planting required in the resource consent is only along one boundary and only follows one road. This means that sound in every direction is not absorbed and there is an ugly visual impact from all directions of travel.
- Noise has impacted on mating seasons and the browsing patterns of animals.

Point Number 55.12

Summary of Decision Requested: No specific decision sought, however submission opposes mineral and extractive industries, particularly issuing of 24/7 operating licences.

Decision Reasons:

- Public and community welfare and long term benefits should outweigh profiteering by private corporates.
- Money from mining exploits does not get reinvested locally.
- Employment opportunities are short sighted when compared to long term effects of workers and residents of the locality (medically and professionally).
- In rural areas most employees travel long distances as most locals are farmers.
- Residents are sleep deprived.
- Income from consent applications should be future-proofed and provide benefits to all locals not just limited to rehabilitation at the conclusion.
- Roads in our area are rarely upgraded to accommodate extra traffic and fall into disrepair.
- Planting specified in resource consents on one boundary does not absorb sound in every direction or visual impact from all directions.
- Noise impacts on mating seasons and browsing patterns of animals.

Submitter Number: 56 **Submitter:** Riaan Jonker

Point Number 56.1

Summary of Decision Requested: Amend the 'Walkway Cycleway Bridleway' between the Te Kauwhata Golf Course and properties on Awanui Avenue to be located instead on 25A Awanui Avenue.

Decision Reasons:

- The 'Walkway Cycleway Bridleway' proposed will create a Iron cage fence between Awanui Avenue properties and golf course to protect the users of the 'Walkway Cycleway Bridleway' due to the layout of the golf course.
- This will negatively effect Awanui Avenue properties which were designed to take advantage of the views of the golf course.
- Awanui Avenue Properties will have complete unsolicited access from both Awanui Avenue and the proposed 'Walkway Cycleway Bridleway'.
- The 'Walkway Cycleway Bridleway' could be redirected through property no 2015776 - 25A Awanui Avenue, (Currently a public accessible green space) which contains a public access gate to the golf course. This would ensure the continuation of enjoyment by the existing properties bordering the golf course while providing the ability to integrate a 'Walkway Cycleway Bridleway' into and around the golf course.

Submitter Number: 58 **Submitter:** Kiwi Green NZ Limited

Point Number 58.1

Summary of Decision Requested: Amend zoning of the property at 115 Whangarata Road, Tuakau to include 21.268ha of Residential Zone and 4.1271 ha of Industrial Zone.

Decision Reasons:

- Additional residential-zoned land is needed to meet the current demand and projected growth of Tuakau.
- The relief sought fulfils a lot of the National Policy Statement: Urban Development Capacity in that it is able to be connected to existing service infrastructure.
- No significant constraints exist regarding the provision of three waters connections to the submission site.
- The site adjoins existing and approved residential development and provides an opportunity to expand on this residential area.
- The relief sought attempts to address identified issues with the current zoning, including the proximity of the existing and approved (Coles Road) residential area adjacent to or adjoining the current Tuakau Industrial Zone. If this land was to be developed for such permitted purposes, there would be significant effects on the existing residential areas.
- The need to safeguard and protect the existing and proposed residential areas of Tuakau needs to be a central consideration within any changes to the Industrial/Business Zones. A potential solution, is the land to the west of Bollard Road (including the existing businesses) is rezoned to Industrial.
- This zone and associated controls would be modified to provide a balance of protecting the existing businesses, but also limiting further industrial growth within immediate proximity to the residential areas of Tuakau. This would help to address the business owner's concerns, whilst also ensuring that Council has taken steps to safeguard the residents of Tuakau from effects which could arise, if the land zoned Industrial now was to be developed further.
- To ensure the existing businesses are not impacted by the proposed increase of residential land, part of the site should be contained within this Industrial Zone.
- If the currently piped gully which runs through the site in a generally south-east to north-west direction is to be reinstated to a natural stream, this will help provide a buffer between the proposed Industrial Zone and will also provide significant amenity and environmental benefits.
- The acoustic report attached to the submission provides specific assessment (noise measurements of the existing businesses) and details of how residential development can occur, whilst identifying any likely effects on the existing businesses. Specific mitigation is proposed.

Point Number 58.2

Summary of Decision Requested: Amend the District Plan to include additional site-specific controls for 115 Whanagata that align with the mitigation measures described in the acoustic and air quality reports provided with the submission.

Decision Reasons:

- Site specific controls will enable residential development to occur on the submitter's property whilst mitigating the adverse effects of noise and air discharge from nearby industries.

Submitter Number: 59 **Submitter:** Juliet Sunde

Point Number 59.1

Summary of Decision Requested: Amend the zoning of the property at 102 Travers Road, Te Kauwhata from Residential Zone to Country Living Zone.

Decision Reasons:

- The Land at 102 Travers Rd is subject to flooding and unsuitable for close subdivision. There is no need for additional sections to be created in Te Kauwhata, as enough land is already zoned to meet projected demands.
- Additional residential development in this land will compromise current land uses for viticultural and lifestyle activities (including stock). Land across the road is Country living and this should be the same.

Point Number 59.2

Summary of Decision Requested: Amend the zoning of the properties at 114, 126 and 128 Travers Road, Te Kauwhata from Residential Zone to Country Living Zone.

Decision Reasons:

- 126 Travers Rd is a working Vineyard and has been for the past 30 years. The Residential Zoning will significantly alter the owner's ability to keep it as a viable vineyard.
- The land is subject to flooding and unsuitable for residential development.
- There is a glut of sections available in Te Kauwhata and there is no need for this land to be in the Residential Zone.
- The land shown on the attached map provides a logical boundary between the Country Living Zone and Residential and matches the other side of Travers Road (See map attached to submission for further detail).

Submitter Number: 60 **Submitter:** Merged to # 59 Juliet Sunde

Point Number	60.1
Summary of Decision Requested:	Amend the zoning of the properties at 114, 126 and 128 Travers Road, Te Kauwhata from Residential Zone to Country Living Zone.
Decision Reasons:	<ul style="list-style-type: none"> • 126 Travers Rd is a working Vineyard and has been for the past 30 years. The Residential Zoning will significantly alter the owner's ability to keep it as a viable vineyard. • The land is subject to flooding and unsuitable for residential development. • There is a glut of sections available in Te Kauwhata and there is no need for this land to be in the Residential Zone. • The land shown on the attached map provides a logical boundary between the Country Living Zone and Residential and matches the other side of Travers Rd. (See map attached to submission for further detail).

Submitter Number:	61	Submitter:	Anthony Viner
Point Number	61.1		
Summary of Decision Requested:	Delete Rule 22.4.1.2 RD1(a)(ii) General Subdivision requiring a minimum of 20ha to subdivide in the Rural Zone.		
Decision Reasons:	<ul style="list-style-type: none"> • The restriction of subdivision to lots larger than 20ha is inappropriate for small lots in areas already fragmented such as Summerfield Lane, Tamahere. • None of the criteria in Policy 5.3.8 for rural zones are compromised by providing for smaller lots in areas such as this. 		
Point Number	61.2		
Summary of Decision Requested:	Amend Rule 22.4.1.2 RD1(a)(iv) General Subdivision to reduce minimum lot sizes in the Rural Zone from 8,000m ² -1.6ha to 5,000m ² .		
Decision Reasons:	<ul style="list-style-type: none"> • 5000m² is sufficient to maintain the values stated in Policy 5.3.8, and is the Waikato District conventional minimum lot size. • In the specific case of the proposed subdivision it is already surrounded by many lots of about 5000m². 		

Submitter Number:	62	Submitter:	Tara Wrigley
Point Number	62.1		
Summary of Decision Requested:	Amend Rule 22.4.1.6(i) Conservation lot subdivision by inserting a new row to the table regarding the Whaanga Coast as follows: <i>Contiguous Area to be legally protected (hectares): <u>Between 1ha and 2ha in areas within the Whaanga Coast</u></i> <i>Maximum number of new Records of Title: <u>1</u></i>		
Decision Reasons:	<ul style="list-style-type: none"> • The rule as proposed does not provide significant incentive to create additional legally protected conservation areas. The costs of doing so (approximately between \$35,000 and \$45,000) per ha for native planting plus fencing costs, and Council /Compliance costs) outweigh the return. There are unique opportunities on the Whaanga Coast to increase the area of land protected for conservation. Land use along this Coast is also changing from generating income from livestock, to generating income from events and tourism. An increase in the land protected for conservation would benefit this changing land use. 		
Point Number	62.2		
Summary of Decision Requested:	Amend the table in Rule 22.4.1.6(i) Conservation lot subdivision to increase the maximum number of titles in each row as follows: <i>Less than 2ha in all other areas: <u>1</u></i> <i>2ha to less than 5ha: <u>2</u></i> <i>5ha to less than 10ha: <u>3</u></i> <i>10ha or more: <u>4</u></i>		
Decision Reasons:	<ul style="list-style-type: none"> • The rule as proposed does not provide significant incentive to create additional legally protected conservation areas. The costs of doing so (approximately between \$35,000 and \$45,000) per ha for native planting plus fencing costs, and Council /Compliance costs) outweigh the return. There are unique opportunities on the Whaanga Coast to increase the area of land protected for conservation. Land use along this Coast is also changing from generating income from livestock, to generating income from events and tourism. An increase in the land protected for conservation would benefit this changing land use. 		

Submitter Number:	63	Submitter:	Colin John Orr
Point Number	63.1		
Summary of Decision Requested:	Amend the zoning of the properties at 126 and 128 Travers Road to Country Living Zone.		
Decision Reasons:	<ul style="list-style-type: none"> • The access to this land is only 4m wide and cannot support residential densities. • 128 Travers Road is suitable for Country Living Zone with suitable topography and adjoining a vineyard. 		

Submitter Number:	64	Submitter:	Gulab Bilimoria
Organisation:	Bilimoria Consulting Ltd		
Point Number	64.1		
Summary of Decision Requested:	Amend the zoning of the property at 19 Hakarimata Road, Ngaruawahia from Rural Zone to retain the existing Light Industrial Zoning.		
Decision Reasons:	<ul style="list-style-type: none"> Industrial proposal has been planned for the site. 		

Submitter Number:	65	Submitter:	Brent Greig
Point Number	65.1		
Summary of Decision Requested:	Retain the proposed Residential Zone of the property at 15 Barnaby Road, Tuakau (Lot 1 DP 320629 CT 81778).		
Decision Reasons:	<ul style="list-style-type: none"> The Residential Zoning of Lot 1 DP DP 320629 CT 81778 is a logical extension to the residential zone of Tuakau and is able to be served by existing public reticulated utility services. See the map attached to the submission which provides detail of the utilities. 		
Point Number	65.2		
Summary of Decision Requested:	Amend Rule 16.4.1 Subdivision- General to require a minimum net site area of 300m2.		
Decision Reasons:	<ul style="list-style-type: none"> A 300m2 minimum net site area previously existed under the Franklin District Plan and provided choice and a range of housing typologies for Tuakau. 450m2 does not provide for efficient use of the residential land resource. The Discretionary Activity status for non-compliance will not attract confidence for applications or investment in Tuakau. The central area should be supported by a planning framework and intensification that recognises the transport links and the fact that Tuakau is 2.5km from the future urban zone of Auckland. 		
Point Number	65.3		
Summary of Decision Requested:	Amend Rule 16.3.9.3 Building setback - Waterbodies to reduce the setback from the bank of any river from 23m to 10m.		
Decision Reasons:	<ul style="list-style-type: none"> The 23m setback for any building from the bank of any river is an inefficient use of residential land. A setback is appropriate and this should be 10m. The submitter notes this is the case in the Auckland Unitary Plan Residential Zones and can find no resource management justification or science as to why a more onerous 23m is deemed to be required in Waikato when the same issues of amenity, biodiversity and flood hazard avoidance exist. 		

Submitter Number:	66	Submitter:	Andrew Loader
Organisation:	First Rock Consultancy Ltd		
Point Number	66.1		
Summary of Decision Requested:	Amend the approach to identifying Significant Natural Areas to allow any land owner to challenge the designation of a Significant Natural Area until a physical audit of the area has been carried out by a specified panel and confirmed that the designation is appropriate.		
Decision Reasons:	<ul style="list-style-type: none"> The submitter considers that adopting the approach as sought will allow Council to protect areas deemed to be of significance from inappropriate use or development, while still allowing landowners the opportunity to contest the designation. The majority of the problems landowners have with Significant Natural Areas is around the designation of the area as a Significant Natural Area rather than the definition. Allowing a Significant Natural Area to be contested until a physical audit of the designated area has been carried out and confirmed that the designation is appropriate will remove the time constraints of the current approach and remove the need for expensive legal action by either landowners or Council. Landowners will only challenge a Significant Natural Area designation where they consider the designation is inappropriate so there is unlikely to be a flood of applications to contest it. 		

Submitter Number:	67	Submitter:	Pirie & Lynne Brown
Point Number	67.1		
Summary of Decision Requested:	Amend the zoning of the property at 97 Buckville Road, Buckland, from Rural Zone to Country Living Zone.		
Decision Reasons:	<ul style="list-style-type: none"> The surrounding area to the north and west within the Auckland Council territory has been zoned Future Urban Zone under the Auckland Unitary Plan. This could potentially mean residential housing and therefore a residential environment in this locality rather than open rural space. The property does not contain any prime soils. The property is in close proximity to the village of Buckland and town of Pukekohe which means that a change of zone from Rural to Country Living is a logical progression in zoning. 		

Submitter Number:	68	Submitter:	William Smeed
Point Number	68.1		
Summary of Decision Requested:	Amend Chapter 22 Rural Zone rules, in consultation with island owners, to include specific rules for islands in the Waikato River.		
Decision Reasons:	<ul style="list-style-type: none"> Chapter 22 Rural Zone does not address issues relating to islands. The islands are specific areas of land that need to be given consideration and not just lumped into other rural areas. 		
Point Number	68.2		
Summary of Decision Requested:	Delete the overlays placed over the island in the Waikato River, such as the Significant Amenity Landscape or the Significant Natural Area.		
Decision Reasons:	<ul style="list-style-type: none"> The Significant Amenity Landscape and the Significant Natural Area overlays affect the use of the island so that it cannot be used for any productive activities, including the use or development of the property. If the island is that significant, then Council needs to consider either paying significant compensation for the loss of use of the land or purchase the property. 		

Submitter Number:	69	Submitter:	Lucy Stallworthy
Point Number	69.1		
Summary of Decision Requested:	Delete the part of Rule 22.3.2 Minor dwelling, requiring minor dwellings to be within 20m of an existing dwelling.		
Decision Reasons:	<ul style="list-style-type: none"> It may not be possible to have a minor dwelling within 20m if the site is constrained or has geographical features which prevent this. As there is no longer a requirement for dependents to live in a minor dwelling, it could be used for worker accommodation. It may not be desirable to have workers living that close to the main house. 		
Point Number	69.2		
Summary of Decision Requested:	Amend Rule 22.4.1.6 Conservation lot subdivision which applies to the Hamilton Basin to the area around the northern boundary of the Waikato along the boundary with Auckland, particularly around the Tuakau, Puni, Mauku, south side of Pukekohe Hill area (Tramway / Settlement / Cameron Town Roads) to enable them to receive 1 new title in this area if they have between 1-2ha of Significant Natural Area protected. AND/OR Amend the fourth row in the table in Rule 22.4.1.6 Conservation lot subdivision to read as follows: 2 <u>1</u> ha to less than 5ha		
Decision Reasons:	<p>Submitter considers the rules should be amended as:</p> <ul style="list-style-type: none"> There are a lot of small areas of bush / wetland and streams in this area that need protection but are not necessarily 2ha or greater in size. A rule such as that suggested by the submitter would provide an incentive to protect these natural area. This area is very highly developed already with market gardens, the natural areas that are remaining need to be protected. It is also an area that is already highly subdivided with lots of lifestyle properties so it makes sense to allow a little more subdivision in these areas provided the natural areas are preserved. The rural character would in fact be enhanced as it could lead to more areas not being turned into market gardens. By limiting to areas around watercourses / streams / wetlands would also lead to water quality improvements. Small natural areas provide a refuge for wildlife and if they are dotted around the area can be like a series of refuges for wildlife as they move around the area. 		

Submitter Number:	70	Submitter:	Ben Stallworthy
Point Number	70.1		
Summary of Decision Requested:	Delete the part of Rule 22.3.2 Minor Dwelling requiring minor dwellings to be within 20m of an existing dwelling.		
Decision Reasons:	<ul style="list-style-type: none"> It may not be realistic to have a minor dwelling within 20m due to constraints of the site or geographical shape of the land. As there is no longer a requirement for dependents to live in a minor dwelling, it could be used for worker accommodation. It may be better for workers to live more than 20m away. 		
Point Number	70.2		
Summary of Decision Requested:	Amend Rule 22.4.1.6 Conservation Lot Subdivision, to allow for 1 new title around Pukekohe and Tuakau where there is 1-2 ha in a conservation area AND Amend Rule 22.4.1.6 Conservation Lot Subdivision, to allow the creation of new titles around Pukekohe and Tuakau where there is less than 1ha in a conservation area, AND Amend Rule 22.4.1.6 Conservation Lot Subdivision, to enable creation of 2 new titles where there is a conservation area between 2-5ha.		
Decision Reasons:	<ul style="list-style-type: none"> There are a lot of small natural areas that need to be protected and this would encourage land owners to protect these areas. There is so much market gardening around this area and very little natural areas. Allowing two titles from protecting 2-5ha would encourage people to enlarge the small natural areas they do have. 		

- Enabling subdivision through planting around streams like the Puni/Mauku stream would encourage people to protect the stream.
- Many of the areas around Cameron Town/Settlement/Tramway Road are already subdivided with lifestyle blocks and market gardens.
- Need to allow more limited housing in exchange for protecting what naturalness is left and adding to it.

Point Number 70.3

Summary of Decision Requested: **Amend** the zoning of areas along the northern Waikato border adjacent to the Auckland boundary from Rural to Country Living Zones, including the area to the south and east of Pukekohe, south of Pukekohe Hill and extending to Tuakau, comprising at least Tramway Road, Settlement Road and Cameron Town Road.

Decision Reasons:

- These areas are already significantly subdivided with many lifestyle blocks and it makes sense to allow further allow subdivision of existing small blocks that are not economic units of production, for example those under 10 hectares.
- It makes sense to concentrate rural living lifestyle blocks around existing towns - the fact that Pukekohe is in Auckland should not be relevant - it is an existing town and on its outskirts there should be countryside living allowed, much like it is in the Auckland Unitary Plan.
- All the people who live in this area are socially and economically tied to Auckland / Pukekohe.
- While the entire area along the border should not be countryside living, there are locations where there is already lots of lifestyle blocks - these should be allowed to be divided into smaller lifestyle blocks provided they are self-sufficient i.e. own water / water water.

Submitter Number: 71 **Submitter:** Diewke Butler

Point Number 71.1

Summary of Decision Requested: **Amend** the zoning of the properties with road frontage to Percy Graham Drive, Tuakau from Village Zone to Residential Zone.

Decision Reasons:

- One side of Percy Graham Road is zoned Residential while the other is Rural Residential Zone. Both sides have access to town water and wastewater.
- There is ample scope to subdivide further and better utilise the services provided
- As this area is already urban, this will not affect the amenity value.
- A similar situation is in Barnaby Road where the road frontage properties will be zoned Residential Zone.

Submitter Number: 72 **Submitter:** Lynne Collins

Point Number 72.1

Summary of Decision Requested: **Retain** the proposed Rural Zone for the property at 62 Bluff Road, Pokeno.

Decision Reasons:

- The landowners of 62 Bluff Road, Pokeno want to start a clean fill with a proposed concrete crushing facility to be built there also, but the submitter opposes this.
- There are natural waterways and a lot of bird and plant life at the site and clean fill/concrete crushing will be detrimental to the environment if it goes ahead.
- The road infrastructure would not take all the truck traffic.
- The other properties around 62 Bluff Road would all be affected if the clean fill and concrete crushing goes ahead - noise, pollution and environmental.
- Change of zoning to rural will be beneficial to all adjoining properties.

Submitter Number: 73 **Submitter:** Anna Wilkes

Organisation: Ravensdown

Point Number 73.1

Summary of Decision Requested: **Amend** the Aggregate Extraction Area overlay on the property at 2571 Port Waikato-Waikaretu Road, Tuakau so that the southern boundary of the overlay is aligned with the property boundary.

Decision Reasons:

- The submitter's understanding is that provisions in the proposed district plan relating to Aggregate Extraction Areas only relate to subdivision provisions; it is therefore logical that the small areas of overlay that extend beyond the Ravensdown property boundary are aligned with the property boundary.
- The boundary of the proposed aggregate extraction area overlay appears to have been based on the current areas of exposed site visible in Google maps imagery.

Submitter Number: 74 **Submitter:** Graham Hunkin

Point Number 74.1

Summary of Decision Requested: No specific decision requested, but submission questions the necessity of the designation held by Vector Gas Limited (Designation R1), particularly at the property at 185 Brown Road, Tuakau. The submission refers to Section 184 of the Resource Management Act which relates to the lapsing of the designation.

Decision Reasons:

- The construction zone designation was granted to Vector in approximately 2005. No substantial progress has been made by the requiring authority with the last letter received from the requiring authority on the 9th of June 2009 and no construction or preparation for construction has been initiated in this time.
- RMA section 184 states that a designation will lapse if no "substantial progress or effort has been made towards giving effect to the designation and is continuing to be made".
- See attachment to submission for copies of the correspondence between the submitter and Vector.

Submitter Number:	75	Submitter:	Mark Emms
Point Number	75.1		
Summary of Decision Requested:	Delete the Significant Natural Area from the property at 126C Woodcock Road, Tamahere.		
Decision Reasons:	<ul style="list-style-type: none"> The vast majority of the vegetation is pest species. Although a large amount of privet has been removed over the years, there remains a large amount of blackberry, gorse, honeysuckle, willow etc. 		
Point Number	75.2		
Summary of Decision Requested:	Delete the walkway/cycleway/bridleway from the property at 126C Woodcock Road, Tamahere.		
Decision Reasons:	<ul style="list-style-type: none"> The landowner's privacy and security would be severely compromised by the proposed walkway/cycleway. This would be extremely difficult and expensive to construct as the whole of the gully bottom is wet/boggy and there are large areas of brambles/pest species and the gully sides are very steep. 		
Point Number	75.3		
Summary of Decision Requested:	Delete the walkway/cycleway/bridleway from Fushia Lane to Titoki Lane, Tamahere.		
Decision Reasons:	<ul style="list-style-type: none"> This would be very difficult and expensive to construct as the whole of the gully bottom is wet and boggy, there are large areas of brambles/pest plants and the gully sides are very steep. 		
Submitter Number:	76	Submitter:	Gulab Bilimoria
Organisation:	Bilimoria Consulting Ltd		
Point Number	76.1		
Summary of Decision Requested:	Retain the proposed zoning of the properties at 24 and 43A Saubrey Road, Ngaruawahia as Residential Zone.		
Decision Reasons:	<ul style="list-style-type: none"> Already in the process of subdivision for residential use (see attachment to submission for development plans). 		
Submitter Number:	77	Submitter:	Colette Hanrahan
Point Number	77.1		
Summary of Decision Requested:	Delete the walkway/cycleway/bridleway from the property at 126B Woodcock Road, Tamahere.		
Decision Reasons:	<ul style="list-style-type: none"> The walkway/cycleway/bridleway would greatly compromise the submitter's privacy and safety. The submitter does not understand why the proposed route crosses private property when land on the other side of the stream is QEII covenanted. See attachment to submission for photos. The proposed route is impractical due to terrain, being wet and boggy and full of weed species. 		
Point Number	77.2		
Summary of Decision Requested:	Delete the walkway/cycleway/bridleway from Fushia Lane to Titoki Lane, Tamahere.		
Decision Reasons:	<ul style="list-style-type: none"> The proposed route of the walkway/cycleway/bridleway is completely impracticable as the terrain is steep, the gully bottom is extremely wet and boggy and is full of blackberry, blackwood and other pest species. 		
Point Number	77.3		
Summary of Decision Requested:	Delete the Significant Natural Area from the property at 126B Woodcock Road, Tamahere.		
Decision Reasons:	<ul style="list-style-type: none"> The indigenous vegetation mapped is of extremely low quality. The vegetation contains mainly pest species including blackberry, convolvulus, alligator weed, privet, gorse, jasmine, blackwood etc. The only native trees and plants in the gully surrounding the submitter's house are immature ones that have been planted in recent years. See attachment to submission for photos. 		
Submitter Number:	78	Submitter:	David Lawrie

Point Number 78.1

Summary of Decision Requested: Amend the Significant Natural Area on the property at 52B Mill Road, Pukekohe to match the true natural area.

Decision Reasons:

- The natural areas are incorrectly marked on the property.
- The natural area on the map includes barberry and forestry.
- The true natural feature has a QEII covenant over it.

Submitter Number: 79 **Submitter:** Amy Pitcher

Point Number 79.1

Summary of Decision Requested: Amend the proposed zoning of the property at Horotiu Bridge Road, Horotiu (Lot 3 DP 513666 and Valuation Reference 04421/079.21) from Rural Zone to Country Zone.

Decision Reasons:

- The submitter wishes to subdivide their property into two sections in the future, as the current property area of 15,000m2 is considered to be a lot for them to maintain.

Submitter Number: 80 **Submitter:** Dean Van Ingen

Point Number 80.1

Summary of Decision Requested: Delete the Significant Natural Area from the property at 384A Karakariki Road, Hamilton.

Decision Reasons:

- The Significant Natural Area identified on the property consists of two plum trees.
- There are no other trees within the Significant Natural Area that are on the property.
- See photos attached to the submission for further information.

Point Number 80.2

Summary of Decision Requested: Delete the overlay 'Hamilton basin ecological management area' from the property at 384A Karakariki Road, Hamilton.

Decision Reasons:

- No reason provided.

Submitter Number: 81 **Submitter:** Waikato Regional Council

Point Number 81.1

Summary of Decision Requested: Amend the Proposed District Plan to clarify the strategic objectives and policies in each policy chapter, and how they relate to the issues identified in Chapter 1.

Decision Reasons:

- Chapters in the Proposed Plan include strategic objectives and policies, and the relationship between these and non-strategic objectives and policies, and the resource management issues identified in Chapter 1, is not clear.
- Policy 4.1 of the Waikato Regional Policy Statement (WRPS) seeks that an integrated approach to resource management be adopted, including 4.1(h) establishing a planning framework which sets clear limits and thresholds for resource use. Clearly identifying the strategic objectives and policies for all the resources that the Proposed Plan seeks to manage and cross-referencing them to related issues in Chapter 1 would promote an integrated approach and provide clarity about the relationship between issues, strategic and other objectives, policies and methods for plan users, particularly those applying for and processing resource consent applications and plan changes.
- See submission for suggested amendments.

Point Number 81.2

Summary of Decision Requested: Amend each zone chapter to provide details on the purpose and anticipated outcomes of the corresponding zone or subzone.

Decision Reasons:

- There are no descriptions of zones and their intended outcomes.
- Clarification on the purpose of each zone will increase understanding of the anticipated outcomes, and appropriate types of activities for the different environments.
- These descriptions will assist with understanding the purpose and character of the residential zone and the associated provisions 4.2.1 and 4.2.2.

Point Number 81.3

Summary of Decision Requested: Amend Permitted Activity standards for all zones for earthworks to provide for a minimum 5 metre distance from any waterbody or overland flow path, example of which is as follows:

P16.2.4.1 (a)(i) Be located more than ~~4.5 m~~ 5.0 m horizontally from any waterway, open drain or overland flow path.

Decision Reasons:

- The Te Ture Whaimana o Te Awa o Waikato, Vision and Strategy for the Waikato River contains a number of objectives regarding the restoration and protection of the Waikato River, including but not limited to a) The restoration and protection of the health and

- wellbeing of the Waikato River; e) The integrated, holistic and coordinated approach to management of the natural, physical, cultural and historic resources of the Waikato River and (f).
- The adoption of a precautionary approach towards decisions that may result in significant adverse effects on the Waikato River, and in particular those effects that threaten serious or irreversible damage to the Waikato River.
- These provisions are supported by related provisions of the Waikato Regional Policy Statement (WRPS), notably Implementation Method 8.3.10.
- The provisions as written do not take a sufficiently precautionary approach to managing sediment loadings entering stormwater networks and waterbodies, such as: Managing earthworks in close proximity to water bodies, managing earthworks in a flood plain or flood hazard area and managing the revegetation of earthworked sites in a timely fashion.
- Amending (or adding) the conditions to provide for a more precautionary approach that minimises the risk of sediment entering waterbodies or stormwater providing a minimum 5 metre setback and 2 month revegetation period aligning with better practice earthworks management.

Point Number 81.4

Summary of Decision Requested: **Amend** Permitted Activity standards for all zones to provide for a shorter period of time for earthworks to be revegetated, as follows:

Areas exposed by earthworks are re-vegetated to achieve 80% ground cover within 6 ½ months of the commencement of the earthworks.

Decision Reasons:

- The Te Ture Whaimana o Te Awa o Waikato, Vision and Strategy for the Waikato River contains a number of objectives regarding the restoration and protection of the Waikato River, including but not limited to a) The restoration and protection of the health and wellbeing of the Waikato River; e) The integrated, holistic and coordinated approach to management of the natural, physical, cultural and historic resources of the Waikato River; and f).
- The adoption of a precautionary approach towards decisions that may result in significant adverse effects on the Waikato River, and in particular those effects that threaten serious or irreversible damage to the Waikato River.
- These provisions are supported by related provisions of the Waikato Regional Policy Statement (WRPS), notably Implementation Method 8.3.10.
- The provisions as written do not take a sufficiently precautionary approach to managing sediment loadings entering stormwater networks and waterbodies, such as: Managing earthworks in close proximity to water bodies, managing earthworks in a flood plain or flood hazard area, managing the revegetation of earthworked sites in a timely fashion.
- Amending (or adding) the conditions to provide for a more precautionary approach that minimises the risk of sediment entering waterbodies or stormwater providing a minimum 5 metre setback and 2 month revegetation period aligning with better practice earthworks management.

Point Number 81.5

Summary of Decision Requested: **Add** to the Proposed District Plan for all zones an additional condition related to earthworks within a flood plain (in addition to identifying these on maps), as follows (or similar):

Not be located within a flood plain as identified in the Waikato District Plan.

AND

Add to Maps the flood plain.

Decision Reasons:

- The Te Ture Whaimana o Te Awa o Waikato, Vision and Strategy for the Waikato River contains a number of objectives regarding the restoration and protection of the Waikato River, including but not limited to a) The restoration and protection of the health and wellbeing of the Waikato River; e) The integrated, holistic and coordinated approach to management of the natural, physical, cultural and historic resources of the Waikato River; and f).
- The adoption of a precautionary approach towards decisions that may result in significant adverse effects on the Waikato River, and in particular those effects that threaten serious or irreversible damage to the Waikato River.
- These provisions are supported by related provisions of the Waikato Regional Policy Statement (WRPS), notably Implementation Method 8.3.10. The provisions as written do not take a sufficiently precautionary approach to managing sediment loadings entering stormwater networks and waterbodies, such as: Managing earthworks in close proximity to water bodies, managing earthworks in a flood plain or flood hazard area, managing the revegetation of earthworked sites in a timely fashion.
- Amending (or adding) the conditions to provide for a more precautionary approach that minimises the risk of sediment entering waterbodies or stormwater providing a minimum 5 metre setback and 2 month revegetation period aligning with better practice earthworks management.

Point Number 81.6

Summary of Decision Requested: **Add** to the Proposed District Plan for all zones a standard to minimise impacts on water bodies as follows:

Do not divert or change the nature of natural water flows, water bodies or established drainage paths.

Decision Reasons:

- The Te Ture Whaimana o Te Awa o Waikato, Vision and Strategy for the Waikato River contains a number of objectives regarding the restoration and protection of the Waikato River, including but not limited to a) The restoration and protection of the health and wellbeing of the Waikato River; e) The integrated, holistic and coordinated approach to management of the natural, physical, cultural and historic resources of the Waikato River; and f).
- The adoption of a precautionary approach towards decisions that may result in significant adverse effects on the Waikato River, and in particular those effects that threaten serious or irreversible damage to the Waikato River.
- These provisions are supported by related provisions of the Waikato Regional Policy Statement (WRPS), notably Implementation Method 8.3.10. The provisions as written do not take a sufficiently precautionary approach to managing sediment loadings entering stormwater networks and waterbodies, such as: Managing earthworks in close proximity to water bodies, managing earthworks in a flood plain or flood hazard area, managing the revegetation of earthworked sites in a timely fashion.
- Amending (or adding) the conditions to provide for a more precautionary approach that minimises the risk of sediment entering waterbodies or stormwater providing a minimum 5 metre setback and 2 month revegetation period aligning with better practice earthworks management.

Point Number 81.7

Summary of Decision Requested: **Amend** the Proposed District Plan's provisions to support the use of low impact design principles for stormwater management (in particular consider for Restricted Discretionary Activity criteria and permitted activity standards).

Decision Reasons:

- Sensitive environments can be adversely affected by stormwater from the subdivision and development of land.
- There is an opportunity to provide in the policies for low impact design, or a water sensitive design approach, especially in the coastal environment, and in the vicinity of wetlands, lakes and rivers, and their margins.
- This is supported by Policies 6.2 and 6.3 of the WRPS and Implementation Method 8.3.10.
- Reserves can be located to enable low impact design stormwater management.

Point Number 81.8

Summary of Decision Requested: **Retain** Rule 19.1.2 RD1 Restricted Discretionary Activities.

Decision Reasons:

- Rule 19.1.2 RD1 already incorporates detail for low impact design principles and is supported.
- Submitter supports the application of low impact design principles as outlined in Waikato Regional Council's Waikato Stormwater Management Guideline.
- There is an opportunity for this item to be included as a matter of discretion across all zones in the district.

Point Number 81.9

Summary of Decision Requested: **Amend** the Proposed District Plan for all zones to provide for a minimum 10m setback from the banks of a perennial or intermittent stream.

Decision Reasons:

- There are a range of setbacks from water bodies throughout the zones.
- At a minimum all buildings should be setback a minimum of 10m from the banks of a perennial or intermittent stream, and rules should be provided and/or amended to reflect this.
- It is recommended that this setback is included for all zones.

Point Number 81.10

Summary of Decision Requested: **Retain** for all zones setbacks from waterbodies that are larger than 10m .

Decision Reasons:

- There are a range of setbacks from water bodies throughout the zones.
- A minimum setback of 10m from the bank of a perennial or intermittent stream that is provided for in other zones is supported.

Point Number 81.11

Summary of Decision Requested: **Amend** the Proposed District Plan to provide for district-wide provisions in the Natural Hazards and Climate Change zones/overlays to restrict activities that take place in these areas, and to discourage inappropriate use and development.

Decision Reasons:

- Submitter acknowledges that Phase 2 of the Proposed Plan review will address natural hazards. The Proposed Plan provides for a range of activities and also rezones land for urban expansion around some centres.
- Without detail from the Natural Hazards and Climate Change Chapters it is unclear what provisions will apply to manage or restrict development and other activities on land subject to an identified natural hazards or climate change area.
- Rules and standards that may be affected include those related to earthworks, building platforms, cleanfill, the construction of buildings and rezoning of new land for urban expansion.
- Objectives and policies throughout the document may also benefit from the consideration of natural hazards, such as Policies 5.3.5 and 6.4.7, avoiding the flood plain or flood risk areas.

Point Number 81.12

Summary of Decision Requested: **Amend** the Proposed District Plan to provide for cross references between issues, objectives, policies and rules.

Decision Reasons:

- There are not clear links and cross-references between related issues, objectives, policies and rules.

Point Number 81.13

Summary of Decision Requested: **Amend** the Proposed District Plan by pulling area specific provisions (ie Lakeside) into one Chapter (e.g. Section 9: Specific Zones).

Decision Reasons:

- There are a number of areas that are subject to specific provisions that have been created through plan changes or other processes: e.g. Te Kauwhata Lakeside, Rangitahi Peninsula.
- Provisions related to these types of developments are spread across multiple chapters of the Proposed Plan. There is an opportunity to provide an easier way to navigate and read a suite of provisions by pulling them together into one location.

Point Number 81.14

Summary of Decision Requested: **Amend** Chapter 1 to show that the requirements of the 2017 National Policy Statement on Urban Capacity (NPS-UDC) have been considered.

Decision Reasons:

- The National Policy Statement for Urban Development Capacity (NPS-UDC) impacts multiple chapters and sections of the Proposed Plan, relating to the provision of sufficient feasible zoned and serviced housing and business land is provided for.
- Because of the proposed approach to 'live' zone new urban growth areas there are a number of areas of concern regarding this, in particular in relation to the zoning of new areas of land for urban development where it is unclear what infrastructure is available or is proposed to be provided.
- There is also limited direction for staging which may affect the efficient delivery of infrastructure.
- The submission includes suggested options.

Point Number 81.15

Summary of Decision Requested: **Amend** Policy 4.6.3 Maintain a sufficient supply of industrial land by specifically referencing the National Policy Statement-Urban Development Capacity.

Decision Reasons:

- The National Policy Statement for Urban Development Capacity (NPS-UDC) impacts multiple chapters and sections of the Proposed Plan, relating to the provision of sufficient feasible zoned and serviced housing and business land is provided for.
- Because of the proposed approach to 'live' zone new urban growth areas there are a number of areas of concern regarding this, in particular in relation to the zoning of new areas of land for urban development where it is unclear what infrastructure is available or is proposed to be provided.
- There is also limited direction for staging which may affect the efficient delivery of infrastructure.
- The submission includes suggested options.

Point Number 81.16

Summary of Decision Requested: **Amend** Chapter 4, Chapter 16, the Planning Maps and any other provisions that are proposed for unserviced urban residential areas where there is uncertainty about the funding, staging and timing for infrastructure provision. The amendments should establish a stronger objective,

policy and rule framework than is proposed, in order to ensure that activities of an urban nature, including subdivision, is not provided for prior to structure planning processes being undertaken and without certainty about the funding, timing and staging of infrastructure provision.

Decision Reasons:

- The submitter is concerned that the provisions of Section 4.1 Strategic Direction do not adequately address how subdivision and development activities will be managed where a 'live' residential zoning is proposed for unserviced land within urban towns and villages.
- This concern also applies to other objectives and policies in Section 4 relating to residential activities and to rules contained in Section 16: Residential.
- Of particular concern are locations such as Tuakau, Pokeno and Horotiu. Submitter considers that the planning framework proposed for these areas does not give effect to the WRPS' direction on ensuring an integrated, staged approach to infrastructure and development.
- It is likely to enable development that undermines the ability to coordinate the adequate provision of network and community infrastructure to support growth.
- Submitter suggests that that an alternative method to 'live' zoning of these areas should be considered, to more appropriately manage land where a live zone has been applied, but where there is no existing or planned supporting infrastructure.
- Without limiting the scope of any amendments, submitter suggests that options to be considered include:
 1. Retention of the operative plan's rural zoning of these areas, with an overlay similar to the 'Hamilton Urban expansion' overlay proposed in the plan,
 2. Application of the urban zone, but with an overlay that would signal that while particular areas are considered appropriate particular activities, e.g. industrial or residential, additional subdivision and development will not be considered until there is certainty about infrastructure provisions,
 3. Creation of a new Urban Expansion Zone that would have its own suite of provisions for management of landuse and subdivision activities.

Point Number 81.17

Summary of Decision Requested: **Amend** the Proposed District Plan provisions so that any subdivision, use and development in areas that are proposed for unserviced residential where there is uncertainty about funding, staging and timing of infrastructure provision does not compromise them for future development.

Decision Reasons:

- The submitter is concerned that the provisions of Section 4.1 Strategic Direction do not adequately address how subdivision and development activities will be managed where a 'live' residential zoning is proposed for unserviced land within urban towns and villages.
- This concern also applies to other objectives and policies in Section 4 relating to residential activities and to rules contained in Section 16: Residential, particularly in locations such as Tuakau, Pokeno and Horotiu.
- The submitter considers that the planning framework proposed for these areas does not give effect to the WRPS' direction on ensuring an integrated, staged approach to infrastructure and development.
- The proposed approach is likely to enable development that undermines the ability to coordinate the adequate provision of network and community infrastructure to support growth.
- The submitter considers that that an alternative method to 'live' zoning of these areas should be considered, to more appropriately manage land where a live zone has been applied, but where there is no existing or planned supporting infrastructure.
- Without limiting the scope of any amendments, submitter suggests that options to be considered include:
 1. Retention of the operative plan's rural zoning of these areas, with an overlay similar to the 'Hamilton Urban expansion' overlay proposed in the plan;
 2. Application of the urban zone, but with an overlay that would signal that while particular areas are considered appropriate particular activities, e.g. industrial or residential, additional subdivision and development will not be considered until there is certainty about infrastructure provisions; and
 3. Creation of a new Urban Expansion Zone that would have its own suite of provisions for management of landuse and subdivision activities.

Point Number 81.18

Summary of Decision Requested: **Amend** the Proposed District Plan provisions and maps to provide for outcomes identified in the Auckland-Hamilton Corridor Plan and Future Proof Strategy Phase 2 review.

Decision Reasons:

- There is work underway producing the Auckland-Hamilton Corridor Plan, and also carrying out the Phase 2 review of the Future Proof Growth Strategy.
- This process will generate a vision for managing urban growth and development in significant parts of the Waikato District that may differ in some respects from that in the Proposed Plan as currently written.

Point Number 81.19

Summary of Decision Requested: **Amend** the Proposed District Plan to clarify the role and purpose of the Environmental Protection Area.

Decision Reasons:

- It is unclear what the role and purpose of the Environmental Protection Area is.
- The Environmental Protection Area is mentioned in the Residential, Rural and Country Living Zones however not the objectives and policies.
- This is problematic as non-compliance with rules sometimes leads to a discretionary activity status and it is unclear what an activity would be assessed against.

Point Number 81.20

Summary of Decision Requested: **Amend** the Proposed District Plan to provide a mechanism to manage areas that meet the WRPS IIA criteria and have not been identified and mapped in the Proposed Plan.

Decision Reasons:

- The submitter notes that not all areas of significance under section 6c of the Resource Management Act (RMA) and IIA of the Waikato Regional Policy Statement will have been identified and mapped in the development of the Proposed Plan.
- The plan needs to provide for those areas that meet the SNA criteria, but which were not known about until an activity is proposed.

Point Number 81.21

Summary of Decision Requested: **Add** advice notes drawing attention to the provisions of the Waikato Pest Management Plan, particularly for earthworks and fill activities.

Decision Reasons:

- There is potential for a number of activities to exacerbate the spread of pest plants and diseases, e.g. earthworks and filling.
- The spread of such pests and diseases poses a risk to the regional economy as well as indigenous biodiversity.
- While the Regional Pest Management Plan provides controls around the management of pests and diseases, it is important to recognise that activities controlled by the Proposed District Plan may also have implications in terms of biosecurity.

Point Number 81.22

Summary of Decision Requested: Add assessment criteria to earthwork and fill activities to allow the consideration of effects on pest and disease management.

Decision Reasons:

- There is potential for a number of activities to exacerbate the spread of pest plants and diseases, e.g. earthworks and filling.
- The spread of such pests and diseases poses a risk to the regional economy as well as indigenous biodiversity.
- While the Regional Pest Management Plan provides controls around the management of pests and diseases, it is important to recognise that activities controlled by the Proposed Plan may also have implications in terms of biosecurity.

Point Number 81.23

Summary of Decision Requested: Add issues, objectives, policies and rules to address the spread of Kauri Dieback Disease.

Decision Reasons:

- Kauri dieback is caused by a pathogen that is spread through soil, and is threatening kauri with functional extinction. Its spread can be facilitated by footwear, gear and machinery that is not cleaned of soil before going near kauri, and again before leaving an area with kauri.
- Provisions are sought to manage the effects of land use and development on the spread of kauri dieback.
- There is an opportunity to protect kauri. This will require changes in behaviour.
- The submission contains some details on environment court proceedings that the submitter are a party to.

Point Number 81.24

Summary of Decision Requested: Undertake a natural character assessment for wetlands, lakes, rivers and their margins.

Decision Reasons:

- The RMA (section 6a) and WRPS (12.2 and 12.2.1) seek to manage natural character in the coastal environment and wetlands, lakes and rivers and their margins.
- There is policy support for this in Section 3.5 of the Proposed Plan however that does not flow through to other provisions.
- There has been no assessment of the natural character of wetlands, lakes and rivers and their margins and as a consequence natural character has not been mapped outside of the coastal environment.
- The Policies in section 3.5 that relate to the wetlands, lakes and rivers and their margins will only come into play for discretionary and non-complying consent applications.
- As a result there may be permitted, controlled and restricted discretionary activities that are inappropriate to the level of natural character.

Point Number 81.25

Summary of Decision Requested: Amend the provisions to ensure that natural character is managed in accordance with Policy 12.2 and Implementation Method 12.2.1 of the WRPS.

Decision Reasons:

- The RMA (section 6a) and WRPS (12.2 and 12.2.1) seek to manage natural character in the coastal environment and wetlands, lakes and rivers and their margins.
- There is policy support for this in Section 3.5 of the Proposed Plan however that does not flow through to other provisions.
- There has been no assessment of the natural character of wetlands, lakes and rivers and their margins and as a consequence natural character has not been mapped outside of the coastal environment.
- The Policies in section 3.5 that relate to the wetlands, lakes and rivers and their margins will only come into play for discretionary and non-complying consent applications.
- As a result there may be permitted, controlled and restricted discretionary activities that are inappropriate to the level of natural character.

Point Number 81.26

Summary of Decision Requested: Amend provisions throughout the plan that relate to natural character to recognise that a different approach is required to high and outstanding natural character to give effect to Policy 12.2 and Implementation method 12.2.1 of the WRPS.

Decision Reasons:

- All the provisions for areas of High and Outstanding Natural Character are the same, no distinction has been made between the two areas in terms of the management approach.
- As a result the different levels of natural character have not been appropriately recognised and managed.
- This is inappropriate given that Policy 12.2 and Implementation Method 12.2.1 of the WRPS seek to recognise the different levels of natural character and therefore set out a different management approach for each.

Point Number 81.27

Summary of Decision Requested: Retain mapping of the coastal environment and consider a section that sets out the approach to the coastal environment.

Decision Reasons:

- The submitter supports the mapping of the Coastal Environment.
- The submitter considers that it would be helpful to plan users if there where a section in the Proposed District Plan that sets out the approach to the Coastal Environment.

Point Number 81.28

Summary of Decision Requested: Amend the Proposed Plan to take into account activities that may impact on the significant habitats of indigenous fauna that have been identified and mapped in the planning maps.

Decision Reasons:

- Section 6(c) of the RMA and Chapter 11 of the WRPS both require the protection of significant habitats of indigenous fauna.
- Consideration needs to be given to the SNAs identified on the planning maps and whether provisions that focus on the clearance of indigenous vegetation and earthworks are enough to ensure that significant habitats are protected. For example clearance of exotic vegetation may in certain circumstances adversely affect significant habitats of indigenous fauna (e.g. bats).

Point Number 81.29

Summary of Decision Requested: Amend Rule 22.2.8 P1(a)(ii) and P2(a)(ii) Indigenous vegetation clearance outside a Significant Natural Area to exclude clearance in wetlands.

Decision Reasons:

- The submitter does not support the removal of Manuka or Kanuka from wetlands, this is potentially permitted through P1(a)(ii) and P2(a)(ii).
- Wetlands are underrepresented with approximately 20% of original extent remaining in the Waikato District.

Point Number 81.30

Summary of Decision Requested: **Add** an additional clause to Rule 22.2.8 P1(a)(vii) and P3(a) Indigenous vegetation clearance outside a Significant Natural Area as follows:
There is no alternative development area on the site outside of the area of indigenous vegetation clearance.

Decision Reasons:

- P1 and P3 encourage dwellings, marae and papakainga to locate outside of areas of indigenous vegetation, as is the case for SNAs.

Point Number 81.31

Summary of Decision Requested: **Amend** Rule 22.2.8 P3 Indigenous vegetation clearance outside a Significant Natural Area to provide a total cap on clearance, after which a consent for a restricted discretionary activity is required.

Decision Reasons:

- P3 does not provide a total cap for clearance, at which point a restricted discretionary activity will be triggered.
- An unlimited amount of clearance could occur under this rule with no ability to require avoid, remedy, mitigate or offset.

Point Number 81.32

Summary of Decision Requested: **Retain** Rule 22.2.8 RD1 Indigenous vegetation clearance outside a Significant Natural Area for where the permitted thresholds become a restricted discretionary activity.

Decision Reasons:

- The submitter supports clearance beyond the permitted thresholds becoming a restricted discretionary activity.

Point Number 81.33

Summary of Decision Requested: **Add** an additional assessment criteria to Rule 22.2.8 RD1 Indigenous vegetation clearance outside a Significant Natural Area as follows:
the extent to which adverse effects have been avoided, remedied, mitigated or offset.

Decision Reasons:

- Discretion should include the adverse effects on the indigenous biodiversity on the site and the extent to which these adverse effects have been avoided, remedied, mitigated or offset to allow consideration of the mitigation hierarchy in WRPS Implementation Method 1.1.1.3.

Point Number 81.34

Summary of Decision Requested: **Amend** Rule 23.2.9 P1(a)(ii) and P2(a)(ii) Indigenous vegetation clearance outside a Significant Natural Area to exclude clearance in wetlands.

Decision Reasons:

- The submitter does not support the removal of Manuka or Kanuka from wetlands, this is potentially permitted through P1(a)(ii) and P2(a)(ii).
- Wetlands are underrepresented with approximately 20% of original extent remaining in the Waikato District.

Point Number 81.35

Summary of Decision Requested: **Add** an additional clause to Rule 23.2.9 P1(a)(vii) and P3(a) Indigenous vegetation clearance outside a Significant Natural Area as follows:
There is no alternative development area on the site outside of the area of indigenous vegetation clearance.

Decision Reasons:

- P1 and P3 encourage dwellings, marae and papakainga to locate outside of areas of indigenous vegetation, as is the case for SNAs.

Point Number 81.36

Summary of Decision Requested: **Amend** Rule 23.2.9 P3 Indigenous vegetation clearance outside a Significant Natural Area to provide a total cap on clearance, after which a consent for a restricted discretionary activity is required.

Decision Reasons:

- P3 does not provide a total cap for clearance, at which point a restricted discretionary activity will be triggered. An unlimited amount of clearance could occur under this rule with no ability to require avoid, remedy, mitigate or offset.

Point Number 81.37

Summary of Decision Requested: **Retain** Rule 23.2.9 RD1 Indigenous vegetation clearance outside a Significant Natural Area with the permitted thresholds becoming a restricted discretionary activity.

Decision Reasons:

- The submitter supports clearance beyond the permitted thresholds becoming a restricted discretionary activity.

Point Number 81.38

Summary of Decision Requested: **Add** an additional assessment criteria to Rule 23.2.9 RD1 Indigenous vegetation clearance outside a Significant Natural Area as follows:
the extent to which adverse effects have been avoided, remedied, mitigated or offset.

Decision Reasons:

- Discretion should include the adverse effects on the indigenous biodiversity on the site and the extent to which these adverse effects have been avoided, remedied, mitigated or offset to allow consideration of the mitigation hierarchy in WRPS Implementation Method 11.1.3.

Point Number 81.39

Summary of Decision Requested: **Amend** to clarify the application of the earthworks rule (Rule 16.2.4.3) in terms of whether it includes indigenous biodiversity vegetation clearance.

Decision Reasons:

- The submitter seeks clarity as to whether the earthworks rules for SNA include the clearance of vegetation as a result of earthworks or if that will be subject to Rule 16.2.8 respectively.

Point Number 81.40

Summary of Decision Requested: **Amend** to clarify the application of the earthworks rule (Rule 22.2.3.3) in terms of whether it includes indigenous biodiversity vegetation clearance.

Decision Reasons:

- The submitter seeks clarity as to whether the earthworks rules for SNA include the clearance of vegetation as a result of earthworks or if that will be subject to Rule 22.2.7 respectively.

Point Number 81.41

Summary of Decision Requested: **Retain** Rule 16.2.8 DI Indigenous vegetation clearance inside a Significant Natural Area.

Decision Reasons:

- The submitter is supportive of indigenous vegetation clearance beyond permitted thresholds becoming a discretionary activity (D1).

Point Number 81.42

Summary of Decision Requested: **Retain** Rule 22.2.7 DI Indigenous vegetation clearance inside a Significant Natural Area.

Decision Reasons:

- The submitter is supportive of indigenous vegetation clearance beyond permitted thresholds becoming a discretionary activity (D1).

Point Number 81.43

Summary of Decision Requested: **Retain** Rule 23.2.8 DI Indigenous vegetation clearance inside a Significant Natural Area.

Decision Reasons:

- The submitter is supportive of indigenous vegetation clearance beyond permitted thresholds becoming a discretionary activity (D1).

Point Number 81.44

Summary of Decision Requested: **Retain** Rule 24.2.8 DI Indigenous vegetation clearance inside a Significant Natural Area.

Decision Reasons:

- The submitter is supportive of indigenous vegetation clearance beyond permitted thresholds becoming a discretionary activity (D1).

Point Number 81.45

Summary of Decision Requested: **Retain** Rule 28.2.8 DI Indigenous vegetation clearance inside a Significant Natural Area.

Decision Reasons:

- The submitter is supportive of indigenous vegetation clearance beyond permitted thresholds becoming a discretionary activity (D1).

Point Number 81.46

Summary of Decision Requested: **Retain** Rule 16.2.8 P2 Indigenous vegetation clearance inside a Significant Natural Area, except for the amendments sought below
AND
Amend Rule 16.2.8 P2 Indigenous vegetation clearance inside a Significant Natural Area to exclude clearance of Manuka and Kanuka in wetlands and the coastal environment from this rule.

Decision Reasons:

- The submitter supports the provision for sustainable clearance of regenerating Manuka or Kanuka for domestic firewood purposes or for arts or crafts in P2.
- However, the submitter does not support the removal of Manuka or Kanuka from wetlands or vegetation that is naturally short in stature.
- It is important to ensure that vegetation that is naturally short does not get included in the rules intended to provide for clearance of Manuka and Kanuka colonising pasture.
- Manuka, in particular, can be a permanent and important component of some types of ecosystems. These are generally wetlands, dunes and other coastal vegetation, but can be gumland vegetation that remains in the leached soils following kauri forest removal.
- These persistent shrublands are important habitats for lizards, orchids, mistletoes and a range of threatened species.
- Exclusion of permitted clearance of Manuka or Kanuka from wetlands and from the Coastal Environment is likely to prevent clearance of these ecosystems of concern
- The exclusion of Manuka and/or Kanuka clearance in the Coastal Environment from this rule would give effect to the 'avoid' direction in the New Zealand Coastal Policy Statement (NZCPS) and Policy 11.4 of the WRPS.
- Vegetation clearance within an SNA needs to be remedied to give effect to Policy 3.2.3(a)(ii).

Point Number	81.47
Summary of Decision Requested:	Amend Rule 16.2.8 P2 Indigenous vegetation clearance inside a Significant Natural Area to ensure that weeds are controlled in the cleared area and native vegetation is allowed to regenerate.
Decision Reasons:	<ul style="list-style-type: none"> Vegetation clearance within an SNA needs to be remedied to give effect to Policy 3.2.3(a)(ii).
Point Number	81.48
Summary of Decision Requested:	Delete P6 of Rule 16.2.8 Indigenous vegetation clearance inside a Significant Natural Area.
Decision Reasons:	<ul style="list-style-type: none"> P6 duplicates P2.
Point Number	81.49
Summary of Decision Requested:	Retain Rule 22.2.7 P2 Indigenous vegetation clearance inside a Significant Natural Area, except for the amendments sought below AND Amend Rule 22.2.7 P2 Indigenous vegetation clearance inside a Significant Natural Area to exclude clearance of Manuka and Kanuka in wetlands and the coastal environment from this rule.
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports the provision for sustainable clearance of regenerating Manuka or Kanuka for domestic firewood purposes or for arts or crafts in P2. However, the submitter does not support the removal of Manuka or Kanuka from wetlands or vegetation that is naturally short in stature. It is important to ensure that vegetation that is naturally short does not get included in the rules intended to provide for clearance of Manuka and Kanuka colonising pasture. Manuka, in particular, can be a permanent and important component of some types of ecosystems. These are generally wetlands, dunes and other coastal vegetation, but can be gumland vegetation that remains in the leached soils following kauri forest removal. These persistent shrublands are important habitats for lizards, orchids, mistletoes and a range of threatened species. Exclusion of permitted clearance of Manuka or Kanuka from wetlands and from the Coastal Environment is likely to prevent clearance of these ecosystems of concern. The exclusion of Manuka and/or Kanuka clearance in the Coastal Environment from this rule would give effect to the 'avoid' direction in the New Zealand Coastal Policy Statement (NZCPS) and Policy 11.4 of the WRPS. Vegetation clearance within an SNA needs to be remedied to give effect to Policy 3.2.3(a)(ii).
Point Number	81.50
Summary of Decision Requested:	Amend Rule 22.2.7 P2 Indigenous vegetation clearance inside a Significant Natural Area to ensure that weeds are controlled in the cleared area and native vegetation is allowed to regenerate.
Decision Reasons:	<ul style="list-style-type: none"> Vegetation clearance within an SNA needs to be remedied to give effect to Policy 3.2.3(a)(ii).
Point Number	81.51
Summary of Decision Requested:	Delete P6 of Rule 22.2.7 Indigenous vegetation clearance inside a Significant Natural Area.
Decision Reasons:	<ul style="list-style-type: none"> P6 duplicates P2.
Point Number	81.52
Summary of Decision Requested:	Retain Rule 23.2.8 P2 Indigenous vegetation clearance inside a Significant Natural Area, except for the amendments sought below AND Amend Rule 23.2.8 P2 Indigenous vegetation clearance inside a Significant Natural Area to exclude clearance of Manuka and Kanuka in wetlands and the coastal environment from this rule.
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports the provision for sustainable clearance of regenerating Manuka or Kanuka for domestic firewood purposes or for arts or crafts in P2. However, the submitter does not support the removal of Manuka or Kanuka from wetlands or vegetation that is naturally short in stature. It is important to ensure that vegetation that is naturally short does not get included in the rules intended to provide for clearance of Manuka and Kanuka colonising pasture. Manuka, in particular, can be a permanent and important component of some types of ecosystems. These are generally wetlands, dunes and other coastal vegetation, but can be gumland vegetation that remains in the leached soils following kauri forest removal. These persistent shrublands are important habitats for lizards, orchids, mistletoes and a range of threatened species. Exclusion of permitted clearance of Manuka or Kanuka from wetlands and from the Coastal Environment is likely to prevent clearance of these ecosystems of concern. The exclusion of Manuka and/or Kanuka clearance in the Coastal Environment from this rule would give effect to the 'avoid' direction in the New Zealand Coastal Policy Statement (NZCPS) and Policy 11.4 of the WRPS. Vegetation clearance within an SNA needs to be remedied to give effect to Policy 3.2.3(a)(ii).
Point Number	81.53
Summary of Decision Requested:	Amend Rule 23.2.8 P2 Indigenous vegetation clearance inside a Significant Natural Area to ensure that weeds are controlled in the cleared area and native vegetation is allowed to regenerate.
Decision Reasons:	<ul style="list-style-type: none"> Vegetation clearance within an SNA needs to be remedied to give effect to Policy 3.2.3(a)(ii).
Point Number	81.54

Summary of Decision Requested:	Delete P6 of Rule 23.2.8 Indigenous vegetation clearance inside a Significant Natural Area.
Decision Reasons:	<ul style="list-style-type: none"> • P6 duplicates P2.
Point Number	81.55
Summary of Decision Requested:	Retain Rule 28.2.8 P2 Indigenous vegetation clearance inside a Significant Natural Area, except for the amendments sought below AND Amend Rule 28.2.8 P2 Indigenous vegetation clearance inside a Significant Natural Area to exclude clearance of Manuka and Kanuka in wetlands and the coastal environment from this rule.
Decision Reasons:	<ul style="list-style-type: none"> • The submitter supports the provision for sustainable clearance of regenerating Manuka or Kanuka for domestic firewood purposes or for arts or crafts in P2. • However, the submitter does not support the removal of Manuka or Kanuka from wetlands or vegetation that is naturally short in stature. • It is important to ensure that vegetation that is naturally short does not get included in the rules intended to provide for clearance of Manuka and Kanuka colonising pasture. • Manuka, in particular, can be a permanent and important component of some types of ecosystems. These are generally wetlands, dunes and other coastal vegetation, but can be gumland vegetation that remains in the leached soils following kauri forest removal. • These persistent shrublands are important habitats for lizards, orchids, mistletoes and a range of threatened species. • Exclusion of permitted clearance of Manuka or Kanuka from wetlands and from the Coastal Environment is likely to prevent clearance of these ecosystems of concern. • The exclusion of Manuka and/or Kanuka clearance in the Coastal Environment from this rule would give effect to the 'avoid' direction in the New Zealand Coastal Policy Statement (NZCPS) and Policy 11.4 of the WRPS. • Vegetation clearance within an SNA needs to be remedied to give effect to Policy 3.2.3(a)(ii).
Point Number	81.56
Summary of Decision Requested:	Amend Rule 28.2.8 P2 to ensure that weeds are controlled in the cleared area and native vegetation is allowed to regenerate.
Decision Reasons:	<ul style="list-style-type: none"> • Vegetation clearance within an SNA needs to be remedied to give effect to Policy 3.2.3(a)(ii).
Point Number	81.57
Summary of Decision Requested:	Delete P6 of Rule 28.2.8 Indigenous vegetation clearance inside a Significant Natural Area.
Decision Reasons:	<ul style="list-style-type: none"> • P6 duplicates P2.
Point Number	81.58
Summary of Decision Requested:	Retain provisions for sustainable clearance of regenerating Manuka or Kanuka for domestic firewood purposes or for arts or crafts in any chapters not covered in previous submission points, and except for the amendments sought below. AND Amend provisions to exclude clearance of Manuka and Kanuka in wetlands and the coastal environment from this rule (Indigenous vegetation clearance inside a Significant Natural Area) any other area of the Proposed Plan where similar provisions apply.
Decision Reasons:	<ul style="list-style-type: none"> • The submitter supports the provision for sustainable clearance of regenerating Manuka or Kanuka for domestic firewood purposes or for arts or crafts. • However, the submitter does not support the removal of Manuka or Kanuka from wetlands or vegetation that is naturally short in stature. • It is important to ensure that vegetation that is naturally short does not get included in the rules intended to provide for clearance of Manuka and Kanuka colonising pasture. • Manuka, in particular, can be a permanent and important component of some types of ecosystems. These are generally wetlands, dunes and other coastal vegetation, but can be gumland vegetation that remains in the leached soils following kauri forest removal. • These persistent shrublands are important habitats for lizards, orchids, mistletoes and a range of threatened species. • Exclusion of permitted clearance of Manuka or Kanuka from wetlands and from the Coastal Environment is likely to prevent clearance of these ecosystems of concern. • The exclusion of Manuka and/or Kanuka clearance in the Coastal Environment from this rule would give effect to the 'avoid' direction in the New Zealand Coastal Policy Statement (NZCPS) and Policy 11.4 of the WRPS. • Vegetation clearance within an SNA needs to be remedied to give effect to Policy 3.2.3(a)(ii). • The submission notes a number of rules that have amendments or retention sought as relief (subject to separate submission points)
Point Number	81.59
Summary of Decision Requested:	Amend provisions to ensure that weeds are controlled in the cleared area and native vegetation is allowed to regenerate in a Significant Natural Area, in any chapters not covered in previous submissions.
Decision Reasons:	<ul style="list-style-type: none"> • Vegetation clearance within an SNA needs to be remedied to give effect to Policy 3.2.3(a)(ii). • The submission notes a number of rules that have amendments or retention sought as relief (subject to separate submission points)
Point Number	81.60
Summary of Decision Requested:	Delete duplicate provisions for the Indigenous vegetation clearance inside a Significant Natural Area rules in any chapters not covered in previous submissions.
Decision Reasons:	<ul style="list-style-type: none"> • P6 duplicates P2. • The submission notes a number of rules that are duplicates (subject to separate submission points) but has requested that the duplicates be removed for any other area of the Proposed Plan where similar provisions apply.
Point Number	81.61

Summary of Decision Requested: Amend Rule 16.2.8 P3 Indigenous vegetation clearance inside a Significant Natural Area by giving it restricted discretionary activity status.
AND/OR
Amend to provide tighter thresholds/ activity status in the Coastal Environment.

Decision Reasons:

- P3 Provides for clearance of 250m² of indigenous vegetation removal within an SNA for building/access purposes if there is no alternative development area on the site outside the SNA. Natural values will not necessarily be evenly spread across the SNA and it is likely that some parts will be of higher natural value or of greater sensitivity than others. It is appropriate to retain discretion about the location of clearance in order to avoid as much as possible the adverse effects of the vegetation clearance.
- It is appropriate to require mitigation or offsetting to give effect to Policy 3.2.3(a)(iii) or (iv).
- As currently drafted this rule does not give effect to the 'avoid' direction in the New Zealand Coastal Policy Statement and Policy 11.4 for the coastal environment.

Point Number 81.62

Summary of Decision Requested: Amend Rule 22.2.7 P3 Indigenous vegetation clearance inside a Significant Natural Area by giving it restricted discretionary activity status.
AND/OR
Amend to provide tighter thresholds/ activity status in the Coastal Environment.

Decision Reasons:

- P3 Provides for clearance of 250m² of indigenous vegetation removal within an SNA for building/access purposes if there is no alternative development area on the site outside the SNA. Natural values will not necessarily be evenly spread across the SNA and it is likely that some parts will be of higher natural value or of greater sensitivity than others. It is appropriate to retain discretion about the location of clearance in order to avoid as much as possible the adverse effects of the vegetation clearance.
- It is appropriate to require mitigation or offsetting to give effect to Policy 3.2.3(a)(iii) or (iv).
- As currently drafted this rule does not give effect to the 'avoid' direction in the New Zealand Coastal Policy Statement and Policy 11.4 for the coastal environment.

Point Number 81.63

Summary of Decision Requested: Amend Rule 23.2.8 P3 Indigenous vegetation clearance inside a Significant Natural Area by giving it restricted discretionary activity status.
AND/OR
Amend to provide tighter thresholds/ activity status in the Coastal Environment.

Decision Reasons:

- P3 Provides for clearance of 250m² of indigenous vegetation removal within an SNA for building/access purposes if there is no alternative development area on the site outside the SNA. Natural values will not necessarily be evenly spread across the SNA and it is likely that some parts will be of higher natural value or of greater sensitivity than others. It is appropriate to retain discretion about the location of clearance in order to avoid as much as possible the adverse effects of the vegetation clearance.
- It is appropriate to require mitigation or offsetting to give effect to Policy 3.2.3(a)(iii) or (iv).
- As currently drafted this rule does not give effect to the 'avoid' direction in the New Zealand Coastal Policy Statement and Policy 11.4 for the coastal environment.

Point Number 81.64

Summary of Decision Requested: Amend Rule 24.2.8 P3 Indigenous vegetation clearance inside a Significant Natural Area by giving it restricted discretionary activity status.
AND/OR
Amend to provide tighter thresholds/ activity status in the Coastal Environment.

Decision Reasons:

- P3 Provides for clearance of 250m² of indigenous vegetation removal within an SNA for building/access purposes if there is no alternative development area on the site outside the SNA. Natural values will not necessarily be evenly spread across the SNA and it is likely that some parts will be of higher natural value or of greater sensitivity than others. It is appropriate to retain discretion about the location of clearance in order to avoid as much as possible the adverse effects of the vegetation clearance.
- It is appropriate to require mitigation or offsetting to give effect to Policy 3.2.3(a)(iii) or (iv).
- As currently drafted this rule does not give effect to the 'avoid' direction in the New Zealand Coastal Policy Statement and Policy 11.4 for the coastal environment.

Point Number 81.65

Summary of Decision Requested: Amend Rule 28.2.8 P3 Indigenous vegetation clearance inside a Significant Natural Area by giving it restricted discretionary activity status.
AND/OR
Amend to provide tighter thresholds/ activity status in the Coastal Environment.

Decision Reasons:

- P3 Provides for clearance of 250m² of indigenous vegetation removal within an SNA for building/access purposes if there is no alternative development area on the site outside the SNA. Natural values will not necessarily be evenly spread across the SNA and it is likely that some parts will be of higher natural value or of greater sensitivity than others. It is appropriate to retain discretion about the location of clearance in order to avoid as much as possible the adverse effects of the vegetation clearance.
- It is appropriate to require mitigation or offsetting to give effect to Policy 3.2.3(a)(iii) or (iv).
- As currently drafted this rule does not give effect to the 'avoid' direction in the New Zealand Coastal Policy Statement and Policy 11.4 for the coastal environment.

Point Number 81.66

Summary of Decision Requested: Amend provisions for Indigenous vegetation clearance inside a Significant Natural Area (P3) by giving it restricted discretionary activity status.
AND/OR
Amend provisions to provide tighter thresholds/ activity status in the Coastal Environment.

Decision Reasons:

- P3 Provides for clearance of 250m² of indigenous vegetation removal within an SNA for building/access purposes if there is no alternative development area on the site outside the SNA. Natural values will not necessarily be evenly spread across the SNA and it is likely that some parts will be of higher natural value or of greater sensitivity than others.

- It is appropriate to retain discretion about the location of clearance in order to avoid as much as possible the adverse effects of the vegetation clearance. It is appropriate to require mitigation or offsetting to give effect to Policy 3.2.3(a)(iii) or (iv).
- As currently drafted this rule does not give effect to the 'avoid' direction in the New Zealand Coastal Policy Statement and Policy 11.4 for the coastal environment.
- The submission lists a number of rules subject to the above (subject to their own submission points).

Point Number	81.67
Summary of Decision Requested:	<p>Retain Rule 16.2.8 P4 Indigenous vegetation clearance inside a Significant Natural Area, except for the amendments sought below</p> <p>AND</p> <p>Amend Rule 16.2.8 P4 Indigenous vegetation clearance inside a Significant Natural Area to a restricted discretionary activity.</p> <p>AND/OR</p> <p>Amend Rule 16.2.8 P4 Indigenous vegetation clearance inside a Significant Natural Area to assign a lower threshold than clearance off indigenous vegetation outside of SNA for the same activity.</p> <p>AND/OR</p> <p>Amend Rule 16.2.8 P4 Indigenous vegetation clearance inside a Significant Natural Area to provide an overall cap on clearance as a permitted activity.</p> <p>AND/OR</p> <p>Amend to clarify the location and extent of areas that might be subject to this rule in order to determine if it is likely to have a significant effect on indigenous biodiversity.</p> <p>AND/OR</p> <p>Amend to provide tighter thresholds/ activity status in the Coastal Environment.</p>
Decision Reasons:	<ul style="list-style-type: none"> • P4 provides for up to 1500m² of vegetation removal for marae complex, 500 m²/dwelling, 500 m²/ building, as a permitted activity. • Cumulatively this could be a large loss of significant indigenous vegetation and habitat without the ability to address adverse effects through avoiding, remedying, mitigating or offsetting. • It is noted that this is the same amount of clearance is provided for non-significant indigenous vegetation. • As currently drafted this rule does not give effect to the 'avoid' direction in the New Zealand Coastal Policy Statement and Policy 11.4 for the coastal environment.

Point Number	81.68
Summary of Decision Requested:	<p>Retain Rule 22.2.7 Indigenous vegetation clearance inside a Significant Natural Area, except for the amendments sought below</p> <p>AND</p> <p>Amend Rule 22.2.7 P4 Indigenous vegetation clearance inside a Significant Natural Area to a restricted discretionary activity.</p> <p>AND/OR</p> <p>Amend Rule 22.2.7 P4 Indigenous vegetation clearance inside a Significant Natural Area to assign a lower threshold than clearance off indigenous vegetation outside of SNA for the same activity.</p> <p>AND/OR</p> <p>Amend Rule 22.2.7 P4 Indigenous vegetation clearance inside a Significant Natural Area to provide an overall cap on clearance as a permitted activity.</p> <p>AND/OR</p> <p>Amend to clarify the location and extent of areas that might be subject to this rule in order to determine if it is likely to have a significant effect on indigenous biodiversity.</p> <p>AND/OR</p> <p>Amend to provide tighter thresholds/ activity status in the Coastal Environment.</p>
Decision Reasons:	<ul style="list-style-type: none"> • P4 provides for up to 1500m² of vegetation removal for marae complex, 500 m²/dwelling, 500 m²/ building, as a permitted activity. • Cumulatively this could be a large loss of significant indigenous vegetation and habitat without the ability to address adverse effects through avoiding, remedying, mitigating or offsetting. It is noted that this is the same amount of clearance is provided for non-significant indigenous vegetation. • As currently drafted this rule does not give effect to the 'avoid' direction in the New Zealand Coastal Policy Statement and Policy 11.4 for the coastal environment.

Point Number	81.69
Summary of Decision Requested:	<p>Retain Rule 23.2.8 Indigenous vegetation clearance inside a Significant Natural Area, except for the amendments sought below.</p> <p>AND</p> <p>Amend Rule 23.2.8 P4 Indigenous vegetation clearance inside a Significant Natural Area to a restricted discretionary activity.</p> <p>AND/OR</p> <p>Amend Rule 23.2.8 P4 Indigenous vegetation clearance inside a Significant Natural Area to assign a lower threshold than clearance off indigenous vegetation outside of SNA for the same activity.</p> <p>AND/OR</p> <p>Amend Rule 23.2.8 P4 Indigenous vegetation clearance inside a Significant Natural Area to provide an overall cap on clearance as a permitted activity.</p> <p>AND/OR</p> <p>Amend to clarify the location and extent of areas that might be subject to this rule in order to determine if it is likely to have a significant effect on indigenous biodiversity.</p> <p>AND/OR</p> <p>Amend to provide tighter thresholds/ activity status in the Coastal Environment.</p>
Decision Reasons:	<ul style="list-style-type: none"> • P4 provides for up to 1500m² of vegetation removal for marae complex, 500 m²/dwelling, 500 m²/ building, as a permitted activity. • Cumulatively this could be a large loss of significant indigenous vegetation and habitat without the ability to address adverse effects through avoiding, remedying, mitigating or offsetting. It is noted that this is the same amount of clearance is provided for non-significant indigenous vegetation. • As currently drafted this rule does not give effect to the 'avoid' direction in the New Zealand Coastal Policy Statement and Policy 11.4 for the coastal environment.

Point Number 81.70

Summary of Decision Requested: **Retain** Rule 24.2.8 Indigenous vegetation clearance inside a Significant Natural Area, except for the amendments sought below

AND

Amend Rule 24.2.8 P4 Indigenous vegetation clearance inside a Significant Natural Area to a restricted discretionary activity.

AND/OR

Amend Rule 24.2.8 P4 Indigenous vegetation clearance inside a Significant Natural Area to assign a lower threshold than clearance off indigenous vegetation outside of SNA for the same activity.

AND/OR

Amend Rule 24.2.8 P4 Indigenous vegetation clearance inside a Significant Natural Area to provide an overall cap on clearance as a permitted activity.

AND/OR

Amend to clarify the location and extent of areas that might be subject to this rule in order to determine if it is likely to have a significant effect on indigenous biodiversity.

AND/OR

Amend to provide tighter thresholds/ activity status in the Coastal Environment.

Decision Reasons:

- P4 provides for up to 1500m² of vegetation removal for marae complex, 500 m² /dwelling, 500 m² / building, as a permitted activity.
- Cumulatively this could be a large loss of significant indigenous vegetation and habitat without the ability to address adverse effects through avoiding, remedying, mitigating or offsetting.
- It is noted that this is the same amount of clearance is provided for non-significant indigenous vegetation.
- As currently drafted this rule does not give effect to the 'avoid' direction in the New Zealand Coastal Policy Statement and Policy 11.4 for the coastal environment.

Point Number 81.71

Summary of Decision Requested: **Retain** Rule 28.2.8 Indigenous vegetation clearance inside a Significant Natural Area, except for the amendments sought below

AND

Amend Rule 28.2.8 P4 Indigenous vegetation clearance inside a Significant Natural Area to a restricted discretionary activity.

AND/OR

Amend Rule 28.2.8 P4 Indigenous vegetation clearance inside a Significant Natural Area to assign a lower threshold than clearance off indigenous vegetation outside of SNA for the same activity.

AND/OR

Amend Rule 28.2.8 P4 Indigenous vegetation clearance inside a Significant Natural Area to provide an overall cap on clearance as a permitted activity.

AND/OR

Amend to clarify the location and extent of areas that might be subject to this rule in order to determine if it is likely to have a significant effect on indigenous biodiversity.

AND/OR

Amend to provide tighter thresholds/ activity status in the Coastal Environment.

Decision Reasons:

- P4 provides for up to 1500m² of vegetation removal for marae complex, 500 m² /dwelling, 500 m² / building, as a permitted activity.
- Cumulatively this could be a large loss of significant indigenous vegetation and habitat without the ability to address adverse effects through avoiding, remedying, mitigating or offsetting. It is noted that this is the same amount of clearance is provided for non-significant indigenous vegetation.
- As currently drafted this rule does not give effect to the 'avoid' direction in the New Zealand Coastal Policy Statement and Policy 11.4 for the coastal environment.

Point Number 81.72

Summary of Decision Requested: **Amend** provisions for Indigenous vegetation clearance inside a Significant Natural Area (P4) in any chapters not covered in previous submissions to a restricted discretionary activity.

AND/OR

Amend provisions for Indigenous vegetation clearance inside a Significant Natural Area (P4) to assign a lower threshold than clearance off indigenous vegetation outside of SNA for the same activity.

AND/OR

Amend provisions for Indigenous vegetation clearance inside a Significant Natural Area (P4) to provide an overall cap on clearance as a permitted activity.

AND/OR

Amend to clarify the location and extent of areas that might be subject to this rule in order to determine if it is likely to have a significant effect on indigenous biodiversity.

AND/OR

Amend provisions to provide tighter thresholds/ activity status in the Coastal Environment.

Decision Reasons:

- P4 provides for up to 1500m² of vegetation removal for marae complex, 500m² /dwelling, 500m² / building, as a permitted activity.
- Cumulatively this could be a large loss of significant indigenous vegetation and habitat without the ability to address adverse effects through avoiding, remedying, mitigating or offsetting. It is noted that this is the same amount of clearance is provided for non-significant indigenous vegetation.
- As currently drafted this rule does not give effect to the 'avoid' direction in the New Zealand Coastal Policy Statement and Policy 11.4 for the coastal environment.
- The submission lists a number of rules subject to the above and these are provided for as separate submission points.

Point Number 81.73

Summary of Decision Requested: **Amend** Chapter 16: Residential Zone to manage buildings, structures and subdivision within landscape and natural character overlay areas, which may be through activity status, rules and assessment criteria.

Decision Reasons:

- Apart from Rule 16.2.4.4/24.2.4.4 which relates to earthworks in landscape and natural character areas, it appears that no other provisions apply to buildings, structures and subdivision that fall within an overlay area.
- This does not give effect to WRPS Policy 12.1, 12.2 and associated Implementation Methods.

Point Number

81.74

Summary of Decision Requested:

Amend Chapter 24: Village Zone to manage buildings, structures and subdivision within landscape and natural character overlay areas, which may be through activity status, rules and assessment criteria.

Decision Reasons:

- Apart from Rule 16.2.4.4/24.2.4.4 which relates to earthworks in landscape and natural character areas, it appears that no other provisions apply to buildings, structures and subdivision that fall within an overlay area.
- This does not give effect to WRPS Policy 12.1, 12.2 and associated Implementation Methods.

Point Number

81.75

Summary of Decision Requested:

Amend Chapter 1: Introduction to include additional information for the matters it covers to be better understood and by separating its contents into discrete chapters. In particular, discussion of the district's Issues, the Strategic Direction proposed to address these, and that related to Ngāa Iwi o Tainui ki te Waikato Takiwa, Settlement Acts /Co-management/Rivers Vision and Strategies/ Joint Management Agreement should all be provided with separate chapters or sections.

Decision Reasons:

- The submitter considers that several of the matters covered in this chapter are of such significance that there should be more emphasis placed on them, including through provision of more detailed information, and separation into standalone plan chapters.

Point Number

81.76

Summary of Decision Requested:

Amend Section 1.12.2 Natural environment to clarify whether these are to be considered as strategic objectives or desired outcomes. If they are to be objectives, rewrite in the style of objectives, indicate the connections to relevant policies, and consider other relief sought for a separate chapter on the Strategic Direction of the Proposed Plan, and whether these sections would sit better there.

Decision Reasons:

- The submitter supports Sections 1.12.2 in part, but seeks clarity about whether these provisions are to be considered as strategic objectives, or desired strategic directions/outcomes.

Point Number

81.77

Summary of Decision Requested:

Amend Section 1.12.3 Built environment to clarify whether these are to be considered as strategic objectives or desired outcomes. If they are to be objectives, rewrite in the style of objectives, indicate the connections to relevant policies, and consider other relief sought for a separate chapter on the Strategic Direction of the Proposed Plan, and whether these sections would sit better there.

Decision Reasons:

- The submitter supports section 1.12.3 in part, but seeks clarity about whether these provisions are to be considered as strategic objectives, or desired strategic directions/outcomes.

Point Number

81.78

Summary of Decision Requested:

Amend Sections 1.12.4 Ease of movement to clarify whether these are to be considered as strategic objectives or desired outcomes. If they are to be objectives, rewrite in the style of objectives, indicate the connections to relevant policies, and consider other relief sought for a separate chapter on the Strategic Direction of the Proposed Plan, and whether these sections would sit better there.

Decision Reasons:

- The submitter supports Sections 1.12.4 in part, but seeks clarity about whether these provisions are to be considered as strategic objectives, or desired strategic directions/outcomes.

Point Number

81.79

Summary of Decision Requested:

Amend Sections 1.12.5 Community wellbeing to clarify whether these are to be considered as strategic objectives or desired outcomes. If they are to be objectives, rewrite in the style of objectives, indicate the connections to relevant policies, and consider other relief sought for a separate chapter on the Strategic Direction of the Proposed Plan, and whether these sections would sit better there.

Decision Reasons:

- The submitter supports Sections 1.12.5 in part, but seeks clarity about whether these provisions are to be considered as strategic objectives, or desired strategic directions/outcomes.

Point Number

81.80

Summary of Decision Requested:

Amend Section 1.12.6 Employment and economic growth to clarify whether these are to be considered as strategic objectives or desired outcomes. If they are to be objectives, rewrite in the style of objectives, indicate the connections to relevant policies, and consider other relief sought for a separate chapter on the Strategic Direction of the Proposed Plan, and whether these sections would sit better there.

Decision Reasons:

- The submitter supports Sections 1.12.6 in part, but seeks clarity about whether these provisions are to be considered as strategic objectives, or desired strategic directions/outcomes.

Point Number

81.81

Summary of Decision Requested:

Amend Section 1.12.7 Managing change to clarify whether these are to be considered as strategic objectives or desired outcomes. If they are to be objectives, rewrite in the style of objectives, indicate the connections to relevant policies, and consider other relief sought for a separate chapter on the Strategic Direction of the Proposed Plan, and whether these sections would sit better there.

Decision Reasons:

- The submitter supports Sections 1.12.7 in part, but seeks clarity about whether these provisions are to be considered as strategic objectives, or desired strategic directions/outcomes.

Point Number 81.82

Summary of Decision Requested: **Amend** Section 1.12.8 Strategic objectives to clarify whether these are to be considered as strategic objectives or desired outcomes. If they are to be objectives, rewrite in the style of objectives, indicate the connections to relevant policies, and consider other relief sought for a separate chapter on the Strategic Direction of the Proposed Plan, and whether these sections would sit better there.

Decision Reasons:

- The submitter supports Section 1.12.8 in part, but seeks clarity about whether these provisions are to be considered as strategic objectives, or desired strategic directions/outcomes.

Point Number 81.83

Summary of Decision Requested: **Retain** Section 1.4.4 The urban environment, subject to the amendments sought in previous submissions for Policy 4.6.3 to show that the requirements of the 2017 National Policy Statement on Urban Capacity (NPS-UDC) have been considered.

Decision Reasons:

- The submitter supports the stated approach of maintaining the productive capacity of Waikato District's rural resource and ensuring that population growth and urban development results in high – amenity urban areas.
- The 'centres based' approach to retail development in Waikato District is also supported, as is accommodation of growth in a more compact urban form that is underpinned by robust master and structure planning exercises and aligned with the agreed Future Proof settlement pattern.
- These approaches assist to some extent with giving effect to the WRPS' policies in respect of a strategic, integrated approach to growth and the provision of infrastructure, but should more clearly articulate the district's responsibilities and proposed responses in respect of urban growth management (see submission points on NPS-UDC – submission points 81.14 and 81.15).

Point Number 81.84

Summary of Decision Requested: **Retain** 1.5.1 Compact urban development, subject to amendments sought in previous submissions for Policy 4.6.3 to show that the requirements of the 2017 National Policy Statement on Urban Capacity (NPS-UDC) have been considered.

Decision Reasons:

- The submitter supports the stated approach of maintaining the productive capacity of Waikato District's rural resource and ensuring that population growth and urban development results in high – amenity urban areas.
- The 'centres based' approach to retail development in Waikato District is also supported, as is accommodation of growth in a more compact urban form that is underpinned by robust master and structure planning exercises and aligned with the agreed Future Proof settlement pattern.
- These approaches assist to some extent with giving effect to the WRPS' policies in respect of a strategic, integrated approach to growth and the provision of infrastructure, but should more clearly articulate the district's responsibilities and proposed responses in respect of urban growth management (see submission points on NPS-UDC – submission points 81.14 and 81.15).

Point Number 81.85

Summary of Decision Requested: **Retain** 1.5.2 Planning for urban growth and development, subject to amendments sought in previous submissions for Policy 4.6.3 to show that the requirements of the 2017 National Policy Statement on Urban Capacity (NPS-UDC) have been considered.

Decision Reasons:

- The submitter supports the stated approach of maintaining the productive capacity of Waikato District's rural resource and ensuring that population growth and urban development results in high – amenity urban areas.
- The 'centres based' approach to retail development in Waikato District is also supported, as is accommodation of growth in a more compact urban form that is underpinned by robust master and structure planning exercises and aligned with the agreed Future Proof settlement pattern.
- These approaches assist to some extent with giving effect to the WRPS' policies in respect of a strategic, integrated approach to growth and the provision of infrastructure, but should more clearly articulate the district's responsibilities and proposed responses in respect of urban growth management (see submission points on NPS-UDC – submission points 81.14 and 81.15).

Point Number 81.86

Summary of Decision Requested: **Retain** Section 1.5.3 Cross-boundary issues subject to amendments sought in previous submissions for Policy 4.6.3 to show that the requirements of the 2017 National Policy Statement on Urban Capacity (NPS-UDC) have been considered.

Decision Reasons:

- The submitter supports the stated approach of maintaining the productive capacity of Waikato District's rural resource and ensuring that population growth and urban development results in high – amenity urban areas.
- The 'centres based' approach to retail development in Waikato District is also supported, as is accommodation of growth in a more compact urban form that is underpinned by robust master and structure planning exercises and aligned with the agreed Future Proof settlement pattern.
- These approaches assist to some extent with giving effect to the WRPS' policies in respect of a strategic, integrated approach to growth and the provision of infrastructure, but should more clearly articulate the district's responsibilities and proposed responses in respect of urban growth management (see submission points on NPS-UDC – submission points 81.14 and 81.15).

Point Number 81.87

Summary of Decision Requested: **Retain Section** 1.5.4 Urban growth, subject to amendments sought in previous submissions for Policy 4.6.3 to show that the requirements of the 2017 National Policy Statement on Urban Capacity (NPS-UDC) have been considered.

Decision Reasons:

- The submitter supports the stated approach of maintaining the productive capacity of Waikato District's rural resource and ensuring that population growth and urban development results in high – amenity urban areas.
- The 'centres based' approach to retail development in Waikato District is also supported, as is accommodation of growth in a more compact urban form that is underpinned by robust master and structure planning exercises and aligned with the agreed Future Proof settlement pattern.
- These approaches assist to some extent with giving effect to the WRPS' policies in respect of a strategic, integrated approach to growth and the provision of infrastructure, but should more clearly articulate the district's responsibilities and proposed responses in respect of urban growth management (see submission points on NPS-UDC – submission points 81.14 and 81.15).

Point Number 81.88

Summary of Decision Requested: **Retain** Section 1.5.5 Services and general infrastructure, subject to amendments sought in previous submissions for Policy 4.6.3 to show that the requirements of the 2017 National Policy Statement on Urban Capacity (NPS-UDC) have been considered.

Decision Reasons:

- The submitter supports the stated approach of maintaining the productive capacity of Waikato District's rural resource and ensuring that population growth and urban development results in high – amenity urban areas.
- The 'centres based' approach to retail development in Waikato District is also supported, as is accommodation of growth in a more compact urban form that is underpinned by robust master and structure planning exercises and aligned with the agreed Future Proof settlement pattern.
- These approaches assist to some extent with giving effect to the WRPS' policies in respect of a strategic, integrated approach to growth and the provision of infrastructure, but should more clearly articulate the district's responsibilities and proposed responses in respect of urban growth management (see submission points on NPS-UDC – submission points 81.14 and 81.15).

Point Number 81.89

Summary of Decision Requested: **Retain** Section 1.5.6 Transport and logistics, subject to amendments sought in previous submissions for Policy 4.6.3 to show that the requirements of the 2017 National Policy Statement on Urban Capacity (NPS-UDC) have been considered.

Decision Reasons:

- The submitter supports the stated approach of maintaining the productive capacity of Waikato District's rural resource and ensuring that population growth and urban development results in high – amenity urban areas.
- The 'centres based' approach to retail development in Waikato District is also supported, as is accommodation of growth in a more compact urban form that is underpinned by robust master and structure planning exercises and aligned with the agreed Future Proof settlement pattern.
- These approaches assist to some extent with giving effect to the WRPS' policies in respect of a strategic, integrated approach to growth and the provision of infrastructure, but should more clearly articulate the district's responsibilities and proposed responses in respect of urban growth management (see submission points on NPS-UDC – submission points 81.14 and 81.15).

Point Number 81.90

Summary of Decision Requested: **Amend** Section 1.5.6 (c) Transport and logistics to correctly reference the Waikato Regional Land Transport Plan (RLTP).
AND
Amend Section 1.5 Transport and logistics to reference the development of a Hamilton to Auckland passenger rail service that will run through the Waikato District.

Decision Reasons:

- Section 1.5.6(a) Transport and logistics talks about the need to promote a more regional and holistic consideration of the interactions between land use and transport infrastructure.
- There is an opportunity to reference the RLTP, as a document that sets out the strategic framework for land transport in the Waikato Region, including funding.
- Note Section 1.5.6(c) references the Regional Land Transport Strategy.
- This has now been replaced under the Land Transport Management Act by the Regional Land Transport Plan and the Proposed District Plan needs to be updated to reflect this.
- The Proposed Plan's statement in section 1.5.6(c) that public passenger transport will be supported by urban subdivision designs that promote efficient transport routes aligns with regional planning documents. Note that discussion of commuter rail services in section 1.5.6(d) only talks about advocacy for a passenger rail service extension between Pukekohe and Pokeno. The potential for a Hamilton to Auckland passenger rail service currently being investigated should also be acknowledged.

Point Number 81.91

Summary of Decision Requested: **Amend** Section 1.10.2.3 Waikato Region strategies and plans to correctly reference the Waikato Regional Land Transport Plan
AND
Amend Section 1.10 Integration of district plan with other plans and documents to reference the development of a Hamilton to Auckland passenger rail service that will run through the Waikato District.

Decision Reasons:

- Need to update reference to the recently adopted "2018 Update to the Waikato Regional Land Transport Plan 2015-2045" in the list of Waikato region strategies and plans in section 1.10.2.3.
- This section would also benefit from a brief outline on the importance of the RLTP for the Waikato District, as the RLTP contains important policy on regionally significant road and rail infrastructure and the integration of land use and infrastructure.

Point Number 81.92

Summary of Decision Requested: **Amend** Chapter 3.1 Indigenous Vegetation and Habitats to provide for the opportunity to offset non-significant biodiversity.

Decision Reasons:

- The submitter is generally supportive of Section 3.1 indigenous Vegetation and Habitats. However a number of amendments are sought in order to give effect to the WRPS and New Zealand Coastal Policy Statement.
- No Hierarchy or offsetting for non-significant biodiversity as per 11.1/ 11.1.3 WRPS.

Point Number 81.93

Summary of Decision Requested: **Amend** Objective 3.1.1 Biodiversity and ecosystems to clearly state that the outcome that is being worked towards is to achieve no net loss.

Decision Reasons:

- The Proposed District Plan does not clearly state that it seeks to maintain or enhance biodiversity in order to work towards achieving no net loss.
- Policy 11.1(a), Implementation Method 11.1.3 and 11.2.2 of the WRPS seek to achieve no net loss.

Point Number 81.94

Summary of Decision Requested: **Amend** Chapter 3.1 Indigenous Vegetation and Habitats to provide a mitigation hierarchy for indigenous biodiversity outside of a Significant Natural Area.

Decision Reasons:

- Policy 3.2.4 provides for offsetting where there are significant residual effects on indigenous biodiversity outside of a SNA. However, there is no policy that sets out a mitigation hierarchy for indigenous biodiversity outside of a SNA. It is important to link offsetting to a mitigation hierarchy to ensure that adverse effects are avoided, remedied or mitigated before offsetting significant residual adverse effects is considered.
- Implementation Method 11.1.3 of the WRPS provides direction in terms of biodiversity offsets for indigenous biodiversity outside of SNAs. Implementation Method 11.1.3 (a)(ii) states that district plans should promote biodiversity offsets as a way to achieve no net loss of indigenous biodiversity where significant residual adverse effects are unable to be avoided, remedied or mitigated.

Point Number 81.95

Summary of Decision Requested: **Amend** Section 3.2 Significant Natural Areas to ensure that policies related to indigenous biodiversity outside of Significant Natural Area are not under section 3.2 Significant Natural Areas.

Decision Reasons:

- There are provisions in section 3.2 SNAs that apply to indigenous biodiversity outside of an SNA.
- Implementation Method 11.1.3 of the WRPS provides direction in terms of biodiversity offsets for indigenous biodiversity outside of SNAs.
- Implementation Method 11.1.3 (a)(ii) states that district plans should promote biodiversity offsets as a way to achieve no net loss of indigenous biodiversity where significant residual adverse effects are unable to be avoided, remedied or mitigated.

Point Number 81.96

Summary of Decision Requested: **Amend** Section 3.1 Indigenous Vegetation and Habitats to ensure that policies related to indigenous biodiversity outside of Significant Natural Area are not under section 3.2 Significant Natural Areas.

Decision Reasons:

- There are provisions in section 3.2 SNAs that apply to indigenous biodiversity outside of an SNA.
- Implementation Method 11.1.3 of the WRPS provides direction in terms of biodiversity offsets for indigenous biodiversity outside of SNAs.
- Implementation Method 11.1.3 (a)(ii) states that district plans should promote biodiversity offsets as a way to achieve no net loss of indigenous biodiversity where significant residual adverse effects are unable to be avoided, remedied or mitigated.

Point Number 81.97

Summary of Decision Requested: **Amend** Policy 3.1.2(c) Policies as follows:
(c) Provide for the removal of Manuka or Kanuka for domestic firewood or arts and crafts on a sustainable basis.

Decision Reasons:

- The level of Manuka or Kanuka removal identified in 22.2.7 P2 and the purpose of that removal is acceptable to the submitter. However, further detail needs to be added to the policy to ensure that the effects of this type of clearance remain minor.
- This is in line with the WRPS Implementation Method 11.1.4.

Point Number 81.98

Summary of Decision Requested: **Retain** Objective 3.2.1 Significant Natural Areas.

Decision Reasons:

- Objective 3.2.1 is supported as it gives effect to Policy 11.2 of the WRPS.

Point Number 81.99

Summary of Decision Requested: **Retain** Policy 3.2.2 Identify and Recognise.

Decision Reasons:

- The submitter supports the approach of identification and mapping of SNAs. This approach provides landowners with greater certainty and assists with achieving Policy 11.2 of WRPS.

Point Number 81.100

Summary of Decision Requested: **Retain** Schedule 30.5 Urban Allotment.

Decision Reasons:

- The submitter supports the approach of identification and mapping of SNAs. This approach provides landowners with greater certainty and assists with achieving Policy 11.2 of WRPS.
- The submitter also supports the inclusion of Schedule 30.5 which contains a schedule of SNAs on urban environment allotments.

Point Number 81.101

Summary of Decision Requested: **Retain** identification of Significant Natural Area's on planning maps.

Decision Reasons:

- The submitter supports the approach of identification and mapping of SNAs. This approach provides landowners with greater certainty and assists with achieving Policy 11.2 of WRPS.

Point Number 81.102

Summary of Decision Requested: **Amend** Policy 3.2.3 Management hierarchy as follows:
(a) Recognise and protect indigenous biodiversity within Significant Natural Areas by:
(i) avoiding ~~the significant~~ adverse effects of vegetation clearance and the disturbance of habitats ~~unless specific activities need to be enabled~~;
(ii) remedying any effects that cannot be avoided; then
(iii) mitigating any effects that cannot be remedied; and
(iv) after remediation or mitigation has been undertaken, offset ~~any significant residual~~ more than minor adverse effects in accordance with Policy 3.2.4.

Decision Reasons:

- Policy 3.2.3 is generally supported; however, some amendments are required to ensure that the Policy gives effect to Implementation Method 11.2.2 of the WRPS.
- Policy 3.2.3(a)(i) states that significant adverse effects will be avoided unless specific activities need to be enabled. Firstly, the policy sets the bar at 'significant adverse effects' being avoided.

- Implementation Method 11.2.2(b) of the WRPS requires that all adverse effects are avoided.
- Secondly, no further guidance is provided on what the specific activities that need to be enabled are. This is potentially referring to those circumstances covered by Policy 3.2.1 of the Proposed Plan, however it is not clear. Implementation Method 11.1.4 of the WRPS recognises that some activities with minor adverse effects on indigenous biodiversity may be permitted.
- In addition, Policy 3.2.3(a)(iv) requires that any significant residual adverse effects be offset. WRPS Method 11.2.2(d) requires offsets where more than minor residual adverse effects remain. 'Significant' is a much higher threshold than 'more than minor' and may result in residual adverse effects not being addressed.

Point Number 81.103

Summary of Decision Requested: **Amend** Policy 3.2.4 Biodiversity Offsetting to address biodiversity offsets in relation to indigenous biodiversity outside of Significant Natural Areas.

Decision Reasons:

- As currently worded, Policy 3.2.4(a) addresses biodiversity offsets in both SNA's and indigenous biodiversity outside of SNA's. The rest of the Policy only addresses offsets in relation to SNA's. It is important that offsetting in relation to indigenous biodiversity outside of SNA's is also subject to a robust assessment framework.
- Outside of SNA's, WRPS Implementation Method 11.1.3(a)(ii) promotes biodiversity offsets where significant residual adverse effects remain. Within SNA's, WRPS Method 11.2.2(d) requires offsets where more than minor residual adverse effects remain.
- Policy 3.2.4 is intended to apply to both SNA and indigenous biodiversity outside of SNA. However it comes under section 3.2 SNA's.

Point Number 81.104

Summary of Decision Requested: **Retain** Objective 3.3.1 Outstanding natural features and landscapes.

Decision Reasons:

- Objective 3.3.1 is supported as it gives effect to Objective 3.20 and Policy 12.1 of the WRPS.

Point Number 81.105

Summary of Decision Requested: **Amend** Section 3.3 Outstanding Natural Features and Landscapes to require that adverse effects of activities on the values and characteristics of Outstanding Natural Feature Landscapes are avoided in the coastal environment.

Decision Reasons:

- The policy framework under section 3.3 takes the same approach to Outstanding natural features and landscapes (ONFL) regardless of whether they are in the coastal environment or outside of the coastal environment. Policy 6.2(c), Implementation Method 12.1.1 (a)(i) of the WRPS and Policy 15 of the New Zealand Coastal Policy Statement require that the adverse effects of activities on ONFL are avoided. Policy 3.3.3 (iv) of the Proposed Plan talks about avoiding, however that is only in the context of two specific activities; extractive industries and earthworks.

Point Number 81.106

Summary of Decision Requested: **Amend** Section 3.3 Outstanding Natural Features and Landscapes to ensure that, for areas outside of the coastal environment, the hierarchy set out in Implementation Method 12.1.1(a)(ii) of the WRPS is reflected. I.e. avoid adverse effects, where avoidance is not possible remedy or mitigate.

Decision Reasons:

- For areas outside of the coastal environment, the policy framework in section 3.3 does not reflect the mitigation hierarchy that is expressed in Implementation Method 12.1.1(a)(ii) of the WRPS that is avoid adverse effects of activities on the values and characteristics of ONFL, and if avoidance is not possible remedy or mitigate the adverse effects.

Point Number 81.107

Summary of Decision Requested: **Amend** Section 3.3 Outstanding Natural Features and Landscapes to address cumulative adverse effects.

Decision Reasons:

- The policies do not specifically address cumulative adverse effects as required by Policy 12.1 of the WRPS.

Point Number 81.108

Summary of Decision Requested: **Retain** objectives, policies, rules and maps for Significant Amenity Landscapes.

Decision Reasons:

- The submitter supports the approach to significant amenity landscapes as a way to give effect to Policy 12.3 of the WRPS.

Point Number 81.109

Summary of Decision Requested: **Retain** Objective 3.5.1 Natural character.

Decision Reasons:

- Objective 3.5.1 is supported as it gives effect to Objective 3.22 of the WRPS.

Point Number 81.110

Summary of Decision Requested: **Retain** Objective 4.1.1 Strategic, except for the amendments sought below

OR

Amend Objective 4.1.1 Strategic to ensure that these provisions provide a focused, integrated strategic direction in respect of the districts urban environments.

OR

Add to Objective 4.1.1 Strategic additional Objectives to ensure that these provisions provide a focused, integrated strategic direction in respect of the district's urban environments.

Decision Reasons:

- Objective 4.1.1 is supported in part as they will assist to some extent with giving effect to the WRPS and the Future Proof Strategy Planning for Growth 2017's (Future Proof Strategy's) direction for Waikato District's urban environment.
- Amendments (or additional objectives) are required to: provide more focussed, integrated strategic direction for the district's urban environments; relating to accommodating urban growth and development in Waikato District; and give effect to the National Policy Statement on Urban Development Capacity (NPS-UDC) and the WRPS.

Point Number 81.111

Summary of Decision Requested: **Retain** Objective 4.1.2 Urban growth and development, except for the amendments sought below
AND

Amend Objective 4.1.2 Urban growth and development to ensure that these provisions provide a focused, integrated strategic direction in respect of the district's urban environments.

OR

Add to Objective 4.1.1 Urban growth and development additional Objectives to ensure that these provisions provide a focused, integrated strategic direction in respect of the district's urban environments.

Decision Reasons:

- Objective 4.1.2 is supported in part as they will assist to some extent with giving effect to the WRPS and the Future Proof Strategy Planning for Growth 2017's (Future Proof Strategy's) direction for Waikato District's urban environment.
- Amendments (or additional objectives) are required to: provide more focussed, integrated strategic direction for the district's urban environments; relating to accommodating urban growth and development in Waikato District; and give effect to the National Policy Statement on Urban Development Capacity (NPS-UDC) and the WRPS.

Point Number 81.112

Summary of Decision Requested: **Amend** Objective 4.1.1 Strategic as follows to:

- Clarify whether it applies to both urban and rural communities

- More explicitly refer to planned growth and development that is integrated with infrastructure provision;

- Specify what proportion of the additional dwellings to be created between 2018-2045 are to be provided within the 10 year timeframe for this district plan and whether they will be serviced; and

- Identify what portion of the additional dwellings to be provided are anticipated to be located within the district's urban environments.

Decision Reasons:

- The Objective fails to provide direction on other matters critical to ensuring thriving, sustainable urban environments, including the management of natural or ecological values in the urban environment and management of conflicts between rural and urban environments or different types of urban activities, such as those of an industrial and residential nature.
- The submitter considers that additional strategic objectives should be included to address these matters.
- To meet the requirements of the NPS-UDC there should also be an objective that sets out the district's minimum targets for sufficient, feasible development capacity for housing, with associated policies. (Note: WRPS Policies 6.1, 6.3, 6.14, 6.16 and 6.17).

Point Number 81.113

Summary of Decision Requested: **Amend** Objective 4.1.2 Urban Growth and Development to:

- Clarify that urban growth and development is only to occur within and around towns and villages identified in the settlement pattern set out in the Future Proof Strategy and WRPS; and

- Direct that urban growth and development will only occur where there is existing or planned supporting infrastructure.

Decision Reasons:

- The Objective fails to provide direction on other matters critical to ensuring thriving, sustainable urban environments, including the management of natural or ecological values in the urban environment and management of conflicts between rural and urban environments or different types of urban activities, such as those of an industrial and residential nature.
- The submitter considers that additional strategic objectives should be included to address these matters.
- To meet the requirements of the NPS-UDC there should also be an objective that sets out the district's minimum targets for sufficient, feasible development capacity for housing, with associated policies. (Note: WRPS Policies 6.1, 6.3, 6.14, 6.16 and 6.17).
- This submission point is the same as that of 81.117 except that it refers to Objective 4.1.1 rather than 4.1.2.

Point Number 81.114

Summary of Decision Requested: **Amend** Policy 4.1.3 Location of development

OR

Amend Policy 4.1.3 Location of development to include additional policy for urban residential activities that is similar to Policy 4.1.6. The additional policy should specify:

- Which of the plan's residential zones are to apply in the district's urban towns and villages;

- That rural-residential subdivision and development is not to occur in urban areas;

- Exactly what is meant by the term 'infrastructure' as used in the policy, for example if it includes on-site waste water treatment, such as might be used in rural towns and villages; and

- That urban residential development is to occur primarily in accordance with the Future Proof Strategy (and any additional locations identified through the Future Proof update and Auckland to Hamilton Spatial Plan currently underway) where infrastructure to support development of an urban nature is or will be available over the term of the district plan; and whether and which of these locations are identified as priority growth areas for the district.

Decision Reasons:

- Policy direction similar to that contained in Policy 4.1.6 in respect of the zoning and location of commercial and industrial development should be included in respect of residential development.
- The policy should identify the zones that provide for urban scale residential development; the specific towns and villages where it is envisaged that residential growth and development is to occur, consistent with the Future Proof Strategy, and giving effect to the WRPS; and which of these the district intends to prioritise for growth and infrastructure provision over the term of the plan.
- Stage 2 of the Future Proof Strategy Update may have changes to the current settlement pattern, and these should be reflected in the district plan provisions.

Point Number 81.115

Summary of Decision Requested: **Amend** Policy 4.1.3 Location of development to take into account high class soils, significant natural areas, outstanding natural features and landscapes, natural character and hazards.

Decision Reasons:

- Policy 4.1.3 also directs the location of urban development, however, does not take into account consideration of high class soils, SNAs, outstanding natural features and landscapes, natural character and hazards.
- This policy should be expanded to take these into account, giving effect to the WRPS provisions such as Policies 14.2, 13.2, 12.1 and 6.1 among others. (Note: WRPS Policies 6.1, 6.3, 6.6, 6.14 and Section 6A).

Point Number 81.116

Summary of Decision Requested: **Amend** Policy 4.1.4 – Staging of development to include details on how subdivision, use and development of new urban areas within urban towns and villages is to be integrated and staged in areas where a 'live' zoning is proposed, but where infrastructure does not currently exist or is not planned to be provided over the timeframe of the district plan.

Decision Reasons:

- This policy is supported as it will assist with ensuring a co-ordinated approach to infrastructure provisions and integration of growth and infrastructure provision, however, it does not provide clear guidance on how infrastructure and staging of development will be integrated. (Note: WRPS Policies 6.1, 6.3, 6.14 and Section 6A).

Point Number 81.117

Summary of Decision Requested: **Amend** Policy 4.1.5 Density to indicate that in the Residential zone closest to Business Town Centre zones, **it is anticipated that a higher density per hectare is to be achieved.**

Decision Reasons:

- It is anticipated that a higher density per hectare is to be achieved.
- The submitter is concerned that the proposed densities for the Residential and Village zones do not accurately reflect the Future Proof density targets and the WRPS' Policy 6.15 *Density targets for the Future Proof area*.
- The WRPS targets are expressed as average gross density targets, are specific to greenfield developments for identified towns in Waikato District, and there are no specific densities provided for the district's established urban environments.
- Higher minimum densities than those proposed are more appropriate for established residential areas immediately adjacent to the Business Town Centre zones.
- Higher residential densities around this zone would better support public transport and other infrastructure, the commercial vitality of the town centre and promote people living, working and playing in their local town centres. The submitter notes that the draft *North Waikato Integrated Growth Management Programme Business Case* states that a density of approximately 17 dwellings per hectare would be required to support a commuter train service at Tuakau.
- The submission notes that this submission point should be read in conjunction with submission 81.118

Point Number 81.118

Summary of Decision Requested: **Amend** Policy 4.1.5 Density to indicate a higher minimum density than is currently proposed for serviced sites within the Village Zone.

Decision Reasons:

- Concerned that the proposed minimum density of 8-10 households per hectare for sites in the Village Zone where public reticulated services can be provided does not give effect to the WRPS' Policy 6.15, which seeks to achieve compact urban environments.
- The density proposed for the Village Zone is equivalent to the WRPS' direction for density in greenfield developments in Waikato's rural villages, and is an average gross density target.
- Densities for these serviced sites should more resemble those in the Residential Zone. This would assist with promoting a more compact, sustainable urban form and supporting efficient infrastructure provision.

Point Number 81.119

Summary of Decision Requested: **Retain** Policy 4.1.6 Commercial and industrial activities.

Decision Reasons:

- Policy 4.1.6 is supported.
- This policy will assist with giving effect to the WRPS' policy direction regarding the location of commercial and industrial activities. (Note: WRPS Policies 6.1; 6.14; 6.16; and Section 6A).

Point Number 81.120

Summary of Decision Requested: **Amend** Objective 4.1.7 Character of towns to ensure that these provisions provide a focused/integrated and strategic direction in respect of the district's urban environments.

OR

Amend Objective 4.1.7 Character of towns to add additional objectives to better support and align with the matters covered by the associated policies, including that the existing residential and commercial character of the district's urban environments is to be maintained and enhanced by new growth and development.

Decision Reasons:

- Provisions supported in part, but the submitter considers however that the Objective, including its title, does not align well with the content of the associated policies insofar as the policies address a broader range of matters than are included in the Objective, including subdivision, density, landscape characteristics and reverse sensitivity issues.
- The submitter considers that the objective should be amended, or new objectives added, to ensure better alignment with related policies. For example, the objective should address the issue of new development connecting well with the existing built environment.
- The submission includes some detail about why they support the provisions (in part).
- The submission notes the relevant sections of the WRPS.

Point Number 81.121

Summary of Decision Requested: **Amend** provisions to provide more detailed guidance about the future urban outcomes (including residential, business and industrial uses) for the centres, particularly in relation to density, location of growth areas, the timing and staging of new development, and its integration with the existing towns.

Decision Reasons:

- As proposed, the plan contains no zone descriptions that could assist with an understanding of the desired urban outcomes for the Residential, Village, Industrial and Business zones.
- The submission notes the relevant sections of the WRPS.

Point Number 81.122

Summary of Decision Requested: **Amend** to include additional provisions, including Objectives, Policies, zone descriptions and references to the design guidelines in Appendix 3, character statements for specific towns and villages in Appendix 10 and structure plans included in other appendices to the plan, to assist with an

understanding of the particular character, development focus and desired, strategic outcome(s) for each of the identified towns and villages; and how these outcomes are to be achieved.

Decision Reasons:

- There is no cross-referencing to the design guidelines in Appendix 3 which are the focus of Policies 4.1.10-4.1.18, the character statements for specific towns and villages in Appendix 10 and structure plans included in other appendices to the plan.
- Cross-referencing to these provisions would assist with better achieving Objective 4.1.7, and provide greater clarity and understanding about the particular character, development focus and desired outcome(s) for each of the identified towns and villages.
- The submission notes the relevant sections of the WRPS.

Point Number 81.123

Summary of Decision Requested: **Amend** to include cross-referencing to Policies in Section 4.5 Business and Business Town Centre Zones, including Policies 4.5.14 – 4.5.19, and any other relevant sections of the plan, to enable plan users to obtain a full understanding of the policy direction in relation to the character of these places, and for an integrated approach to be taken to their growth and development.

Decision Reasons:

- The policies sitting under this Objective should be cross-referenced to Policies in Section 4.5 *Business and Business Town Centre Zones*, including Policies 4.5.14 – 4.5.19, and any other relevant sections of the plan. This would enable plan users to obtain a full understanding of the policy direction in relation to the desired settlement patterns and urban outcomes of these places, and for an integrated approach to be taken to their growth and development.
- The submission notes the relevant sections of the WRPS.

Point Number 81.124

Summary of Decision Requested: **Amend** rules in Chapter 16: Residential Zone to capture the intended location specific character and density sought.

Decision Reasons:

- There are no rules or other methods in Chapters 16 that are clearly targeted to achieve the outcomes sought for particular towns and villages identified in Policies 4.10-4.1.18.
- The submission notes the relevant sections of the WRPS.

Point Number 81.125

Summary of Decision Requested: **Amend** rules in Chapter 17 : Business Zone to capture the intended location specific character and density sought.

Decision Reasons:

- There are no rules or other methods in Chapter 17 that are clearly targeted to achieve the outcomes sought for particular towns and villages identified in Policies 4.10-4.1.18.
- The submission notes the relevant sections of the WRPS.

Point Number 81.126

Summary of Decision Requested: **Retain** Objective 4.2.16 Housing options.

Decision Reasons:

- The submitter supports this objective as it assists with giving effect to the WRPS' direction relating to the integration of land use with public transport: WRPS Policies 6.1; Policy 6.3 and Section 6A.

Point Number 81.127

Summary of Decision Requested: **Retain** Policy 4.2.17 Housing types.

Decision Reasons:

- The submitter supports this Policy as it assists with giving effect to the WRPS' direction relating to the integration of land use with public transport: WRPS Policies 6.1; Policy 6.3 and Section 6A.

Point Number 81.128

Summary of Decision Requested: **Retain** Policy 4.2.18 Multi-unit development.

Decision Reasons:

- The submitter supports this Policy as it assists with giving effect to the WRPS' direction relating to the integration of land use with public transport: WRPS Policies 6.1; Policy 6.3 and Section 6A.

Point Number 81.129

Summary of Decision Requested: **Amend** Objective 4.3.1 Village Zone character to include a description or explanation of the character and purpose of the Village Zone including anticipated intensity of development.

Decision Reasons:

- Submitter seeks amendments to provisions to provide greater clarity about critical elements of the character of the Village Zone that is to be maintained, (for example, the rationale behind the desired intensity of development) and to make a stronger correlation between infrastructure provision and the outcomes sought in terms of the zone.
- The submitter is concerned that in combination, the minimum density of 8-10 households per hectare for Village Zone sites proposed in Policy 4.1.5 Density where public reticulated services can be provided, and the requirement for a 3000m² minimum lot size (Rule 24.4.1) promote a rural rather than an urban outcome for the Village Zone.
- This would not achieve the sustainable, compact urban form necessary to support efficient, effective transport and other infrastructure services.
- The submitter is also of the view that the density policy and subdivision rule promote a settlement pattern that will be difficult to change if additional, more intensive development is required to provide for future growth around the district's urban settlements.

Point Number 81.130

Summary of Decision Requested: **Amend** Policy 4.3.2 Character to provide greater clarity about the character of the Village Zone; to make a stronger correlation between

infrastructure provision and the outcomes sought in terms of the Village zone; and to remove reference to 'semi-rural character'.

Decision Reasons:

- Submitter seeks amendments to the provisions to provide greater clarity about critical elements of the character of the Village Zone that is to be maintained, (for example, the rationale behind the desired intensity of development) and to make a stronger correlation between infrastructure provision and the outcomes sought in terms of the zone.
- The submitter is concerned that in combination, the minimum density of 8-10 households per hectare for Village Zone sites proposed in Policy 4.1.5 Density where public reticulated services can be provided, and the requirement for a 3000m² minimum lot size (Rule 24.4.1) promote a rural rather than an urban outcome for the Village zone. This would not achieve the sustainable, compact urban form necessary to support efficient, effective transport and other infrastructure services.
- The submitter is also of the view that the density policy and subdivision rule promote a settlement pattern that will be difficult to change if additional, more intensive development is required to provide for future growth around the district's urban settlements.
- The 'semi-rural character' reference is inappropriate for a zone that is to be used to manage activities in an urban environment.

Point Number

81.131

Summary of Decision Requested:

Amend Policy 4.3.3 Future development –Tuakau and Te Kowhai, to provide greater clarity about the urban outcomes sought for the Village Zone, including anticipated development density; to make a stronger correlation between infrastructure provision and the outcomes sought for the zone; and to remove reference to 'semi-rural character'

Decision Reasons:

- The submitter questions the extent to which it will achieve Objective 4.3.1 *Village Zone character*, to which it relates.
- The submitter submits that the policy should be amended to provide greater clarity about the Village Zone character that is to be maintained, including anticipated density of development, and to make a stronger correlation between subdivision, infrastructure provision and the outcomes sought in terms of the Village zone. In addition changes resulting from the Auckland-Hamilton Corridor Spatial Plan and Future Proof Strategy Phase 2 Review may influence whether this zoning is appropriate in these locations (Note: WRPS Policies 6.1, 6.3 and Section 6A).

Point Number

81.132

Summary of Decision Requested:

Retain Policy 4.3.1.1 Maintain residential function.

Decision Reasons:

- The submitter supports this Policy, as it will assist with giving effect to the WRPS' policy direction relating to the Future Proof settlement pattern. (Note: WRPS Policies 6.1, 6.14 and Section 6A).

Point Number

81.133

Summary of Decision Requested:

Retain Policy 4.5.1 Commercial function and purpose.

Decision Reasons:

- This Policy assists with giving effect to the WRPS' policy direction relating to the Future Proof settlement pattern and commercial development in the Future Proof area. (Note: WRPS Policies 6.1, 6.14, 6.16, Section 6A; and Table 6-4).

Point Number

81.134

Summary of Decision Requested:

Retain Policy 4.5.2 Commercial function and purpose.

Decision Reasons:

- This Policy assists with giving effect to the WRPS' policy direction relating to the Future Proof settlement pattern and commercial development in the Future Proof area. (Note: WRPS Policies 6.1, 6.14, 6.16, Section 6A; and Table 6-4).

Point Number

81.135

Summary of Decision Requested:

Retain Policy 4.5.3 Commercial purpose: Business Town Centre Zone.

Decision Reasons:

- This Policy assists with giving effect to the WRPS' policy direction relating to the Future Proof settlement pattern and commercial development in the Future Proof area. (Note: WRPS Policies 6.1, 6.14, 6.16, Section 6A; and Table 6-4).

Point Number

81.136

Summary of Decision Requested:

Retain Policy 4.5.4 Commercial purpose: Business Zone.

Decision Reasons:

- This Policy assists with giving effect to the WRPS' policy direction relating to the Future Proof settlement pattern and commercial development in the Future Proof area. (Note: WRPS Policies 6.1, 6.14, 6.16, Section 6A; and Table 6-4).

Point Number

81.137

Summary of Decision Requested:

Amend maps to show identified Neighbourhood Centres within the planning maps and not only on master and structure plans.

Decision Reasons:

- The submitter seeks clarity that Neighbourhood Centres will be depicted on the Planning maps, and not only on master and structure plans.
- The submission also states that WRC supports Policy 4.5.7 in principal but subject to the relief sought.

Point Number

81.138

Summary of Decision Requested:

Retain Policy 4.5.13 Town centre built form.

Decision Reasons:

- This policy gives effect to the WRPS' direction on encouraging walking, cycling and multi-modal transport and maximising opportunities for people to live, work and play within their local areas. (Note: WRPS Policies 6.1, 6.14, 6.16, Section and Table 6-4.)

Point Number 81.139

Summary of Decision Requested: **Retain** Objective 4.6.1 Economic growth of industry.

Decision Reasons:

- This objective will assist with maintaining the Future Proof settlement pattern and retaining industrial activities primarily within identified industrial nodes. (Note WRPS Policy 6.1.4)

Point Number 81.140

Summary of Decision Requested: **Retain** Policy 4.6.4 Maintain industrial land for industrial purposes.

Decision Reasons:

- The submitter supports this Policy as it will assist with maintaining the Future Proof settlement pattern, retaining industrial activities primarily within identified industrial nodes and managing reverse sensitivity issues. (Note WRPS Policies 6.1, 6.14 and Section 6A.)

Point Number 81.141

Summary of Decision Requested: **Retain** Objective 4.6.6 Manage adverse effects.

Decision Reasons:

- The submitter supports this Objective as it assists with giving effect to the WRPS direction relating to the need to have regard to reverse sensitivity effects. (Note WRPS Policy 6.1 and Section 6A).
- The submission should be read in conjunction with submission point 81.147 (submission on Policy 4.6.7)

Point Number 81.142

Summary of Decision Requested: **Retain** Policy 4.6.7 Management of adverse effects within industrial zones.

Decision Reasons:

- The submitter supports this Policy as it assists with giving effect to the WRPS direction relating to the need to have regard to reverse sensitivity effects. (Note WRPS Policy 6.1 and Section 6A)
- The submission should be read in conjunction with submission point 81.146 (submission on Objective 4.6.6).

Point Number 81.143

Summary of Decision Requested: **Retain** Objective 4.7.1 Subdivision and Land Use Integration.

Decision Reasons:

- This will give effect to the WRPS Policies 6.1, 6.3 and Section 6A regarding a planned, co-ordinated approach to subdivision, use and development and infrastructure provision.

Point Number 81.144

Summary of Decision Requested: **Amend** Rule 14.11.1.1 PI Permitted Activities to add advice notes regarding the Waikato Stormwater Management Guideline and Waikato Stormwater Runoff Modelling Guideline.

Decision Reasons:

- A note should be provided referring to following the guidance provided in the Waikato Regional Council's Waikato Stormwater Management Guideline and Waikato Stormwater Runoff Modelling Guidelines.

Point Number 81.145

Summary of Decision Requested: **Amend** Rule 14.11.2 RD1 Restricted Discretionary Activities to include a new point (c) as follows:

(c) The potential for adverse effects to the environment in terms of stormwater quantity and stormwater quality effects.

Decision Reasons:

- The effects on the environment of stormwater quality and quantity are not included as a matter of discretion.
- This change is recommended to ensure that storm water systems are appropriately designed to address potential adverse effects to the environment.

Point Number 81.146

Summary of Decision Requested: **Amend** the Section 32 analysis of the road hierarchy to ensure that the One Network Road Classification has been considered when forming Table 14.12.5.5.

Decision Reasons:

- The NZ Transport Agency has developed the One Network Road Classification as a tool to categorise roads based on their use, and to subsequently fund the road infrastructure accordingly. Clarification is sought that the road hierarchy reflects the actual and future anticipated levels of movement, in alignment with the One Network Road Classification, as this will influence the availability of funding, and may affect the ability of the road network infrastructure to meet the requirements of users and the associated land uses.

Point Number 81.147

Summary of Decision Requested: **Retain** Table 14.12.5.10 Required bicycle spaces.

Decision Reasons:

- Support requirement for bicycle spaces for all activities in section 14.12.5.10 to facilitate the uptake of cycling. The Waikato Regional Land Transport Plan supports the provision for alternative modes of transport, such as cycling.

Point Number 81.148

Summary of Decision Requested: Retain Rule 16.1.2 P3 Permitted Activities.

Decision Reasons:

- The submitter supports the rule's encouragement for location of retirement villages within 400 metres walking distance of public transport, as this assists with giving effect to the WRPS Policies 6.1 and 6.3, and Section 6A Development Principles.
- It also assists with giving effect to the Proposed Plan's Objective 4.2.16 *Housing options* and Policy 4.2.17 *Housing types*.

Point Number 81.149

Summary of Decision Requested: Add to Rule 16.1.3 RD | A Multi-Unit development a new condition as follows:

The development is either serviced by or within 400m walking distance of public transport.

Decision Reasons:

- The submitter supports the provision and considers that it will assist to some degree with the achievement of Objective 4.2.16 Staging options and Policies 2.2.17 *Housing types* and 4.2.18 Multi-unit development, however considers that there should be an incentive in the rule, similar to Rule 16.1.2 *Permitted Activities - P3* to encourage this type of development to locate within 400 metres walking distance of public transport.
- This would assist with giving effect to the WRPS' direction in Policies 6.1, 6.3 and Section 6A *Development Principles*.

Point Number 81.150

Summary of Decision Requested: Amend Rule 14.11.1.1 P1 Permitted Activities to include additional clauses that address:

- Water quality treatment
- Downstream erosion and scour effects
- Cumulative volume effects.

Decision Reasons:

- Wording is proposed to support a shift to low impact design stormwater management systems that manage stormwater at source through retention devices rather than relying on large detention devices downstream.
- This approach is recommended by the submitter and is outlined in Council's Waikato Stormwater Management Guideline.

Point Number 81.151

Summary of Decision Requested: Amend Rule 16.4.1 RD1 Subdivision – General to allow for more intensive subdivision in Residential areas directly adjacent to the Business Town Centre zones at Huntly, Ngaruawahia, Pokeno, Raglan, Te Kauwhata and Tuakau.

Decision Reasons:

- The submitter is concerned that applying this minimum lot size to areas directly adjacent to the Business Town Centre zones for the towns of Huntly, Ngaruawahia, Pokeno, Raglan, Te Kauwhata and Tuakau will not enable the achievement of a range of the plan's objectives and policies for the urban environment, including those relating to housing choice; density aligned with the Future Proof Strategy; and promotion of subdivision, land use and development that encourages thriving, sustainable town centres, and integrates with and is supportive of provision of public transport and other infrastructure.
- Submission refers to WRPS Policies 6.1 *Planned and co-ordinated subdivision, use and development*; Policy 6.3 *Co-ordinating growth and infrastructure*; Policy 6.16 *Commercial development in the Future Proof area*; and Section 6A *Development principles*.

Point Number 81.152

Summary of Decision Requested: Add a new alternative residential or mixed use zone or an overlay to the residential zone, or any other method, that includes objective(s) and policy(ies) that provide for a more intensive residential pattern around the Business Town Centre zones at Huntly, Ngaruawahia, Pokeno, Raglan, Te Kauwhata and Tuakau.

Decision Reasons:

- The submitter is concerned that applying this minimum lot size to areas directly adjacent to the Business Town Centre zones for the towns of Huntly, Ngaruawahia, Pokeno, Raglan, Te Kauwhata and Tuakau will not enable the achievement of a range of the plan's objectives and policies for the urban environment, including those relating to housing choice; density aligned with the Future Proof Strategy; and promotion of subdivision, land use and development that encourages thriving, sustainable town centres, and integrates with and is supportive of provision of public transport and other infrastructure.
- Submission refers to WRPS Policies 6.1 *Planned and co-ordinated subdivision, use and development*; Policy 6.3 *Co-ordinating growth and infrastructure*; Policy 6.16 *Commercial development in the Future Proof area*; and Section 6A *Development principles*.

Point Number 81.153

Summary of Decision Requested: Amend Rule 17.1.2 Permitted Activities – P1 Commercial activity and P2 Commercial services to clarify which particular activities are appropriate for each zone.

Decision Reasons:

- These rules allow for commercial activity and commercial services as permitted activities in both the Business and Business Town Centre zones.
- Allowing the same activities to occur in both zones creates unnecessary and inappropriate competition between the Town Centre and Business Zones, and does not promote a supportive, complimentary role for them.
- This is not consistent with the policy approach set out in Section 4.5, which seeks to encourage a wide range of commercial activities in both zones, the town centres focusing on retail, administration, commercial and civic centre activities, the Business Zone discouraging small scale retail and focusing on large format retail.
- The submitter seeks clarification about the rationale behind the rules, and is concerned that they do not give proper effect to the WRPS' Policy 6.16 or the policy framework for these zones contained in Section 4.5: of the Proposed Plan.

Point Number 81.154

Summary of Decision Requested: Amend Rule 18.1.2 P1 Commercial activity and P3 Commercial services to clarify which particular activities are appropriate for each zone.

Decision Reasons:

- These rules allow for Commercial activity and Commercial services as permitted activities in both the Business and Business Town Centre zones.
- Allowing the same activities to occur in both zones creates unnecessary and inappropriate competition between the Town Centre and Business Zones, and does not promote a supportive, complimentary role for them.
- This is not consistent with the policy approach set out in Section 4.5, which seeks to encourage a wide range of commercial activities in both zones, the town centres focusing on retail, administration, commercial and civic centre activities, the Business Zone discouraging small scale retail and focusing on large format retail.
- The submitter seeks clarification about the rationale behind the rules, and is concerned that they do not give proper effect to the WRPS' Policy 6.16 or the policy framework for these zones contained in Section 4.5: of the Proposed Plan.

Point Number 81.155

Summary of Decision Requested: **Amend** the definitions of "Commercial activity" and "Commercial services" to better distinguish large format from small scale activities.

Decision Reasons:

- These rules allow for Commercial activity and Commercial services as permitted activities in both the Business and Business Town Centre zones.
- Allowing the same activities to occur in both zones creates unnecessary and inappropriate competition between the Town Centre and Business Zones, and does not promote a supportive, complimentary role for them.
- This is not consistent with the policy approach set out in Section 4.5, which seeks to encourage a wide range of commercial activities in both zones, the town centres focusing on retail, administration, commercial and civic centre activities, the Business Zone discouraging small scale retail and focusing on large format retail.
- The submitter seeks clarification about the rationale behind the rules, and is concerned that they do not give proper effect to the WRPS' Policy 6.16 or the policy framework for these zones contained in Section 4.5: of the Proposed Plan.

Point Number 81.156

Summary of Decision Requested: **Add** to Rule 17.1.3 – RD 1 A Multi-Unit development a new condition as follows:

The development is either serviced by or within 400m walking distance of public transport.

Decision Reasons:

- The submitter supports this provision, however, seeks an incentive in the rule, similar to Rule 16.1.2 P3 to encourage this type of development to locate within 400 metres walking distance of public transport. This helps to give effects to WRPS Policies 6.1 and 6.3 and Section 6A Development Principles.
- Proposals not meeting the relief sought could be assessed as discretionary activities but has this not been sought this as specific relief.

Point Number 81.157

Summary of Decision Requested: **Retain** Rule 18.1.3 RD1 Restricted Discretionary Activities.

Decision Reasons:

- The submitter supports the provision for multi-unit development in the Business Town Centre Zone, and considers that it will assist with achieving Objective 4.2.16 and Policies 4.2.17 and 4.2.18.

Point Number 81.158

Summary of Decision Requested: **Add** to Section 20.5 rules addressing the management of stormwater in the Nau Mai Business Park.

Decision Reasons:

- It appears there are no rules in relation to managing stormwater from development in the Nau Mai Business Park.
- Appropriate low impact stormwater management needs to be undertaken at the Nau Mai Business Park to ensure no adverse environmental effects from stormwater runoff.

Point Number 81.159

Summary of Decision Requested: **Add** to Rule 22.1.8 P8 Forestry to have an activity specific condition as follows:

Afforestation must not occur within 10m of a Significant Natural Area.

Decision Reasons:

- The National Environment Standard for Plantation Forestry (NESPf) provides for afforestation as a permitted activity in certain circumstances.
- Regulation 14 of the NESPf sets out a number of permitted activity conditions. Regulation 14(1)(d) requires that afforestation must not occur within 10m of an SNA. There are no activity specific conditions that apply to P8 Forestry in the Proposed Plan.

Point Number 81.160

Summary of Decision Requested: **Amend** Rule 22.1.5 D15 Discretionary Activities to include afforestation of significant natural areas as a discretionary activity.

Decision Reasons:

- In the Rural Zone "Afforestation of any part of an Outstanding or Natural Character Area or High Natural Character Area" is a discretionary activity.
- National Environmental Standard for Plantation Forestry Regulation 12 states that afforestation must not occur within a SNA or an outstanding natural feature or landscape.
- Regulation 16 (1) states that afforestation is a restricted discretionary activity if regulation 12 cannot be met. Regulation 6 provides certain circumstances in which a rule in a plan can be more stringent than the regulations. These include where a rule gives effect to NZCPS policies 11, 13, 15 and 22 and matters of national importance (Outstanding Natural Feature Landscape and SNA). Given this, it is considered that a discretionary activity status is available and appropriate to ensure that the WRPS and NZCPS are given effect to. However, it is noted that the drafting of D15 should include afforestation as a discretionary activity in SNAs also. As currently drafted it could be considered a permitted activity under 22.1.2 P8.

Point Number 81.161

Summary of Decision Requested: **Amend** Rule 22.1.5 D15 Discretionary Activities to make it clear that includes Outstanding Natural Features and Outstanding Natural Landscapes.

Decision Reasons:

- The drafting of D15 could be improved to provide certainty as to the areas that it applies to.

Point Number 81.162

Summary of Decision Requested: **Clarify** the earthwork thresholds (area and volume) for the landscape and natural character areas, across all zones.

Decision Reasons:

- The submitter notes that the earthwork thresholds are lower for Landscape and Natural Character Areas in comparison to the rest of the Rural Zone. This is appropriate to achieve Policy 12.1, 12.2 and 12.3 of the WRPS.
- However, the submitter seeks clarity on what the thresholds are for the second part of the table that runs onto page 13. It is unclear if the 50m² area and 250m³ volume applies or if the figures have been omitted.

Point Number 81.163

Summary of Decision Requested: **Retain** Rule 22.3.1 Number of dwellings within a lot.

Decision Reasons:

- The submitter supports the provision of dwellings, buildings and structures in landscape or natural character areas as a discretionary activity. This gives effect to Policy 6.2, 12.1, 12.2, 12.3 of the WRPS.

Point Number 81.164

Summary of Decision Requested: **Amend** Rule 22.3.2 Minor dwelling to make a minor dwelling in an Outstanding Natural Feature, Outstanding Natural Landscape, Outstanding Natural Character Area or High Natural Character Area a discretionary activity.

Decision Reasons:

- It is unclear what activity status a minor dwelling would have in an Outstanding Natural Feature, Outstanding Natural Landscape, Outstanding Natural Character Area or High Natural Character Area. Would it be captured by 22.3.2 P1 or would it be subject to 22.3.3?
- For consistency and to enable the effects on the Outstanding Natural Feature, Outstanding Natural Landscape, Outstanding Natural Character Area or High Natural Character Area to be assessed, discretionary activity is sought for minor dwellings in these areas.

Point Number 81.165

Summary of Decision Requested: **Retain** Rule 22.3.3 Buildings and structures in Landscape and Natural Character Areas.

Decision Reasons:

- The submitter supports the provision of dwellings, buildings and structures in landscape or natural character areas as a discretionary activity. This gives effect to Policy 6.2, 12.1, 12.2, 12.3 of the WRPS.

Point Number 81.166

Summary of Decision Requested: **Retain** Rule 22.4.1.1 Prohibited subdivision.

Decision Reasons:

- The prohibited activity status for certain types of subdivision on high quality soils is supported noting WRPS Policy 14.2 and associated Implementation Method 14.2.1.

Point Number 81.167

Summary of Decision Requested: **Amend** Rule 22.4.1.2(a)(ii) General subdivision to increase the subdivision threshold to 40ha.

Decision Reasons:

- Rule 22.4.1.2 acknowledges the role of high class soils and to limit the extent of rural land fragmentation. As currently written a minimum 20ha lot size is required before subdivision can be considered.
- In Rule 22.4.1.2 (a)(ii) a threshold set at 20 ha has the effect of increasing the area of land within the district for which subdivision may be permitted, thus increasing the potential for more fragmentation of rural land (and high class soils) than would otherwise be the case (with a 40 ha threshold). It may also lead to more diffuse rural residential development. This is inconsistent with policy 5.2.3(a) of the proposed plan around minimising the fragmentation of productive rural land.

Point Number 81.168

Summary of Decision Requested: **Amend** Rule 22.4.1.2(a)(v) General subdivision to clarify that a property scale/site specific Land Use Capability Assessment is required.

Decision Reasons:

- In Rule 22.4.1.2(a)(v) it is important that the Land Use Capability Assessment be prepared at a suitable scale to reflect the specific property or properties.
- An assessment using regionally available data will not be sufficient to assess the class of soils on a site.

Point Number 81.169

Summary of Decision Requested: **Amend** Rule 22.4.1.2(a)(v) General subdivision to provide for a minimum of 90% high class soils in the parent lot, and a maximum of 10% high class soils in the child lot.

Decision Reasons:

- Rule 22.4.1.2(a)(v) also seeks that one lot must contain a minimum of 80% of the high class soils, while the other lot may consist of up to 20% of high class soils.
- Clarification is needed that the parent lot is required to have the higher percentage of high class soils.
- To more effectively give effect to objectives and policies regarding high class soils a higher level of high class soils should be retained in the parent lot, and a 90%/10% split should apply.

Point Number 81.170

Summary of Decision Requested:	Add to 22.4.1.2(b) General subdivision the matters of discretion to include the availability of water supply, wastewater services and stormwater management.
Decision Reasons:	<ul style="list-style-type: none"> There is no assessment criteria relating to water supply, wastewater services and stormwater management. This should be included to promote the integration of infrastructure and land use and subdivision, giving effect to WRPS Policy 6.3.
Point Number	81.171
Summary of Decision Requested:	Add to Rule 22.4.1.5 (b) Rural Hamlet Subdivision the matters of discretion to include the availability of water supply, wastewater services and stormwater management.
Decision Reasons:	<ul style="list-style-type: none"> There is no assessment criteria relating to water supply, wastewater services and stormwater management. This should be included to promote the integration of infrastructure and land use and subdivision, giving effect to WRPS Policy 6.3.
Point Number	81.172
Summary of Decision Requested:	Amend Rule 22.4.1.4 Boundary relocation to reduce the scope for inappropriate sized subdivision that does not provide for a suitable minimum size for productive rural activities.
Decision Reasons:	<ul style="list-style-type: none"> The rule as currently written could potentially provide for lots through boundary adjustment that are neither smaller rural residential sized lots, nor suitably sized to provide for productive rural activities. This is not consistent with the policy framework of either the WRPS or the objectives and policies in the Proposed Waikato District Plan.
Point Number	81.173
Summary of Decision Requested:	Amend Rule 22.4.1.5(v) Rural Hamlet Subdivision to provide for a minimum 40ha balance lot.
Decision Reasons:	<ul style="list-style-type: none"> A threshold set at 20 ha has the effect of increasing the area of land within the district for which subdivision may be permitted, thus increasing the potential for more fragmentation of rural land (and high class soils) than would otherwise be the case (with a 40 ha threshold). It may also lead to more diffuse rural residential development. This is inconsistent with policy 5.2.3(a) of the Proposed Plan around minimising the fragmentation of productive rural land.
Point Number	81.174
Summary of Decision Requested:	Retain Rule 22.4.1.6 Conservation lot subdivision.
Decision Reasons:	<ul style="list-style-type: none"> The submitter is supportive of mechanisms that incentivise the protection and enhancement of SNA's. This is consistent with Implementation Method 11.1.8 of the WRPS.
Point Number	81.175
Summary of Decision Requested:	Amend Rule 22.4.5 Subdivision within identified areas to make subdivision of land containing an Significant Natural Area that is not a conservation lot subdivision, a discretionary activity.
Decision Reasons:	<ul style="list-style-type: none"> Subdivision of land containing an SNA could be considered a restricted discretionary activity under Rule 22.4.1.2 (if the conservation lot opportunity is not taken up). However, for other overlay areas subdivision is a discretionary activity under Rule 22.4.5. In order to manage the effects of subdivision and any subsequent land use activities on SNA's it is considered that a discretionary activity status is more appropriate. This would give effect to Policy 11.1 and 11.2 and associated implementation methods in the WRPS.
Point Number	81.176
Summary of Decision Requested:	Add to Rule 22.8.3 RD2 Restricted Discretionary Activities assessment criteria as follows: <i>(vi) Stormwater management and the mitigation of potential adverse effects.</i>
Decision Reasons:	<ul style="list-style-type: none"> A list is provided in (a) of the matters that council will consider when considering activities against this rule. The effects of stormwater should be included as a matter of discretion to encourage an assessment of effects on the environment from stormwater infrastructure, giving effect to WRPS Policy 6.3.
Point Number	81.177
Summary of Decision Requested:	Retain Rule 23.3.1 Dwelling.
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports the discretionary activity status assigned to dwellings, buildings and structures within an Outstanding Natural Feature Landscape or natural character area.
Point Number	81.178
Summary of Decision Requested:	Retain Rule 23.3.3 Buildings and structures in Landscape and Natural Character Areas.
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports the discretionary activity status assigned to dwellings, buildings and structures within an Outstanding Natural Feature Landscape or natural character area.

Point Number 81.179

Summary of Decision Requested: **Amend** Rule 23.3.2 Minor dwelling to provide for minor dwellings in a landscape or natural character area as a discretionary activity.

Decision Reasons:

- Submitter requires clarification as to what is the activity status for a minor dwelling.

Point Number 81.180

Summary of Decision Requested: **Amend** subdivision provisions to implement the objectives and policies of Chapter 4 subject to previous submission points.

Decision Reasons:

- The submitter requests amendments as per other submission points. Refer to submission point regarding the Village Zone in Chapter 4 Urban Environment.
- It is unclear the exact submission point that has been referred to as there are a number of submission points by the submitter (81.123, 81.134, 81.135, 81.136 and 81.150) that have reference to both Chapter 4 and the Village Zone.

Point Number 81.181

Summary of Decision Requested: **Retain** Outstanding Natural Features as identified in the planning maps.

Decision Reasons:

- The WRPS identifies outstanding natural features and landscapes of regional significant in Section 12A.

Point Number 81.182

Summary of Decision Requested: **Retain** Outstanding Natural Landscapes as identified in the planning maps.

Decision Reasons:

- The WRPS identifies outstanding natural features and landscapes of regional significant in Section 12A.

Point Number 81.183

Summary of Decision Requested: **Clarify** the approach taken to the extent of the outstanding natural feature for Mount Karioi.

Decision Reasons:

- The WRPS identifies outstanding natural features and landscapes of regional significant in Section 12A.
- ONFL 4 Mount Karioi and Outstanding Natural Feature Landscape 7 Mount Pirongia are within, or partly within the Waikato District. These Outstanding Natural Feature Landscapes have been identified in the Proposed Plan planning maps. However the extent of the Outstanding Natural Feature Landscape overlay for Mount Karioi is significantly less than what is identified in the WRPS, with the rest of the area identified as Significant Amenity Landscape.
- The submitter seeks to understand further the rationale behind this approach.

Point Number 81.184

Summary of Decision Requested: **Clarify** the approach taken to the extent of the outstanding natural landscape for Mount Karioi.

Decision Reasons:

- The WRPS identifies outstanding natural features and landscapes of regional significant in Section 12A.
- Outstanding Natural Feature Landscape 4 Mount Karioi and ONFL 7 Mount Pirongia are within, or partly within the Waikato District. These Outstanding Natural Feature Landscapes have been identified in the proposed plan planning maps. However the extent of the Outstanding Natural Feature Landscape L overlay for Mount Karioi is significantly less than what is identified in the WRPS, with the rest of the area identified as Significant Amenity Landscape.
- The submitter seeks to understand further the rationale behind this approach.

Point Number 81.185

Summary of Decision Requested: **Retain** Natural Character on the planning maps.

Decision Reasons:

- Areas of outstanding and high natural character have been assessed and mapped in the Coastal Environment.
- The submitter supports this as a way of achieving section 6(a) RMA, Policy 12.2 of the WRPS and Policy 13 of the NZCPS.

Point Number 81.186

Summary of Decision Requested: **Amend** the planning maps to show streams and their flood plains.

Decision Reasons:

- Some land is zoned for urban development that has streams running across it.
- There is an opportunity to map streams and their flood plains (if any) to assist with locating residential development, and also managing assessment of effects. For example an individual resource consent application may propose a small amount of fill in a flood plain, which may on its own may not create more than minor effects. However, if a number of developments all undertake a small amount of fill, the cumulative effect may be more than minor.

Point Number 81.187

Summary of Decision Requested: **Amend** Appendix 6 (2) (1) Biodiversity Offsetting as follows:

Restoration, enhancement and protection actions offered by an applicant will only be considered a biodiversity offset where they are used to offset ~~offset~~ ~~compensate for the anticipated~~ reasonably-measurable residual effects of activities that are anticipated will remain after appropriate avoidance, remediation and mitigation ~~measures~~ ~~actions~~ have been ~~applied~~ ~~occurred~~ in accordance with Policy 3.2.3.

Decision Reasons:

- Appendix 6 (2) (1) is difficult to follow.
- A resource consent applicant is not required to propose or agree to biodiversity offset measures, but may choose to do so if they are unable to avoid, remedy or mitigate the adverse effects of the activity they propose.
- A biodiversity offset is not mitigation.
- Mitigation is action to reduce the severity of an adverse effect.
- A biodiversity offset, in contrast, is designed to compensate for residual adverse biodiversity effects that remain after appropriate measures to avoid, remedy or mitigate the effects have been applied.
- Submitter supports Biodiversity Offsetting Framework outlined in Appendix 6 but seeks the amendments in this submission point.

Point Number

81.188

Summary of Decision Requested:

Amend Appendix 6 Biodiversity Offsetting to take into account the forthcoming national guidance for local government on biodiversity offsetting, *Biodiversity Offsetting under the Resource Management Act; A guidance document*.

Decision Reasons:

- It is recommended to amend the detail relating to offsetting in order to give effect to Policy 11.1 of the WRPS.

Point Number

81.189

Summary of Decision Requested:

Add to Policy 3.3.2(b) an additional bullet point recognising the flood protection and flood water attenuation properties of the features for example:

(vi) existing water reservoirs and dams.

Decision Reasons:

- Policy 3.3.2 (b) pertains to recognising the value and qualities of various sites.
- Flood infrastructure, particularly the use of Lake Waikare and Whangamarino is not included, however, plays an important role in managing flood waters in the area.
- While not specifically listed in this policy, Lake Waikare is listed as an outstanding natural feature, and could also be listed here. No relief has been sought for this however.

Point Number

81.190

Summary of Decision Requested:

Amend Chapter 6: Infrastructure to explicitly provide for the protection of waterways and public drainage networks by suggested additions to Policies 6.4.2 and 6.4.7 or, alternatively, reflect this outcome in the specific objectives and policies for each zone.

Refer to suggested wording and examples in original submission.

Decision Reasons:

- There are no provisions proposed to protect the existing drainage networks from being over loaded from residential, rural residential, industrial and commercial developments that discharge additional stormwater volumes into existing WRC drainage managed catchments. An example is the Butcher road rural residential expansion without any form of suitably maintained road berm drainage disposal system.
- There is an opportunity to incorporate provisions that align with Waikato Regional Council stormwater management plan standards.
- For example, any subdivision or development of land in an existing Waikato Regional Council managed drainage catchment should be designed to avoid adverse effects on the drainage catchment, or result in no additional flows, as this can affect the cost of maintenance and operation, which are then passed onto ratepayers.

Point Number

81.191

Summary of Decision Requested:

Amend Chapters 6: Infrastructure and 14 : Infrastructure and Energy to include a policy and rule framework that will provide for the ongoing maintenance, repair, replacement and upgrade of flood and drainage scheme infrastructure.

OR

Alternatively provide specifically for flood protection and drainage scheme infrastructure in the policies and rule frameworks for each zone. (Refer to original submission for full details)

Decision Reasons:

- Given the national significance of flood and drainage scheme infrastructure (similar to the protection of national rail network, state highways etc.), relevant objectives and policies should be included to ensure its continued functioning (maintenance, repair, replacement and upgrades).
- This includes the related structures for examples pump sheds, transformers, etc. and the upgrades of this infrastructure as required should be included in the appropriate rules.
- Currently there is limited recognition of the nationally significant infrastructure in terms of issues, objectives and policies, and only limited activities are provided for as rules, for example the exemption of pump sheds from building setback requirements in relation to waterbodies.
- The permitted activity standards across all zones do not provide adequately for the ongoing maintenance, renewal and operation.
- The submitter states that the best fit (and their preference) is for the provisions sought to be contained within Chapters 6 and 14 to provide a district wide framework. An example of the framework has been attached to the submission (Appendix 1).

Point Number

81.192

Summary of Decision Requested:

Amend the definition of "ancillary rural earthworks" in Chapter 13: Definitions to provide for flood protection and drainage schemes managed by the Waikato Regional Council.

Decision Reasons:

- Earthworks associated with flood and drainage schemes is not referenced under this definition.

Point Number

81.193

Summary of Decision Requested:

Amend the definition of "infrastructure" in Chapter 13: Definitions to include Waikato Regional Council flood infrastructure with associated flood management regime.

Decision Reasons:

- It is noted that flood infrastructure is not included under the definition of infrastructure.
- If a standalone approach to flood protection and drainage infrastructure is not included in Chapter 6 (refer to previous submission points) it will be appropriate to provide for it in the definition of Infrastructure. This should be read in conjunction with submission point 81.246.

Point Number 81.194

Summary of Decision Requested: **Amend** the definition of "Minor Infrastructure Structure" in Chapter 13: Definitions to clarify the terminology.

Decision Reasons:

- The definition of Minor Infrastructure Structure includes "water infrastructure" would this include the infrastructure associated with flood and drainage schemes?

Point Number 81.195

Summary of Decision Requested: **Amend** the definition for "Rural Ancillary Earthworks" in Chapter 13: Definitions to clarify the terminology and to be consistent.

Decision Reasons:

- The Plan refers to both 'Rural Ancillary Earthworks' and 'Ancillary Rural Earthworks'.
- Clarification is sought that these refer to the same activity, and consistency is sought in the terminology.

Point Number 81.196

Summary of Decision Requested: **Retain** Rule 24.2.8 Indigenous vegetation clearance inside a Significant Natural Area, except for the amendments sought below
AND
Amend Rule 24.2.8 P2 Indigenous vegetation clearance inside a Significant Natural Area to exclude clearance of Manuka and Kanuka in wetlands and the coastal environment from this rule.

Decision Reasons:

- The submitter supports the provision for sustainable clearance of regenerating Manuka or Kanuka for domestic firewood purposes or for arts or crafts in P2.
- However, the submitter does not support the removal of Manuka or Kanuka from wetlands or vegetation that is naturally short in stature.
- It is important to ensure that vegetation that is naturally short does not get included in the rules intended to provide for clearance of Manuka and Kanuka colonising pasture.
- Manuka, in particular, can be a permanent and important component of some types of ecosystems. These are generally wetlands, dunes and other coastal vegetation, but can be gumland vegetation that remains in the leached soils following kauri forest removal.
- These persistent shrublands are important habitats for lizards, orchids, mistletoes and a range of threatened species.
- Exclusion of permitted clearance of Manuka or Kanuka from wetlands and from the Coastal Environment is likely to prevent clearance of these ecosystems of concern.
- The exclusion of Manuka and/or Kanuka clearance in the Coastal Environment from this rule would give effect to the 'avoid' direction in the New Zealand Coastal Policy Statement (NZCPS) and Policy 11.4 of the WRPS.
- Vegetation clearance within an SNA needs to be remedied to give effect to Policy 3.2.3(a)(ii).

Point Number 81.197

Summary of Decision Requested: **Amend** Rule 24.2.8 P2 Indigenous vegetation clearance inside a Significant Natural Area to ensure that weeds are controlled in the cleared area and native vegetation is allowed to regenerate.

Decision Reasons:

- Vegetation clearance within an SNA needs to be remedied to give effect to Policy 3.2.3(a)(ii).

Point Number 81.198

Summary of Decision Requested: **Delete** P6 of Rule 24.2.8 Indigenous vegetation clearance inside a Significant Natural Area.

Decision Reasons:

- P6 duplicates P2.

Point Number 81.199

Summary of Decision Requested: **Retain** Policy 4.7.3 Residential subdivision.

Decision Reasons:

- These will give effect to the WRPS Policies 6.1, 6.3 and Section 6A regarding a planned, co-ordinated approach to subdivision, use and development and infrastructure provision.

Point Number 81.200

Summary of Decision Requested: **Amend** Policy 4.7.4 (b) Lot sizes to support appropriate urban outcomes for the Village Zone, and provide for more intense development in locations immediately adjacent to Business Town Centre Zones.

Decision Reasons:

- Submitter is concerned in Policy 4.7.4(b) that the minimum lot sizes in the Village Zone (particularly Te Kowhai and Tuakau) appear to promote rural outcomes rather than urban outcomes, and will not achieve the sustainable, compact urban form necessary to support efficient, effective transport and infrastructure.
- The submitter is generally supportive of the min site area (450m²) for urban residential areas across the district but notes their other submission points seeking higher densities and more intensive subdivision pattern in the Residential Zone immediately adjacent to the Business Town Centre zones.

Point Number 81.201

Summary of Decision Requested: Retain Policy 4.7.5 Servicing requirements.

Decision Reasons:

- The submitter supports this Policy as it will assist with giving effect to the WRPS' policy direction in regard to a planned, co-ordinated approach to subdivision, use and development and infrastructure provision, achieving compact urban environments, and having regard to reverse sensitivity effects.

Point Number 81.202

Summary of Decision Requested: Retain Policy 4.7.6 Co-ordination between servicing and development and subdivision.

Decision Reasons:

- The submitter supports this Policy as it will assist with giving effect to the WRPS' policy direction in regard to a planned, co-ordinated approach to subdivision, use and development and infrastructure provision, achieving compact urban environments, and having regard to reverse sensitivity effects.

Point Number 81.203

Summary of Decision Requested: Retain Policy 4.7.7 Achieving sufficient development density to support the provision of infrastructure services.

Decision Reasons:

- The submitter supports this Policy as it will assist with giving effect to the WRPS' policy direction in regard to a planned, co-ordinated approach to subdivision, use and development and infrastructure provision, achieving compact urban environments, and having regard to reverse sensitivity effects.

Point Number 81.204

Summary of Decision Requested: Retain Policy 4.7.8 Staging of subdivision.

Decision Reasons:

- The submitter supports this Policy as it will assist with giving effect to the WRPS' policy direction in regard to a planned, co-ordinated approach to subdivision, use and development and infrastructure provision, achieving compact urban environments, and having regard to reverse sensitivity effects.

Point Number 81.205

Summary of Decision Requested: Retain Policy 4.7.9 Connected neighbourhoods.

Decision Reasons:

- The submitter supports this Policy as it will assist with giving effect to the WRPS' policy direction in regard to a planned, co-ordinated approach to subdivision, use and development and infrastructure provision, achieving compact urban environments, and having regard to reverse sensitivity effects.

Point Number 81.206

Summary of Decision Requested: Retain Policy 4.7.10 Recreation and access.

Decision Reasons:

- The submitter supports this Policy as it will assist with giving effect to the WRPS' policy direction in regard to a planned, co-ordinated approach to subdivision, use and development and infrastructure provision, achieving compact urban environments, and having regard to reverse sensitivity effects.

Point Number 81.207

Summary of Decision Requested: Retain Policy 4.7.11 Reverse sensitivity.

Decision Reasons:

- The submitter supports this Policy as it will assist with giving effect to the WRPS' policy direction in regard to a planned, co-ordinated approach to subdivision, use and development and infrastructure provision, achieving compact urban environments, and having regard to reverse sensitivity effects.

Point Number 81.208

Summary of Decision Requested: Retain Policy 4.7.14 Structure and master planning.

Decision Reasons:

- The submitter supports this Policy as it will assist with giving effect to the WRPS' policy direction in regard to a planned, co-ordinated approach to subdivision, use and development and infrastructure provision, achieving compact urban environments, and having regard to reverse sensitivity effects.

Point Number 81.209

Summary of Decision Requested: Amend Policy 4.7.13 (a)(i) Residential Zone – Te Kauwhata Ecological and West Residential Areas as follows:

~~Promote~~ Protect the natural features and landscapes of the Whangamarino Wetland and Lake Waikare;

Decision Reasons:

- To promote consistency with the WRPS, Policy 4.7.13 (a)(i) should read 'protect' rather than promote the natural features and landscapes of Whangamarino Wetland and Lake Waikare.

Point Number	81.210
Summary of Decision Requested:	Amend Objective 5.1.1(a)(i) The rural environment to incorporate peat soils as follows (for example): <i>high class soils <u>and peat soils</u> are protected for productive rural activities.</i>
Decision Reasons:	<ul style="list-style-type: none"> The Objective gives effect to WRPS Implementation Method 14.2.1 regarding high class soils and supporting productive rural activities; WRPS Provisions related to the Built Environment, including 6.1.5 and 6A regarding urban subdivision, use and development. Peat soils form a substantial component of Waikato District's soils, and are another valuable soil resource for the District. There is an opportunity to also seek peat soils to be protected for productive rural activities in this objective, giving effect to Policy 14.5 of the WRPS.
Point Number	81.211
Summary of Decision Requested:	Retain Section 5.2 Productive Versatility of Rural Resources.
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports the objective and policies of this section, noting the inclusion of maintaining and enhancing high class soils, natural ecosystems, freshwater and coastal water bodies and their catchments, and protection of indigenous biodiversity.
Point Number	81.212
Summary of Decision Requested:	Amend Objective 5.2.1 Rural resources wording to incorporate peat soils.
Decision Reasons:	<ul style="list-style-type: none"> Peat soils form a substantial component of Waikato District's soils, and are another valuable soil resource for the District. There is an opportunity to also seek peat soils to be protected for productive rural activities in this objective, aligning with Policy 14.5 of the WRPS.
Point Number	81.213
Summary of Decision Requested:	Amend Objective 5.2.1 (a)(ii) Rural resources as follows: <i>The health and wellbeing of rural land and natural ecosystems <u>and biodiversity</u>;</i>
Decision Reasons:	<ul style="list-style-type: none"> To ensure that biodiversity is adequately considered this should be included with this objective, giving effect to WRPS provisions Policies 11.1 and 11.2.
Point Number	81.214
Summary of Decision Requested:	Retain Policy 5.2.2 High class soils.
Decision Reasons:	<ul style="list-style-type: none"> This objective and associated policies are supported due to how they give effect to WRPS provisions such as 14.2 and 14.2.1. Policy 14.2 of the WRPS seeks to avoid a decline in the availability of high class soils for primary production due to inappropriate subdivision, use or development. The Proposed District Plan provisions acknowledge the impacts that land fragmentation and other use and development, can have on high class soils.
Point Number	81.215
Summary of Decision Requested:	Retain Policy 5.2.3 Effects of subdivision and development on soils.
Decision Reasons:	<ul style="list-style-type: none"> This objective and associated policies are supported due to how they give effect to WRPS provisions such as 14.2 and 14.2.1. Policy 14.2 of the WRPS seeks to avoid a decline in the availability of high class soils for primary production due to inappropriate subdivision, use or development. The Proposed District Plan provisions acknowledge the impacts that land fragmentation and other use and development, can have on high class soils.
Point Number	81.216
Summary of Decision Requested:	Add to Objective 5.2 Production Versatility of Rural Resources an additional policy to recognise and provide for the key features of peat soils.
Decision Reasons:	<ul style="list-style-type: none"> To give effect to WRPS Policy 14.5 there is an opportunity to create a policy around peat soils, and their inherent value and limitations. The purpose of this policy is to: Recognise that peat soils may limit the location of development, Recognise the productive capacity of peat soils, Encourage the sustainable management, and where possible, the enhancement of peat soils.
Point Number	81.217
Summary of Decision Requested:	Retain Policy 5.3.8 Effects on rural character and amenity from rural subdivision.
Decision Reasons:	<ul style="list-style-type: none"> WRPS Implementation Method 6.1.5 seeks to direct rural-residential development to areas identified in the district plan. This sits within a greater context of provisions around focusing the expansion of urban development in identified growth areas, in this case as defined through Future Proof Growth Strategy.
Point Number	81.218

Summary of Decision Requested:	Retain Objective 6.4.1 Integration of infrastructure with subdivision, land use and development.
Decision Reasons:	<ul style="list-style-type: none"> This provision is supported as it helps give effect to WRPS policies 6.1, 6.3, 6.15 and Section 6A in terms of placing emphasis on planned, co-ordinated approach to subdivision and development and provision of supporting infrastructure.
Point Number	81.219
Summary of Decision Requested:	Retain Policy 6.4.2 Provide adequate infrastructure.
Decision Reasons:	<ul style="list-style-type: none"> This provision is supported as it helps give effect to WRPS policies 6.1, 6.3, 6.15 and Section 6A in terms of placing emphasis on planned, co-ordinated approach to subdivision and development and provision of supporting infrastructure.
Point Number	81.220
Summary of Decision Requested:	Retain Policy 6.4.3 Infrastructure Location and Services.
Decision Reasons:	<ul style="list-style-type: none"> This provision is supported as it helps give effect to WRPS policies 6.1, 6.3, 6.15 and Section 6A in terms of placing emphasis on planned, co-ordinated approach to subdivision and development and provision of supporting infrastructure.
Point Number	81.221
Summary of Decision Requested:	Retain Policy 6.4.4 Road and rail network.
Decision Reasons:	<ul style="list-style-type: none"> This provision is supported as it helps give effect to WRPS policies 6.1, 6.3, 6.15 and Section 6A in terms of placing emphasis on planned, co-ordinated approach to subdivision and development and provision of supporting infrastructure.
Point Number	81.222
Summary of Decision Requested:	Retain Policy 6.4.5 Roading infrastructure.
Decision Reasons:	<ul style="list-style-type: none"> This provision is supported as it helps give effect to WRPS policies 6.1, 6.3, 6.15 and Section 6A in terms of placing emphasis on planned, co-ordinated approach to subdivision and development and provision of supporting infrastructure.
Point Number	81.223
Summary of Decision Requested:	Amend Section 6.5 Transport Objectives and Policies to take into account the Regional Land Transport Plan.
Decision Reasons:	<ul style="list-style-type: none"> While the provisions in this section are generally supported, the submitter considers the policies could be considerably strengthened to be more consistent with the Waikato Regional Land Transport Plan (RLTP). Road Controlling Authorities play an important role in implementing the policies and implementation actions of the RLTP. The District Plan would benefit from incorporating the following elements into Section 6.5: Recognising the important role strategic road and rail corridors play in the district for facilitating the movement of inter and intraregional freight; Connecting Regional cycle trails; Specifically providing for public transport in new growth areas of the district; and Supporting energy efficient transport modes by providing the necessary infrastructure e.g. electric vehicle chargers.
Point Number	81.224
Summary of Decision Requested:	Amend Policy 6.4.7 (a)(ii) Storm water as follows: <i>(a)(ii) Manages stormwater in accordance with a drainage hierarchy, with a preference for on-site treatment <u>at-source management</u>.</i>
Decision Reasons:	<ul style="list-style-type: none"> Care is required with on-site treatment, if this means the assets would be on-lot and hence in private ownership. How will Waikato District Council ensure that the stormwater management devices are constructed as per design criteria and that they are operated and maintained into the future? At-source stormwater management in the public domain is preferred by the submitter, i.e. in the roading corridor or in drainage reserves as this ensures that the assets can be operated and maintained as intended with the District Council ensuring this happens. Significant systems are needed to be in place within the District Council to manage the implementation and ongoing success of on-lot devices (to document on-lot device location, design criteria, operation and maintenance requirements, certificate of fitness, issues as they arise, etc.). The submitter's stormwater discharge resource consents are not able to cover on-lot devices.
Point Number	81.225
Summary of Decision Requested:	Retain Section 8.2 Natural Values.
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports the enhancement of the natural environment through the provision of reserves.
Point Number	81.226
Summary of Decision Requested:	Seek further assessment of Te Kowhai Airpark to enable adequate consideration of the area, including, but not limited to covering alignment with WRPS/Future Proof settlement pattern, assessment of precedent of alternative land release, availability of infrastructure, and impacts of the proposal on the Te Kowhai settlement as a whole.
Decision Reasons:	

- The proposal represents a departure from the Future Proof settlement pattern that has been given legal weight through its insertion into the WRPS, and if approved, will create a precedent in terms of a departure from that pattern. Alternatives to the agreed settlement pattern can only be allowed if they are justified by a robust, comprehensive evidence base, including following the criteria for alternative land release identified in the WRPS.
- Further information is sought on the following:
- Alignment with other land use and development at Te Kowhai, including Plan Change 17, and the strategic direction for the town and the Future Proof sub-region
- The timing, staging and sequencing of development. Rule 27.4.2 Subdivision Allotment Size provides for lot sizes between 450m2 and 2500m2, dependent on connection to wastewater.
- If on-site wastewater disposal only is provided for this becomes essentially a rural residential development, which is not appropriate at this location
- Assessment regarding the likelihood of the provision of wastewater mains infrastructure, impacts of providing for non-residential activities on Te Kowhai businesses
- Detail on how to improve connections between the Airpark and Te Kowhai, and better integrate the Airpark into Te Kowhai as a whole.

Point Number 81.227

Summary of Decision Requested: **Seek** further assessment of Te Kowhai Airpark to enable adequate consideration of the area, including, but not limited to covering alignment with WRPS/Future Proof settlement pattern, assessment of precedent of alternative land release, availability of infrastructure, and impacts of the proposal on the Te Kowhai settlement as a whole.

Decision Reasons:

- The proposal represents a departure from the Future Proof settlement pattern that has been given legal weight through its insertion into the WRPS, and if approved, will create a precedent in terms of a departure from that pattern. Alternatives to the agreed settlement pattern can only be allowed if they are justified by a robust, comprehensive evidence base, including following the criteria for alternative land release identified in the WRPS.
- Further information is sought on the following:
- Alignment with other land use and development at Te Kowhai, including Plan Change 17, and the strategic direction for the town and the Future Proof sub-region
- The timing, staging and sequencing of development. Rule 27.4.2 Subdivision Allotment Size provides for lot sizes between 450m2 and 2500m2, dependent on connection to wastewater. If on-site wastewater disposal only is provided for this becomes essentially a rural residential development, which is not appropriate at this location
- Assessment regarding the likelihood of the provision of wastewater mains infrastructure, impacts of providing for non-residential activities on Te Kowhai businesses
- Detail on how to improve connections between the Airpark and Te Kowhai, and better integrate the Airpark into Te Kowhai as a whole.

Point Number 81.228

Summary of Decision Requested: **Add** to Policy 9.3.3.3 Stormwater management as follows:
(a) Stormwater management systems shall be designed to minimise the erosion potential and rate of run-off into the coastal marine area.
(b) Stormwater management systems designed in accordance with low impact design philosophies.
(c) Provide a high level of water quality treatment.
(d) Minimise change to the existing hydrological cycle.

Decision Reasons:

- To give effect to WRPS Policy 8.3.10 provision should be made for the management of effects of subdivision, use and development in relation to this zone.

Point Number 81.229

Summary of Decision Requested: **Retain** Section 10.1 Hazardous Substances.

Decision Reasons:

- The objective and associated policies address issues around sensitive land uses, incompatible activities and the environment being properly separated from hazardous facilities, giving effect to WRPS Policy 14.4.

Point Number 81.230

Summary of Decision Requested: **Amend** Objective 10.2.1.(a) Contaminated land as follows:
(a)...contaminated land is sustainably managed to protect...

Decision Reasons:

- To enable a broader range of considerations when addressing contaminated site remediation and/or management propose amending the wording to include the word 'sustainably' to provide for, or encourage, sustainable remediation techniques and/or in-situ management.
- The submitter supports the use of human health and the environment as it aligns with National Environmental Standard for Contaminated Soil and section 31(1)(b) of the RMA.

Point Number 81.231

Summary of Decision Requested: **Retain** Policy 10.2.2(b) Managing the use of contaminated land.

Decision Reasons:

- The use of 'human health and the environment' is supported as it aligns with the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESCS) and section 31(1)(b) of the RMA.

Point Number 81.232

Summary of Decision Requested: **Amend** Policy 10.2.2(d) Managing the use of contaminated land as follows:
(d)Ensure that the use, ~~subdivision and development of contaminated land management approaches~~ contaminated land management approaches associated with the use, subdivision and development of actually or potentially contaminated land include:...

Decision Reasons:

- The National Environmental Standard for Contaminated Soil provides a framework for the management of contaminated sites, and Implementation Method 14.4.1 of the WRPS requires that District Plans shall include provisions that support the implementation of the National Environmental Standard for Contaminated Soil.
- To clarify the intent of Policy 10.2.2(d) the wording should be rewritten.

Point Number 81.233

Summary of Decision Requested: **Add** to Policy 10.2.2(d) Managing the use of contaminated land reference to 'preliminary site investigations' .

Decision Reasons:

- To clarify the intent of Policy 10.2.2(d) the wording should be rewritten, with additional wording to include reference to 'preliminary site investigations'
- To align with the National Environmental Standard for Contaminated Soil reference to preliminary site investigations should also be included.

Point Number 81.234

Summary of Decision Requested: **Add** to Policy 10.2.2(d) Managing the use of contaminated land an additional sub-point the requirement that any preliminary or detailed site investigation reports, remedial action plans, site validation reports and ongoing site management plans are prepared in accordance with the Ministry for the Environment's Contaminated Land Management Guidelines #1 and #5, and are provided to both Waikato District Council and the submitter for their records.

Decision Reasons:

- To clarify the intent of Policy 10.2.2(d) the wording should be rewritten, with additional wording to include reference to 'the 'Ministry for the Environment's Contaminated Land Management Guidelines #1 and #5'.
- The National Environmental Standard for Contaminated Soil provides a framework for the management of contaminated sites, and Implementation Method 14.4.1 of the WRPS requires that District Plans shall include provisions that support the implementation of the National Environmental Standard for Contaminated Soil.

Point Number 81.235

Summary of Decision Requested: **Add** to Chapter 13: Definitions a new definition for "Flood risk area."

Decision Reasons:

- Adding this definition will assist with understanding and implementation of provisions that incorporate this term.

Point Number 81.236

Summary of Decision Requested: **Add** to Chapter 13: Definitions a new definition for "Floodplain."

Decision Reasons:

- Adding this definition will assist with understanding and implementation of provisions that incorporate this term.

Point Number 81.237

Summary of Decision Requested: **Add** to Chapter 13 a new definition for "Low impact design."

Decision Reasons:

- Adding this definition will assist with understanding and implementation of provisions that incorporate this term.

Point Number 81.238

Summary of Decision Requested: **Amend** the definition of "Overland flow path" in Chapter 13: Definitions as follows:

Overland flow path

Means either a primary or secondary Overland flowpath - route taken by stormwater runoff not captured in a reticulated or natural stormwater system.

Decision Reasons:

- Current definition for overland flow path does not align with the definition in WRC's Waikato Stormwater Management Guideline.

Point Number 81.239

Summary of Decision Requested: **Add** to Chapter 13 a new definition for "Biodiversity offset" as follows:

Biodiversity offset

A measureable conservation outcome resulting from actions designed to compensate for residual, adverse biodiversity effects arising from activities after appropriate avoidance, remediation, and mitigation measures have been applied. The goal of a biodiversity offset is to achieve a no-net-loss, and preferably a net-gain, of indigenous biodiversity values.

Decision Reasons:

- Biodiversity offsetting and its relationship to avoiding, remedying and mitigating adverse effects of an activity is poorly understood.
- A new definition is recommended to be added to clarify what this is, and the expectations around it.

Point Number 81.240

Summary of Decision Requested: **Add** to Chapter 13: Definitions a new definition for "Catchment Management Plan" and ensure it there is delineation between stormwater catchment plans and Waikato Regional Council led Catchment Management Plan or Healthy Rivers Wai Ora sub catchment plans.

Decision Reasons:

- It is noted that the term Catchment Management Plan is not defined in the Proposed Plan. There is a need to ensure delineation between storm water catchment plans and Waikato Regional Council led Catchment Management Plan or Healthy Rivers Wai Ora sub catchment plans.

Point Number 81.241

Summary of Decision Requested: **Amend** the definition for "Cleanfill" in Chapter 13: Definitions to reflect the definition in WasteMINZ 'Technical Guidelines for Disposal to Land (August 2018)'.

Decision Reasons:

- The definition for cleanfill does not fully align with the latest sector guidelines from WasteMINZ 'Technical Guidelines for Disposal to Land (August 2018)'.
- Currently the definition specifically limits cleanfill to that which has no adverse effects on people or the environment. This should be removed from the definition, with the rule framework providing the basis for managing effects of cleanfill.

Point Number 81.242

Summary of Decision Requested: **Amend** the definition of "Conservation Activity" in Chapter 13: Definitions to exclude the establishment of walkways, cycle ways and accessory buildings.

AND/OR

Amend Rule 25.1.2 P3 Permitted Activities to include appropriate thresholds or activity status for the clearance of indigenous vegetation as a result of establishing walking, cycling tracks or accessory buildings.

Decision Reasons:

- In the Reserve Zone, Conservation activities are permitted with no activity specific conditions. The definition for conservation activity includes the establishment of walking and cycle tracks and accessory buildings. Therefore these activities would be permitted with no restrictions on the amount of clearance.
- The submitter considers that this is inappropriate given the potential effect on indigenous biodiversity.

Point Number 81.243

Summary of Decision Requested: **Amend** Rule 25.1.2 P3 Permitted Activities to include appropriate thresholds or activity status for the clearance of indigenous vegetation as a result of establishing walking, cycling tracks or accessory buildings.

AND/OR

Amend the definition to exclude the establishment of walkways, cycle ways and accessory buildings.

Decision Reasons:

- In the Reserve Zone, Conservation activities are permitted with no activity specific conditions. The definition for conservation activity includes the establishment of walking and cycle tracks and accessory buildings. Therefore these activities would be permitted with no restrictions on the amount of clearance.
- The submitter considers that this is inappropriate given the potential effect on indigenous biodiversity.

Point Number 81.244

Summary of Decision Requested: **Amend** the definition of "High class soils" in Chapter 13: Definitions to include the peat soil definition as per the definition in the Waikato Regional Policy Statement.

Decision Reasons:

- The definition of high class soils is supported, and aligns with the definition in the WRPS. However, peat soils are excluded from this definition and there is no definition of peat soils in plan.

Point Number 81.245

Summary of Decision Requested: **Amend** the Proposed District Plan to clarify the terminology of the Huntly South Assessment Area and the Huntly south ponding zone and apply consistently if they are the same.

Decision Reasons:

- There is potential confusion in terminology: in some areas the Huntly south assessment area is referred to then the Huntly south ponding zone- are these are the same or different.

Point Number 81.246

Summary of Decision Requested: **Amend** Chapter 14 to ensure it is consistent with the approach to overlay areas in the zone chapters. For example, there should be consistency between permitted activity thresholds and activity status between Chapter 14 and the zone chapters.

Decision Reasons:

- Paragraph 14.1(1) of the Infrastructure and Energy Chapter states that the provisions of that chapter apply across the district in all the zones and overlays in the district plan. It goes on to say that the zone chapters and their associated overlays, objectives, policies and rules do not apply to infrastructure and energy activities unless specially referred to within Chapter 14. Therefore, it appears that Chapter 14 is largely intended to be a standalone/ self-contained chapter.
- See submission for examples of inconsistencies in Chapter 14.
- Amendments are required to Chapter 14 to ensure that Chapter 11 and 12 of the WRPS and the NZCPS are given effect to.

Point Number 81.247

Summary of Decision Requested: **Add** to Chapter 13: Definitions a new definition for "Identified Area."

Decision Reasons:

- It is unclear what the term 'Identified Area' means. This appears throughout Chapter 14.
- Is it intended that this captures Outstanding Natural Feature Landscape, Significant Amenity Landscapes, Natural , SNA and non-SNA?

Point Number 81.248

Summary of Decision Requested: **Amend** Rule 14.11.1.1 P1 Permitted Activities as follows:

(a)(ii) Primary systems detain/retain runoff from all...

Decision Reasons:

- Wording is proposed to support a shift to low impact design stormwater management systems that manage stormwater at source through retention devices rather than relying on large detention devices downstream.
- This approach is recommended by the submitter and is outlined in Council's Waikato Stormwater Management Guideline.

Point Number 81.249

Summary of Decision Requested: **Amend** Policy 3.2.4 Biodiversity Offsetting to require offsetting of more than minor residual adverse effects on Significant Natural Areas.

Decision Reasons:

- As currently worded, Policy 3.2.4(a) addresses biodiversity offsets in both SNA's and indigenous biodiversity outside of SNA's. The rest of the Policy only addresses offsets in relation to SNA's. It is important that offsetting in relation to indigenous biodiversity outside of SNA's is also subject to a robust assessment framework.
- Outside of SNA's, WRPS Implementation Method 11.1.3(a)(ii) promotes biodiversity offsets where significant residual adverse effects remain. Within SNA's, WRPS Method 11.2.2(d) requires offsets where more than minor residual adverse effects remain.

Point Number 81.250

Summary of Decision Requested: **Retain** Policy 3.2.5 Biodiversity in the coastal environment.

Decision Reasons:

- This Policy gives effect to Policy 11.4(a) of the WRPS.

Point Number 81.251

Summary of Decision Requested: **Retain** Policy 3.2.6 Providing for vegetation clearance, except for the amendments sought below.

AND

Amend Policy 3.2.6 Providing for vegetation clearance to recognise that only clearance with minor adverse effects in relation to the maintenance or protection of indigenous biodiversity will be enabled as a permitted activity.

Decision Reasons:

- Policy 3.2.6 gives effect to Implementation Method 11.1.4 of the WRPS. However, for clarity and consistency with the WRPS it is suggested that the opening statement be amended to refer to minor adverse effects, as this is the basis for the activities listed in the WRPS Implementation Method.

Point Number 81.252

Summary of Decision Requested: **Retain** Policy 3.2.6 Providing for vegetation clearance, except for the amendments sought below.

AND

Amend or Relocate Policy 3.2.6 Providing for vegetation clearance so that it is clear that it applies to both SNA's and indigenous biodiversity outside of Significant Natural Areas.

Decision Reasons:

- The activities in Policy 3.2.6 are provided for as permitted activities in the rules (just as they are for SNA, but different thresholds apply). However, this Policy falls under the heading 3.2 SNA's.

Point Number 81.253

Summary of Decision Requested: **Retain** Policy 3.2.8 Incentivise subdivision.

Decision Reasons:

- The submitter is supportive of mechanisms that incentivise the protection and enhancement of SNA's. This is consistent with Implementation Method 11.1.8 of the WRPS.

Submitter Number: 82

Submitter: Don and Angela Needham

Organisation: 320 Limited trading as Kids Time Kindergarten and Kids Time Early Learning Centre

Point Number 82.1

Summary of Decision Requested: No specific decision sought, but submission states support for Rule 17.1.2 Permitted Activities.

Decision Reasons:

- No reason provided.

Point Number 82.2

Summary of Decision Requested: **Amend** Rule 18.1.2 Permitted Activities to include education facilities as a complying activity

OR

Amend the zoning of the property at 94 Great South Road, Ngaruawahia from Business Town Centre Zone to Business Zone.

Decision Reasons:

- Under the Proposed District Plan, an Educational facility is no longer a complying activity. The submitter understands that existing use rights apply under the Resource Management Act
- The submitter plans to hopefully demolish the existing premises and rebuild a new purpose built premises sometime within the next few years.
- The submitter is happy to comply with the building requirements of the business town centre zone if necessary.
- Kids Time Kindergarten is licensed for 50 children and provides services to up to 75 different local children at a time (represented by about 60 different families). The submitter believes this provides an essential service to Ngaruawahia and that a new purpose built

facility on the existing site would be an asset to the area.

Submitter Number:	86	Submitter:	David Grigor
Organisation:	Grigor Construction Limited		
Point Number	86.1		
Summary of Decision Requested:	Delete Rule 16.3.9.1 P3 Building setbacks - All boundaries which requires a garage to be set back behind the facade of the dwelling.		
Decision Reasons:	<ul style="list-style-type: none">• Rule 16.3.9.1 is a significant constraint for residential development. There is no clear adverse effect from this activity and the submitter notes that the Auckland Unitary Plan (informed by a significant body of Urban Design advice and assessment), does not include this requirement in residential zones.		

Submitter Number:	87	Submitter:	Dianne O'Hara
Point Number	87.1		
Summary of Decision Requested:	Amend the Proposed District Plan to enable subdivision of the property at 261C Rotowaro Road Huntly, into smaller lots.		
Decision Reasons:	<ul style="list-style-type: none">• To make the property more productive in the future.		

Submitter Number:	88	Submitter:	John Kinghorn
Point Number	88.1		
Summary of Decision Requested:	Amend the location of Maaori Site of Significance S14/82 on the property at 214 Bell Road Whatawhata to match the New Zealand Archaeological Association records (attached to the submission).		
Decision Reasons:	<ul style="list-style-type: none">• The original site record from the NZ Archaeological Association (NZAA) shows the correct location of identified site S14/82, and describes the location as 300m northwest from the end of Bell Rd. The site record is attached, which contains an aerial photograph showing the location adjacent the small tributary stream south of the Waipa River. However, the location shown on the PDP maps is roughly 450m northeast (rather than west) and adjacent the Waipa instead of the tributary stream.• An archaeological assessment was carried out in 2016 on the property where the PDP maps show the site. The AEE report prepared by AECOM and submitted to WDC (refer SUB0156/16) concluded that 'there are no archaeological sites (when looking at WDC and NZAA records) affected by the proposed subdivision'.• The attached map of sites in the area from the NZAA shows the correct location of site S14/82 as being approximately 300m southwest of where it is currently shown on the PDP maps.		

Submitter Number:	89	Submitter:	CSL Trust and Top End Properties
Point Number	89.1		
Summary of Decision Requested:	Amend zoning of the properties at 179 and 205 Helenslee Road, Pokeno from Rural Zone to a mixture of Country Living and Residential Zone with an identified neighbourhood centre and an additional residential zone to enable higher density development (minimum lot size 300m2 as identified in the Appendix A of the submission).		
	OR		
	Alternative amendments to resemble the relief sought.		
Decision Reasons:	<ul style="list-style-type: none">• This area is an obvious expansion area for the current residential area of Pokeno.• The rapid growth of Pokeno has outstripped the population projections of the Franklin District Growth Strategy (FDGS, 2007). Most of the operative residential zoned land has been developed, or is under development.• A mixed lot size and housing typology will better cater for future residents.• There is insufficient Residential Zoned land to meet growth. Pokeno is experiencing rapid residential and commercial growth, due to its strategic location between Auckland, Hamilton and Tauranga and the proximity to key transport infrastructure such as State Highway 1, State Highway 2 and the North Island Main Trunk Line.• The public water and water services are able to be economically scaled and treated.• The affordability of land and houses and the access to public amenities, Pokeno Town Centre, Pokeno School and Tuakau College.• A combination of standard residential and large lots is needed to provide diversity within Pokeno's future housing stock.• Additional residential land will assist in meeting the obligations of the National Policy Statement for Urban Development Capacity.• On-site retention /detention and public stormwater attenuation ponds means there will not be an increase in downstream flooding.• See attachment to the submission for full details.		

Submitter Number:	90	Submitter:	Kevin Vickers
Point Number	90.1		
Summary of Decision Requested:	Amend the Significant Natural Area for the property at 38 Hermitage Road, Waiuku to only include the covenanted bush.		
Decision Reasons:			

- When making a resource consent application for a subsidiary dwelling, Councils consultant planner notified the applicant that the subsidiary dwelling was located inside the Significant Natural Area overlay when it was proposed to be located on a grassed area outside the covenanted bush shown on the title. This resulted in unnecessary assessment due to the overlay rule 22.2.7.
- This could cause the applicant unnecessary expense and delay if consent is required in the future on the area outside the covenanted bush.

Submitter Number:	92	Submitter:	Warren Jonson
Point Number	92.1		
Summary of Decision Requested:	Amend the zoning of the property at 158 Limmer Road RD8, Hamilton from Rural Zone to Village Zone.		
Decision Reasons:	<ul style="list-style-type: none"> • Village zone is appropriate for 158 Limmer Road because it is bounded by the Te Kowhai airfield (in particular the residential precinct). The site is a small parcel of land encompassed in a large block between the Te Kowhai village and Limmer Road, which pursuant to the current proposed plan is to be classified village or airfield. • The land between the airfield block and the village is zoned Village and it would be consistent to incorporate the land south of the airfield, village zone also. Our block is flat land suitable for Village zone development. • Further the intensification proposed for the airfield land will adversely affect the rural land potential of the site. 		

Submitter Number:	93	Submitter:	Martin Fleetwood
Point Number	93.1		
Summary of Decision Requested:	No specific decision sought, but submission states supports Chapter 22 Rural Zone.		
Decision Reasons:	<ul style="list-style-type: none"> • No reasons provided. 		

Submitter Number:	94	Submitter:	Carol Fleetwood
Point Number	94.1		
Summary of Decision Requested:	No specific decision sought, but submission states support for Chapter 22 Rural Zone.		
Decision Reasons:	<ul style="list-style-type: none"> • No reason provided. 		

Submitter Number:	95	Submitter:	Warren Allen
Point Number	95.1		
Summary of Decision Requested:	Retain the Residential Zoning for the property at 18 Kernott Road Horotiu.		
Decision Reasons:	<ul style="list-style-type: none"> • Rezoning 18 Kernott Road from Country Living Zone to Residential Zone would better reflect the current land use in Horotiu. • Residential zoning would also allow more efficient, practical land use as well as additional capacity, to support the anticipated population growth in the Horotiu/Northgate Industrial Park area. 		

Submitter Number:	96	Submitter:	Carmen Allen
Point Number	96.1		
Summary of Decision Requested:	Retain the Residential Zoning for the property at 18 Kernott Road, Horotiu.		
Decision Reasons:	<ul style="list-style-type: none"> • Rezoning 18 Kernott Road from Country Living Zone to Residential will better reflect the current land use in Horotiu. • Residential zoning would also allow more efficient, practical land use and additional capacity to support the anticipated population growth in the Horotiu area. • As the Northgate Industrial Park establishes and develops, there will be increased demand for residential housing in the area. • The proposal to change the Horotiu zoning from Country Living Zone to Residential Zone future proofs the increased requirements for residential accommodation. • More residents in the areas will help provide for a base of students at Horotiu School. 		

Submitter Number:	97	Submitter:	Annie Chen Shiu
Point Number	97.1		

Summary of Decision Requested:	Retain the proposed Residential Zoning for 160ha land west of Helenslee Road and north of Huia Road, Pokeno (see map contained in the submission).
Decision Reasons:	<ul style="list-style-type: none"> • The ability to appropriately respond to key Pokeno-specific constraints such as the underlying topography and the provision of infrastructure has been demonstrated. • Infrastructure can be provided to ensure future residential development is adequately serviced. • The residential design is based around the existing contours and natural features of the site. This will ensure that these features are positively worked into the development with no large scale re-contouring or bulk earthworks proposed. • Assessment of the growth projections for Pokeno has identified the need for additional residential-zoned land. Evidence of this is the projected deficit in the supply of households in the periods of 2026 - 2035 and 2036-2045. This Pokeno West Plan Change area provides for circa 1350 residential lots which would greatly boost the future house stock of Pokeno ensuring the future demand for households in Pokeno can be met. • The Pokeno West Plan Change area represents a logical extension of the existing residential core of Pokeno. • Separated only by Helenslee Road, the opportunity exists for additional residential development expanding the areas that are currently developed/under development. • Council has obligations in accordance with the National Policy Statement Urban Development Capacity to ensure sufficient development capacity exists for the future. Retaining the Residential Zone as it is currently applied to the proposed area is a strategic move that will ensure Council's obligations can be met. • Supporting technical reports have been provided with the submission (refer to submission for these reports).

Submitter Number:	98	Submitter:	Andrew and Jo Payne
Point Number	98.1		
Summary of Decision Requested:	Amend the zoning of the property at 198C Buckville Road, Buckland from Rural Zone to Country Living Zone.		
Decision Reasons:	<ul style="list-style-type: none"> • The surrounding area to the north and west within the Auckland Council territory boundary has been zoned Future Urban Zone under the Auckland Unitary Plan. This could mean that residential housing would eventuate in this locality, rather than a large open space rural environment. • The subject property does not contain prime soils. • The property is located close to the village of Buckland and the town of Pukekohe. • A zone change from Rural to Country Living Zone is a logical progression in zoning for this area. 		

Submitter Number:	99	Submitter:	Peter Roberts
Point Number	99.1		
Summary of Decision Requested:	No specific decision sought, but submission opposes the painting of yellow no passing lines on Kaiua Road.		
Decision Reasons:	<ul style="list-style-type: none"> • Expresses concern about control to beauraucrats and cops, and that ratepayers are not trusted to use roads sensibly. 		
Point Number	99.2		
Summary of Decision Requested:	No specific decision sought, but submission states that Council are wasting ratepayers' money.		
Decision Reasons:	<ul style="list-style-type: none"> • Council does not respect ratepayers. • Council appears to be stealing rural ratepayers funds to subsidise town infrastructure. • Council hires contract ecologists. 		
Point Number	99.3		
Summary of Decision Requested:	No specific decision sought, but submission expresses concerns regarding the quality of Council's roading infrastructure, in particular Ratoroa Road.		
Decision Reasons:	<ul style="list-style-type: none"> • Ratoroa Road is not fit for purpose. • If there were to be a fatality on Rataoa Road, residents will point at Council negligence. • Council has taken contributions for subdivision on this road and returned nothing. • Extremely poor value for money on rates. • Maybe a rates boycott of road citizens is an option. 		
Point Number	99.4		
Summary of Decision Requested:	Delete the Significant Natural Area overlay, including from the property at 87 Rataroa Road, Miranda.		
Decision Reasons:	<ul style="list-style-type: none"> • Council hires contract ecologists to justify their work. • Significant Natural Areas are a Council grab at property rights. • Identifying these areas is the beginning of a hidden agenda. • Poorly identified Significant Natural Area, shows lusitanica forestry. • Council should stick to its knitting (i.e. Roads). 		

Submitter Number:	100	Submitter:	Medihah Bardsley
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On behalf of:	The Bardsley No. 1 Family Trust
Point Number	100.1
Summary of Decision Requested:	Amend the area of Significant Natural Area through reassessing and reducing the area located at 31 Birchwood Lane, Tamahere.
Decision Reasons:	<ul style="list-style-type: none"> • Most of the area is immature native trees planted by the landowner that does not warrant Significant Natural Area status. • The Significant Natural Area unnecessarily restricts the subdivision potential of the property.
Point Number	100.2
Summary of Decision Requested:	Delete the Maaori Site of Significance S14/56 from the property at 31 Birchwood Lane, Tamahere.
Decision Reasons:	<ul style="list-style-type: none"> • Waikato District Council has acquired all of the land (Designation M106) that could be affected by the Maaori Site of Significance and it should no longer be associated with 31 Birchwood Lane, Tamahere.

Submitter Number:	101	Submitter:	Martin Bloxam
Point Number	101.1		
Summary of Decision Requested:	Amend the area of Significant Natural Area on the property at 13 Te Awa Lane, Tamahere to the area of natural wetland.		
Decision Reasons:	<ul style="list-style-type: none"> • The area identified on the planning maps exceeds the area of natural wetland that is considered of significant value. • There is a large wetland at the rear of the property which does have significant value. • The area identified appears to be based on an aerial photo taken when trees had leaves. • The trees are not native. They are pin oaks and swamp cypress planted 25 years ago. • The land under the tree shade is grassed and maintained by mowing. 		

Submitter Number:	102	Submitter:	Lawrence and Audrey Cummings
On behalf of:	Waiawa Downs Ltd		
Point Number	102.1		
Summary of Decision Requested:	Retain Rule 22.4.1.2 General subdivision, except for the amendments sought below AND Amend the 1.6ha maximum lot size in Rule 22.4.1.2 General Subdivision (specific amendments not stated in the submission).		
Decision Reasons:	<ul style="list-style-type: none"> • To have greater flexibility for establishing a range of rural activities within the new lot. 		
Point Number	102.2		
Summary of Decision Requested:	Retain Rule 22.4.1.6 Conservation lot subdivision in its entirety.		
Decision Reasons:	<ul style="list-style-type: none"> • No reasons provided. 		
Point Number	102.3		
Summary of Decision Requested:	Amend the thresholds for earthworks within a Significant Natural Area in Rule 22.2.3 PI (i) and (ii) Earthworks - Significant Natural area, to 200m3 volume and 800m2 area.		
Decision Reasons:	<ul style="list-style-type: none"> • There is an existing farm track dissecting the Significant Natural Area and the amended thresholds would be more appropriate for maintaining this. • Need more flexibility to cater for the characteristics of this particular property. 		

Submitter Number:	103	Submitter:	David Hall
Point Number	103.1		
Summary of Decision Requested:	Amend the zoning of the properties on along O'Brien Road, Rotokauri from Rural Zone to Country Living Zone.		
Decision Reasons:	<ul style="list-style-type: none"> • There are 15 houses in O'Brien Road already. • There is a need for smaller sized sections close to Hamilton city. 		

Submitter Number:	104	Submitter:	Tim Newton
Point Number	104.1		
Summary of Decision Requested:	Amend the size of the proposed Significant Natural Area located on the property at 1665 Whaanga Road, Raglan to reflect areas of significant ecological value, as shown on the map attached to the submission.		
Decision Reasons:	<ul style="list-style-type: none"> • Parts of the proposed Significant Natural Area are of low ecological value. • Comprises recently regenerated Kanuka as well as exotic species and pest species including woolly nightshade and gorse. • This area has been sustainably farmed for the past 100 years. • These areas are important parts of the farm and the loss of these productive areas will seriously impact on the economic value of the farm. • There are areas of vegetation that are of greater significance (see the map attached to the submission for further detail). 		
Point Number	104.2		
Summary of Decision Requested:	Amend the area of the Significant Natural Area on the property at 1665 Whaanga Road to exclude existing farm tracks.		
Decision Reasons:	<ul style="list-style-type: none"> • To ensure sustainable farm operations can continue. 		
Point Number	104.3		
Summary of Decision Requested:	<p>Amend Rule 22.2.7 P2 Indigenous vegetation clearance inside a Significant Natural Area by deleting "5m3" and replacing it with "1 per cent" AND</p> <p>Delete the words "outside the coastal environment" from Rule 22.2.7 P2 Indigenous vegetation clearance inside a Significant Natural Area.</p>		
Decision Reasons:	<ul style="list-style-type: none"> • 5m3 is insufficient to provide for the heating needs of farms, especially those with more than one dwelling. • A 1 per cent allowance would have no adverse effects on sustainable management of the resource or on ecological values. • Excluding the coastal environment from the firewood allowance is unnecessary and unreasonable. 		
Point Number	104.4		
Summary of Decision Requested:	Amend Rule 22.2.3.4 Pl (a)(ii) Earthworks - within Landscape and Natural Character Areas, to allow 1,000m2 area and 500m2 volume for all categories of landscape or natural character areas.		
Decision Reasons:	<ul style="list-style-type: none"> • The restrictions on all categories of landscape or natural character areas other than Hill Country are unrealistic and will unreasonably restrict ordinary farm management activities. 		
Point Number	104.5		
Summary of Decision Requested:	Amend Rule 22.2.3.3 Earthworks - Significant Natural Areas, to permit earthworks to construct new tracks through Significant Natural Areas.		
Decision Reasons:	<ul style="list-style-type: none"> • Rule 22.2.3.3 is silent about construction of new tracks in Significant Natural Areas. • New tracks should be permitted to enable farming operations and farm development. 		
Point Number	104.6		
Summary of Decision Requested:	Amend the extent of the Significant Natural Area on the property at 1109 Whaanga Road, Raglan to reflect areas of significant ecological value worthy of protection.		
Decision Reasons:	<ul style="list-style-type: none"> • Wish to ensure any further sites removed from current farming land use are surveyed and verified as worthy of protection. • Some areas included in the proposed Significant Natural Area has been cleared regularly and is used for grazing stock. • Areas typically around streams, gullies and significant natural diversity should be preserved. • This property and neighbouring properties need to continue to be managed as working farms. • Wish to work with Council to identify the truly significant natural areas on the farm and ensure it does not interfere with practical farm operations or compromise stock welfare. 		

Submitter Number:	105	Submitter:	William & Paulette Screen
Point Number	105.1		
Summary of Decision Requested:	Amend the zoning of the property at 118 Logan Road, Buckland to be zoned from Rural Zone to Country Living Zone.		
Decision Reasons:	<ul style="list-style-type: none"> • The surrounding area to the north and west within the Auckland Council territory boundary has been zoned Future Urban Zone under the Auckland Unitary Plan. This could mean residential housing, and therefore a residential environment in this locality rather than a large open space rural environment. • The subject property does not contain prime soils. • Given the close proximity to the village of Buckland and town of Pukekohe, a change of zoning from Rural to Country Living Zone is a logical progression in zoning for this area. • Buckland School is located within close proximity to the submitter's property. • A Christian School is directly opposite the submitter's property. 		

- A proposed school is within 1 km of the submitter's property.

Submitter Number:	106	Submitter:	Bruce and Dorothy Chipman
Point Number	106.1		
Summary of Decision Requested:	Retain the Rural Zoning for the property at 1689 Miranda Road, Mangatangi.		
Decision Reasons:	<ul style="list-style-type: none"> • Support the Proposed District Plan bringing together both Sections (Franklin and Waikato) of the District. • Having a property that is across both sections has made subdivision difficult and costly due to the inconsistency between the two sets of rules. 		
Point Number	106.2		
Summary of Decision Requested:	Retain Policy 5.3.8 Effects on rural character and amenity from rural subdivision, except for the amendments sought AND Amend Policy 5.3.8(d) Effects on rural character and amenity from rural subdivision as follows: (d) Rural hamlet subdivision and boundary relocations <u>of consented lots and Records of Title</u> ensure the following...		
Decision Reasons:	<ul style="list-style-type: none"> • Clause (d) is amended to include the provision for the relocation of consented lots and Records of Title. 		
Point Number	106.3		
Summary of Decision Requested:	Amend the activity status of Rule 22.4.1.1 PR2 Prohibited subdivision, from Prohibited to a Non-Complying Activity.		
Decision Reasons:	<ul style="list-style-type: none"> • There may be circumstances where the subdivision of high class soils has overall positive effects that can be supported by the objectives and policies, particularly with regards to rural character and landscape. 		
Point Number	106.4		
Summary of Decision Requested:	Amend Rule 22.4.1.1 Prohibited subdivision, to replace "lot" with "Record of Title or consented lot".		
Decision Reasons:	<ul style="list-style-type: none"> • It may be necessary to create multiple lots and hold them in one Record of Title. This may occur where a stream or a public road bisects land held together in one Record of Title. 		
Point Number	106.5		
Summary of Decision Requested:	Retain Rule 22.4.1.2 (a)(i) – (ii) General Subdivision.		
Decision Reasons:	<ul style="list-style-type: none"> • Submitter supports the inclusion of General Subdivision rules. 		
Point Number	106.6		
Summary of Decision Requested:	Add a performance standard to Rule 22.4.1.2 (a)(iv) General Subdivision that allows for smaller lots around existing dwellings that follow the fenced curtilage, driveway, effluent disposal and any reserve area.		
Decision Reasons:	<ul style="list-style-type: none"> • General Subdivision creating a child lot around an existing dwelling should be able to be smaller than 8,000m2. • Where curtilage is established and a farming regime in place, flexibility in lot size should be provided to ensure that the existing farming regime can continue. 		
Point Number	106.7		
Summary of Decision Requested:	Delete Rule 22.4.1.2 (a)(v) General Subdivision, in relation to the 80/20 provision for high class soil.		
Decision Reasons:	<ul style="list-style-type: none"> • The submitter agrees with the intent of this rule, which is to design subdivision to avoid the fragmentation and loss of the high class soils. • The strict and arbitrary 80/20 requirement may not necessarily result in the best layout, design or environmental outcome for the site. • Would like to see matters relating to the retention of high class soils and the maintenance of productivity/farming systems addressed as a matter of discretion for the General Subdivision provisions. • The requirement to include Landuse Capability Reporting with every subdivision under the General Provisions becomes an additional compliance cost that does not result in a better outcome. • There is no analysis in the s32 report as to why the 80/20 rule was chosen as a method. 		
Point Number	106.8		
Summary of Decision Requested:	Add the following matter of discretion to Rule 22.4.1.2 General Subdivision, as follows: (b)(vii) effects on rural productivity and fragmentation of high class soils.		
Decision Reasons:	<ul style="list-style-type: none"> • Council's planners should be able to have discretion of where these are required to adequately assess the effects of the subdivision. 		

- Would like to see matters relating to the retention of high class soils and the maintenance of productivity /farming systems addressed as a matter of discretion for the General Subdivision provisions.

Point Number 106.9

Summary of Decision Requested: **Amend** Rule 22.4.1.4 Boundary Relocation, to read as follows:

(a) *The boundary relocation must:*

(i) *Relocate a common boundary or boundaries between two or more existing Records of Title or consented lots that existed prior to 18 July 2018...*

Decision Reasons:

- Support the inclusion of boundary relocation provisions.
- Support flexibility to allow rural properties to rationalise large landholdings.
- Would like provision made for the relocation of the boundaries of adjacent and consented lots and Records of title held in common ownership.
- This could be achieved by allowing consented lots to be relocated under the Boundary Relocation and Rural Hamlet Subdivision Rules.

Point Number 106.10

Summary of Decision Requested: **Amend** Rule 22.4.1.5 Rural Hamlet Subdivision as follows:

(a) *Subdivision to create a Rural Hamlet must comply with all of the following conditions:*

...

(iii) *Each proposed lot has a minimum area of 5,000m² to 8,000m².*

(iv) *Each proposed lot has a maximum area of 1.0ha to 4ha.*

(b) *Council's discretion is restricted to the following matters:*

...

(v) *Effects on rural productivity and fragmentation of high class soils.*

Decision Reasons:

- Allow for relocation of consented General Lots within a continuous landholding as part of a Rural Hamlet, where farmers have multiple titles.
- Would have positive outcomes through the provision of shared infrastructure and maintenance of the production systems.
- It will limit the wide dispersal of lots and enable subdivision layout to account for effects from intensive farming or mineral extraction activities.
- Rural hamlets can be difficult to achieve in reality and hamlet design needs to specifically respond to the site circumstances and it may be more appropriate to have smaller size lots to ensure the benefits of Hamlet design are achieved.
- The design guide should ensure that a response to the landscape context is more important than meeting performance standards relating to lot size and should allow for a reduction in the lot size.
- Rural Character and amenity values will be maintained by the 20ha + balance surrounding the Hamlet.
- Five lots at 1.6ha would take up 8ha of land and would visually result in dispersed rural housing and not a Hamlet and would result in a loss of productive land.

Point Number 106.11

Summary of Decision Requested: **Add** the following matter of discretion to Rule 22.4.1.4 Boundary Relocation:

(v) *Effects on farm management and productivity.*

Decision Reasons:

- Support the inclusion of boundary relocation provisions.
- Support flexibility to allow rural properties to rationalise large landholdings.
- Would like provision made for the relocation of the boundaries of adjacent and consented lots and Records of title held in common ownership.
- This could be achieved by allowing consented lots to be relocated under the Boundary Relocation and Rural Hamlet Subdivision Rules.

Submitter Number: 107

Submitter: Dirk-Jan & Family Oostdam

Point Number 107.1

Summary of Decision Requested: **Amend** the zoning of the property at 196B Logan Road, Buckland, Pukekohe from Rural Zone to Country Living Zone.

Decision Reasons:

- The surrounding area to the north and west within the Auckland Council territory boundary has been zoned Future Urban Zone under the Auckland Unitary Plan. This could mean residential housing, and therefore a residential environment in this locality rather than a large open space rural environment.
- The subject property does not contain prime soils.
- Given the close proximity to the village of Buckland and town of Pukekohe, a change of zoning from Rural to Country Living Zone is a logical progression in zoning for this area.

Submitter Number: 108

Submitter: Kevin and Barbara Brown

On behalf of: Warkworth Law Trust

Point Number 108.1

Summary of Decision Requested: No specific decision sought, but submission states support for the Proposed District Plan and for growth and subdivision. The submission references properties at 17 Innovation Way, Horotiu and 18 Rangimarie Road, Ngaruawahia.

Decision Reasons:

- The growth that is required for the future for this location.
- Subdivision required for the population growth explosion on its way.

Submitter Number:	109	Submitter:	Gareth Wigmore
Point Number	109.1		
Summary of Decision Requested:	Amend the noise limits applying at the notional boundary within any zone to reflect World Health Organisation limits db (LA Max), excluding noise generated by farming and noise generated by emergency generators and emergency sirens.		
Decision Reasons:	<ul style="list-style-type: none"> • db (LA eq) limits are difficult and expensive to measure. • World Health Organisation Limits use simple db (LA max) levels to measure noise limits to protect people in all zones from excessive noise. 		
Submitter Number:	110	Submitter:	GD Jones
Point Number	110.1		
Summary of Decision Requested:	Retain the Village Zone in Tuakau.		
Decision Reasons:	<ul style="list-style-type: none"> • The Village Zone is an appropriate solution to allow for large lot subdivision without compromising the desire for potential increased density in the future. 		
Point Number	110.2		
Summary of Decision Requested:	Retain all elements of the Village Zone including Section 4.3 Village Zone except for the amendments sought below. AND Amend Rule 24.4.2 RD1(a) Subdivision - Te Kowhai and Tuakau, to reduce the minimum net site area from 3000m2 to 2500m2. AND Amend Rule 24.4.2 RD2(a) Subdivision - Te Kowhai and Tuakau, to reduce the minimum net site area from 1,000m2 to 800m2.		
Decision Reasons:	<ul style="list-style-type: none"> • 2500m2 is sufficient to enable an environmentally safe on-site wastewater solution and the site reduction allows for more flexibility in subdivision design. • 2500m2 is in line with the non-serviced single lot zone minimum size requirements in the Auckland Unitary plan. • Reducing the minimum size will allow more flexible design while keeping the larger residential lot objective of the zone. • 800m2 is in line with the non-serviced single lot zone minimum size requirements in the Auckland Unitary plan. 		
Point Number	110.3		
Summary of Decision Requested:	Amend Rule 14.12.5.14 Access and Road conditions to increase the access allotment requirement from 5 - 8 to 5 - 10 AND Amend Rule 14.12.5.14 Access and Road conditions to increase the local road allotment from >8 to >10.		
Decision Reasons:	<ul style="list-style-type: none"> • Under the proposed rule if 221 Dominion Road is developed initially in a non-serviced scenario 10 allotments could be potentially developed via an access allotment. • The proposed access lot rule would limit that unnecessarily to 8 lots. • It would be inefficient and out of place for the property to have a full 20m wide local road requirement. 		
Submitter Number:	111	Submitter:	Peter Donald Johnson
Point Number	111.1		
Summary of Decision Requested:	Amend the zoning of the property at 94 Buckville Road from Rural Zone to Country Living Zone.		
Decision Reasons:	<ul style="list-style-type: none"> • The surrounding area to the north and west within the Auckland Council territory boundary has been zoned Future Urban Zone under the Auckland Unitary Plan. This could mean residential housing and therefore a residential environment in this locality rather than a large open space rural environment. • The subject property does not contain prime soils. • Given the close proximity to the village of Buckland and Pukekohe, a change of zoning from Rural to Country Living Zone is a logical progression in zoning for this area. 		
Submitter Number:	112	Submitter:	Graham Reaks
Point Number	112.1		
Summary of Decision Requested:	Amend the zoning of the property at 76 Logan Road, Pukekohe from Rural Zone to Country Living Zone.		
Decision Reasons:	<ul style="list-style-type: none"> • The surrounding area to the north and west within the Auckland Council territory boundary has been zoned Future Urban Zone under the Auckland Unitary Plan. This could mean residential housing and therefore a residential environment in this locality rather than a large open space rural environment. 		

- The subject property does not contain prime soils.
- Given the close proximity to the village of Buckland and town of Pukekohe, a change of zoning from Rural to Country Living Zone is a logical progression in zoning for this area.

Submitter Number:	113	Submitter:	Dianne Murdoch
Point Number	113.1		
Summary of Decision Requested:	No specific decision sought, but submission refers to Significant Natural Areas and provides an annotated map.		
Decision Reasons:	<ul style="list-style-type: none"> • See map attached to submission for further detail. The areas highlighted in red are already covenanted, as are the rest of the trees on the property at 60 Kidd Road, Waiuku. These areas are already fenced. 		

Submitter Number:	114	Submitter:	Steven Mundy - Z & Z Developments Limited Partnership
Point Number	114.1		
Summary of Decision Requested:	Amend the zoning of the property at 102 Travers Road, Te Kauwhata from Country Living Zone to Village Zone AND Amend Rule 24.4.2 Subdivision - Te Kowhai and Tuakau to apply the minimum net site area requirements of 1,000m2 to subdivision at 102 Travers Road, Te Kauwhata.		
Decision Reasons:	<ul style="list-style-type: none"> • A minimum net site area of 1000m2 is appropriate for the site given the capability of the site to be provided with connections to public potable water and wastewater infrastructure. • The minimum lot area with the exemption applied is 4000m2 less than for general subdivision within the Country Living Zone. • Te Kauwhata is referenced in key strategic growth documents as an area for substantial growth and sufficient land will be needed to cater for this growth. • The submission site is primed for development and will greatly improve development capacity within Te Kauwhata. • The site will be able to provide a significantly higher lot yield. • The site adjoins the Residential Zone and has direct road access. • The adjoining Environmental Protection Areas will not be adversely affected by the relief sought. • A geotechnical report indicates there are no major geotechnical constraints (see report attached to the submission as Appendix C for further detail). • The site could create a transition zone between the large lots of Green Acres Drive and the smaller lots of Bragato Way. • Provides an increased variety of lot sizes. • Meets the relevant objectives and policies in the Proposed District Plan. • The site can fulfill Waikato District Council's visions for development within the Village Zone including meeting the desired residential character, reticulation is possible for water, wastewater and stormwater. • See the concept plan attached as Appendix B to the submission for further detail. 		

Submitter Number:	115	Submitter:	Robina Ross
Point Number	115.1		
Summary of Decision Requested:	Add 14 Galileo Street, Ngaruawahia as a heritage item to Schedule 30.1 (Historic Heritage Items).		
Decision Reasons:	<ul style="list-style-type: none"> • The house is a villa over 100 years old. • It retains its original general form materials and street façade, including original double-hung sash windows with lead lights and bull nosed roofed verandah. • The house has architectural significance and intrinsic or amenity values that meet the list under Policy 7.1.3. • The original owner of this house was William King, who was the first baker in Ngaruawahia and the original bakery building is still standing as a listed heritage item. • The house at 14 Galileo Street is currently listed as a heritage item in The Operative District Plan (number 125). 		

Submitter Number:	116	Submitter:	Ross & Margery Weir
On behalf of:	R.M. & M.A. Weir Family Trust		
Point Number	116.1		
Summary of Decision Requested:	Amend the zoning of the property at 702 State Highway 39 (Horotiu Rd) at Te Kowhai, on the western side of State Highway 39, from Village Zone to Rural Zone.		
Decision Reasons:	<ul style="list-style-type: none"> • The land proposed to be zoned as Village Zone is currently a working dairy farm and its production will be lost with a Village Zoning. • Other land along Te Kowhai Road would be more suitable for Village Zoning as it is already fragmented and unproductive. 		
Point Number	116.2		
Summary of Decision Requested:	Retain the Village Zone on the property at 692 Te Kowhai Road.		
Decision Reasons:	<ul style="list-style-type: none"> • The land is suitable for Village Zone as it is handy to the village and is already unproductive because of previous subdivision. • People's preference is for smaller blocks so they do not spend all weekend on lawnmowers. 		

Submitter Number:	117	Submitter:	Navin Makan
Point Number	117.1		
Summary of Decision Requested:	Retain Residential Zoning for the property at 2346A Buckland Road, Tuakau.		
Decision Reasons:	<ul style="list-style-type: none"> The proposed Residential rezoning is required because of housing demand and due to the potential for reverse sensitivity issues - cropping operations involve noise, dust, spray and sometimes irregular hours such as night and public holidays. 		
Point Number	117.2		
Summary of Decision Requested:	Consider the most appropriate location for the walkway/cycleway/bridleway identified on 2346A Buckland Road.		
Decision Reasons:	<ul style="list-style-type: none"> The walkway is in low land wetland in places (swamp). 		

Submitter Number:	118	Submitter:	Neil & Suzanne Cummings
Point Number	118.1		
Summary of Decision Requested:	Amend the zoning of the property at 1474 Kauaia Road, Mangatangi from Rural Zone to Village Zone.		
Decision Reasons:	<p>The land is suitable for Village Zone subdivision for the following reasons:</p> <ul style="list-style-type: none"> Easy contour; Adjoins Managatangi Village; Has good road access on a tarsealed road in a 80km/hr speed zone. 		

Submitter Number:	119	Submitter:	Dheru Makan
On behalf of:	Makan Daya & Co Ltd		
Point Number	119.1		
Summary of Decision Requested:	Retain the Residential Zoning of the properties at 2356 and 2364 Buckland Road, Tuakau.		
Decision Reasons:	<ul style="list-style-type: none"> Proposed Residential Zone of the sites is required because of housing demand. There are potential reverse sensitivity issues, also market garden operations involve sprays, irrigation, noise, dust in irregular hours such as public holidays and night times. 		
Point Number	119.2		
Summary of Decision Requested:	Amend the location of the walkway/cycle way/bridleway near 2356 and 2364 Buckland Road, Tuakau.		
Decision Reasons:	<ul style="list-style-type: none"> Some contours are not practical as the ground levels drop into swamp areas. 		

Submitter Number:	120	Submitter:	Amanda Shaw
Point Number	120.1		
Summary of Decision Requested:	Amend zoning of the properties in Scotsman Valley, Tauwhare which are currently Country Living Zone in the Operative District Plan from Rural Zone to Country Living Zone.		
Decision Reasons:	<ul style="list-style-type: none"> Land owners in the Country Living Zone at Scotsman Valley have already made plans and investment decisions that reflect the value of the land and subdivision potential of the Country Living Zone. It is therefore unfair to change it to the Rural Zone. There will be no value to the District from the Rural Zoning in terms of agricultural production. 		

Submitter Number:	121	Submitter:	Mark Fendall
Point Number	121.1		
Summary of Decision Requested:	Amend the zoning of the properties 129, 151 and 161G Hakarimata Road, Ngaruawahia from Country Living Zone to Village Zone.		
Decision Reasons:	<ul style="list-style-type: none"> This change would allow one additional lot to be subdivided allowing a greater number of people to live in a native bush clad setting, close to and enabling the growth of Ngaruawahia. 		

- The growth of subdivision to the north along Hakarimata Road highlights a clear need for additional housing in this area.
- This land is at the foot of the Hakarimata range, beneath the native bush that the reserve is known for. The proposed additional lot would have minimal or no visual impact, being set low down and close to Hakarimata road, but with sufficient planting that the setting would not be disturbed.
- To preserve the mana of the Hakarimata, the owners have already designated three quarters of the property (4.5ha) as a Significant Natural Area.
- This is not productive agricultural land, but it would provide for self-sufficient living without the need for reticulated services.
- Electricity supply and telecommunications services are already nearby.
- There is an existing area for a dwelling, which would require minimal earthworks.
- This lot would use the existing shared driveway to Hakarimata Road, which has good sightlines and would provide safe access. This would also minimise any additional runoff.
- The above reasons would make it appropriate to zone this property as Village zoning as per Section 24 of the Proposed District Plan. This zoning would allow for one additional lot with a minimum lot size of 3000m² to be created.
- On this basis, the submitters believe that setting 161G Hakarimata Road, as a Village Zone would be of benefit to the people and economy of the Waikato.

Submitter Number:	122	Submitter:	Mark Fendall
Point Number	122.1		
Summary of Decision Requested:	Amend the zoning of the properties at 129, 151 and 161G Hakarimata Road, Ngaruawahia from Country Living Zone to Village Zone		
Decision Reasons:	<ul style="list-style-type: none"> • The change would allow a greater number of people to live in a native bush clad setting, close to and enabling the growth of Ngaruawahia. • The growth of subdivision to the north along Hakarimata Road highlights a clear need for additional housing in this area. • This land is at the foot of the Hakarimata range, beneath the native bush that the reserve is known for. The subdivision options would have minimal or no visual impact, being set low down and close to Hakarimata road, but with sufficient planting that the setting would not be disturbed. • In order to preserve the mana of the Hakarimata, the owners of 161G have already designated three quarters of their property (~4.5 hectares) as a Significant Natural Area. This is not productive agricultural land, but it would provide for self-sufficient living without the need for reticulated services. Electricity supply and telecommunications services are already nearby. • There are existing obvious plots for future dwellings, which would require minimal earthworks. • These lots could use the existing shared driveway to Hakarimata Road, which has good sightlines and would provide safe access. This would also minimise any additional runoff. • The above reasons would make it appropriate to zone these properties as Village Zoning as per Section 24 of the Proposed District Plan. This zoning would allow for one additional lot with a minimum lot size of 3000m² to be created for each property. 		

Submitter Number:	123	Submitter:	Libby Gosling
Organisation:	Classic Builders Waikato Limited		
Point Number	123.1		
Summary of Decision Requested:	Retain Rule 14.12.1.3(1)(a)(i) Permitted Activities – exemption of Local Roads within the Residential and Village Zones with a posted speed limit of less than 60km/h from providing on-site manoeuvring, as notified.		
Decision Reasons:	<ul style="list-style-type: none"> • The currently operative District Plan requires that all sites provide onsite manoeuvring and the submitters find that this requirement is very restrictive and results in poor outcomes where the house functionality and onsite amenity is sacrificed to cater to car parking and manoeuvring space. • The submitters support the proposed change to remove this requirement for residential properties in low speed environments. 		
Point Number	123.2		
Summary of Decision Requested:	Retain Rule 14.12.5.7 Required parking spaces and loading bays which requires two car parks per dwelling, as notified.		
Decision Reasons:	<ul style="list-style-type: none"> • The currently operative plan requires one onsite car park to be provided per bedroom in a dwelling. • The submitters support the proposed change for two carparks per dwelling. • More than two carparks is excessive, results in poor outcomes for the site, and is counterproductive to encouraging the use of public transport. 		
Point Number	123.3		
Summary of Decision Requested:	Delete Rule 16.1.3 RD1 (c) Restricted Discretionary Activities, which requires a minimum net site area of 300m² for multi-unit development OR Amend Rule 16.1.3 RD1 (c) Restricted Discretionary Activities to reduce the minimum net site area to less than 300m² for each unit for multi-unit development.		
Decision Reasons:	<ul style="list-style-type: none"> • Council already has discretion without being fixed on a specific value (e.g. 600m² for a duplex). In Hamilton, the requirement for a duplex is 400m². 		
Point Number	123.4		
Summary of Decision Requested:	Delete Rule 16.2.4.1 PI(a) (vi) Earthworks – General requiring earthworks to be a minimum of 1.5m from all boundaries.		
Decision Reasons:			

- The submitters believe that this minimum setback is impractical, particularly as section sizes get smaller.
- Frequently a small batter or retaining wall is required near the boundary, but not at a scale that should require resource consent.
- The permitted yard requirement for the residential zone is 1.5m (to cladding), to build 1.5m from a boundary, it is necessary to undertake earthworks to create the footings etc. for the foundation which would be within this 1.5m area and trigger resource consent.

Point Number 123.5

Summary of Decision Requested: Amend Rule 16.3.9.1 P1 (a) Building setbacks – All boundaries, to allow eaves to encroach over setbacks.

Decision Reasons:

- This is common in many other districts and allows sites to be more usable, particularly as sites become smaller.

Point Number 123.6

Summary of Decision Requested: Retain Rule 16.4.1 (a)(i) Subdivision – General, relating to minimum net site area.

Decision Reasons:

- The submitters support the removal of the 600m² average lot size as in the Operative District Plan.
- The submitters do not consider a 600m² average lot size enables the efficient use of residentially zoned land.
- It restricts the submitter's ability to provide affordable housing due to reduced yield, and less efficiencies gained in servicing and development of the land.
- The submitters consider a 450m² average lot size to be beneficial to provide some range and variation in lot sizes, or for policy framework to support lot size variation if discretionary activity resource consent is sought, to promote a range of typologies .

Point Number 123.7

Summary of Decision Requested: Amend Rule 16.3.2 (a)(i) Minor dwelling to reduce the minimum net site area 900m² to enable Minor dwellings on smaller lots.

Decision Reasons:

- The submitters have experienced that minor dwellings are becoming more common for a variety of situations (e.g. investors, elderly parents, adult children saving for home deposit).
- Minor dwellings are often being constructed with new builds to provide an additional income stream for first home buyers and helping finance approval.
- In a new build situation, minor dwellings can easily be integrated into the bulk of the primary dwelling.
- In Tauranga, sections 500m² and over are allowed. In Queenstown, there is no minimum lot size to be entitled to a Minor dwelling but the submitters are frequently building them on lots of approximately 400m². Whilst the submitters acknowledge that Tauranga and Queenstown are quite different to Waikato, they believe that 900m² is too restrictive.
- The 900m² limit will rule out the majority of new-build/greenfield subdivisions, because the lots sizes are too small.

Point Number 123.8

Summary of Decision Requested: Amend Rule 16.3.5 P1 Daylight admission, as follows:

Buildings must not protrude through a height control plane rising at an angle of ~~27.45~~ degrees commencing at an elevation of ~~2.52.7m~~ above ground level at every point of the site boundary.

Decision Reasons:

- This daylighting standard is too restrictive on smaller lots, and lots that have topographical constraints and variations.

Point Number 123.9

Summary of Decision Requested: Retain Rule 16.3.8 Service court, except for the amendments sought below

AND

Amend Rule 16.3.8 Service court to allow for greater flexibility to how it can be achieved and delivered.

Decision Reasons:

- The current requirement results in dwellings being designed around a 15m² space containing a 3m circle.
- 2m is an adequate width to allow wheelie bins etc., this would allow greater flexibility to provide these spaces in locations that are usable, and functional, rather than just wherever it is manageable to fit a 3m circle.

Point Number 123.10

Summary of Decision Requested: Amend Rule 16.3.9 Building setbacks to not apply to rear lots, or other lots where the garage door is not on a main street facing facade of the dwelling, e.g. laneways or side entry garages.

Decision Reasons:

- The rule needs clarifying.
- This rule should not be applied to rear lots or other Lots where the Garage door is not on main street facing facade of the dwelling (e.g. laneways).
- This rule should not apply to side entry garages.

Submitter Number: 124

Submitter: Tony Welch

Point Number	124.1
Summary of Decision Requested:	Amend the zoning of the property at 52 Scott Road, Te Kauwhata, from Residential Zone to Light Industrial Zone as it was in the Operative District Plan.
Decision Reasons:	<ul style="list-style-type: none"> The submitter is currently running a self-storage business on the property as it is currently zoned as Light Industrial. The submitter would not be able to run their business under Residential zoning. The Waikato District Council has approved the business under a building consent. The submitter is in the process of subdividing the land under SUB 0053/19, so would be happy if Lot 2 was kept as Light Industrial.

Submitter Number:	125	Submitter:	Guy Rathbone
Organisation:	Dunholme Farm		

Point Number	125.1
Summary of Decision Requested:	Delete the Significant Natural Area from the property at 5254 Highway 22, Waingaro.
Decision Reasons:	<ul style="list-style-type: none"> The submitter had attended a meeting at the council in 2015 and was assured that they did not have any significant areas on the farm. 91% of what the submitters produce is exported. By protecting Manuka and Kanuka, both, which are very fast growing and spreading each year, restricts the farm use and production. Both Manuka and Kanuka protect and allow gorse, blackberry, privet, tobacco and heather to become established and spread under the cover of this environment. The submitter has controlled the spread of Manuka and Kanuka by using scrub cutter bars and not burning these plants - unlike other farms in the area. There is now over 500 Totara trees and other native trees, plus exotic trees they have planted. This is because they did not burn areas and did not clear all native trees, as they have more than protected native trees for future generations. In comparison to other cut and burn farms the submitter is now being penalised under the Significant Natural Area proposal. The submitter asks for their steady plan of control to be allowed so they can continue to be viable in the future and carry on protecting native trees. Farmers are being penalised by this scheme compared to other farmers who have burnt all trees and now have all their farm cleared and in pasture. By the Council imposing the proposed Significant Areas plan and telling farmers they are unable to control the re growth of Manuka and Kanuka, this is reducing the grazing land available to help increase the sheep numbers, which in turn will increase the export returns of the country. The submitter is a member of the NZ Tree Crops Association so is committed to the preservation of native trees for future generations and should be allowed to continue to preserve the countries heritage.

Submitter Number:	126	Submitter:	Bonita Dean
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Point Number	126.1
Summary of Decision Requested:	Delete the Significant Natural Area from the property at 523 Waingaro Road, Ngaruawahia.
Decision Reasons:	<ul style="list-style-type: none"> The quality of the bush is low as it is regenerated tea tree and planted gum trees to prevent erosion (see the photos attached to the submission for further detail). It also includes undesirable species such as pine and pest species such as gorse and blackberry. Part of the mapped area is pasture. The land does not have any vegetation that has significant value as defined in the policy for significant natural areas. There will be a detrimental effect on farming activities through lose of productive area. The substantial fencing area costs would far outweigh the quality of the vegetation identified for protection. There would be no benefit in protection; only unjustified costs to the landowner.

Submitter Number:	127	Submitter:	Gary & Jill Morris
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Point Number	127.1
Summary of Decision Requested:	Amend zoning of the property at 157D Golding Road, Pukekohe from Rural Zone to Country Living Zone.
Decision Reasons:	<ul style="list-style-type: none"> The surrounding area to the north and west within the Auckland Council territorial boundary has been zoned Future Urban under the Auckland Unitary Plan. This could result in a residential environment in this locality rather than a large open space rural environment. The property does not contain prime soils. Country Living Zone is a logical progression in zoning for this area given the close proximity to Buckland and Pukekohe.

Submitter Number:	128	Submitter:	Trevor Reid
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Point Number	128.1
Summary of Decision Requested:	Retain the Residential Zoning for the property at 6257 Great South Road, Horotiu.
Decision Reasons:	<p>This land is suitable for Residential Zone for the following reasons:</p> <ul style="list-style-type: none"> Close to the school

- Good road access
- Forms part of the same community as the properties in the Residential Zone on the north side of Horotiu Bridge Road.

Point Number 128.2

Summary of Decision Requested: **Delete** the requirement in Rule 22.3.2 P1 (b)(i) Minor dwelling for the minor dwelling to be located within 20m of the existing dwelling.
AND
Delete the requirement in Rule 22.3.2 P1 (b)(ii) Minor dwelling for a minor dwelling to share a driveway with the existing dwelling.

Decision Reasons:

- There should be more flexibility in the rule to fit the circumstances of the residents and make better practicable use of existing land areas and driveways.

Point Number 128.3

Summary of Decision Requested: **Retain** the Residential zoning of the property at 108 Horotiu Bridge Road, Horotiu.

Decision Reasons:

- It makes sense for it to be Residential Zone given the new residential development.

Point Number 128.4

Summary of Decision Requested: **Retain** Rule 20.2.3.1 P3 Noise - General.

Decision Reasons:

- This rule provides existing residences with a safeguard against excessive noise from nearby Industrial Zones.
- Existing houses at Horotiu, near the Industrial Zone, do not have noise insulation and therefore need to have their amenity protected.

Submitter Number: 129 **Submitter:** Geoffrey Long

Point Number 129.1

Summary of Decision Requested: **Amend** the zoning of land in the Matangi vicinity from Rural Zone to Country Living Zone (see the map attached to the submission for the general area).

Decision Reasons:

- The area is already in small lots and not in farm production.
- Country Living Zone would better provide for the existing residents as well as releasing the development potential of the area.

Submitter Number: 130 **Submitter:** Kathleen Reid

Point Number 130.1

Summary of Decision Requested: **Retain** the Residential zoning of the property located at 6257 Great South Road, Horotiu.

Decision Reasons:

- The property at 6257 Great South Road, Horotiu is close to services and the school.
- Its residential development will be in keeping with neighbouring properties and will provide a good quality gateway to Hamilton.

Point Number 130.2

Summary of Decision Requested: **Amend** the noise limits to match the Operative District Plan for the Industrial Zone.

Decision Reasons:

- No reasons provided.

Point Number 130.3

Summary of Decision Requested: **Delete** the requirement in Rule 22.3.2 P1 (b)(ii) for the minor dwelling to be located within 20m of the existing dwelling.
AND
Delete the requirement in Rule 22.3.2 P1 (b)(ii) Minor dwelling for minor dwellings to share a driveway with the existing dwelling.

Decision Reasons:

- There should be more flexibility in the rule to fit the circumstances of the residents and to make better practicable use of the existing land areas and driveways.

Point Number 130.4

Summary of Decision Requested: **Amend** Rule 16.3.10 P1 Building - Horotiu Acoustic Area to make it clear that existing buildings do not have to comply with the insulation requirements.

Decision Reasons:

- The rule is not clear about the requirements to insulate existing buildings.

- It would be unfair and costly for existing buildings to be insulated.

Point Number 130.5

Summary of Decision Requested: Retain the Residential Zone of the property at 108 Horotiu Bridge Road.

Decision Reasons:

- The zoning has previously been proposed by Council and agreed by residents.
- The land is suitable for Residential Zoning for the following reasons:
 - It has good road access;
 - It is handy to Horotiu School; and
 - Surrounded by houses.

Point Number 130.6

Summary of Decision Requested: Retain Rule 20.2.3.1 P3 Noise - General.

Decision Reasons:

- This rule provides existing residences with a safeguard against excessive noise from nearby industrial zones.
- Existing houses at Horotiu near the Industrial Zone do not have noise insulation and therefore need to have their amenity protected.

Submitter Number: 131

Submitter: Vanessa Gibson

On behalf of: Brownie Investments

Point Number 131.1

Summary of Decision Requested: Retain the Residential Zoning of the property at 6257 Great South Road, Horotiu.

Decision Reasons:

- Good use of land with the anticipated growth within the area.
- Will provide a wider range of housing options.
- A good quality development as a gateway to Hamilton as opposed to industrial.
- Close to services.
- Within walking distance to school.
- Fits in with the development of neighboring properties.

Submitter Number: 132

Submitter: Brett Harvey

Organisation: B&A Harvey Ltd

Point Number 132.1

Summary of Decision Requested: Delete the Significant Natural Area from all B & A Limited Properties, Te Kauwhata.

Decision Reasons:

- Render the land incapable of reasonable use.
- The land and values have been protected for as long as the family have owned it and there is no need for identification of a Significant Natural Area on the site.
- Negative effect on the land values and workability.
- Council can purchase property if it wants it to be a Significant Natural Area (refers to a property in the middle of Lake Waikare which is for sale).
- The submitter is concerned that Council is trying to steal the natural areas.

Submitter Number: 133

Submitter: Simon Gibson

Point Number 133.1

Summary of Decision Requested: Retain the Residential zoning of the property at 6257 Great South Road, Horotiu.

Decision Reasons:

- The submitter wishes to subdivide and provide family homes.
- Support the local school and community.
- Fits in with the development of neighbouring properties.
- Can provide a range of stylish homes.

Point Number 133.2

Summary of Decision Requested: Ensure that the Industrial Zone noise limits are not increased.

Decision Reasons:

- No reasons provided.

Submitter Number:	134	Submitter:	Barbara Baker
Point Number	134.1		
Summary of Decision Requested:	Requests removal of the recently planted trees on the roadside of Te Kowhai Road, Hamilton.		
Decision Reasons:	<ul style="list-style-type: none"> • These trees will cause a traffic hazard because they grow too big and their trimming or removal is a ratepayer expense. • Keeping them trimmed relies on the health of the owner and continuous ownership of the property. 		

Submitter Number:	135	Submitter:	John & Roselei Holland
Point Number	135.1		
Summary of Decision Requested:	Delete the Significant Natural Area from the property at 368 Riverview Road, Huntly.		
Decision Reasons:	<ul style="list-style-type: none"> • The bush is not high quality as it is a remnant of previously logging. • The adjacent Aggregate Extraction Area and Aggregate Resource Area will be compromised by the Significant Natural Areas as the rock resource provides economic, social and environmental benefits to the district as per Objective 5.4.1. 		

Submitter Number:	136	Submitter:	Evelyn Ward
On behalf of:	Ward Ranch Ltd		
Point Number	136.1		
Summary of Decision Requested:	Remove the weir from the Whangamarino Wetland.		
Decision Reasons:	<ul style="list-style-type: none"> • The weir has ruined any natural aspects of the Whangamarino Wetland, has resulted in no water flow through the Pungarehu or Morrins Creek area, which are flooded with stagnant water. • It has caused drainage, pasture and fencing damage on the submitter's property. 		

Submitter Number:	137	Submitter:	Michele Gamble
Point Number	137.1		
Summary of Decision Requested:	Retain the proposed Residential zoning of the property located at 6257 Great South Road, Horotiu.		
Decision Reasons:	<ul style="list-style-type: none"> • The property at 6257 Great South Road is close to the school and services. • Developing it for residential purposes will be in keeping with neighbouring properties. • It will provide a more attractive gateway to Hamilton than industrial development. 		
Point Number	137.2		
Summary of Decision Requested:	Amend the noise limits to match the Operative District Plan for the Industrial Zone.		
Decision Reasons:	<ul style="list-style-type: none"> • No reasons provided. 		

Submitter Number:	138	Submitter:	Kim Crook
Point Number	138.1		
Summary of Decision Requested:	Retain the proposed Residential Zoning for the properties located at 6257 and 6263 Great South Road, Horotiu.		
Decision Reasons:	<ul style="list-style-type: none"> • More housing is needed to support the school's in-zone children. 		
Point Number	138.2		
Summary of Decision Requested:	Amend the noise limits to match the Operative District Plan for the Industrial Zone.		
Decision Reasons:	<ul style="list-style-type: none"> • No reasons provided. 		

Submitter Number:	140	Submitter:	Richard Wright
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On behalf of: Equus Enterprises Ltd

Point Number 140.1

Summary of Decision Requested: Amend the zoning of the property at 182A Logan Road, Pukekohe from Rural Zone to Country Living Zone.

Decision Reasons:

- The surrounding area to the north and west is zoned Future Urban under the Auckland Unitary Plan. This could mean residential housing and therefore a residential environment rather than a large open space rural environment.
- The site does not contain prime soils.
- Given the close proximity to Buckland and Pukekohe, a change from Rural Zone to Country Living Zone is a logical progression in zoning for this area.

Submitter Number: 141

Submitter: Susan & Maurice McKendry

Point Number 141.1

Summary of Decision Requested: Amend the zoning of the property at 95 Buckville Road, Pukekohe from Rural Zone to Country Living Zone.

Decision Reasons:

- The surrounding area to the north and west is zoned Future Urban under the Auckland Unitary Plan. This could mean residential housing and therefore a residential environment rather than a large open space rural environment.
- The site does not contain prime soils.
- Given the close proximity to Buckland and Pukekohe, a change from Rural Zone to Country Living Zone is a logical progression in zoning for this area.

Submitter Number: 142

Submitter: Daniel Miles

Point Number 142.1

Summary of Decision Requested: Amend the zoning of the property at 6061 Great South Road, Horotiu from Rural Zone to Residential Zone.

Decision Reasons:

- No reasons provided.

Submitter Number: 143

Submitter: James Edward Greenhough

Point Number 143.1

Summary of Decision Requested: Amend the zoning of the property at 137C Buckville Road, Pukekohe from Rural Zone to Country Living Zone.

Decision Reasons:

- The surrounding area to the north and west is zoned Future Urban under the Auckland Unitary Plan. This could mean residential housing and therefore a residential environment rather than a large open space rural environment.
- The site does not contain prime soils.
- Given the close proximity to Buckland and Pukekohe, a change from Rural Zone to Country Living Zone is a logical progression in zoning for this area.

Submitter Number: 144

Submitter: Kirsten Seamer

Point Number 144.1

Summary of Decision Requested: Amend the zoning of the property at 166 Logan Road, Buckland from Rural Zone to Country Living Zone.

Decision Reasons:

- The surrounding area to the north and west is zoned Future Urban under the Auckland Unitary Plan. This could mean residential housing and therefore a residential environment rather than a large open space rural environment.
- The site does not contain prime soils.
- Given the close proximity to Buckland and Pukekohe, a change from Rural Zone to Country Living Zone is a logical progression in zoning for this area.

Submitter Number: 145

Submitter: Peter & Lee Walter

Point Number 145.1

Summary of Decision Requested: Amend the zoning of the property at 181D Golding Road, Pukekohe from Rural Zone to Country Living Zone.

Decision Reasons:

- The surrounding area to the north and west is zoned Future Urban under the Auckland Unitary Plan. This could mean residential housing and therefore a residential environment rather than a large open space rural environment.
- The site does not contain prime soils.
- Given the close proximity to Buckland and Pukekohe, a change from Rural Zone to Country Living Zone is a logical progression in zoning for this area.

Submitter Number:	146	Submitter:	Bruce & Raelyn Wallbank
Point Number	146.1		
Summary of Decision Requested:	Amend the zoning of the property at 210C Logan Road, Buckland from Rural Zone to Country Living Zone.		
Decision Reasons:	<ul style="list-style-type: none"> • The surrounding area to the north and west is zoned Future Urban under the Auckland Unitary Plan. • This could mean residential housing and therefore a residential environment rather than a large open space rural environment. • The site does not contain prime soils. • Given the close proximity to Buckland and Pukekohe, a change from Rural Zone to Country Living Zone is a logical progression in zoning for this area. • The submitter does not want building on the land that is being subdivided on vegetable growing lands. 		

Submitter Number:	147	Submitter:	Haley Bicknell-McMahon
Point Number	147.1		
Summary of Decision Requested:	Delete the Airport Subdivision Control Boundary from Planning Map 27.2.		
Decision Reasons:	<ul style="list-style-type: none"> • The Airport Subdivision Control Boundary unnecessarily restricts subdivision and development potential in this area. • The Airport subdivision Control Boundary is unnecessary to protect the airport as reverse sensitivity issues are sufficiently addressed by building insulation requirements in the District Plan. 		
Point Number	147.2		
Summary of Decision Requested:	Amend Rule 23.4.2 RD1 (a)(i) General subdivision by reducing the minimum net site area from 5000m2 to 3000m2.		
Decision Reasons:	<ul style="list-style-type: none"> • A minimum net lot size of 3000m2 is appropriate for Tamahere because this area will become a future dormitory suburb of Hamilton and a greater density of development will help to meet the demand. • Wastewater disposal is still feasible within 3000m2 lots. The open nature of Tamahere will be preserved. 		

Submitter Number:	148	Submitter:	Stephen John & Megan Lesley Ronke
Point Number	148.1		
Summary of Decision Requested:	Amend the buffer associated with the Maori Site of Significance (Paa) S14/75 to exclude the property at 64C Houghton Road, Whatawhata.		
Decision Reasons:	<ul style="list-style-type: none"> • When the purchase of 64C Houghton Road was being considered in 2016, enquiries to Council then confirmed that this paa site would have no effect on this property. • The submitter strongly opposes a change in status of the property at 64C Houghton Road. 		

Submitter Number:	149	Submitter:	Peter Thomson
On behalf of:	Maramarua Golf Club		
Point Number	149.1		
Summary of Decision Requested:	Maramarua Golf Club carpark be maintained by Council.		
Decision Reasons:	<ul style="list-style-type: none"> • Prior to Super City formation, Franklin Council painted parking lines on carpark. This has not been kept up by Waikato in spite of request Golf Club is a community asset that is used much more than just golf. 		

Submitter Number:	150	Submitter:	Nigel & Lee Tiley
Point Number	150.1		
Summary of Decision Requested:	Amend the zoning of the property at 210F Logan Road Pukekohe from Rural Zone to Country Living Zone.		
Decision Reasons:	<ul style="list-style-type: none"> • The surrounding area to the north and west within the Auckland Council territory boundary has been zoned Future Urban under the Auckland Unitary Plan. • This could mean residential housing and therefore a residential environment in this locality rather than a large open space rural environment. • The subject property does not contain prime soils. 		

- Given the close proximity to the village of Buckland and Pukekohe, a change of zoning from Rural to Country Living is a logical progression in zoning for this area.

Submitter Number:	151	Submitter:	Todd Bawden
Point Number	151.1		
Summary of Decision Requested:	Amend the zoning for the property at 2324 River Road, Horsham Downs (Lot 3 DP 507442) from Rural Zone to Country Living Zone.		
Decision Reasons:	<ul style="list-style-type: none"> Refer the MGSL Plan Change Submission Report as attached for the reasons requested. By rezoning as Country Living Zone, the area will then be capable of contributing to the Waikato District's Future Proof Strategy Planning for Growth 2017 for additional 13,300-17,500 dwellings between 2018 and 2045. It is more important to use the land efficiently for future low density housing sites for accommodating future growth rather than to hold the area as a vacant rural small block of unproductive 'farm'. The site is surrounded by existing roads so therefore cannot be utilised as a rural run-off block by any adjacent farmers. Aligns with the purpose of the Country Living Zone aims to "provide for low density living in specific locations in rural areas." The size of the site will aid in preserving low density dwellings in accordance with the Country Living Zone rather than the purpose of the Rural Zone. This will accommodate low-density residential housing and a differing range of housing typologies between the country living areas located on the northern side of the Waikato River and newer residential areas on the Southern Side of the Waikato River. In addition, where there are new future employment focus areas (located south-west of the proposed site area), there is potential to provide additional housing on the proposed site area to be connected within close walking/cycling proximity of the future focused employment area to the south-west. Due to sand from the Waikato Expressway excavations, the ground conditions make it more appropriate that the subject Lot be rezoned as Country Living Zone without the Hamilton Urban Expansion Area Policy rather than a zone for intensified residential development (i.e. A Residential Living Zone or a Country Living Zone with the overlay). The adverse effects of rezoning the subject Lot is anticipated to be less than minor. Within An 800m pedestrian-shed analysis shows that there is one primary school (Horotui Primary School), suburban neighborhood node of Horotui, new residential areas (located south-west of the identified area), Industrial Park and Heavy Industrial areas (employment opportunities), business areas (employment opportunities and daily commercial/retail activities), country living areas, reserve areas along the fringes of the Waikato River and rural areas (located around and north of the site area). During the construction of the Waikato Expressway, any "high class soils" were removed or distributed. The area is not entirely rural due to its locality in relation to the surrounding land use activities located to the south and south east in which includes new residential areas, other countryside living areas, new residential areas, small portion of business areas, local primary school, industrial park and heavy industrial areas. Water infrastructure is readily available and new stormwater and wastewater infrastructure would be established upon resource consent. Significant views of the surrounding rural environment and mountain ranges. 		

Submitter Number:	152	Submitter:	Rolande Paekau
Organisation:	Te Whaanga 2B3B2 & 2B1 Ahu Whenua Trust		
Point Number	152.1		
Summary of Decision Requested:	Amend Section 2.2 (a) Background to apply the Resource Management Act definitions of "Tangata Whenua" and "Mana Whenua", as follows: <u>Tangata Whenua; in relation to a particular area means the iwi, or hapu, that holds mana Whenua over that area.</u> <u>Mana Whenua; means customary authority exercised by an iwi or hapu in an identified area.</u>		
Decision Reasons:	<ul style="list-style-type: none"> Waikato-Tainui is not 'the' tangata whenua, as if to proclaim that they are an entity that has a higher status than other iwi, hapu and marae in Waikato District. The Waikato-Tainui Iwi Authority was established to receive settlement funds from the Crown as a result of rāupatu. Council must not confuse the identity and status of tangata whenua and other hapu and/or iwi with its obligations under the Resource Management Act to all tangata whenua groups within Waikato District. Poihakena Marae and its beneficiaries assert that tangata whenua in Whaingaroa are only those that can whakapapa to Whaingaroa i.e. Ko Karioi te Maunga, Ko Whaingaroa te Moana, Ko Tainui te Waka, Ko Tainui te Iwi, Ko Ngati Koata, Ngati Hounuku, Ngati Te Ikaunahi, Ngati Kahu, Ngati Karu, Te Paetoka, Ngati Pukoro, Ngati Tira, Ngati Rua Aruhe, Ngati Heke, Ngati Tahau, Ngati Te Kore nga hapu. 		

Point Number	152.2		
Summary of Decision Requested:	Retain Section 2.5 Understanding of Maaori Land Ownership, as notified.		
Decision Reasons:	<ul style="list-style-type: none"> Enables more Maori land to be utilised for the benefit of their landowners and beneficiaries. The submitter supports the change of Maori freehold title to Maori Lands in the Waikato District. 		

Point Number	152.3		
Summary of Decision Requested:	Retain Section 2.8 Concept Management Plan, as notified.		
Decision Reasons:	<ul style="list-style-type: none"> The submitter states that they support this section given Whaingaroa Kite Whenua's Tihei Mauriora Plan. This includes plans for a cultural theme park to be endorsed by Council, and any updated versions of this plan. This Tihei Mauriora Plan captures the vision and aspirations of Tuaiwa Rickard. A Concept Management Plan will enable Maori land trusts to develop their land blocks with the assist of funding from Council and central government. Supports the Concept Management Plan for Maori land blocks and Trusts for Whaingaroa. Supports a Concept Management Plan funding pool to be allocated for the Waikato District. 		

Point Number	152.4		
Summary of Decision Requested:	Amend the Proposed District Plan to enable the following activities as permitted on Te Kopua lands on Riria Kereopa Memorial Drive, Raglan (including Te Kopua Trust, Te Kopua 2B3 Incorporation and Whaingaroa Kite Whenua):		
Decision Reasons:	<ul style="list-style-type: none"> Facilities for surface water activities Recreation 		

- Kohanga reo
- Education facilities
- Public toilets
- Camp site and associated car wash, grocery or boating store and marae
- Restaurant
- Conference facilities
- Travellers' accommodation

Decision Reasons:

- The submitter requests the same permitted activity provisions for Te Kopua lands as per the Pa Zone in the Operative District Plan as they reflect the aspirations of tangata whenua, owners and beneficiaries of those lands.

Point Number 152.5

Summary of Decision Requested: **Retain** Section 2.10 Iwi Management Plans as notified

AND

Create an Iwi Management Plan fund for Tangata Whenua, dedicated to hapu and marae to develop and implement their respective plans.

Decision Reasons:

- The submitter supports Iwi Management Plans.
- Recommends that Council contributes towards a dedicated funding pool or budget to implement Iwi Management Plans throughout Waikato District and therefore enable iwi, hapu and marae to develop their respective plans.
- An Iwi Management Plan will inform and guide Council in respect to consulting with the right people/tangata whenua in the development of master plans, blueprints and community plans as per Council's obligations under section 35(A) of the Resource Management Act 1991 and the Local Government Act 2002.
- Supports an Iwi Management Plan Fund for Tangata Whenua. This is a critical gap for Council who are seeking to develop Master Plans, Blueprints and community plans.

Point Number 152.6

Summary of Decision Requested: **Retain** Section 2.14 Objective - Kaitiaki (steward/guardian), as notified.

Decision Reasons:

- The submitter wishes to reiterate the importance of understanding who is tangata whenua with any consultation process. Waikato-Tainui is not the tangata whenua of Raglan/Whaingaroa. The people of Tainui ki W'hangaroa (Raglan) are the tangata whenua and hold mana whenua over their rohe.
- The submitter expects Council staff to consult with the submitter on any issue relating to their land or sea, including any development proposal.

Point Number 152.7

Summary of Decision Requested: **Retain** the Maaori Site of Significance that contains the Ururupa-Rangipu on the planning maps (located on Riria Kereopa Memorial Drive, Raglan).

Decision Reasons:

- No reasons provided.

Point Number 152.8

Summary of Decision Requested: **Add** the wahi tapu located at the end of Riria Kereopa Memorial Drive (on Te Kopua 2B3 Inc) to Schedule 30.3 Maaori Sites of Significance.

Decision Reasons:

- This wahi tapu site is significant to iwi and hapu.

Submitter Number: 153

Submitter: Michael Shen

Point Number 153.1

Summary of Decision Requested: **Amend** the extent of the Significant Natural Area at 68 Brown Road, Tuakau, to extend no further than the area to which the existing Conservation Covenant applies (see map attached to the submission for further information).

OR

Amend Rule 22.4.1.6 to allow for additional subdivision entitlement for the legal protection of any Significant Natural Area that is not subject to an existing conservation covenant.

AND

Amend the Proposed District Plan to provide any alternative, additional or consequential relief as is necessary to achieve consistency with the above and to satisfy the concerns of the submitter.

Decision Reasons:

- Gives the landowner an incentive to legally protect the remaining half of the Significant Natural Area.

Point Number 153.2

Summary of Decision Requested: **Amend** the zoning of Lot 2 DP 153636 (54 Dominion Road), Lot 2 DP 371796 (52 Dominion Road) and Lot 1 DP 485993 (48 Dominion Road) from a split zoning of Rural Zone and Residential Zone to purely Residential Zone.

AND

Amend the Proposed District Plan to provide any alternative, additional or consequential relief as is necessary to achieve consistency with the above and to satisfy the concerns of the submitter.

Decision Reasons:

- Air Quality report prepared for Plan Change 16 recommended a 250m separation distance through a rural buffer but did not consider other methods. This fait accompli was raised in a peer review of this report prepared by Jacobs for Waikato District Council and was

- included in part of the Plan Change 16 Section 32 analysis.
- The acoustic assessment prepared for Plan Change 16 does not assess the effects of providing residential development within the southern portion of the Dominion Road sites, or whether other methods can be applied to mitigate potential adverse acoustic effects.
- Separate assessment of noise effects which concluded that the current noise levels at 48 and 52 Dominion Road are suitable for residential land uses (therefore, no buffer would be required).
- Separate assessment of air quality which recommended a separation distance of 150m between industrial and residential activities.
- Supporting evidence has not been provided in the Proposed District plan as to why the buffer has been increased in width, or why the buffer width varies.
- Costs and benefits of different buffer widths has not been considered.
- Use of other methods have not been considered.
- The proposed zoning pattern will result in the reduction of over 10ha of potential residential land within 1km of the Tuakau town centre without supporting evidence that this is necessary to avoid reserve sensitivity effects.
- A Rural Zone buffer is only applied to the north of the Whangarata industrial area, not to the west where the Industrial Zone abuts the Residential Zone. This method has not been observed in any other Waikato District towns.
- Supporting information of PC16 suggested that a rural buffer was not required along the western interface due to topography, requirements for esplanade reserves, and building setbacks. Those attributes apply to the northern interface, which also includes the North Island Main Trunk railway corridor, inherently providing between 150m and 200m of separation.
- Removal of the rural buffer at 54 Dominion road would avoid split zoning and would provide a defensible boundary to urban limits along the Kairoa Stream.
- Southern portions of 48 and 52 Dominion Road have steep topography that would restrict residential development in the area closest to the Industrial Zone.

Point Number 153.3

Summary of Decision Requested: Retain the proposed Residential Zoning at 56 Dominion Road, Tuakau (Lot 1 DP 153636).

Decision Reasons:

- Reasons not stated.

Submitter Number: 155 **Submitter:** Karl Crook

Point Number 155.1

Summary of Decision Requested: Retain the proposed Residential Zoning at 6257 Great South Road, Horotiu.

Decision Reasons:

- Provides a wider range of housing options.
- Close to school
- Close to services
- Fits in with the development of neighbouring properties.

Point Number 155.2

Summary of Decision Requested: Amend Rule 20.2.3 Noise, to not increase the noise limits for the Industrial Zone.

Decision Reasons:

- No reasons given.

Submitter Number: 156 **Submitter:** David Rawiri

Point Number 156.1

Summary of Decision Requested: Maintain access to the property at 123 Rawiri Road from Rawiri Road, despite future changes to roading configuration.

Decision Reasons:

- That access to the property at 123 Rawiri Road is maintained from Rawiri Road.

Submitter Number: 157 **Submitter:** John Baillie

Point Number 157.1

Summary of Decision Requested: Retain the proposed Residential Zone at 6257 Great South Road, Horotiu.

Decision Reasons:

- Close to the school
- Good for the community
- Close to services
- Better quality development as gateway to Hamilton
- Fits in with the development of neighbouring properties.

Point Number 157.2

Summary of Decision Requested: Amend Rule 20.2.3 Noise, to not increase the noise limits for the Industrial Zone.

Decision Reasons:

- Not stated.

Submitter Number:	158	Submitter:	Peter Thomson
Point Number	158.1		
Summary of Decision Requested:	Amend the zoning of Maramarua township to encourage its development as a service centre for State Highway 2.		
Decision Reasons:	<ul style="list-style-type: none"> This needs to occur to continue to serve the surrounding townships. 		

Submitter Number:	159	Submitter:	Jefferis and Susan Bodley
On behalf of:	Kainga Moana Nui Ltd		
Point Number	159.1		
Summary of Decision Requested:	Amend the zoning of all four titles at 228 Waerenga Road, Te Kauwhata from Rural Zone to Village Zone.		
Decision Reasons:	<ul style="list-style-type: none"> The topography is suitable for residential development. The existing wetlands and ponds and lake views provide good amenity for Village Zoning. The ponds and wetlands have been used by various Community groups including Scouts, Guides and emergency services. Property has reticulated water supply Good natural drainage. Waste water services are adjacent. 		

Submitter Number:	160	Submitter:	Anthony Armstrong
Point Number	160.1		
Summary of Decision Requested:	Delete the Significant Natural Area at property number 2018784, Kakakariki Road, Hamilton.		
Decision Reasons:	<ul style="list-style-type: none"> This was man made with pussy willow covering the dug out area for a duck pond approximately 10 years ago (see photos attached to the submission). The credibility of the SNAs initial identification need verification. Students were hired for holiday work to scout the district and identify what they thought were areas of SNA. They were not qualified to identify these. The Council then took this information as credible. 		

Submitter Number:	161	Submitter:	Martin Lynch
Point Number	161.1		
Summary of Decision Requested:	Amend zoning of 2044 River Road, Hamilton from Rural Zone to Country Living Zone, therefore retaining the Operative District Plan zoning.		
Decision Reasons:	<ul style="list-style-type: none"> The Rural Zoning will have an adverse material impact on the value of the property. The zoning is illogical and unfair that takes no account of the adjacent character and adjoining properties. The property is inappropriate and too small for rural land use and therefore should retain its existing Country Living Zone status. The zoning takes no account of the limited proportion of productive land available for use. The land can be subdivided into optimal sized lots and provide rural residential living opportunities in context with immediate surroundings alleviating pressure on other potential subdivision areas which are isolated. The property is adjacent to existing rural residential land use. The property will not generate reverse sensitivity effects on abutting rural land use. The neighbouring dairy farm (Rural Zone) has not generated any reverse sensitivity effects. The immediate farmland adjacent is grazed on a 4 week rotation and the herd is typically present in those paddocks for a one day period. There has been no issues of reverse sensitivity in locations to the south where cows graze up against property boundaries. The surrounding farming buildings are located more than 500m away. Houses in surrounding developments are well setback from boundaries providing space between activities. A wetland development to the east end of the property provides an additional buffer to the dairy farm. The degree and rationale behind the proposed zone change is contrary to Part 2 of the RMA as the proposal does not constitute sustainable management of natural and physical resources. If the property was subdivided it would not be an isolated Country Living Zone. The proposed rezoning to rural would undermine the existing rural residential amenity in the immediate area(s) and undermine the integrity of the Operative District Plan. Country living zoning of the property would facilitate effective and efficient use of land resource for housing in the Waikato District. Adverse effects on productive land resources in the district from the Country Living Zoning of the property are negligible. The property is in easy commuting distance of Hamilton and there is high demand for such properties, particularly in this northern location. The property and surrounding areas have already been managed in regard to Future Proof. Rezoning the property to rural will result in adverse environmental effects on existing land use that has already developed under the Country Living provisions of the Operative District Plan. 		
Point Number	161.2		
Summary of Decision Requested:	Amend Rule 23.4.1 (Prohibited subdivision) to remove a blanket ban on subdivision of properties in the Country Living Zone within the Hamilton Urban Expansion Policy Area.		
Decision Reasons:	<ul style="list-style-type: none"> The submitter opposes the blanket ban of subdividing properties inside the Hamilton Urban Expansion Area as this is a blunt instrument which locks up value for the property owners for a significant period of time when there is the ability to design subdivisions to cater for future intensification at a later date. Prohibiting subdivision would have a material adverse economic and social outcome which goes against Objective 5.6.1 which calls for a balanced policy approach. Prohibiting subdivision in this areas does not take into account the ability to future proof for residential intensification. 		

- A blanket ban would be a blunt tool which does not take into account the existing layout of Country Living Zones and whether future development would materially impact upon the long term strategy of protecting Hamilton's Urban Expansion Area.
- The proposed change does not reflect public consultation phases and is contrary to ratepayers' expectations and the submitter's.

Point Number 161.3

Summary of Decision Requested: Delete the requirement for a 23m building setback apply to artificial water bodies in Rule 23.3.7 (Building Setbacks).

Decision Reasons:

- It is inappropriate for a setback to apply to artificial water bodies which have been developed for the purpose of adding character and amenity value on private property.
- The rule does not take into account elevation, screening and other material items.
- The rule prevents the provision of a small hut or bird viewing shelter which would be a great attribute for children and adults interested in conservation.

Submitter Number: 162

Submitter: Tim Searle

Point Number 162.1

Summary of Decision Requested: Retain proposed Country Living Zone in the areas bounding Travers Road and Green Acres Drive, Te Kauwhata.

Decision Reasons:

- The land is low lying and is a potential overflow area in case of flooding.
- To build residential dwellings on that piece of land will increase the likelihood of flooding on a wider scale in the area. Any additional flooding would cause surrounding properties to be potentially flooded as there is a drain that runs down the length of the property at 21 Green Acres Drive feeding into the drain at the low point of Travers Road.
- The submitter enjoy the country living aspect of our area of the village and piece of land and want to maintain that country lifestyle outlook.
- The submitter is pleased that ongoing development is occurring in the village with the Scott Road development and other developments around the Golf Course and see these developments as vital to the long term future of Te Kauwhata and helping ensure a thriving community.
- A change in zoning to on a relatively small flood prone low lying section of land does not fit with the future development and plans that have been made for Te Kauwhata.

Submitter Number: 163

Submitter: Kevin Mitchell

Point Number 163.1

Summary of Decision Requested: Amend the zoning of the property at 102 Travers Rd, Te Kauwhata from Residential Zone to Country Living Zone.

Decision Reasons:

- The land at 102 Travers Rd is, and has been subject to flooding and unsuitable for close subdivision.
- There is no need for additional sections to be created in Te Kauwhata, due to the excess sections available and that there is enough land already zoned to meet projected demands.
- Additional residential development on this land will compromise the current amenity for neighboring properties and compromise the current land users for viticulture and lifestyle activities, (including stock).

Submitter Number: 164

Submitter: Hiini Kepa

Point Number 164.1

Summary of Decision Requested: No decision sought, but submission states support for Chapter 2 Tangata whenua.

Decision Reasons:

- Allows autonomy, growth and independence.

Point Number 164.2

Summary of Decision Requested: No specific decision sought, but submission states support for Chapter 3 Natural Environment.

Decision Reasons:

- Allows autonomy, growth and independence.

Point Number 164.3

Summary of Decision Requested: No specific decision sought, but submission states support for Chapter 5 Rural Environment.

Decision Reasons:

- Allows autonomy, growth and independence.

Point Number 164.4

Summary of Decision Requested: No specific decision sought, but submission states support for Chapter 6 Infrastructure and Energy.

Decision Reasons:

- Allows autonomy, growth and independence.

Point Number 164.5

Summary of Decision Requested: No specific decision sought, but submission states support for Chapter 14 Infrastructure and Energy.

Decision Reasons:

- Allows autonomy, growth and independence.

Point Number 164.6

Summary of Decision Requested: No specific decision sought, but submission states support for Chapter 22 Rural Zone.

Decision Reasons:

- Allows autonomy, growth and independence.

Submitter Number: 165 **Submitter:** Janice Boot

Point Number 165.1

Summary of Decision Requested: **Amend** designation U23 (1117 Tauwhare Rd) to exclude the possible future cell phone transmitter/tower.

Decision Reasons:

- The designation including cell phone tower will devalue the adjoining property.
- The submitter is concerned about the effect of radiation from the operation of a cell phone transmitter/tower.
- The submitter does not object to the existing telephone exchange as it currently exists.

Submitter Number: 166 **Submitter:** Reginald Briggs

On behalf of: Beverage Developments Ltd

Point Number 166.1

Summary of Decision Requested: **Amend** the zoning of the Rural Zoned land that is existing urban housing in the area around Park Road and 6000-6012 Great South Road Horotiu (the submission does not specify a suitable zone).

Decision Reasons:

- This area is zoned "rural" and no way can it ever be described as adhering to the objectives and policies relating to rural zoning, e.g. Objective 5.1.1(a)(iii).
- This pocket of houses is an urban development in every sense of the word and the demand for denser development is evidenced by Council's approval of the residential development in the rezoned greenfields just north of the nearby golf course.
- New residential developments are largely funded by the developers, but Council still has an obligation to upgrade obsolete developments by the installation of modern day infrastructure even it means raising loans to be repaid by targeted rates.
- It is further noted that numbers 6010 and 6012 are currently carrying out non complying commercial activities (with I understand Resource Consent applications pending) which further indicates that the "rural" zoning is no longer appropriate for this area.

Submitter Number: 167 **Submitter:** Roger Heaslip

Point Number 167.1

Summary of Decision Requested: **Retain** the proposed Residential Zoning of the property at 6257 Great South Road, Horotiu.

Decision Reasons:

- Close to school.
- Good for the Horotiu Community.
- Close to services.
- Fits in with the development of neighbouring properties.
- A good quality development as gateway to Hamilton.

Point Number 167.2

Summary of Decision Requested: **Amend** the Proposed District Plan to not increase the noise limits for the Industrial Zone.

Decision Reasons:

- No reasons provided.

Submitter Number: 168 **Submitter:** Paula Brown

Point Number 168.1

Summary of Decision Requested: **Amend** the zoning of Scotsman Valley, Tauwhare properties from the notified Rural Zone back to Country Living Zone as they were zoned in the Operative District Plan.

Decision Reasons:

- Land owners in the Country Living Zone (Operative District Plan) at Scotsman Valley have already made plans and investment decisions that reflect the value of the land and subdivision potential of the Country Living Zone. It is unfair to change it to Rural Zone. There will be no value to the district from Rural Zoning in terms of agricultural production.

Submitter Number:	169	Submitter:	Tom Seddon
On behalf of:	Jo, Peggi, Oki, Mila, Jade, Anita and other kids		
Point Number	169.1		
Summary of Decision Requested:	Oppose the construction of apartments on the corner of Stuart Street and Wainui Road, Raglan		
Decision Reasons:	<ul style="list-style-type: none"> • The function and (high end) targeted users of these apartments, let alone the aesthetic, do not adhere to the "Raglan Naturally" ethos. The submitter believes a construction project of scale can only erode the remaining charm and character of central Raglan, with no benefit to the town, socially or financially. 		
Point Number	169.2		
Summary of Decision Requested:	Oppose the prohibition of horse access to Ngaranui Beach via the north-end carpark track.		
Decision Reasons:	<ul style="list-style-type: none"> • Safety is concern to the submitter. • Since the closure of the "pines" beach access track due to the creation of the mountain bike trails, this is the only safe access to Ngaranui beach for all the people with horses on Wainui Road. The only alternative access requires a very dangerous ride down the open highway with no foot path or cycle lane. 		

Submitter Number:	170	Submitter:	Anita Seddon
On behalf of:	Jo, Jade, Mila, Peggy, Oki and other kids riding with me!		
Point Number	170.1		
Summary of Decision Requested:	Oppose the prohibition of horse access to Ngaranui Beach via the north-end carpark track.		
Decision Reasons:	<ul style="list-style-type: none"> • Safety is a concern to the submitter. Since the closure of the "pines" beach access track due to the creation of the mountainbike trails this is the only safe access to Ngaranui beach for all the people with horses on Wainui road. The only alternative access requires a very dangerous ride down the open highway with no footpath or cycle lane. 		
Point Number	170.2		
Summary of Decision Requested:	Oppose the apartments on the corner of Wainui Street and Stewart Street, Raglan. Apartments like this should not be built in seaside Raglan.		
Decision Reasons:	<ul style="list-style-type: none"> • Not good that the feeling and look of Raglan is being changed similar to Mt Maunganui. The submitter supports Raglan becoming a conservation area with rules similar to these http://www.peakdistrict.gov.uk/planning/advice/conservation-areas where buildings cannot be changed, trees cut down or any other changes without it being good for the community. 		

Submitter Number:	171	Submitter:	Louis (Luke) Faesenkloet
Point Number	171.1		
Summary of Decision Requested:	Retain Rule 22.3.2 Minor Dwelling, particularly that a minor unit is a permitted activity that the maximum size is 70m2, that the minor dwelling is located within 20m of the dwelling and that the minor dwelling shares driveway access with the existing dwelling AND Amend the Proposed District Plan to clarify that the 70m2 maximum gross floor area for a minor dwelling does not include a garage.		
Decision Reasons:	<ul style="list-style-type: none"> • Provision enables additional accommodation without needing consent, e.g for farmhands, elderly parents, teenagers. 		
Point Number	171.2		
Summary of Decision Requested:	Amend Rule 22.3.7.1 Building setbacks -all boundaries to reduce the setbacks from the road which apply to the submitter's three titles at McWatt Road, Pokeno, that have frontages to paper roads. OR Amend Rule 22.3.7.1 Building setbacks -all boundaries so that the building setbacks only apply to one of the road boundaries for the submitter's three titles on McWatt Road, Pokeno.		
Decision Reasons:	<ul style="list-style-type: none"> • Development of site is difficult as a permitted activity due to the paper roads adjoining the submitter's site. • Achieving 7.5m setback from road boundaries is unachievable. 		

Point Number	171.3
Summary of Decision Requested:	Retain Rule 22.4.1.2 NCI General subdivision, where subdivision that does not comply with Rule 22.4.1.2 (RD1) is a non-complying activity.
Decision Reasons:	<ul style="list-style-type: none"> • Non-complying activity status is more appropriate than prohibited activity status.

Point Number	171.4
Summary of Decision Requested:	Amend Rule 22.4.1.4 (RD1) Boundary Relocation to ensure that a boundary relocation can occur in relation to the submitter's property in McWatt Road, where the smallest title is 9965m2 and the two titles are currently separated by an unformed paper road (see screen shot attached to submission).
Decision Reasons:	<ul style="list-style-type: none"> • The submitter's smallest title on 130 McWatt Road is separated from our other nearest title by way of a paper road. The location of the paper roads will make development of this smallest site difficult, particularly given the building setback requirements from roads for habitable buildings. • As a result, the submitter is seeking that the boundary relocation provisions be adjusted to enable them to relocate the boundaries between the smallest title and the next closest title, notwithstanding that there is currently a paper road separating the two titles. • The submitter will approach the Council about potentially stopping one part of the paper road.

Submitter Number:	172	Submitter:	Shaun Jackson
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Point Number	172.1
Summary of Decision Requested:	Retain Residential Zoning as notified for the property at 139 Dominion Road, Tuakau.
Decision Reasons:	<ul style="list-style-type: none"> • Development of the site is generally in line with the desired outcomes of the Proposed District Plan (see plan attached to submission).

Point Number	172.2
Summary of Decision Requested:	Amend zoning of 118F Barnaby Road, Tuakau from Rural Zoning to either Village Zone or Residential Zone.
Decision Reasons:	<ul style="list-style-type: none"> • This site has potential to provide roading and walkway connections from Dominion Road through to Harrisville Road. • Currently the only way out from Barnaby Road and Dominion Road are singular and this could provide connections. • It is a Rural Zone predominately surrounded by Village and Residential Zones and may be better served to become Village or Residential Zone.

Point Number	172.3
Summary of Decision Requested:	Amend the map to create a separation between 115 Harrisville Road, Tuakau and the Pukekohe Motorcycle Club (Harrisville MX park).
Decision Reasons:	<ul style="list-style-type: none"> • The MX club creates a lot of dust and noise and putting residential hard on its boundary is bound to create conflict. • The MX Club is a significant local attraction and should be assisted to stay as part of the community.

Point Number	172.4
Summary of Decision Requested:	Amend the zoning of the Johnson Street, Tuakau area from Village Zone to Residential Zone.
Decision Reasons:	<ul style="list-style-type: none"> • This area is approximately 200 meters from the main street and makes a good location for higher density development.

Point Number	172.5
Summary of Decision Requested:	Retain the zoning of 100C Bollard Road, Tuakau as Industrial Zone as notified.
Decision Reasons:	<ul style="list-style-type: none"> • Generally support the rezoning to Industrial Zone.

Submitter Number:	173	Submitter:	Cameron & Alicia De'Arth
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Point Number	173.1
Summary of Decision Requested:	Amend the zoning of the property at 199 Buckville Road, Pukekohe. from Rural Zone to Country Living Zone.
Decision Reasons:	<ul style="list-style-type: none"> • The surrounding area to the north and west within the Auckland Council territory boundary has been zoned Future Urban Zone under the Auckland Unitary Plan. This could mean residential housing and therefore a residential environment in this locality rather than a large open space rural environment. • The subject property does not contain prime soils. • Given the close proximity to the village of Buckland and town of Pukekohe, a change of zoning from Rural to Country Living Zone is a logical progression in zoning for this area.

Submitter Number:	174	Submitter:	David Shorter
Point Number	174.1		
Summary of Decision Requested:	Amend zoning of the property at 33 Jamieson Road, Buckland from Rural Zone to Country Living Zone.		
Decision Reasons:	<ul style="list-style-type: none"> The surrounding area to the north and west within the Auckland Council territory boundary has been zoned Future Urban Zone under the Auckland Unitary Plan. This could mean residential housing and therefore a residential environment in this locality rather than a large open space rural environment. The subject property does not contain prime soils. Given the close proximity to the village of Buckland and town of Pukekohe, a change of zoning from Rural to Country Living Zone is a logical progression in zoning for this area. This area already has existing services infrastructure to handle the growth as well as access to public transport compared to Pokeno. 		

Submitter Number:	175	Submitter:	Yvonne Pack
Point Number	175.1		
Summary of Decision Requested:	Amend the zoning of the property at Jamieson Road, Buckland from Rural Zone to Country Living Zone.		
Decision Reasons:	<ul style="list-style-type: none"> The surrounding area to the north and west within the Auckland Council territory boundary has been zoned Future Urban Zone under the Auckland Unitary Plan. This could mean residential housing and therefore a residential environment in this locality rather than a large open space rural environment. The subject property does not contain prime soils. Given the close proximity to the village and town of Pukekohe, a change of zoning from Rural to Country Living Zone is a logical progression in zoning for this area. Surrounding streets already have electricity, town water, established roads and for the submitter's site gas piped to across the driveway. In addition Buckland School is within walking distance and Pukekohe Intermediate and High Schools are on the bus route and the rail track is within walking distance. 		

Submitter Number:	176	Submitter:	Isobel Waitere
Point Number	176.1		
Summary of Decision Requested:	Delete the Significant Natural Area from 511 Wharf Road, Te Akau South.		
Decision Reasons:	<ul style="list-style-type: none"> This land has been in the submitter's family for close to 100 years. In this time the submitter has protected it themselves and would like to continue to do so. A Covenant protecting the bush is already in place following a subdivision around 30 years ago. 		

Submitter Number:	177	Submitter:	Nick Hill
Point Number	177.1		
Summary of Decision Requested:	Amend the zoning of properties in Scotsman Valley, Tauwhare from the notified Rural Zone back to Country Living Zone as they were zoned in the Operative District Plan.		
Decision Reasons:	<ul style="list-style-type: none"> Land owners in the Country Living Zone (Operative District Plan)at Scotsman Valley have already made plans and investment decisions that reflect the value of the land and subdivision potential of the Country Living Zone. It is unfair to change it to Rural Zone. There will be no value to the district from Rural Zoning in terms of agricultural production. 		
Point Number	177.2		
Summary of Decision Requested:	Amend Rule 22.3.7.1 P1 (a) (iii) Building Setbacks - all boundaries, from 25m to 12m.		
Decision Reasons:	<ul style="list-style-type: none"> The 25m proposed setback is unreasonable and will unnecessarily limit the submitter's building and development options on their lifestyle property and consented subdivision. 		

Submitter Number:	178	Submitter:	Steven Shue
Point Number	178.1		
Summary of Decision Requested:	Amend the zoning of the property at 169 Buckville Road, Pukekohe from Rural Zone to Country Living Zone.		
Decision Reasons:	<ul style="list-style-type: none"> The surrounding area to the north and west within the Auckland Council territory boundary has been zoned Future Urban Zone under the Auckland Unitary Plan. This could mean residential housing and therefore a residential environment in this locality rather than a large open space rural environment. The subject property does not contain prime soils. Given the close proximity to the village of Buckland and town of Pukekohe, a change of zoning from Rural to Country Living Zone is a logical progression in zoning for this area. 		

Submitter Number:	179	Submitter:	Jennifer Buchanan
Point Number	179.1		
Summary of Decision Requested:	Amend the zoning of the property at 140 Logan Road, Pukekohe from Rural Zone to Country Living Zone.		
Decision Reasons:	<ul style="list-style-type: none"> The surrounding area to the north and west within the Auckland Council territory boundary has been zoned Future Urban Zone under the Auckland Unitary Plan. This could mean residential housing and therefore a residential environment in this locality rather than a large open space rural environment. The subject property does not contain prime soils. Given the close proximity to the village of Buckland and town of Pukekohe, a change of zoning from Rural Zone to Country Living Zone is a logical progression in zoning for this area. 		

Submitter Number:	180	Submitter:	Roger Peart
On behalf of:	RM & CA Peart		
Point Number	180.1		
Summary of Decision Requested:	Amend the Coastal Zone to a Rural Zone, especially for working farms.		
Decision Reasons:	<ul style="list-style-type: none"> At present any building work requires a resource consent which is a huge hassle and cost requiring the help of a planner. This seems unnecessary especially when a proposed building is part of a working farm and within all the rules and guidelines. 		

Submitter Number:	181	Submitter:	Robert Smith
Point Number	181.1		
Summary of Decision Requested:	Retain Rule 16.4.1 Subdivision General		
Decision Reasons:	<ul style="list-style-type: none"> No reason provided. 		

Submitter Number:	182	Submitter:	Kirriemuir Trustee Limited
Point Number	182.1		
Summary of Decision Requested:	Amend the zoning of the sites on the western side of Geraghtys Road, Tuakau adjoining the Proposed Residential Zone (as shown in Figure 3 of the submission) from Rural Zone to Residential Zone. AND Amend provisions as consequential changes to give effect to the relief sought in the submission.		
Decision Reasons:	<ul style="list-style-type: none"> There is no detailed reasoning as to why the proposed Residential Zone boundary location has been selected. The s32 analysis relies on the Tuakau Structure Plan (TSP) to establish the rural/residential boundary. The proposed Residential Zone boundary does not meet a key objective of the TSP as it does not provide a clear edge for the town to retain its rural context. An alternative location uses a Significant Natural Area and Outstanding Natural Feature as a definite defensible and permanent urban edge. (see Figure 3 of the submission document). Based on existing technical reports (including within the s32 documentation) no geotechnical, infrastructure, archaeological, transport or landscape impact effects are likely to arise from the extension to the Residential Zone which cannot be appropriately managed or mitigated. See submission document for further details supporting the change sought. 		
Point Number	182.2		
Summary of Decision Requested:	No specific decision sought, but submission states general support for Chapter 4 Urban Environment except as otherwise noted in supplementary points within the submission document.		
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided. 		
Point Number	182.3		
Summary of Decision Requested:	No specific decision sought, but submission states general support for Chapter 16 Residential Zone except as otherwise noted in supplementary points within the submission document.		
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided. 		
Point Number	182.4		

Summary of Decision Requested:	No specific decision sought, but submission states general support for Chapter 13 Definitions, except as otherwise noted in supplementary points in the submission.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	182.5
Summary of Decision Requested:	Retain the Objectives and Policies in Section 4.1 Strategic Direction as notified.
Decision Reasons:	<ul style="list-style-type: none"> The provisions provide a suitable framework to facilitate a residential environment.
Point Number	182.6
Summary of Decision Requested:	Retain the Objectives and Policies in Section 4.2 Residential Zone, as notified.
Decision Reasons:	<ul style="list-style-type: none"> The provisions provide a suitable framework to facilitate a residential environment.
Point Number	182.7
Summary of Decision Requested:	Retain the Objectives and Policies in Section 4.4 Residential and Village Zones - Noise, lighting, outdoor storage, signs and odour, as notified.
Decision Reasons:	<ul style="list-style-type: none"> The provisions provide a suitable framework to facilitate a residential environment.
Point Number	182.8
Summary of Decision Requested:	Retain the Objectives and Policies in Section 4.7 Urban Subdivision and development, as notified, unless otherwise specified in the submission.
Decision Reasons:	<ul style="list-style-type: none"> The provisions provide a suitable framework to facilitate a residential environment.
Point Number	182.9
Summary of Decision Requested:	Retain Policy 4.1.3 (b) Location of development, as notified.
Decision Reasons:	<ul style="list-style-type: none"> The Future Proof Strategy recognises Tuakau as a R2 growth area.
Point Number	182.10
Summary of Decision Requested:	Retain Policy 4.4.2 Noise, as notified.
Decision Reasons:	<ul style="list-style-type: none"> The policy seeks to ensure lawfully established activities are protected and that setbacks are provided. This is agreed and will need to be supported with robust planning (for lawful establishment) and technical (acoustic) reporting where any setback is proposed.
Point Number	182.11
Summary of Decision Requested:	Retain Policy 4.4.5 Objectionable odour, as notified.
Decision Reasons:	<ul style="list-style-type: none"> The policy seeks to ensure lawfully established activities are protected and that setbacks are provided. This is agreed and will need to be supported with robust planning (for lawful establishment) and technical (acoustic) reporting where any setback is proposed.
Point Number	182.12
Summary of Decision Requested:	Retain Objective 4.6.6 Manage adverse effects, as notified.
Decision Reasons:	<ul style="list-style-type: none"> Industrial activities are required to manage effects in accordance with Regional and District Plan provisions and any relevant resource consents.
Point Number	182.13
Summary of Decision Requested:	<p>Amend Policy 4.7.11 Reverse sensitivity to ensure that "protection" of sites generating adverse effects is extended only where those effects are lawfully established, as follows:</p> <p>(a) <i>Development and subdivision design minimises <u>lawfully established and operating</u> reverse sensitivity effects on adjacent sites, adjacent activities, or the wider environment; and</i></p> <p>(b) <i>Avoid potential reverse sensitivity effects of locating new dwellings in the vicinity of <u>lawfully established and operating</u> intensive farming, extraction industry or industrial activity.</i></p> <p>AND</p> <p>Amend provisions as consequential changes to give effect to the relief sought in the submission.</p>
Decision Reasons:	

- Activities which generate effects on adjoining sites should not be protected if there is no consented right to operate.

Point Number 182.14

Summary of Decision Requested: Retain Chapter 16.1 to 16.4 Residential Zone, as notified.

Decision Reasons:

- The provisions provided for suitable controls expected within a residential environment.

Submitter Number: 183

Submitter: Tracey Smith

Point Number 183.1

Summary of Decision Requested: Retain Rule 16.4 Subdivision.

Decision Reasons:

- No reasons provided.

Submitter Number: 184

Submitter: Vera Wennekers

Point Number 184.1

Summary of Decision Requested: Add a new zone titled 'Kimihi Lakes Recreation and Events Zone' to the planning maps.

AND

Amend the zoning of the parcels of land with the legal descriptions Section 3 SO 482553, Lot 1 DPS 20619, Section 1 SO Plan 60522, Allotment 740 Parish of Taupiri, Allot 857 Parish of Taupiri and Allotment 6 Parish of Taupiri from Rural Zone to the proposed Kimihi Lakes Recreation and Events Zone (See table 6.1 within the submission for details).

AND

Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- There is currently no zone/provisions within the Proposed District Plan that provide for a land use such as the Propose Kimihi Lakes Recreation and Events Park. Neither do the provisions contained within the existing zones be able to be relied on to establish the park.
- The District Plan provides for these 'out-of-box' developments through the creation of purpose-written zones (e.g. Hampton Downs Motorsport Park Zone). A comparison can be made between these sites and the Recreation and Events Park.
- Relying on resource consent creates uncertainty and may result on going costs and time delays and is deemed an uneconomic option.
- A specific overlay is not appropriate. It is recognised that overlays are in relation to significant tracts of land covering various zones (SNA etc).
- Waikato District Council no longer desire the use of site specific schedules within the district plan.
- The adoption of specific zoning is appropriate and will achieve the sought outcome.
- Excludes the existing Lake Kimihi which is owned and managed by the Department of Conservation.

Point Number 184.2

Summary of Decision Requested: Add a new section 9.5 Kimihi Lakes Recreation and Events Zone within Chapter 9 Specific Zones containing objectives and policies specifically catering for the Kimihi Lakes Recreation and Events Zone as set out in section 4.2.2 of the submission.

AND

Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- There is currently no zone/provisions within the Proposed District Plan that provide for a land use such as the Propose Kimihi Lakes Recreation and Events Park. Neither do the provisions contained within the existing zones be able to be relied on to establish the park.
- The District Plan provides for these 'out-of-box' developments through the creation of purpose-written zones (e.g. Hampton Downs Motorsport Park Zone). A comparison can be made between these sites and the Recreation and Events Park.
- Relying on resource consent creates uncertainty and may result on going costs and time delays and is deemed an uneconomic option.
- A specific overlay is not appropriate. It is recognized that overlays are in relation to significant tracts of land covering various zones (SNA etc).
- Waikato District Council no longer desire the use of site specific schedules within the district plan.
- The adoption of specific zoning is appropriate and will achieve the sought outcome.

Point Number 184.3

Summary of Decision Requested: Add a new definition for "Ancillary Buildings (Kimihi Lakes Recreation and Events Park)" to Chapter 13 Definitions as follows:

Means a supporting building that is subordinate and incidental to a permitted activity undertaken in the Park, including storage units, administration and ablution facilities and clubrooms.

AND

Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- New provisions are required to support the establishment of a zone to enable development of the Kimihi Lakes Recreation and Events Zone.

Point Number 184.4

Summary of Decision Requested: Add a new definition for "Commercial Node Areas" to Chapter 13 Definitions as follows:

Means those specified areas identified on Zone Maps in the Kimihi Lakes Recreation and Events Zone as 'Commercial Node Areas'.

AND

Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- New provisions are required to support the establishment of a zone to enable development of the Kimihia Lakes Recreation and Events Zone.

Point Number 184.5

Summary of Decision Requested: **Add** a new definition for "Community Activities and Facilities (Kimihia Lakes Recreation and Event Park)" to Chapter 13 as follows:

Means in the Kimihia Lakes Recreation and Events Zone, land or building used for community activities, generally established on a not-for-profit basis, and includes buildings for educational purposes, community functions and public toilets or public rooms.

AND

Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- New provisions are required to support the establishment of a zone to enable development of the Kimihia Lakes Recreation and Events Zone.

Point Number 184.6

Summary of Decision Requested: **Add** a new definition for "Operational Facilities" to Chapter 13 Definitions as follows:

Means the construction and use of facilities and/or infrastructure to assist in the day to day operation of the Kimihia Lakes Recreation and Events Parks, including but not limited to car parking, internal access, ticketing offices, storage and maintenance sheds, and helipads.

AND

Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- New provisions are required to support the establishment of a zone to enable development of the Kimihia Lakes Recreation and Events Zone.

Point Number 184.7

Summary of Decision Requested: **Add** a new definition for "Outdoor Education" to Chapter 13 Definitions as follows:

Means in the Kimihia Lakes Recreation and Events Zone, land or buildings used for the formal or informal education or training and includes (but is not limited to) confidence courses.

AND

Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- New provisions are required to support the establishment of a zone to enable development of the Kimihia Lakes Recreation and Events Zone.

Point Number 184.8

Summary of Decision Requested: **Add** a new definition for "Outdoor Pursuits" to Chapter 13 as follows:

Means moving across land by non-powered means for example biking, orienteering, tramping, and horse trekking.

AND

Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- New provisions are required to support the establishment of a zone to enable development of the Kimihia Lakes Recreation and Events Zone.

Point Number 184.9

Summary of Decision Requested: **Add** a new definition for "Recreation Activity and Facilities" to Chapter 13 Definitions as follows:

Means any non-motorised indoor or outdoor passive or active leisure, sports, entertainment, games or recreational pursuits and buildings in the Kimihia Lakes Recreation and Events Park Zone for participants and/or spectators, whether or not they are undertaken for profit or reward or for which no charge is made, and shall include such activities on or in water or land, or in the air and includes but is not limited to:

- *Recreational events and activities*
- *Walking, running and cycling tracks*
- *Training or education*
- *Club Days and practice activities*
- *Organised Events and festivals*
- *Concerts*
- *Multi-sport and off road running events*
- *Outdoor skate parks and playgrounds*
- *Informal Recreation*
- *Tourism related activities*
- *Outdoor Pursuits*

AND

Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- New provisions are required to support the establishment of a zone to enable development of the Kimihia Lakes Recreation and Events Zone.

Point Number 184.10

Summary of Decision Requested: No specific decision sought, but the submission notes that the of the Regional Infrastructural Specifications (RITS) and the Waikato Regional Council Regional Plan will be the relevant documents for some developments in the Kimihia Lakes Recreation and Events Park.

Decision Reasons:

- No reasons provided.

Point Number

184.11

Summary of Decision Requested:

Amend the zoning of the parcels of land with the legal descriptions Allotment 746 Parish of Taupiri, Lot 20 DP 347582, Lot 21 DP 347582, Allotment 777 Parish of Taupiri and Lot 23A Section 463 Parish of Taupiri from Rural Zone to Residential Zone (See Table 6.1 of the submission for further details).

AND

Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- This area is located abutting existing Residential Zoned land and so forms a contiguous residential tract, ensuring services and infrastructure can easily be extended to the new residential area.
- Tunnel mining was undertaken west of the site and under the Huntly township including State Highway 1, Schools, the Power Station, the Waikato River and Riverine Lakes but no tunnel mining was undertaken at the Huntly East Mine. Subsidence as a result of mining would not occur in this location. Residential use of the land is therefore not subject to that risk.

Point Number

184.12

Summary of Decision Requested:

Retain the Residential Zone on the parcels of land with the legal descriptions Lot 18 DP 347582, Lot 19 DP 347582, Sec 3 SO Plan 400374, Allot 515 Parish of Taupiri and Allot 789 Parish of Taupiri (see table 6.1 of the submission for further details).

Decision Reasons:

- Tunnel mining was undertaken west of the site and under the Huntly township including SH1, schools, the Power Station, the Waikato River and Riverine lakes but no tunnel mining was undertaken at the Huntly East Mine. Subsidence as a result of mining, would not occur in this location. Residential use of the land is therefore not subject to that risk.

Point Number

184.13

Summary of Decision Requested:

Add a new Chapter 29 Kimihia Lakes Recreation and Events Zone that contains rules for the Kimihia Lakes Recreation and Events Zone as outlined within section 4.2.4 of the submission.

AND

Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- There is currently no zone/provisions within the Proposed District Plan that provide for a land use such as the Proposed Kimihia Lakes Recreation and Events Park. Neither do the provisions contained within the existing zones be able to be relied on to establish the park.
- The District Plan provides for these 'out-of-box' developments through the creation of purpose-written zones (e.g. Hampton Downs Motorsport Park Zone). A comparison can be made between these sites and the Recreation and Events Park.
- Relying on resource consent creates uncertainty and may result on going costs and time delays and is deemed an uneconomic option.
- A specific overlay is not appropriate. It is recognised that overlays are in relation to significant tracts of land covering various zones (SNA etc).
- Waikato District Council no longer desire the use of site specific schedules within the district plan.
- The adoption of specific zoning is appropriate and will achieve the sought outcome.

Point Number

184.14

Summary of Decision Requested:

Amend Rule 14.12.1 Activity specific conditions 14.12.1.1(1)(e) relating to P1 Vehicle access for all activities, as follows:

(1) All activities must comply with the following vehicle access conditions:

...

(e) On a site with legal access to two roads, the activity only accesses the road with the lower classification in the road hierarchy in Tables 14.12.5.5 and 14.2.5.6 (where the roads have the same classification, access is only to the road with the lower average daily traffic movements) except in the Kimihia Lakes Recreation and Events Zone where this rules does not apply;

...

AND

Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- New provisions are required to support the establishment of a zone to enable development of the Kimihia Lakes Recreation and Events Zone.

Point Number

184.15

Summary of Decision Requested:

Add a new clause (2) to Activity-specific conditions 14.12.1.2 relating to P2 on site parking and loading as follows:

(1) All activities must comply with the following...

(2) In the Kimihia Lakes Recreation and Events Zone the above standards do not apply, providing that:

(a) A minimum of 1500 on-site parking spaces shall be provided except where activities are undertaken within the carpark area or where activity demand exceeds 1500 car parks, then the temporary alternative on-site parking shall be provided.

AND

Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- New provisions are required to support the establishment of a zone to enable development of the Kimihia Lakes Recreation and Events Zone.

Point Number

184.16

Summary of Decision Requested:

Add clause (j) to Activity-specific condition 14.12.1.4(1) relating to P4 traffic generation as follows:

(1) Any activity must comply with the following traffic generation conditions:

...

(j) Within the Kimihia Lakes Recreation and Events Zone, there shall be no maximum traffic generation provided that:

(g) A certified Traffic Management Plan (which shall include, but is not limited to, the provisions of a wide area assessment) shall be in place and implemented for all activities. The Traffic Management Plan shall:

(i) Provide for the supervision and control of patrons entering and exiting the Kimihia Lakes Recreation and Events Park, and the transportation of patrons to and from the Park;

(ii) Limit the speed of traffic within the Kimihia Lakes Recreation and Events Park to 30km/h

(iv) Provide for monitoring and reporting on the number of vehicle movements for all activities and events;

(v) Include protocols for undertaking reviews of the Traffic Management Plan by an Implementation Monitoring Committee consisting of the New Zealand Police, the Council and the Kimihia Lakes Recreation and Events Park operator

(vi) Be reviewed, certified and endorsed by Council, by (date) of each year.

(b) For any activity or event, or combination of activities and events where there is likely to be in excess of 5,000 people, the operator of the park shall advise the Council a minimum of 10 working days before the activity and event occurs of the details of the activity and event and the relevant provisions of the Traffic Management Plan that are to be implemented.

AND

Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- New provisions are required to support the establishment of a zone to enable development of the Kimihia Lakes Recreation and Events Zone.

Point Number

184.17

Summary of Decision Requested:

Add clause (b) to Activity-specific conditions 14.12.1.8 relating to P8 Off-road pedestrian and cycle facilities, as follows:

(b) In the Kimihia Lakes Recreation and Events Zone there shall be no activity specific conditions.

AND

Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- New provisions are required to support the establishment of a zone to enable development of the Kimihia Lakes Recreation and Events Zone.

Submitter Number:

185

Submitter:

Grant & Merelina Burnett

Point Number

185.1

Summary of Decision Requested:

Amend the zoning of the property at 50 Te Awa Lane, Tamahere from Rural Zone to Country Living Zone.

Decision Reasons:

- The Local Purpose Reserve - Walkway vested in Waikato District provides the logical separation point between the Te Awa Lane cul-de-sac Country Living Zone and a Rural Zone.
- The site is bordered to the north and east by Country Living Zoned sites with an average lot size of 1ha.
- The site is legally and physically separated from adjoining lots zoned Rural where a potential for amalgamation would otherwise exist to give effect to sustainable rural land use according to the Zone;
- Sustainable rural land uses are dictated by minimum parent lot size pre-and post-subdivision in Chapter 22 of the Proposed Waikato District Plan which do not align with the size of the site; and
- Should the owners wish to use that site under an intensive or horticultural rural land use, consent is highly likely to be granted in consideration of high-risk reverse sensitivity effects in a locality where the site is immediately surrounded on all boundaries with land use activities that are residential in character.
- See attachment to the submission for further information and photos.

Submitter Number:

186

Submitter:

Taik Seok Hwang

Point Number

186.1

Summary of Decision Requested:

Amend the zoning of the property at 111 A Buckville Road, Pukekohe from the Rural Zone to Country Living Zone.

Decision Reasons:

- The surrounding area to the north and west within the Auckland Council territory boundary has been zoned Future Urban Zone under the Auckland Unitary Plan.
- This could mean residential housing, and therefore a residential environment in this locality rather than a large open space rural environment.
- Given the close proximity to Buckland and Pukekohe, a change of zone from Rural to Country Living Zone is a logical progression in zoning for this area.

Submitter Number:

187

Submitter:

Heather Parker

On behalf of:

Warren & Heather Parker

Point Number

187.1

Summary of Decision Requested:

Add the property opposite 24 Kernott Road, Horotiu to Schedule 30.4 Maori Areas of Significance.

Decision Reasons:

- The land at the beginning of Kernott Rd have identified as "Kernott Gardens" in Schedule 30.4 Maaori Areas of Significance. The land opposite 24 Kernott Rd has a similar number of borrow pits and these are not protected nor does the property have any housing on it. The submitter considers that the borrow pits on this property should be protected as an area of significance.

Point Number 187.2

Summary of Decision Requested: Ensure the property opposite 24 Kernott Road, Horotiu is not made Residential.

Decision Reasons:

- This property has a number of borrow pits on it. The submitter considers the property should be included in the Kernott Road gardens and not be made residential.

Submitter Number: 188

Submitter: Sheryl Tukiri

Point Number 188.1

Summary of Decision Requested: Retain Chapter 2 Tangata Whenua as notified.

Decision Reasons:

- These changes are allowing Maori to use the land and develop the land for more of the whanau and are protecting Maori heritage, especially for future generation (Mokopuna).

Point Number 188.2

Summary of Decision Requested: Retain the provisions for Maori Freehold Land as opposed to Paa Zone.

Decision Reasons:

- These changes are allowing Maori to use the land and develop the land for more of the Whanau.

Point Number 188.3

Summary of Decision Requested: Retain the rules for permitted activities on Maaori Freehold land.

Decision Reasons:

- These changes are allowing Maori to use the land and develop the land for more of the Whanau.

Point Number 188.4

Summary of Decision Requested: Retain Schedule 30.3 Maaori Sites of Significance.

Decision Reasons:

- The submitter likes how council has started to protect Maori heritage for future generations.

Submitter Number: 189

Submitter: Kane Ongley

Point Number 189.1

Summary of Decision Requested: Amend Map 23.4 to realign the walkway/cycleway/bridleway adjacent to 31 Bay View Road, Raglan to avoid the cliff area.

Decision Reasons:

- The route shown on Map 23.4 is impracticable, as the cliff top is unstable and dangerous. Submitter suggests a better route would be a board walk along the base of the cliff.

Submitter Number: 190

Submitter: John Brannan

Point Number 190.1

Summary of Decision Requested: Delete the proposed walkway around the boundary of the Waikare Golf Club property.

Decision Reasons:

- The Waikare Golf course is private property and therefore not available for public use.
- There is a risk of injury from golf balls.
- Dogs are not permitted on the course.
- This walkway is not feasible as the land surrounding the course will be developed for housing, so there will only be access to the golf course not the wetlands.

Submitter Number: 191

Submitter: Neil Fredricson

Point Number	191.1
Summary of Decision Requested:	Delete the proposed walkway on the Waikare Golf Club grounds.
Decision Reasons:	<ul style="list-style-type: none"> The submitter considers there is danger to the general public if the walkway goes ahead. This would also affect the driveway, the tenth tee and the fairway.

Submitter Number:	192	Submitter:	Ngarita Goode
Point Number	192.1		
Summary of Decision Requested:	Delete the proposed walkway on the Waikare Golf Club grounds.		
Decision Reasons:	<ul style="list-style-type: none"> The Waikare Golf Course is private land and used by all the community. A walkway in this area would be a hazard and a breach of health and safety laws. There would be a substantial cost to purchase this land for a walkway. 		

Submitter Number:	193	Submitter:	Neil Goode
Point Number	193.1		
Summary of Decision Requested:	Delete the proposed walkway on the Waikare Golf Club grounds.		
Decision Reasons:	<ul style="list-style-type: none"> The Waikare Golf Course is private land and used by all the community. A walkway in this area would be a hazard and a breach of health and safety laws. Any access would likely need to be totally enclosed and would be costly and visually detrimental to the amenity of the course. There would be a substantial cost to purchase this land for a walkway. 		

Submitter Number:	194	Submitter:	Neil Barker
Organisation:	Ngaruawahia Golf Club Inc		
Point Number	194.1		
Summary of Decision Requested:	<p>Add a Permitted or Controlled Activity to Rule 25.1 Land Use - Activities for golf courses and their ancillary uses</p> <p>OR</p> <p>Delete the Reserves Zones from the Proposed District Plan and replace with the approach used by Hamilton City Council which individually classifies recreation spaces according to their purpose.</p>		
Decision Reasons:	<ul style="list-style-type: none"> Golf courses are classed as non-complying activity. Ngaruawahia Golf Club is recognised nationally for the quality of the course and ease of access. The location of the golf club allows for ease of access from both Auckland and Hamilton and is played regularly by those travelling the North Island. The course has long brought visitors to the Waikato district, who in turn spend money at local businesses. Ngaruawahia Golf Club facilities are not only utilised for golf, but community events and fundraisers throughout the year. The site has potential to serve the community in an increased capacity, but is concerned about the flexibility of the plan to allow for this. While the rezoning of the site from Rural to Reserve does not increase restrictions, it does contribute. The submitter seeks to clarify its ability to accommodate future ancillary uses of the golf course as a permitted activity. This may include the formalisation of the existing driving range, which would see low-level buildings and some fencing along Great South Road. 		
Point Number	194.2		
Summary of Decision Requested:	<p>Amend Chapter 25: Reserve Zone to provide opportunities to develop land for small-scale commercial activities as a Restricted Discretionary Activity, consistent with the objectives of the Reserve Zone – Chapter 8: Reserves.</p> <p>OR</p> <p>Delete the Reserves Zone from the Proposed District Plan and replace with the approach used by Hamilton City Council which individually classifies recreation spaces according to their purpose.</p>		
Decision Reasons:	<ul style="list-style-type: none"> These future initiatives are consistent with what the Proposed District Plan seeks to achieve in the Reserve Zone and what is currently being undertaken on site. The site has potential to serve the community in an increased capacity, but is concerned about the flexibility of the plan to allow for this. The submitter seeks to clarify its ability to accommodate future ancillary uses of the golf course as a permitted activity. This may include the formalization of the existing driving range, which would see low-level buildings and some fencing along Great South Road. This activity is intended for club members, but a small number of fee-paying participants may look to use the facility. If Council considers this to be a commercial activity, then Council should see this as a minor activity and classify it a Restricted Discretionary Activity, rather than a Non-Complying Activity. 		
Point Number	194.3		
Summary of Decision Requested:	Amend Chapter 25: Reserve Zone to allow other recreation activities to be accommodated as Restricted Discretionary Activities, consistent		

with the objectives of the Reserve Zone – Chapter 8: Reserves.

OR

Delete the Reserves Zone from the Proposed District Plan and replace with the approach used by Hamilton City Council which individually classifies recreation spaces according to their purpose.

Decision Reasons:

- Wish to consider further recreational facilities.
- These future initiatives are consistent with what the Proposed District Plan seeks to achieve in the Reserve Zone and what is currently being undertaken on site.
- The site has potential to serve the community in an increased capacity, but is concerned about the flexibility of the plan to allow for this. While the rezoning of the site from Rural to Reserve does not increase restrictions, it does contribute.
- Future population growth to the north of Hamilton and adjacent to site will see increased demand for sport and recreation.
- Future development of the site may include, for example, a fitness suite or squash court.
- These types of uses will benefit the community and Ngaruawahia Golf Club a leading recreation provider in the region, however such activities are currently Non-Complying Activities.

Point Number

194.4

Summary of Decision Requested:

Amend Rule 25.2.7 Signs to provide for signage on sites with road frontage over 500 metres at a ratio of one non-illuminated sign per 150 metres of road frontage as a controlled activity, with a maximum sign area of 3m² (or similar wording).

Decision Reasons:

- The site has almost 1000 meters of road frontage to this former state highway. The submitter does not seek to swamp the boundary with signage, but see increased flexibility to put more signage up and generate a small amount of revenue to pay for this community asset. They key concern for all Club members when discussing signage is they do not want to see the natural amenity of the area degraded by advertising, because the members value this natural setting too.
- While two or more signs would be deemed a Restricted Discretionary Activity, this is overly onerous and provision should be made so that the number of signs on a site is dependent on the length of road frontage.

Submitter Number:

195

Submitter:

Chris Ryan

Point Number

195.1

Summary of Decision Requested:

Amend the zoning of the Kimihia Open Cast Mine to a multi-purpose recreation and events zone alongside a residential zone as set out in the submission from Allen Fabrics Limited.

Decision Reasons:

- The District Council recognises the need for economic development in this part of the Waikato (Huntly area).
- It seeks to create assets for a hole in the ground that would otherwise have limited economic and social benefit for the Huntly community.
- The plans proposed by Allen Fabrics addresses any possible adverse effects such as traffic, signs etc.
- There are obvious deficiencies at this stage of the proposal in terms of detail as to the numbers of business operations such as cafes and specific locations of supporting infrastructure including entry and exit points to the lake, numbers and locations of car parking spaces etc. The requested zoning makes the future development easier, which would benefit the developers and the Waikato District Council.
- The conversion of past open cast mines into lakes used for recreation, leisure and tourism, and for environmental causes such as provision of nesting areas for waterfowl is common. e.g Oceana Gold has mooted it in other parts of New Zealand such as at Waihi.
- When developed as an integrated resource that can include hotel and conference facilities (along with water sports and recreation usage that can incorporate sporting competitions) significant economic benefits can occur.
- The geographical position of Huntly and the increasing ease of accessibility to the Auckland market are factors that could contribute to the eventual success of the project to the benefit of the Huntly community.
- The request for zoning classification being sought is mutually advantageous to three key stakeholders – Allen Fabrics, The Waikato District Council and the broader Huntly Community by facilitating future planning of the development.

Submitter Number:

196

Submitter:

Derek and Colleen Hartley

Point Number

196.1

Summary of Decision Requested:

Delete Rule 23.4.2 RD 1(a) (i) and (ii) so that net site areas are not prescribed.

Decision Reasons:

- Rule should allow for discretion and subdivision to net site areas which do not materially/significantly affect the amenity values.
- Rule that creates the Airport Subdivision Control Boundary unnecessarily constrains subdivision potential of land within that boundary.
- Many sites in surrounding area are considerably less than 5000 m² and do not materially or significantly affect amenity values of the country living zone.
- Councils section 32 report dated July 2018 acknowledges a balanced approach is most beneficial to achieve country living zone objectives.
- Report further states there must be recognition of having land too small for farming but too large to maintain as gardens.

Point Number

196.2

Summary of Decision Requested:

Delete the Airport Subdivision Control Boundary from the Proposed District Plan.

Decision Reasons:

- The Designation unnecessarily constrains subdivision of land within the airport subdivision control boundary.
- Designation does not significantly/materially enhance the principles of the Country Living Zone.
- Enquiries with WDC cannot identify documents/evidence to support Zoning or Designation.

- The Noise from airport operations can be adequately protected by noise insulation techniques and rules for new dwellings.
- Existing lots less than 5000m2 have no impact on principles of the Country Living Zone.

Submitter Number:	197	Submitter:	Jeska McHugh
Organisation:	NZ Pork		
Point Number	197.1		
Summary of Decision Requested:	Retain Policy 4.1.10 - Tuakau.		
Decision Reasons:	<ul style="list-style-type: none"> • The submitter supports a policy directive of avoidance of potential reverse sensitivity effects on existing intensive farming activities in Tuakau. 		
Point Number	197.2		
Summary of Decision Requested:	Retain Policy 4.1.15 Ngaruawahia.		
Decision Reasons:	<ul style="list-style-type: none"> • The submitter supports a policy directive of avoidance of potential reverse sensitivity effects on existing intensive farming activities in Ngaruawahia. 		
Point Number	197.3		
Summary of Decision Requested:	Retain Policy 4.7.1.11 Reverse Sensitivity.		
Decision Reasons:	<ul style="list-style-type: none"> • The relationship of rural and urban activities at the interface must be a key consideration in master planning and structure planning for urban growth. • Supports the policy directive of avoidance of potential reverse sensitivity effects of locating new dwellings in the vicinity of an intensive farm. 		
Point Number	197.4		
Summary of Decision Requested:	Amend Objective 5.1.1 The rural environment, as follows: <i>(a) Subdivision, use and development within the rural environment where:</i> <i>(i) high class soils <u>and rural production land is</u> are-protected for productive rural activities;</i> <i>(ii) productive rural activities are supported, while maintaining or enhancing the rural environment;</i> <i>(iii) urban subdivision, use and development in the rural environment is avoided.</i> <i>(iv) <u>managing the opportunities for countryside living in rural areas in ways that provide for rural-residential development in close proximity to urban areas and the larger towns and villages while minimising the loss of rural production land.</u></i>		
Decision Reasons:	<ul style="list-style-type: none"> • The submitter supports a strong strategic objective for the rural environment • The objective should be extended to the projection of rural land for productive purposes as while high-class soils are important, so too is the productive capacity of rural land more generally. • The submitters suggest the strategic directive should also contain a direction on managing countryside living. 		
Point Number	197.5		
Summary of Decision Requested:	Retain Objective 5.3.1 Rural character and amenity.		
Decision Reasons:	<ul style="list-style-type: none"> • NZPork supports an objective seeking to maintain rural character and amenity subject to a good understanding on what those characteristics and amenity is for the rural area as developed through the policy framework. 		
Point Number	197.6		
Summary of Decision Requested:	Retain Policy 5.3.2– Productive rural activities.		
Decision Reasons:	<ul style="list-style-type: none"> • The submitter supports the directive policy for recognising and protecting the continued operation of the rural environment as a productive working environment. • It is noted that the policy recognition does not align with the limitation on building coverage for rural buildings. 		
Point Number	197.7		
Summary of Decision Requested:	Retain Policy 5.3.4 – Density of dwellings and buildings within the rural environment.		
Decision Reasons:	<ul style="list-style-type: none"> • The submitters support the policy recognizing the need for dwellings to support workers accommodation while noting the method provides a size limitation that would not support a family unit. 		
Point Number	197.8		

Summary of Decision Requested:	Retain Policy 5.3.5 - Earthworks activities.
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports policy support for a permitted activity range for ancillary farming earthworks.
Point Number	197.9
Summary of Decision Requested:	Retain Policy 5.3.6 Intensive farming activities.
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports specific policy support for intensive farming activities and that they operate in accordance with industry best practice.
Point Number	197.10
Summary of Decision Requested:	Retain Policy 5.3.7 Reverse sensitivity effects, except for the amendments sought below AND Amend Policy 5.3.7 (a)(ii) Reverse sensitivity effects as follows: <i>(ii) Noise, odour, dust, traffic and visual effects associated with the use of land for farming, horticulture, <u>Intensive Farming</u>, forestry, farm quarries;</i>
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports policy that provides for intensive farming activities, recognising the potential adverse effects that need to be managed, including noise, visual amenity, rural character or landscape effects, and odor. These effects are typical of the rural environment and the policy would be improved by recognizing this along with other farming horticulture, forestry, and farm quarries.
Point Number	197.11
Summary of Decision Requested:	Retain Policy 5.3.8 Effects on rural character and amenity from rural subdivision.
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports clear policy on managing effects on rural character and amenity from rural subdivision.
Point Number	197.12
Summary of Decision Requested:	Amend the definition for "Ancillary rural earthworks" in Chapter 13 Definitions to include the following activities: <i><u>burying of material infected by unwanted organisms as declared by Ministry, for Primary Industries Chief Technical Officer or an emergency declared by the Minister under the Biosecurity Act 1993.</u></i>
Decision Reasons:	<ul style="list-style-type: none"> A permitted activity status and the exclusion of ancillary rural earthworks from the definition of earthworks is supported but should be amended to manage biosecurity responses.
Point Number	197.13
Summary of Decision Requested:	Amend the definition for "Building" in Chapter 13 Definitions to clearly exclude mobile shelters for outdoor pigs from the definition of building.
Decision Reasons:	<ul style="list-style-type: none"> The definition must clearly exclude mobile shelters for outdoor pigs from the definition of building.
Point Number	197.14
Summary of Decision Requested:	Retain the definition for "Minor Dwelling" in Chapter 13 Definitions AND Amend the Proposed District Plan to include provisions for onsite farm workers accommodation of sufficient size to accommodate a family.
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports the recognition of the need for additional dwellings on rural properties, ancillary to the principal dwelling. There is a lack of provision of onsite farm workers accommodation of sufficient size to accommodate a family.
Point Number	197.15
Summary of Decision Requested:	Retain the definition for "Rural Industry" in Chapter 13 Definitions subject to clarifying that rurally located feedmills and feed manufacturing activities are included in this definition.
Decision Reasons:	<ul style="list-style-type: none"> The definition is generally supported subject to clarity that rural located feedmills and feed manufacturing activities are included in this definition.
Point Number	197.16
Summary of Decision Requested:	Amend the definition for "Sensitive land use" in Chapter 13 Definitions as follows: <i>Means an education facility including a childcare facility, waananga, and kohanga reo, a residential activity, papakainga building, rest home, retirement village, travellers accommodation, home stay, health facility or hospital, <u>cafes, restaurants, tourism/entertainment activities, community services.</u></i>
Decision Reasons:	

- Sensitive land use activities from a pork production perspective are broader than the activities listed in the proposed definition and are activities often located or seeking to locate in rural areas.

Point Number 197.17

Summary of Decision Requested: **Retain** Rule 22.1.2 P7 Permitted Activities, as notified.

Decision Reasons:

- The submitter supports the Permitted Activity status for Farming.

Point Number 197.18

Summary of Decision Requested: **Amend** Rule 22.1.3 RD1 Restricted Discretionary Activities, as follows:

INTENSIVE PIG FARMING is a restricted discretionary activity subject to meeting the following standards:

(a) Compliance with the setback standards.

(b) Activity does not generate dust or odour which create a nuisance at or beyond the boundary of a site.

(c) Activity to operate in accordance with Pork Industry Board Code of Practice and Environmental Management Industry Guide.

(d) Activity has an Industry Approved Farm Environment Plan.

OUTDOOR PIG FARMING is a restricted discretionary activity subject to meeting the following standards:

(a) Compliance with the setback standards.

(b) Groundcover is maintained in accordance with best farming practices including any relevant industry good management practices.

(c) Activity does not generate dust, which create a nuisance at or beyond the boundary of a site.

(d) Activity has an Industry Approved Farm Environment Plan.

AND

Add a new rule to Rule 22.1.5 Discretionary activity that any activity that breaches these standards is a Discretionary Activity.

Decision Reasons:

- NZPork opposes the 3% building coverage limitation.
- There is a number of indoor piggeries (Intensive Pig Farming) that do not need the expansive farm land unrelated to the activity that this condition requires.
- Producers must meet the requirements of both the Animal Welfare (Pigs) Code of Welfare 2010 and the PigCare™ program. This includes a minimum lying space allowance for growing pigs.
- Pork production requires additional building areas for: grain milling, feed storage, plant and equipment rooms, and staff housing.
- NZPork supports a setback regime for pigs in both intensive and extensive situations.
- NZPork opposes the threshold numbers, which are arbitrary relative to effects. It is assumed this is 500 pigs at one time, which might mean 50 sows plus progeny. A medium sized farm with 400 sows would have 4800 pigs.
- A more effective and efficient method would be to separately define Intensive and Extensive farming and to provide performance standards around each given the different effects.
- NZPork supports reducing the overlap between the regional and local authority, and thereby reducing planning costs and timeframes.
- Air quality is an important resource management issue and one that requires an integrated approach between regional and local authorities. Issues relating specifically to air quality (dust and odor), rather than general amenity or reverse sensitivity effects, are more appropriately addressed through the regional plan by the Waikato Regional Council as is currently the case.
- The regional Council controls stock numbers for Extensive Farming through Plan Change 1. The justification for Waikato District Council to set a 500 pig per site threshold is not clear.
- Within the Rural Zone, farming activities and their associated effects should generally be expected to occur and therefore there should be an element of tolerance for this activity type. This sentiment is expressed through the creation of an extensive farming definition and rendering this activity type as permitted. This allows those activities that cause little or no effect to occur without needing resource consent.
- By having a definition for extensive and intensive farming, it provides clarity as to where a particular activity sits on the spectrum and if resource consent requirements have been triggered. There is a clear delineation between what could be considered an 'extensive' farm and an 'intensive' farm. An extensive farm would be considered to involve outdoor operations, with low stocking densities, grass cover being maintained, with low amounts of dust and odor being discharged from the activity. An intensive farm would primarily consist of an indoor high stock density operation.

Point Number 197.19

Summary of Decision Requested: **Retain** Rule 22.2.1.1 P1 Noise – General, as notified.

Decision Reasons:

- The submitter supports the Permitted Activity status for farming.

Point Number 197.20

Summary of Decision Requested: **Retain** Rule 22.2.2 P1 Glare and Artificial Light Spill, as notified.

Decision Reasons:

- The submitter supports the Permitted Activity status for vehicles used in farming activities and agricultural equipment.

Point Number 197.21

Summary of Decision Requested: **Retain** Rule 22.2.3.1 P1 Earthworks – General, as notified.

Decision Reasons:

- The submitter supports the Permitted Activity status for Ancillary Farming Earthworks.

Point Number	197.22
Summary of Decision Requested:	<p>Retain Rule 22.2.3.1 P2 Earthworks- General, insofar as supporting the permitted and restricted discretionary activity thresholds (volume and area) for earthworks in the Rural Zone</p> <p>AND</p> <p>Delete Rule 22.2.3.1 P2 (iii) Earthworks – General requiring all earthworks to be setback 1.5m from all boundaries.</p>
Decision Reasons:	<ul style="list-style-type: none"> • The Permitted and Restricted Discretionary Activity thresholds (volume and area) for earthworks in the Rural Zone are supported. • The submitter would not support a more onerous activity status for earthworks, • The submitter opposes the requirement that all earthworks are setback 1.5m from all boundaries.
Point Number	197.23
Summary of Decision Requested:	<p>Delete the conditions from Rule 22.3.2 P1 Minor dwelling</p> <p>OR</p> <p>Add separate provisions for farm workers accommodation.</p>
Decision Reasons:	<ul style="list-style-type: none"> • A minor dwelling that might be used for farm workers accommodation appears to be limited by conditions that do not support a viable farm workers requirement. • Larger and more intensive rural production activities will often require the onsite provision of farm workers accommodation to provide onsite farm assistance, animal husbandry, and security. • A 70m2 limitation would not support a farm worker and family and the requirement that the minor dwelling be located 20m from the dwelling does not allow for privacy.
Point Number	197.24
Summary of Decision Requested:	Delete Rule 22.3.6 Building coverage.
Decision Reasons:	<ul style="list-style-type: none"> • Building coverage standards are utilised to control stormwater, character and amenity effects. Other technical standards can be adopted to effectively manage stormwater, • It is considered that Rural Buildings irrespective of their size are an accepted element of rural character and amenity. • The building coverage limitation and subsequent discretionary activity status for non-compliance is a constraint for rural production activities and will not encourage reinvestment or expansion in the Waikato. • Rural producers will look elsewhere for more supportive planning frameworks.
Point Number	197.25
Summary of Decision Requested:	Retain Rule 22.3.7.1 P1 Building setbacks – All boundaries, as notified.
Decision Reasons:	<ul style="list-style-type: none"> • The submitter supports setbacks for habitable buildings from site boundaries to manage reverse sensitivity • Physical separation achieved through a defined setback regime is supported by NZ Pork as an effective method to avoid, remedy or mitigate potential conflicts and reverse sensitivity issues.
Point Number	197.26
Summary of Decision Requested:	Retain Rule 22.3.7.1 P2 Building setbacks – All boundaries, as notified.
Decision Reasons:	<ul style="list-style-type: none"> • The submitter supports setbacks for inhabitable buildings. • Physical separation achieved through a defined setback regime is supported by NZ Pork as an effective method to avoid, remedy or mitigate potential conflicts and reverse sensitivity issues.
Point Number	197.27
Summary of Decision Requested:	Retain Rule 22.3.7.1 P3 Building setbacks – All boundaries, as notified.
Decision Reasons:	<ul style="list-style-type: none"> • The submitter supports setbacks for habitable buildings from site boundaries to manage reverse sensitivity. • Physical separation achieved through a defined setback regime is supported by NZ Pork as an effective method to avoid, remedy or mitigate potential conflicts and reverse sensitivity issues.
Point Number	197.28
Summary of Decision Requested:	Retain Rule 22.3.7.1 P4 Building setbacks – All boundaries, as notified.
Decision Reasons:	<ul style="list-style-type: none"> • The submitter supports setbacks for inhabitable buildings. • Physical separation achieved through a defined setback regime is supported by NZ Pork as an effective method to avoid, remedy or mitigate potential conflicts and reverse sensitivity issues.
Point Number	197.29
Summary of Decision Requested:	Retain Rule 22.3.7.2 P1 Building setback sensitive land use as notified.

Decision Reasons:

- Physical separation achieved through a defined setback regime us supported by NZ Pork as an effective method to avoid, remedy, or mitigate potential conflicts and reverse sensitivity issues.

Point Number 197.30

Summary of Decision Requested: **Retain** Rule 22.4.9 RD1 Subdivision - Building platform, insofar as it requires a specified building platform for proposed lots
AND

Add a new matter of discretion to Rule 22.4.9 RD1 Subdivision – Building platform, as follows:
(b)(vii) The relationship of the building platform and future use of the site with surrounding rural production activities and measures to avoid for reverse sensitivity effects.

Decision Reasons:

- The requirement for a specified building platform for a proposed lot is supported.
- The matters of discretion need to be expanded to consider the relationship of the building platform and future use of the site with surrounding rural production activities.

Point Number 197.31

Summary of Decision Requested: **Amend** the definition for "Earthworks" in Chapter 13 Definitions to include the following:
burying of material infected by unwanted organisms as declared by Ministry for Primary Industries Chief Technical Officer or an emergency declared by the Minister under the Biosecurity Act 1993.

Decision Reasons:

- The plan should identify this to avoid delay in responding to a biosecurity threat.

Point Number 197.32

Summary of Decision Requested: **Retain** the definition of "Farming" in Chapter 13 Definitions as notified.

Decision Reasons:

- The inter-relationship between rural production activities, mixed farming operations and intensive farming must be encapsulated in the higher order rural production issues, objectives and policies.

Point Number 197.33

Summary of Decision Requested: **Retain** the definition of "Farming noise" in Chapter 13 Definitions as notified.

Decision Reasons:

- The definition is supported.
- Farming noise must not be subject to regulatory constraints for activities that are a typical and necessary part of the rural production environment.

Point Number 197.34

Summary of Decision Requested: **Amend** the definition of Impervious Surface in Chapter 13 Definitions as follows:
Means a surface such as a road, rooftop, footpath, paving, decking, swimming pool, patio, driveway, vehicle access and maneuvering area or highly-compacted soil that is not vegetated and does not infiltrate runoff.
It excludes wooden decks with spacing between boards of 4mm or more, where water is allowed to drain through to a permeable surface below the deck.
It excludes farm tracks comprised of compacted surfaces ancillary to rural production activities.

Decision Reasons:

- The definition must exclude farm tracks.

Point Number 197.35

Summary of Decision Requested: **Delete** reference to "free-range pig farming" from the definition of "Intensive farming" in Chapter 13: Definitions.
AND

Add a new definition to Chapter 13 Definitions for "Extensive Farming" as follows:
Extensive Farming
Means the keeping, breeding or rearing of stock for commercial purposes, on pasture at a stocking density that sustains the maintenance of pasture or ground cover.

Decision Reasons:

- NZPork opposes the inclusion of free-range pig farming in the definition of an intensive farming.
- These activities are dependent on the fertility of the soils on which the activity is located and in accordance with good management practice required to maintain grass cover
- Supplementary feed is brought on to the site, as is the case in many farming activities.

Submitter Number: 198

Submitter: Katherine Wilson

Organisation: Property Council New Zealand

Point Number	198.1
Summary of Decision Requested:	Place on hold the District Plan review process to align with the Ministry for the Environment's National Planning Standards, incorporate structure plans as a result of current blueprinting work and incorporate a Natural Hazards chapter.
Decision Reasons:	<ul style="list-style-type: none"> • This would provide the opportunity to incorporate the structure plans and natural hazards chapter at the same time of the review. • The Plan references structure plans, but there is an absence of structure plans in the Plan. • While the submitters support the blueprint exercise, especially considering the growth challenges the district faces, the timing is unfortunate and would have been more effective if the process had been undertaken prior to the notification of the Proposed District Plan, as the blueprinting exercise has the potential to require a further plan change to implement. • By placing the plan on hold, there is real potential to align the Ministry for the Environment's National Planning Standards and incorporate natural hazards into the District Plan. • The submitters are concerned that the natural hazards chapter has been omitted from the Proposed District Plan. It is challenging to consider the District Plan without knowing how a future inserted natural hazards chapter will relate to other chapters in the plan. • Given the vast array of natural hazards in the Waikato District, it is not realistic to progress the District Plan without natural hazards being considered in tandem with all other chapters. • This will ensure consistency and integration across the plan. • It will unlock the potential to align the Ministry for the Environment's National Planning Standards and incorporate structure plans as a result of the blueprinting exercise. • The Proposed District Plan acknowledges that cross boundary issues are common due to the Waikato District being located between two growing cities. The submitter has strongly supported the MfE's Draft National Planning Standards to ensure that standardisation of definitions is consistent between council plans. • The Council is silent on how they intend to implement the National Planning Standards once they come into force. • The submitter encourages the Council to think about the need to update this the Plan given the impending planning standards which will have set definitions and zone requirements across New Zealand.
Point Number	198.2
Summary of Decision Requested:	Retain the Proposed District Plan's approach to focus urban development and growth primarily into existing towns and villages near necessary infrastructure such as transport nodes.
Decision Reasons:	<ul style="list-style-type: none"> • Urban growth in the Waikato District is a fine balancing act between the need to foster and enhance growth to keep up with demand, and the need to protect its rich soils and landscapes. Tightening land control may deter investment resulting in developers believing Waikato is 'closed for business'. • In contrast, no strategic plan and loose controls will have environmental impacts and may result in fragmented pocket communities. • A carefully managed strategic plan is required to meet the regions interests and effectively plan for growth. • It is important to ensure people live in or near cities with good transport options, to have access to economic and social opportunities.
Point Number	198.3
Summary of Decision Requested:	Increase collaboration with other councils for the sharing of resources and infrastructure near or crossing boundary lines.
Decision Reasons:	<ul style="list-style-type: none"> • This is important because of the increased urban development in both the north and south. • It is encouraging to see the Council working closely with Auckland Council to ensure that infrastructure accommodates urban growth south of Auckland. • The sharing of infrastructure and services between the two districts is important. • It aligns with the Waikato District Development Strategy 2015. • The submitter supports the Councils' ongoing collaboration with other councils. • This will ensure that key stakeholders are aware of the infrastructure needs facing the region along with proposed future projects.
Point Number	198.4
Summary of Decision Requested:	Amend the planning standards to better align with the Hamilton to Auckland Corridor Network Plan.
Decision Reasons:	<ul style="list-style-type: none"> • This will ensure greater density around transport nodes, which in turn could help fund infrastructure. • It will provide the important connectivity linkages between future planned urban development settlements and the new rail passenger service and expressway. • The submitters suggest this occur sooner rather than later, as the expressway is set to be completed by 2020.
Point Number	198.5
Summary of Decision Requested:	Amend the Proposed District Plan to strongly support urban growth in a way that does not rely solely on the Future Proof 2010 data, and to use more ambitious growth estimates in the region to support urban growth. AND No specific decision sought, but the submitter considers that Policy 4.1.3(b) Location of development is counterproductive, given that the predictions and data used by Future Proof date back to 2010.
Decision Reasons:	<ul style="list-style-type: none"> • This will provide potential developers with an early opportunity to provide feedback regarding their feasibility and likelihood of development opportunities that the settlement pattern aims to achieve. • Future Proof has been a slow process which is concerning given the rate of predicted future growth in the region. • The submitter wishes to see more progress on Future Proof and are willing to be approached for feedback on early stages of Phase 2 work. • Future Proof has the potential to drive regional collaboration by monitoring and identifying land supply needs along with an agreed sequence for development over the next 50 years. • Future Proof and Corridor Plan work should be linked and communicated to key stakeholders.

- The submitter wishes to see Future Proof flourish with more ambitious (and realistic) growth targets.
- The submitter's 2017 submission on Phase 1 of Future Proof did not support the settlement pattern. This was in part due to the age of the data and the use of low and medium growth projections to inform the sub-regional allocation and staging of residential household growth.
- The Ministry of Business, Innovation and Employment's National Policy Statement on Urban Development Capacity has placed Waikato as a high growth area.
- Smart investment and planning decisions must be made to ensure that Waikato can support this growth. The submitter has ideas on alternative funding mechanisms for infrastructure.
- The submitter supports updating the Future Proof growth predictions and data to align with MBIE's National Policy Statement on Urban Development and the New Zealand Census Data being released early 2020. This will be a better indicator of population and demographic trends for Waikato.
- The submitter supports Phase 2 updating the settlement pattern and incorporating the new Government's policy, initiatives and directions.
- The submitter supports a review of the Waikato Regional Policy Statement as part of the Phase 2 review in relation to land allocation assumptions and requirements.

The submitter is keen to provide feedback on progress, particularly in relation to settlement plans, before formal engagement in 2019.

Point Number 198.6

Summary of Decision Requested: No specific decision sought, but submission encourages a coordinated approach between councils across the Waikato region to comply with the upcoming Ministry for the Environment's (MfE) National Planning Standards as soon as the standards are operative.

Decision Reasons:

- This will be a strong signal that the Waikato is open for business and plan users will have comfort in the consistency between plans across the Waikato region.
- If all councils were aligned in the Waikato, this would allow ease of use for the submitter's members and would likely attract new development opportunities for the region.

Point Number 198.7

Summary of Decision Requested: **Amend** Objective 4.1.1 Strategic to be more ambitious and flexible to incorporate Future Proof Phase 2 and the upcoming Statistics NZ data.

Decision Reasons:

- *To adequately plan for population growth and housing demand.*

Point Number 198.8

Summary of Decision Requested: **Retain** the approach of allowing for a range of different housing options with varying land values and amenities.

Decision Reasons:

- *This aligns with the purpose of strategically managing growth by providing for a range of housing options that supports the regions diversity, and to meet peoples various requirements.*

Point Number 198.9

Summary of Decision Requested: **Amend** the Proposed District Plan to have a wider approach to plan for different housing typologies to cater for a diverse and younger population.

Decision Reasons:

- Communities and people like choice.

Point Number 198.10

Summary of Decision Requested: **Retain** the objective of ensuring that subdivisions are located, designed and staged to support infrastructure such as stormwater, parks and open space networks.

AND

Provide the important linkages from future planned urban development settlements in both residential and commercial areas to the expressway, and to invest in areas that are along the transport corridor.

Decision Reasons:

- It is important to ensure that subdivisions are located, designed and staged to support infrastructure such as stormwater, parks and open space networks.
- The Plan needs to utilise the Waikato Expressway, which is set to be completed in 2020.
- Connectivity is important to unlock the district's growth potential.
- The new expressway will result in different patterns of development along with providing alternative transport options. Monitoring this closely and providing local links to the new expressway is important.
- Providing these linkages aligns with Waikato Economic Development Roadmap 2012 and 2015, which was designed to improve connections and the districts infrastructure.
- The submitters support the council working with Auckland Council, Auckland Transport and the New Zealand Transport Agency considering the extending passenger rail service between Pukekohe and Pokeno, and its eventual extension to Hamilton City.
- It is vital that future urban growth is developed close to the transport hubs. This will support transport in either direction and the district's connectivity to Auckland.

Point Number 198.11

Summary of Decision Requested: No specific decision sought, but submission strongly supports the need for alternative funding mechanisms for infrastructure with central and local government, and the Long Term Plan and District Plan proposals in this regard.

Decision Reasons:

- *The submitters strongly support the need for alternative funding mechanisms particularly given the growth of Auckland and Hamilton cities, as they expand into the Waikato.*

- The Waikato region has seen a significant period of underfunding infrastructure.
- The submitter is happy to advocate alternatives to central government.
- The submitter is currently working with their members to look at alternative funding mechanism options to present to the Productivity Commission in its inquiry into local government funding.

Point Number 198.12

Summary of Decision Requested: Amend the Proposed District Plan to align the supply of industrial land with the Auckland Unitary Plan.

Decision Reasons:

- This will ensure a consistent approach is taken across the wider region.

Point Number 198.13

Summary of Decision Requested: No specific decision sought, but the submission supports the monitoring of growth against the anticipated growth settlement patterns and the targets identified in Future Proof strategy and the National Policy Statement on Urban Development Capacity.

Decision Reasons:

- The submitters know that as Auckland house prices continue to increase, many among the younger generation are looking to invest in and move outside of the city. The Waikato region is the natural beneficiary of this movement and the region needs to be prepared.

Point Number 198.14

Summary of Decision Requested: Amend the Proposed District Plan to have a multi-pronged approach and strategically support building both up and out to ensure that the district is not limiting itself.

Decision Reasons:

- The overarching direction of focusing urban growth in existing urban communities that have capacity for expansion is limiting its future growth potential.
- To ensure that the district is not limiting itself.
- The submitter generally supports a staged infrastructure provision relating to developments outside of expanding city limits; they do not want to see overzealous limitations of urban development as this will likely result in a failure to meet future demand of housing, employment opportunities and a lack of required infrastructure.
- A more forward-thinking and strategic multi-pronged approach to development across Waikato is required.
- Supporting simultaneous nodes of development will ensure that future demand is met, and provides certainty to allow developers to plan beyond the 2063 growth predictions.

Point Number 198.15

Summary of Decision Requested: Amend the Proposed District Plan to consider housing for the younger generation on the fringes of the city, which may include making land available for apartment-style or high density living near key transport routes that connect Waikato to Auckland and Hamilton.

Decision Reasons:

- Having a range of housing typologies will provide options for people.
- Hamilton City has a relatively young population with 48% of the population being under 30 years of age.
- With housing prices becoming more expensive in the city, young professionals and students may look at housing options outside of Hamilton city.

Point Number 198.16

Summary of Decision Requested: Retain the promotion of the outcomes in the urban design guidelines.

Decision Reasons:

- The submitter has long supported the development of infrastructure, buildings and designs that support quality urban design.
- Quality urban design is important in contributing to the overall design of the community and landscape.
- Urban design principles are important to ensure that buildings are functional and sustainable.

Point Number 198.17

Summary of Decision Requested: Retain the purpose of the Proposed District Plan to promote sustainable management of natural and physical resources primarily through strategic management of growth, as it is set out in Section 1.2(a) What is the purpose of the Waikato District Plan.

Decision Reasons:

- Property Council is a strong supporter of strategic management of growth.
- Due to the number of councils operating in the Waikato region, the variety of land, soils, water and energy resources and its geographic placement between Auckland and Hamilton, strategic management of growth is important.

Point Number 198.18

Summary of Decision Requested: No specific decision sought, but submission wishes to see more progress on Future Proof.

Decision Reasons:

- Future Proof has the potential to drive regional collaboration by monitoring and identifying land supply needs along with an agreed sequence of development over the next 50 years.

Point Number 198.19

Summary of Decision Requested: **Retain** the minimum density of 12-15 households per hectare in Residential zones and 8-10 households per hectare in Village zones.
AND
Amend the Proposed District Plan to have a mixed typology across the district.

Decision Reasons:

- The submitter supports these figures but wishes to see a mixed typology across the district.
- A well-designed neighborhood will incorporate a variety of housing typologies to accommodate the differing needs of its community.
- A key benefit of mixed typologies is a reduction in land space used.
- Adelaide has an average site area of less than 300m². In comparison, medium density housing in New Zealand has an average of less than 350m² per unit.
- Introducing townhouses and apartment developments would support a key concern within the Plan of encroaching on rich soils, as less land space is required for these types of developments. Setting a minimum lot size, e.g. 5000m² for lifestyle blocks, works against that objective.

Point Number 198.20

Summary of Decision Requested: **Retain** Policy 4.5.24 New buildings: Business Town Centre Zone.

Decision Reasons:

- The submitter has long supported the development of infrastructure, buildings and designs that support quality urban design.
- Quality urban design is important in contributing to the overall design of the community and landscape.
- Urban design principles are important to ensure that buildings are functional and sustainable.

Point Number 198.21

Summary of Decision Requested: **Retain** Policy 4.7.2 Layout and Design – Subdivision location and design.

Decision Reasons:

- The submitter has long supported the development of infrastructure, buildings and designs that support quality urban design.
- Quality urban design is important in contributing to the overall design of the community and landscape.
- Urban design principles are important to ensure that buildings are functional and sustainable.

Point Number 198.22

Summary of Decision Requested: **Retain** Policy 4.7.3 Layout and Design – Residential subdivision.

Decision Reasons:

- The submitter has long supported the development of infrastructure, buildings and designs that support quality urban design.
- Quality urban design is important in contributing to the overall design of the community and landscape.
- Urban design principles are important to ensure that buildings are functional and sustainable.

Point Number 198.23

Summary of Decision Requested: **Retain** the strategic approach to growth ensuring infrastructure and services are provided for and aligning infrastructure and urban development to provide for growth and connectivity.

Decision Reasons:

- The submitter supports a strategic approach to growth ensuring infrastructure and services are provided for.
- A strategic approach aligns infrastructure and urban development to provide for growth and connectivity.
- Due to Waikato's geographic size, connectivity is important to enable movement between rural and urban cities and to avoid the development of pocket communities with no interlinks or connections.

Submitter Number: 199 **Submitter:** Noeleen Darby

Point Number 199.1

Summary of Decision Requested: **Delete** the proposed walkway as notified around the Waikare Golf Course, including down the 10th fairway and along the 16th fairway.

Decision Reasons:

- This would be a very dangerous walkway both to pedestrians and cyclists. There is insufficient room to create a walkway around the golf course as the fairways are only just wide enough now and if they had to be reduced, the course would lose its appeal to golfers - hence making the golf club struggle financially to survive.
- There is insufficient room to create a walkway around the golf course.

Submitter Number: 200 **Submitter:** John Wiltshire

Point Number 200.1

Summary of Decision Requested: **Retain** Chapter 9 Specific Zones.

Decision Reasons:

- No reason provided.

Point Number

200.2

Summary of Decision Requested:**Add** a specific zone for the Kimihia Lakes Restoration and Development Project.**Decision Reasons:**

- Project is an initiative which Huntly deserves.
- Both the Huntly area (town and surrounds) and the Waikato District Council which supports it. It will benefit at all levels by encouraging the Project initiative.
- An inspirational and life changing Project with the potential for everyone to be involved.

Submitter Number:

201

Submitter:

Philip & Jan Hillmer

Point Number

201.1

Summary of Decision Requested:**Amend** the zoning of 233 Golding Road, Pukekohe from Rural Zone to Country Living Zone.**Decision Reasons:**

- The surrounding area to the north and west within the Auckland Council territory boundary has been zoned Future Urban Zone under the Auckland Unitary Plan.
- This could mean residential housing and therefore a residential environment rather than a large open space rural environment.
- Given the close proximity to Buckland and Pukekohe, a change of zoning from Rural to Country Living Zone is a logical progression in zoning for this area.

Submitter Number:

202

Submitter:

Tom Hockley

Point Number

202.1

Summary of Decision Requested:**Amend Policy 3.2.2(b)** Identify and Recognise, to ensure that the proposed Significant Natural Areas related regulations are only accepted with the full voluntary participation of the landowner.**Decision Reasons:**

- The proposed Plan, as it is currently presented, effectively removes a significant degree of the submitters rights and amenity over/of the land they purchased, without appropriate compensation.
- Previous correspondence from the Council recognised that "The reason many of these areas still exist is because past generations of farmers and landowners valued and looked after them." The submitters now find it perplexing that they are no longer trusted to continue that approach without coercion.
- The imposition of the proposed SNAs significantly devalues the affected properties. The submitter purchased this land because other properties had similar encumbrances.
- Landowners also have plans. In the submitters' case, forestry and agriculture are options that they have considered, but chose to leave that portion of land in order to enjoy it as it is. There seems to be no recognition in the proposed Plan of the fact that landowners have made commitments and investments, in accordance with their own (heretofore) legitimate and responsible plans, which are now considered illegal.
- This approach is counterproductive.
- The best means of achieving conservation is by the acquisition of suitable land tracts, zoning and caring for them appropriately. By these means, all ratepayers would then share the cost burden, and all would be able to share the enjoyment of visiting those areas. Other alternatives include the "Bush Tenancy" method recently used in Victoria, Australia. That arrangement protects large eligible tracts of land by voluntary contracts. The economic benefits of this dwarf carbon-tax scenarios.

Submitter Number:

203

Submitter:

Marisa Ibanez

Point Number

203.1

Summary of Decision Requested:**Add** a new zone called Kimihia Lakes Recreation and Events Zone to allow development to occur on the former Huntly East mine as identified in the document attached to the submission. See the submission for full details of the site, and the new objectives, policies, rules and definitions sought.**Decision Reasons:**

- Submitter supports change of zoning to allow development at Kimihia Lakes. Refer to the submission for full details. The closed Huntly East Mine was purchased with a vision of developing the majority of this land as a recreation and events park to provide a community and sporting facility. The scale of the vision is vast, as is the landholding area involved, which enables the development of a facility that is not only for the Huntly community, but as a regionally significant tourist attraction.

Submitter Number:

204

Submitter:

Roger & Bronwyn Crawford

Point Number

204.1

Summary of Decision Requested:**Amend** the extent of the Village Zone boundary for the property at 34 Wairamarama Onewhero Road, Onewhero to include an additional 6210 m² of Village Zone. Refer to submission for maps and details.**Decision Reasons:**

- The submitters' property currently has split zone of Village/Rural and the submitter considers a more beneficial outcome can be achieved by extending the Village Zone boundary by 6210sqm for the following reasons:
 - The existing zoning restricts the land from being subdivided in an efficient and appropriate manner and reduces the number of potential future allotments than that which is already provided for under the Operative District Plan.
 - The current rules allow for 6 additional lots.

- The land is fragmented and will only allow for 4 additional lots due to the increased size and performance standards.
- The requested amendments remain consistent with the intended development of the Onewhero Village area and will achieve the relevant objectives and policies for the Village Zone.
- Refer to submission for indicative subdivision layout.

Submitter Number:	205	Submitter:	Ray Bowater
Organisation:	Rainbow Water Ltd		
Point Number	205.1		
Summary of Decision Requested:	Amend the zoning of the property at 5 Hitchen Road (Lot 2 DP 199997), Pokeno from Rural Zone to Residential Zone.		
Decision Reasons:	<ul style="list-style-type: none"> • The submitter considers that the site is suitable for residential development as it: <ul style="list-style-type: none"> - Adjoins other residential zoned property; - Is easily accessible to Pokeno; - Has covenanted bush, northfacing slopes, views and natural water courses; and - Is not of a size viable for rural uses. - The land had previously been subject to a buffer zone due to the neighbouring quarry but this is now no longer relevant. 		

Submitter Number:	206	Submitter:	David Horton
Point Number	206.1		
Summary of Decision Requested:	Retain Chapter 9.2 Te Kowhai Airpark Zone, as notified.		
Decision Reasons:	<ul style="list-style-type: none"> • The submitter considers that the objectives and policies for Te Kowhai Airpark as notified should be retained as it will ensure that the aerodrome will be self sufficient and will remain the GA satellite for Hamilton airport just as Ardmore is for Auckland airport. • Airparks are highly successful in America and this will be an exciting first for New Zealand. 		
Point Number	206.2		
Summary of Decision Requested:	Retain Chapter 27 Te Kowhai Airpark Zone, as notified.		
Decision Reasons:	<ul style="list-style-type: none"> • The submitter considers that the rules for Te Kowhai Airpark as notified should be retained as it will ensure that the aerodrome will be self sufficient and will remain the GA satellite for Hamilton airport just as Ardmore is for Auckland airport. • Airparks are highly successful in America and this will be an existing first for New Zealand. 		

Submitter Number:	207	Submitter:	John and Gail Cameron
Point Number	207.1		
Summary of Decision Requested:	Amend the zoning for the property at 198 Buckville Road, Pukekohe from the Rural Zone to Country Living Zone.		
Decision Reasons:	<ul style="list-style-type: none"> • The surrounding area to the north and west of the property is within the Auckland Council territory boundary and has been zoned Future Urban Zone under the Auckland Unitary Plan. <ul style="list-style-type: none"> - This could mean residential housing and therefore a residential environment as opposed to a large open space rural environment. - Given the close proximity to Buckland and Pukekohe, a change in zoning from Rural to Country Living Zone is a logical progression in zoning for the area. 		

Submitter Number:	208	Submitter:	Bruce Belfield
Point Number	208.1		
Summary of Decision Requested:	Retain Chapter 9.2 Te Kowhai Airpark as notified.		
Decision Reasons:	<ul style="list-style-type: none"> • The Policy Framework recognises the significance of the existing aerodrome to the Aviation community. • The objectives and policies will safeguard the future needs of the aviation community. • The policy framework allows for a mix of residential and commercial opportunities, making use of existing infrastructure and which cannot easily be replicated elsewhere. • Development of the airpark represents a practical use of a limited and scarce resource. 		
Point Number	208.2		
Summary of Decision Requested:	Retain Chapter 27 Te Kowhai Airpark Zone as notified.		
Decision Reasons:	<ul style="list-style-type: none"> • The provisions provide for flexibility of landuse activity that is needed for sustainable use of the aerodrome. • The proposed OLS will enhance the safety and function regardless of residential uptake in the airpark. • The airpark meets the niche requirement of the aviation community including the provision of hangars and the ability to taxi from home to hangar. 		

- Chapter 27 provisions recognise that the airpark is distinct from conventional residential development and is an extremely scarce physical resource reliant on proximity to an airfield without the opportunities and protection afforded by the airpark zone provisions, the ongoing operational needs of the aerodrome could not be guaranteed.
- Rezoning the aerodrome from the Rural to Airpark Zone is totally appropriate.

Submitter Number:	209	Submitter:	Brian Neil Harris
Point Number	209.1		
Summary of Decision Requested:	Retain the Country Living zoning of the property at 102 Travers Road, Te Kauwhata.		
Decision Reasons:	<ul style="list-style-type: none"> • The submitters want to retain the amenity value of their adjoining land at 9 Green Acres Drive, including the low-density development of the area. • The land is in a flood plain and unsuitable for high density living. • Many properties adjacent have stock/livestock and there will be issues of complaints, safety, and security if it is intensely developed. • The submitters moved there with the expectations that 102 Travers Road would remain a Country Living Zone. 		

Submitter Number:	210	Submitter:	Carol Anne Harris
Point Number	210.1		
Summary of Decision Requested:	Retain the Country Living zoning of the property at 102 Travers Road, Te Kauwhata.		
Decision Reasons:	<ul style="list-style-type: none"> • The submitters moved there with the expectations that 102 Travers Road would remain a Country Living Zone. • The submitters want to retain the amenity value of their adjoining land at 9 Green Acres Drive, and keep it at low-density development. • Many properties including the submitters' and adjacent have stock/livestock and there will be issues of complaints, safety, and security. • The land is in a flood plain and unsuitable for high density living. 		

Submitter Number:	211	Submitter:	Tony Knowing
Point Number	211.1		
Summary of Decision Requested:	Retain Chapter 9.2: Te Kowhai Airpark, as notified.		
Decision Reasons:	<ul style="list-style-type: none"> • Submitter concurs with the application being sought. 		
Point Number	211.2		
Summary of Decision Requested:	Retain Chapter 27 Te Kowhai Airpark zone, as notified.		
Decision Reasons:	<ul style="list-style-type: none"> • Submitter concurs with the application being sought. 		

Submitter Number:	212	Submitter:	Ron Pollock
On behalf of:	Community Living Trust		
Point Number	212.1		
Summary of Decision Requested:	Retain Chapter 16 Residential Zone in terms of combining Residential, Residential 2, Living Zones and Medium density housing areas into a single Residential Zone.		
Decision Reasons:	<ul style="list-style-type: none"> • This will allow more intensive development of properties throughout the new Residential Zone; which in turn supports Integration with local services and facilities, including public transport development initiatives. This decision to combine the 4 zones into 1 Residential Zone further supports Councils previous decision to accept our submission in 2005 to change our Mason Road property from Rural to Living Zone during the last District Plan Review. 		
Point Number	212.2		
Summary of Decision Requested:	No specific decision sought, but submission supports the Proposed District Plan in terms of streamlining and enhancing the way the District is developed and the way land and resources are managed for the betterment of all.		
Decision Reasons:	<ul style="list-style-type: none"> • No reasons provided. 		

Point Number	212.3
Summary of Decision Requested:	No specific decision sought, but submission supports combining Waikato and Franklin sections into a single District Plan with a consistent approach to growth and development across the district.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	212.4
Summary of Decision Requested:	No specific decision sought, but submission notes that the development of subdivision and multi-unit guides will assist quality design and thriving communities.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	212.5
Summary of Decision Requested:	No specific decision sought, but submission considers the Proposed District Plan improves home choices, e.g. minor dwellings, multi unit development and retirement villages, which will offer a diverse range of housing types including care facilities for older and disadvantaged people.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	212.6
Summary of Decision Requested:	Prioritise the provision of reticulated Council operated water and wastewater to existing home owners and residents (particularly Whatawhata Village), and include planning these systems in Council's Long Term plan to encourage and support housing development in the Whatawhata Village Residential Area.
Decision Reasons:	<ul style="list-style-type: none"> Given Council's desire and planning for more development intensification, the submitter believes this vital infrastructure should be a priority.

Submitter Number:	213	Submitter:	Anita Torres
Point Number	213.1		
Summary of Decision Requested:	Amend Rule 16.4.1(a)(i) Subdivision - General, as follows: <i>(i) Proposed lots must have a minimum net site area of 450400m², except where the proposed lot is an access allotment or utility allotment or reserve to vest;</i>		
Decision Reasons:	<ul style="list-style-type: none"> The change to require a minimum of 450m² is onerous to landowners wishing to subdivide. Many lots are based on a multiple of 400m², i.e. 800m², 1200m² and so on. A land size requirement of 400m² is sufficient to preserve green space while still allowing for a reasonable amount of growth and a decent return on the land investment that many landowners have already made. 		

Submitter Number:	214	Submitter:	Cody Hata
Point Number	214.1		
Summary of Decision Requested:	Retain the zoning of the property at 163 Tregoweth Lane, Huntly, as notified, with Industrial Zone at the front portion of the site.		
Decision Reasons:	<ul style="list-style-type: none"> The property adjoins an existing Quarry. There is no rural aspect/outlook. The property is currently being used as a transport depot through resource consent and on the same lane there is a mixture of rural and industrial. 		

Submitter Number:	215	Submitter:	Joanna Clark
Point Number	215.1		
Summary of Decision Requested:	Amend the zone of the front section (near the road) of the property at 730 State Highway 22, Pukekawa from Rural Zone to Village Zone.		
Decision Reasons:	<ul style="list-style-type: none"> To allow a development right of 1 lot which would be keeping with the properties adjacent on the south side, as well as the properties opposite which are all Village zoned. There is a need for smaller acreages within Pukekawa village. 		

Submitter Number:	216	Submitter:	Scott Montagu
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Point Number 216.1

Summary of Decision Requested: Retain Chapter 9.2: Te Kowhai Airpark, as notified.

Decision Reasons:

- Supporting this increasingly scarce community asset.
- Rezoning in support of an airpark would be an excellent asset to the aviation and local community.
- This would feed the local community with assets and venues.

Point Number 216.2

Summary of Decision Requested: Retain Chapter 27 Te Kowhai Airpark Zone, as notified.

Decision Reasons:

- Supporting this increasingly scarce community and regional asset.
- Rezoning in support of an airport would be an excellent asset to the aviation and local community.
- This would feed the local community with assets and venues.

Submitter Number: 217 **Submitter:** Alex Kirby

On behalf of: Raglan Properties Limited

Point Number 217.1

Summary of Decision Requested: Delete the heritage item from the property at 14 Bow Street, Raglan.

Decision Reasons:

- Owner of the property agrees with Council committees findings to remove the heritage designation at 19 Bow St, Raglan 3225 #1014405.
- The heritage designation increases the complexity and cost to maintain the property and therefore has an adverse effect on the overall upkeep of the property.

Submitter Number: 218 **Submitter:** Keith Gutry

On behalf of: Waikare Golf Club

Point Number 218.1

Summary of Decision Requested: Delete the proposed walkway through the Waikare Golf Course property at 66 Waerenga Road, Te Kauwhata.

Decision Reasons:

- It goes through car park (see photos attached to submission).
- It goes through the 10th tee block and can not be moved as not enough area.
- The proposed walkway goes down the 10th fairway which would create a health and safety concern with wayward balls.

Submitter Number: 219 **Submitter:** Bruce Cooke

Point Number 219.1

Summary of Decision Requested: Retain Chapter 9.2 Te Kowhai Airpark, as notified.

Decision Reasons:

- The proposal will meet a demand from sport flyers for residential properties that suit the aviation lifestyle and provide additional specialist housing.
- It will create a community and become a key regional asset.
- The airfield is a critical facility for the sport flying movement in the Waikato and greater NZ.
- In order to be viable and secure on an ongoing basis, the proposed development must proceed.

Point Number 219.2

Summary of Decision Requested: Retain Chapter 27 Te Kowhai Airpark, as notified.

Decision Reasons:

- The proposal will meet a demand from sport flyers for residential properties that suit the aviation lifestyle and provide additional specialist housing.
- It will create a community and become a key regional asset.
- The airfield is a critical facility for the sport flying movement in the Waikato and greater NZ.
- In order to be viable and secure on an ongoing basis, the proposed development must proceed.

Submitter Number: 220 **Submitter:** Peter Jackson

Organisation: Jackson Property Group and La Valla Functions

Point Number 220.1

Summary of Decision Requested: Retain Chapter 9.2 Te Kowhai Airpark, as notified.

Decision Reasons:

- The development of Te Kowhai Airfield & Park is one of the better developments of the area.
- Considering the trials authorities have unreasonably thrust upon them, the result is rewarding to all of us who have benefited from the property.
- The aerodrome is very important to both aviation people.
- The submitter recommends Council recognise this and therefore be encouraging as well as supportive for its growth and permanent existence.

Point Number 220.2

Summary of Decision Requested: Retain Chapter 27 Te Kowhai Airpark Zone, as notified.

Decision Reasons:

- The development of Te Kowhai airfield & park is one of the better developments of the area.
- Considering the trials authorities have unreasonably thrust upon them, the result is rewarding to all of us who have benefited from the property.
- The aerodrome is very important to both aviation people.
- Submitter recommends Council recognise this and therefore be encouraging as well as supportive for its growth and permanent existence.

Submitter Number: 221 **Submitter:** Sally Readman

Organisation: Sport Aviation Corp Ltd

Point Number 221.1

Summary of Decision Requested: Retain Chapter 9.2 Te Kowhai Airpark, as notified.

Decision Reasons:

- NZTE aerodrome is an essential resource that should be protected.
- The O.L.S changes are necessary for future sustainability aviation operations.

Point Number 221.2

Summary of Decision Requested: Retain Chapter 27 Te Kowhai Airpark Zone, as notified.

Decision Reasons:

- NZTE aerodrome is an essential resource that should be protected.
- The O.L.S changes are necessary for future sustainability of aviation operations.

Submitter Number: 222 **Submitter:** Barry Readman

Organisation: Sport Aviation Corp Ltd

Point Number 222.1

Summary of Decision Requested: Retain Chapter 9.2 Te Kowhai Airpark, as notified.

Decision Reasons:

- The "Obstacle Limitation Surface" (height above runway in metres) must be upgraded to allow for future aviation operations.
- The development of the AirPark is also essential to allow aviation minded people to live close by.
- The NZTE Aerodrome has been in operation for over forty years and must be protected for the long term . .

Point Number 222.2

Summary of Decision Requested: Retain Chapter 27 Te Kowhai Airpark Zone, as notified.

Decision Reasons:

- The NZTE Aerodrome has been in operation for over forty years and must be protected for the long term.
- The "Obstacle Limitation Surface" (height above runway in metres) must be upgraded to allow for future aviation operations.
- The development of the AirPark is also essential to allow aviation minded people to live close by.

Submitter Number:	223	Submitter:	Rochelle Crane
Point Number	223.1		
Summary of Decision Requested:	Retain Residential zoning for 1 Mystic Place, Tuakau, as notified, and the Residential zoning on the Tuakau Planning maps.		
Decision Reasons:	<ul style="list-style-type: none"> • Need for more residential sections. • Proximity to primary and secondary schools, sporting and recreation areas. • Proximity to waste water disposal. 		

Submitter Number:	224	Submitter:	Peter Armstrong
Point Number	224.1		
Summary of Decision Requested:	Retain Chapter 9.2 Te Kowhai Airpark, as notified.		
Decision Reasons:	<ul style="list-style-type: none"> • Enhances the community value to all of the local community if adopted as requested. 		
Point Number	224.2		
Summary of Decision Requested:	Retain Chapter 27 Te Kowhai Airpark Zone, as notified.		
Decision Reasons:	<ul style="list-style-type: none"> • Enhances the community value to all of the local community if adopted as requested. 		

Submitter Number:	225	Submitter:	Steve Gunn
Point Number	225.1		
Summary of Decision Requested:	Retain Chapter 9.2 Te Kowhai Airpark, as notified.		
Decision Reasons:	<p>C</p> <ul style="list-style-type: none"> • Due to the ongoing developments within the aviation industry, Te Kowhai airfield needs to continually develop to keep pace with evolving requirements. • Future plans to develop the airfield and enhance capabilities are driven by safety and demand from current users. • Enhancements such as VFR and IFR Arrival and Departure procedures are needed to ensure safety and order is maintained in all weather conditions. • The submitter has operated out of many airparks around the world and Te Kowhai has the potential to be recognised as a world class privately owned airpark. The submitter currently owns and operates their aircraft from Te Kowhai. 		
Point Number	225.2		
Summary of Decision Requested:	Retain Chapter 27 Te Kowhai Airpark Zone, as notified.		
Decision Reasons:	<ul style="list-style-type: none"> • Due to the ongoing developments within the aviation industry, Te Kowhai airfield needs to continually develop to keep pace with evolving requirements. • Future plans to develop the airfield and enhance capabilities are driven by safety and demand from current users. • Enhancements such as VFR and IFR Arrival and Departure procedures are needed to ensure safety and order is maintained in all weather conditions. • The submitter has operated out of many airparks around the world and Te Kowhai has the potential to be recognised as a world class privately owned airpark. The submitter currently owns and operates their aircraft from Te Kowhai. 		

Submitter Number:	226	Submitter:	Mike Griffiths
Point Number	226.1		
Summary of Decision Requested:	Retain Chapter 9.2 Te Kowhai Airpark Zone, as notified.		
Decision Reasons:	<ul style="list-style-type: none"> • The submitter owns a hangar and aircraft at Te Kowhai Aerodrome. • It is an excellent, well run and operated facility • The submitter would be interested in living at the airpark. 		

- It is an excellent meeting place for like minded people and is proving an asset to the local community e.g. market days, vintage car groups and so on.

Point Number 226.2

Summary of Decision Requested: Retain Chapter 27 - Te Kowhai Airpark Zone as notified.

Decision Reasons:

- The submitter owns a hangar and aircraft at Te Kowhai Aerodrome.
- It is an excellent, well run and operated facility
- The submitter would be interested in living at the airpark.
- It is an excellent meeting place for like minded people and is proving an asset to the local community e.g. market days, vintage car groups and so on.

Submitter Number: 227

Submitter: Geoffrey Gatenby

Point Number 227.1

Summary of Decision Requested: Retain Chapter 9.2 Te Kowhai Airpark Zone, as notified.

Decision Reasons:

- The airpark is essential for residential housing for the growth of the area.
- Changes to the Obstacle Limitation Surface are essential to allow for future aviation operations and development.

Point Number 227.2

Summary of Decision Requested: Retain Chapter 27 Te Kowhai Airpark Zone, as notified.

Decision Reasons:

- The airpark is essential for residential housing for the growth of the area.
- Changes to the Obstacle Limitation Surface are essential to allow for future aviation operations and development.

Submitter Number: 228

Submitter: Richard Gardner

Point Number 228.1

Summary of Decision Requested: Amend the zoning of 21A, 111, 113, 115, 121, 129 and 131 Harrisville Road, Tuakau from Residential Zone to Rural Zone.

OR

Add measures to ensure the ongoing operation of the Pukekohe Motocross Club's facilities at 115 Geraghty Maber Road by managing surrounding residential development such as through the following methods:

- Requirements for acoustic insulation
- Additional noise control standards
- 'No complaint' covenants are placed on any new titles created in the rezoned land.

Decision Reasons:

- Keeping the land zoned Rural would provide for a limited range of housing and occupation to a degree that would not compromise the use of the club's facilities and its operation.
- The motocross club and its facilities/track have consent to operate from the site subject to appropriate conditions.
- If the immediately adjoining land is rezoned to Residential, which allows one house per 450m², then residential development will result in noise complaints about the club's activities.
- There are numerous examples in NZ where legitimately established noisy recreational activities have been forced to either close down or have their activities curtailed due to intensification of residential activities on adjoining properties.
- The club has been using this site for a long period of time and have upgraded the site and its facilities to a very high standard which is recognised both at a regional and national level.
- While the proposed district plan sets noise limits for activities in both the Rural and Residential zones, these standards will not protect the on going use of the club's activities from noise complaints etc.
- Controls such as acoustic mitigation to new residential houses and requiring 'no complaints' covenants have been routinely used by Auckland Council (e.g. air noise corridors) and by Franklin District Council when providing for residential development to occur around Buckland Village close to the Pukekohe Race Track.

Submitter Number: 229

Submitter: Stuart Parker

Point Number 229.1

Summary of Decision Requested: Retain Chapter 9.2 Te Kowhai Airpark Zone, as notified.

Decision Reasons:

- The submitter is a regular user of the airfield facilities.
- It provides a easily accessible 'hub' for pilots in the Hamilton area.
- The submitter would not want to see it whittled away by urban development encroaching around it.
- It is a jewel in the aviation world - very few places like it to fly into.

Point Number 229.2

Summary of Decision Requested: Retain Chapter 27 Te Kowhai Airpark Zone, as notified.

Decision Reasons:

- The submitter is a regular user of the airfield facilities.

- It provides a easily accessible 'hub' for pilots in the Hamilton area.
- The submitter would not want to see it whittled away by urban development encroaching around it.
- It is a jewel in the aviation world - very few places like it to fly into.

Submitter Number: 230 **Submitter:** Patricia Gutry
On behalf of: Waikare Golf Club Inc.

Point Number 230.1
Summary of Decision Requested: Delete proposed walkway shown on the planning maps at Waikare Golf Club, 66 Waerenga Road, Te Kauwhata.

- Decision Reasons:**
- The proposed walkway would impact on at least three fairways and is a health and safety issue.
 - It would be impossible and costly to change the layout of the course.
 - The walkway from Waerenga Road would take out considerable car parking spaces (see photos attached to the submission). The only alternative parking would be around the school gates on Waerenga Road which is a health and safety issue for students.

Submitter Number: 231 **Submitter:** Michael Francis Wells
On behalf of: Lana & Michael Wells

Point Number 231.1
Summary of Decision Requested: Delete Historic Heritage item from 1 Old Taupiri Road, Ngaruawahia (Lot 1 DP 31559).

- Decision Reasons:**
- Inaccurate to list the building as a historic heritage item.
 - There are many renovations which have altered the building including:
 - 3 windows and a set of French doors.
 - All roofing has been replaced including the verandah as have the verandah decorative brackets
 - Weatherboards have been replaced as have other parts of exterior wooden ware
 - Removal of a back porch, two new entrances added.
 - Internal walls and rooms removed (in the vicinity of what is now the dining/kitchen area)
 - New laundry/bathroom/toilet (previous long drop and outside laundry/woodshed with copper and tubs),
 - Foundations re-blocked and in some instances renewed.
 - When purchased the property was in a state of disrepair. Over many years & hours of work the submitter has managed to resurrect the property to its present state.
 - The submitter doesn't agree with the process. Having spoken to people with these properties it seems to have the opposite effect of what it is trying to achieve and results in a state of disrepair.
 - The submitter has owned the property for forty years and would have significantly altered its structure by now if they were going to.
 - A granny flat has been constructed on site which is located to the left hand side and to the rear of the existing house so as not to detract from its appearance.
 - The submitters plans are to leave the property to our family.
 - The submitter understand why we should have restrictions imposed upon them.
 - As a family the property has significant fond memories.
 - The submitter is concerned that the council does not contribute to the repair and maintenance, yet tells landowners what the can and cannot do to maintain it.

Submitter Number: 232 **Submitter:** Mark Mathers

Point Number 232.1
Summary of Decision Requested: No decision sought (annotated map of proposed Significant Natural Area at 536 Wainui Road Raglan, photos and video footage provided).

- Decision Reasons:**
- No reasons stated.

Point Number 232.2
Summary of Decision Requested: Retain the proposed Country Living Zone for the property at 536 Wainui Road, Raglan.

- Decision Reasons:**
- No reasons stated.

Submitter Number: 233 **Submitter:** Trena Marshall

Point Number 233.1
Summary of Decision Requested: Add to Schedule 30.2 Notable Trees, the Puriri Tree at the southern boundary of 124 Greenslade Road, Raglan.

- Decision Reasons:**
- Huge puriri tree on southern boundary of the property at 124 Greenslade Rd, Raglan (beside Lot 37, DPS 149 Greenslade Road Reserve) being 3.5 metres around the base of its trunk before the trunk divides into two stems.
 - The tree is healthy and is a home / landing bay / feed patch to many species of native birds.
 - Unsure of crown measurement; experts would need to look at it.

Submitter Number:	234	Submitter:	Gaynor & Colm Tierney
Organisation:	Glendine Ltd		
Point Number	234.1		
Summary of Decision Requested:	Delete walkway/cycleway/bridleway along the Waipa River.		
Decision Reasons:	<ul style="list-style-type: none"> This entire area floods at least 4-5 times per year. The water from the Waipa River goes over the flood banks and completely submerges all 3 farms that encompass the area for the walkway proposed. This is completely impractical and will require constant upkeep of the walkways and constant closures. 		
Submitter Number:	235	Submitter:	Phyllis Luders
On behalf of:	P.M. Luders Family Trust		
Point Number	235.1		
Summary of Decision Requested:	Delete the Significant Amenity Landscape on the planning maps from the property at 758 Mangapiko Valley Road, Ohinewai.		
Decision Reasons:	<ul style="list-style-type: none"> For the vast majority of the farm, Rule 22.2.3.4 is far too restrictive. As there are more than 1000m of tracks in one paddock (bush paddock), Rule 22.2.3.4 would prevent maintaining tracks to a safe standard. 		
Point Number	235.2		
Summary of Decision Requested:	Delete Significant Natural Areas from planning maps OR Add reason why they are deemed Significant Natural Areas AND Provide provisions to the effect that Waikato District Council will fund any fencing/pest control that may be required in the future and agree to give in return one additional title per Significant Natural Area.		
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided. 		
Submitter Number:	236	Submitter:	Colin Willats
Point Number	236.1		
Summary of Decision Requested:	Delete walkway/cycleway/bridle way from Waikare Golf Course at 66 Waerenga Road, Te Kauwhata.		
Decision Reasons:	<ul style="list-style-type: none"> The Golf Club will lose the use of the 10th, 11th, 15th, 16th and driveway car park. The Club will be open to damage by bikes, dogs and vehicles. Walkers open to being hit by stray golf balls. 		
Submitter Number:	237	Submitter:	Stuart Parker
Organisation:	Recreational Aircraft Association (RAANZ)		
Point Number	237.1		
Summary of Decision Requested:	Retain Chapter 9.2 Te Kowhai Airpark Zone, as notified.		
Decision Reasons:	<ul style="list-style-type: none"> The Recreational Aircraft Association NZ represents 750 microlight pilots from around NZ. Te Kowhai airfield is a key hub for pilots transiting through the Waikato, and has a long history in microlight aviation. The Submitter wishes to preserve it as an aviation centre and avoid any restrictions due to urban encroachment. 		
Point Number	237.2		
Summary of Decision Requested:	Retain Chapter 27 Te Kowhai Airpark Zone, as notified.		
Decision Reasons:	<ul style="list-style-type: none"> The Recreational Aircraft Association NZ represents 750 microlight pilots from around NZ. Te Kowhai airfield is a key hub for pilots transiting through the Waikato, and has a long history in microlight aviation. The Submitter wishes to preserve it as an aviation centre and avoid any restrictions due to urban encroachment. 		
Submitter Number:	238	Submitter:	Christine Willats

Point Number	238.1
Summary of Decision Requested:	Delete walkway/cycleway/bridle way from Waikare Golf Course at 66 Waerenga Road, Te Kauwhata.
Decision Reasons:	<ul style="list-style-type: none"> The following facilities will be compromised; <ul style="list-style-type: none"> - Driveway; - 10th fairway; - 11th Green; - 15th Fairway; and - 14th Boundary. A boundary or safety barrier will be required which will affect the current properties on Awanui Avenue, Blunt Road and Swan Road Developments.

Submitter Number:	239	Submitter:	Les and Leonie Higgins
Organisation:	Waikare Golf Club		
Point Number	239.1		
Summary of Decision Requested:	Delete walkway/cycleway/bridle way from Waikare Golf Course at 66 Waerenga Road, Te Kauwhata.		
Decision Reasons:	<ul style="list-style-type: none"> The proposed walkway would be very dangerous with stray golf balls. The submitters have been members of the Club for over 40 years enjoying good fellowship and golf. 90 years ago 3-4 Gentleman who had the future in mind bought the land and turned it into what it is today. To realign the golf course would be a very costly project, way out of the Club's financial hands. 		

Submitter Number:	240	Submitter:	Steve Kirkbride
Point Number	240.1		
Summary of Decision Requested:	Delete Significant Natural Area from the property at 35 Kakarariki Valley Road.		
Decision Reasons:	<ul style="list-style-type: none"> The area on the property identified as a Significant Natural Area contained gorse, privet and hawthorn and has since been cleared and planted in grass. 		

Submitter Number:	241	Submitter:	Richard Goode
Organisation:	Waikato Decorators		
Point Number	241.1		
Summary of Decision Requested:	No specific decision sought, but submission opposes Chapter 7 Historic Heritage.		
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided. 		

Submitter Number:	242	Submitter:	John Evered
Organisation:	Lodge Te Marama No 186		
Point Number	242.1		
Summary of Decision Requested:	Delete Item 107 (Masonic Lodge Te Marama, No. 186 1912/16 at 18 Herschel Street, Ngaruawahia) from Schedule 30.1 Historic Heritage Items.		
Decision Reasons:	<ul style="list-style-type: none"> The decreasing membership and increasing age of members made it uneconomic for the members to maintain the property. The majority of the current membership now reside in Hamilton and the property in Herschel Street is for sale. The main interest was on the interior of the building, not the exterior. The physical structure and its exterior is just a building that housed a Lodge. The heritage status severely limits the marketability of the property to achieve a realistic sale price. There is a limited number of purchasers who would be interested in the building in its current state and that would be prepared to maintain the building. It would also limit what the purchaser could do to the interior of the building. 		

Submitter Number:	243	Submitter:	Shaun McGuire
Point Number	243.1		
Summary of Decision Requested:	Retain Section 4.1 Strategic Direction and its policies and objectives.		
Decision Reasons:			

- The submitter supports the growth direction for Tuakau.

Point Number 243.2
Summary of Decision Requested: Amend Policies 4.2.2 to 4.2.10 to enable more intensive development.
Decision Reasons:

- The policies and subsequent rules are unnecessarily restrictive for a greenfield development.
- The amendments set out in subsequent submission points will be a better fit for the strategic direction whilst still providing a quality residential character.

Point Number 243.3
Summary of Decision Requested: Amend Rule 14.11.4 NC2 for wastewater treatment plants to be a Restricted Discretionary activity for wastewater treatment plants located in the Residential Zone. If wastewater and stormwater infrastructure is not available, an engineer-designed wastewater treatment system approved by Waikato District Council's engineering department may be used.
Decision Reasons:

- Some parts of Tuakau do not have wastewater and stormwater. Many of these areas have small lots made up of multiple owners.
- The costs to install these services for small developments is prohibitively expensive.
- Engineered waste and stormwater systems are successfully servicing dwelling in this area now.
- Approval via resource consent on a Restricted Discretionary basis will allow this to continue until suitable waste and stormwater can be provided.
- Placing this as a non-complying activity will make this process unreasonably difficult to obtain approval. Restricted Discretionary is a fair category.

Point Number 243.4
Summary of Decision Requested: Amend Rule 16.3.3.1 Height - Building general to increase the maximum height of any building from 7.5m to 8.0m.
Decision Reasons:

- 8.0 metres is generally considered as the standard.
- This allows existing plans to be used reducing unnecessary extra costs for building due to redesign.
- 7.5 metres causes difficulties with standard pitched roofs.

Point Number 243.5
Summary of Decision Requested: Amend Rule 16.3.5 Daylight admission, to change the rising angle of the height control plane from 37 degrees to 45 degrees.
Decision Reasons:

- The proposed height control plane is too restrictive to build a two-storey dwelling on a 450m² site.
- It makes it difficult to provide acceptable living space in the upper levels of the dwelling.
- More common is 45 degrees, and 55 degrees on the north face. This suits the roof design of 45 degrees pitch.

Point Number 243.6
Summary of Decision Requested: Amend Rule 16.4.1 (a)(ii) Subdivision - General, to read as follows:
(ii) Proposed lots must be able to connect to public-reticulated water supply and wastewater, if they are available, otherwise a engineer designed waste water and stormwater disposal system acceptable to the Waikato District Council engineering department may be used.
Decision Reasons:

- Some areas in Tuakau have limited wastewater and stormwater reticulation.
- There are many small individually owned lots. The costs to install infrastructure for smaller lots is prohibitively expensive.
- This would make the subdivision of these lots not viable.
- Allowing modern engineer designed wastewater and stormwater systems can adequately dispose of the wastewater and stormwater on site as is being used successfully in the area presently.

Point Number 243.7
Summary of Decision Requested: Delete Rule 16.4.1 (a)(iv) Subdivision - General.
Decision Reasons:

- Due to the existing infrastructure and previous planning in place, this rule is inappropriate and unnecessarily restrictive for subdivision in Tuakau.
- The historic pattern of sections lend themselves well to subdivide in approximate half to provide 2 sections over 450m² with a right of way to a rear site. This would mean most lots created would be a rear site. This rule would prevent this.
- Tuakau in these older area with existing 101 | m² section is different to subdividing large open areas of farm land because certain infrastructure already exists.

Point Number 243.8
Summary of Decision Requested: Delete Rule 14.11.4 (xix) Non-Complying Activities.
Decision Reasons:

- In the Residential Zone where reticulated wastewater is not available, this prevents being able to provide adequate alternative solutions to disposing of wastewater.

Submitter Number: 244

Submitter:

Garth and Sandra Ellmers

Point Number 244.1
Summary of Decision Requested: Retain Rule 16.1.2 P3 Permitted Activities A new retirement village or alterations to an existing retirement village.
Decision Reasons:

- More appropriate to have retirement villages in residential zones.

Point Number 244.2
Summary of Decision Requested: Amend Rule 16.1.2 P3 (a) Permitted Activities, to reduce the minimum area required for a retirement village in Raglan from 3ha to 1ha.

Decision Reasons:

- Raglan has very little flat land and retirement villages and facilities needs to be built on flat land to allow easy access. It is unlikely that there would be any area in Raglan of 3ha in which to develop a retirement village.
- The Ryman retirement village and complex in Gisborne consists of a three level apartment block with one level duplex units.
- The 3ha requirement should be reduced to 1ha to encourage and enable more retirement housing, especially when there is a dire shortage in Raglan.
- Attractive and functional retirement complexes are commonly developed on relatively small areas of land.
- There appears to be no valid reason for a minimum area of 3ha. 3ha is a huge area of land and would be difficult to find in most residential areas and expensive to purchase.
- This would necessitate demolishing existing properties in city areas.
- This is not practical or workable.

Point Number 244.3
Summary of Decision Requested: Amend Rule 16.1.2 (f) Permitted Activities to increase the maximum building height to allow for three level retirement developments.

Decision Reasons:

- Most apartment complexes for the incapacitated elderly are three levels.
- Setting a maximum building height of 8m would not allow three levels.
- The elderly feel secure in a unit or apartment that is easily accessible and close to staff and other residents.
- Helps reduce purchase costs for residents and development costs for providers.

Point Number 244.4
Summary of Decision Requested: Amend Rule 16.1.3 RD1 (c) Restricted Discretionary Activities, to decrease the minimum site area required for duplexes to 200m².

Decision Reasons:

- The minimum net side area of 300m² for a duplex residential unit of land is too large.
- The trend for new developments in Australia is for smaller residential and duplex lot sizes.
- The average age in most western countries is steadily rising.
- More people live alone and most do not want large lots and can often not afford to maintain them.
- People are busy and most do not want to spend time maintaining gardens and land, especially if they do not use them.
- The trend in Australia for small homes and duplexes is to have a small outdoor dining at the rear of their dwelling.
- Smaller lot sizes are very popular and very common in Australia, are most attractive once developed and allow development that is more intensive closer to cities.
- The small lots offer a lower cost entry level for sole home occupants or couples, which is they are so popular.
- Housing is fast becoming unaffordable for many people
- Making it possible for single people and couples to live in a new, modern, private, well designed, small home should be the aim of all councils as it would fill a desperate need and provide suitable dwellings for a large number of people who would otherwise not be able to afford them
- A well-planned duplex home on a small lot is preferable to living in an apartment.

Point Number 244.5
Summary of Decision Requested: Amend Rule 16.1.3 RD1 (e) Restricted Discretionary Activities, to increase the maximum site coverage to 60%.

Decision Reasons:

- To allow for homes and duplexes to be built on smaller lots
- 300m² minimum is not required for small duplexes
- Site coverage would need to be increased to 60% to allow for a reasonably sized home with 2 bedrooms and a garage on a 200m²-250m² duplex site.

Point Number 244.6
Summary of Decision Requested: Amend Rule 16.1.3 RD1 (h) Restricted Discretionary Activities, to reduce the minimum living court area for studios and 1 bedroom units to 20m.

Decision Reasons:

- The trend is heading towards smaller lots and homes
- Most people, especially the elderly do not require or want to maintain large outdoor living areas and can purchase larger lots if they do
- There must be provision for those who do not want large sections or cannot afford or maintain large dwellings and sections
- There is no need to have such a large living court area imposed, especially when most small dwellings and apartments are only occupied by 1-2 people

Point Number 244.7

Summary of Decision Requested: Amend Rule 16.1.3 RD1 (h) Restricted Discretionary Activities, to reduce the minimum living court area for 2 bedroom units to 25m2.

Decision Reasons:

- The trend is heading towards smaller lots and homes
- Most people, especially the elderly do not require or want to maintain large outdoor living areas and can purchase larger lots if they do
- There must be provision for those who do not want large sections or cannot afford or maintain large dwellings and sections
- There is no need to have such a large living court area imposed, especially when most small dwellings and apartments are only occupied by 1-2 people.

Point Number 244.8

Summary of Decision Requested: Amend Rule 16.1.3 RD1 Restricted Discretionary Activities, to reduce first level and second level apartment minimum living court areas to 6m2.

Decision Reasons:

- There is a need to recognise that the trend and requirement is for dwellings
- Most people, especially the elderly do not require or want to maintain large outdoor living areas and can purchase larger lots if they do
- There must be provision for those who do not want large sections or cannot afford or maintain large dwellings and sections
- There is no need to have such a large living court area imposed, especially when most small dwellings and apartments are only occupied by 1-2 people
- In apartment complexes, due to the close proximity between neighbors it is not desirable to have large outdoor living areas especially on upper levels as it can be dangerous (especially for elderly occupants) can create a noise problem for adjoining residents if too many people socialize on the lower and/or upper balconies
- Small apartments do not require large living court areas so they should be reduced to provide for those who do not require them
- Market forces dictate and people should have a choice.

Point Number 244.9

Summary of Decision Requested: Amend Rule 16.3.3.1 P1 Height - Building general, to increase the maximum building height from 7.5m to 8.5m.

Decision Reasons:

- Residential buildings in subdivisions have become very generic in the past 10-15 years
- These restrictions have led to mundane residential design
- If someone wants to build a two level home with a higher pitched roof they should be able to providing the building complies with the height to boundary rules
- Two level homes occupy less site coverage and open up view shafts for the adjacent homes and particular for the homes located to the rear
- Setting unnecessary height restrictions for residential homes is not conducive to good design.

Point Number 244.10

Summary of Decision Requested: Amend 16.4 4(a)(iv)Subdivision - Multi-unit development, to decrease all proposed minimum unit areas for multi-unit developments as follows:

1. Studio and 1 Bedroom units decrease from 60m2 to 50m2
2. 2 Bedroom units decrease from 80m2 to 70m2
3. 3 Bedroom units decrease from 100m2 to 80m2

Decision Reasons:

- There is little recognition in the Waikato District Plan that units and dwellings worldwide are downsizing.
- Due to the high cost of land and building and borrowed deposits required for a home, the result is that a very large number of people are locked out of home ownership.
- There must be options within a district plan to provide for smaller homes and units' that people can afford and there is not.
- Often units only have one permanent occupant, regardless of the size of the unit.
- 100m2 is a very large unit and larger than many standard homes so seems excessive and well outside the standard in most cities multi-unit developments
- If people require larger units they can purchase them but the option should be there to purchase units of various sizes.

Point Number 244.11

Summary of Decision Requested: Amend Rule 16.4.12 (a)(i) Subdivision – Building Platform, to decrease the circle diameter building platform minimum from 18m to 14m.

Decision Reasons:

- To reflect and allow for the requirement for smaller dwellings and lots.
- Often lots are small, have a variable contour or shape so it is difficult to accommodate the proposed minimum platform requirements when designing a subdivision.
- Decreasing the minimum building platform will allow more sites to be built upon.

Point Number 244.12

Summary of Decision Requested: Amend Rule 16.4.12(a) (ii) Subdivision – Building Platform, to decrease the minimum dimension of a rectangle building platform from 200m2 to 160m2.

Decision Reasons:

- To reflect and allow for the requirement for smaller dwellings and lots.

- Often lots are small, have a variable contour or shape so it is difficult to accommodate the proposed minimum platform requirements when designing a subdivision.
- Decreasing the minimum building platform will allow more sites to be built upon.

Point Number 244.13

Summary of Decision Requested: **Amend** Rule 16.4.11 (a) Subdivision – Road frontage, to decrease the width of the road boundary from 15m to 14m.

Decision Reasons:

- The requirement for smaller homes and lots must be accommodated for in the District Plan.
- The submitter has had experience in developments in Perth and very tasteful homes are being developed with a road frontage width of 12m. The homes are specifically designed to suit narrower sites and the design and usability of the home is not compromised.
- Smaller sites allow more efficient use of often limited available land in city areas and there is a demand for them.
- Single occupant homes are now very common so it must be possible to build affordable small homes on small lots.

Point Number 244.14

Summary of Decision Requested: **Amend** Rule 16.3.5 P1 Daylight admission, to reduce the height control plane angle to be more in line with other NZ councils – a relaxation of the control plane angle when a proposed building is not adjacent to residence on one or more boundaries for example, lots adjoining public walkways, public parks, road, rear driveways, reserves etc.

Decision Reasons:

- The District Plan height control plane angle is onerous, out of kilter with other councils
- To reflect individual applications and boundary situations
- It leads to mundane residential designs
- In many cases is not needed due to buildings not having another home on adjacent boundaries
- If no other residence is affected, the control angle should be reduced.

Point Number 244.15

Summary of Decision Requested: **Amend** Rule 16.3.6 P1 Building coverage, to increase building coverage for homes from 40% to 50%.

Decision Reasons:

- The worldwide trend is for smaller lots due to costs
- Smaller lots are usually the first to sell
- The pace of life is much faster now
- Children do not play or use outside areas as much these days and often prefer to socialise away from their homes or undertake inside activities
- Homes now often cater for adult children who remain living with their families well into adulthood due to the high cost of renting or buying their first home so many homes are need 4-5 bedrooms and additional living areas
- Most people do not want large lawns or gardens anymore
- Very few homes in most cities in the western world would have the luxury of 60% their site being garden and not want it
- Many homeowners want media rooms, garages etc. but not large gardens or large lawns.
- Most states in Australia now allow much higher site coverage for homes to cater for the trend towards larger homes on smaller sections
- Land costs and developments costs have substantially increased over the past ten years and are likely to continue increasing.

Point Number 244.16

Summary of Decision Requested: **Amend** Rule 16.3.7 P1 (a) Living court, to decrease the minimum area for a dwelling to 60m² and a minimum dimension of 3m in any direction, and when located on a balcony of an above ground apartment, decrease the minimum area to 6m² and a minimum dimension of 1.5 in any direction.

Decision Reasons:

- The trend in most western residential areas is for smaller lots and smaller houses
- Children do not play outside nearly as often as they used to and inside activities seem to be preferred, particularly with the massive growth and popularity of social media
- Adult family members prefer using media rooms or having multiple inside living areas and often an office
- More time is being spent inside the home and this will continue
- Decreasing the minimum areas for living courts will not result in wholesale movement away from large gardens but would allow larger homes to be built on some of the lots available for sale
- Apartments do not need large outside living court areas – unless balconies are on the Northside of the building, they are seldom used
- If people do not want large living court areas they can buy a unit or apartment with a large outdoor living court if they choose – there is no need to regulate large living court areas
- The market will decide what they want and should have the option of choice
- Most people prefer more area inside their homes, not outside.

Point Number 244.17

Summary of Decision Requested: **Retain** Rule 16.3.9.1 P1 (a) Building setbacks – All boundaries, as notified.

Decision Reasons:

- The current 6m setback is unworkable, particularly in the Raglan area
- Most land zoned for residential housing in much of the Waikato, particularly Raglan, is undulating with many lots being steep and often difficult to access.
- As a result of the rules in the Operative Plan it was almost impossible for many homes in the district to be built with a 6m setback from the road so dispensations had to be applied for which causes many time delays in the processing of consents and unnecessary cost

increases

- Any rule that is clearly not workable for much of the terrain in our district should be changed
- If so many dispensations need to be applied for then it is proof that a rule needs to be amended
- Homes built closer to the road are more secure so this should be allowable and encouraged
- Homes built closer to the road allow for a larger area behind the home for recreation, which is much safer than having children play in front of the home, on driveways and near the road.

Point Number 244.18

Summary of Decision Requested: **Amend Rule 16.4.4(a)(iii) Subdivision - Multi-unit development, to decrease minimum lot size per unit for multi-unit developments from 300m2 net site area to 200m2.**

Decision Reasons:

- Raglan is a popular holiday destination with a shortage of accommodation of a good standard.
- A large number of homes have converted their garages and sheds into sleep-outs which they rent out or rent rooms within their homes. These private dwellings often do not comply with many of the building or fire standards.
- In many ways Raglan is similar to what Mount Maunganui was about 40 years ago and has now become a sort after tourism destination
- The Waikato District Plan must allow for continued growth in tourism and unit development is sorely needed to provide short and medium term accommodation, especially in the township area.
- The 300m2 minimum site area per unit is limiting and will increase the development costs, especially in areas close to the township.
- In other holiday areas multi units can be built with a 100m2 net site area so 300m2 seem excessive.

Submitter Number: 245 **Submitter:** Aaron Mooar

Point Number 245.1

Summary of Decision Requested: **Amend the zoning of Raglan Aerodrome (Designation M51) from Rural Zone to Reserve Zone.**

Decision Reasons:

- The aerodrome is suitable for sports activities.
- The site is dry during winter, while other sites are underwater and unusable.
- The submitter acknowledge issues around the double use of this site but when it is being used for non-aerodrome activities council can issue a 'notam' to alert aircraft not to land during recreational uses (as happens currently).
- There is minimal flat dry land in Raglan for recreation activities.
- The aerodrome is used for public events (a resource consent is required every time).
- This is the most cost effective solution to resolve issues facing football in Raglan.
- Refer to submission for technical reports.

Point Number 245.2

Summary of Decision Requested: **Add a Special Character Zone in the Raglan Community Board Area, with allowance for precincts with varying standards and include the following:**

- Ensure any new construction proposals in Raglan that exceed rules are publicly notified i.e. no discretionary option;
- The Housing NZ 'Simple guide for urban development' should form the basis for the Special Character zone expectations (attached to the submission),
- Descriptive and enabling approach be taken to regulating within Zone rather than prescriptive;
- Raglan Town Centre design guide should be incorporated in approach;
- Qualities such as Raglan's diverse built environment, diverse culture, individual expression, relaxed and informal environment, having no multi storey buildings, pedestrian and bike friendly environment, water views, small population and the wild should be recognised;
- Raglan Naturally document currently being re-written be an essential reference guide for decisions made in the Raglan Special Character Zone;
- Holiday accommodation such as Airbnb or Bookabach rentals in the Special Character Zone be properly regulated in terms of minimum standards and proportion of housing stock used; and
- Introduce a Bed tax to pay for infrastructure needed to handle visitor load.
- Build worker accommodation.

Decision Reasons:

- Raglan community wishes to preserve natural character of township - both built and cultural environment.
- Community has recently expressed frustration with the use of the Discretionary option by Planners.
- Prescriptive approach too restrictive and does not allow for diversity in the built environment which is a key characteristic of Raglan.
- Preserve qualities that Raglan community value.
- The Raglan Naturally document is the most thorough assessment of Raglan's community values and wishes.
- Raglan currently has a 12-13% rate of houses appearing on Airbnb.
- Raglan's infrastructure issues are well documented, including in council reports.
- Not possible for the ratings base in Raglan to fund infrastructure required for peak tourist season.
- Not fair for the Waikato District ratepayers to fund infrastructure used by visitors from other areas.
- Airbnb agrees a bed tax is a good idea.
- Raglan business owners complaining their staff cannot find accommodation, making it harder to find staff.

Point Number 245.3

Summary of Decision Requested: **Add a resource management framework for the management of Genetically Modified Organisms that is regionally specific taking into account environmental, economic and social well-being considerations.**

Decision Reasons:

- Environmental damage caused by Genetically Modified Organisms can be dealt with under the RMA.
- Genetic Engineering will harm our clean green image.
- There should be no further development and field testing of transgenic organisms.
- Supports adopting the precautionary principle.

- Genetically Modified Organisms have irreversible significant adverse impacts.

Point Number 245.4

Summary of Decision Requested: **Add** strong precautionary and prohibitive provisions, policies and rules relating to Genetically Modified Organisms that are the same (or similar) as those in the Far North District Plan, the Whangarei District Plan and the Auckland Unitary Plan.

Decision Reasons:

- To ensure a consistent approach across Northland, Auckland and the Waikato.
- To eliminate cross boundary issues.
- Environmental damage caused by Genetically Modified Organisms can be dealt with under the RMA.
- Genetic Engineering will harm our clean green image.
- There should be no further development and field testing of transgenic organisms.
- Supports adopting the precautionary principle.
- Genetically Modified Organisms have irreversible significant adverse impacts.

Point Number 245.5

Summary of Decision Requested: **Amend** the Proposed Waikato District Plan to require consents which are exempt from plan rules to be automatically publicly notified whether rules are on Genetically Modified Organisms or any other matter.

Decision Reasons:

- Several Councils have passed resolutions that there should be no further development and field-testing of transgenic organisms envisaged for agriculture, horticulture and forestry in their areas until the risk potential has been adequately identified and evaluated and a strict liability regime put in place.
- Environmental damage caused by Genetically Modified Organisms can be dealt with under the RMA.
- Genetic Engineering will harm our clean green image.
- There should be no further development and field testing of transgenic organisms.
- Supports adopting the precautionary principle.
- Genetically Modified Organisms have irreversible significant adverse impacts.

Point Number 245.6

Summary of Decision Requested: **Amend** the zoning of property 2008178 (Primrose Street, Raglan) currently zoned Recreational in the Operative District Plan to allow for development of a planted stormwater filtration system.

Decision Reasons:

- Water quality is important to Raglan community.
- Site has been earmarked for football, but Raglan Football does not support the relocation.
- Raglan football club has requested not to shift the sport to this location.
- See RFC submission (to this district plan process) about use of other areas in Raglan for football.

Submitter Number: 246

Submitter: Tony Oosten

Point Number 246.1

Summary of Decision Requested: **Amend** Rule 14.11.1 Permitted Activities to require new subdivision stormwater systems for Raglan to have swales and other technology to bring the quality of stormwater up to a standard such that its additive impact to the existing stormwater quality is maintained or improved at the point of connection.

Decision Reasons:

- No reasons provided.

Point Number 246.2

Summary of Decision Requested: **Delete** the ability for Council to apply discretion if applications are not notified.

Decision Reasons:

- To stop development that goes against the district plan permitted activity and sets precedence for future requests. An example is the Raglan Wainui Road development.

Point Number 246.3

Summary of Decision Requested: **Amend** Appendix 29:6 Biodiversity Offsetting so that the use of biodiversity offsets is the last resort and the area is 200% of the impacted area.

Decision Reasons:

- Biodiversity offsets are not equivalent in quality to the original existing areas of biodiversity as it is impossible to replicate the exact geological and climatic conditions as well as relocate all species of flora and fauna.

Point Number 246.4

Summary of Decision Requested: **Amend** Appendix 10.1 (Raglan Town Centre) to:

- Include Raglan town center character statements:
 - Enhance the pedestrian-friendly boulevard by de-prioritizing vehicular traffic;
 - Control development of buildings on either side of the Historic Harbour View Hotel to 2 storeys maximum;
 - Expand to 3 storey while maintaining the ground floor shop and verandah frontage and protection of the Harbour View stance

Decision Reasons:

- The Raglan Town Center is defined by its pedestrian-friendly boulevard and actions must be taken to enhance this.
- The clear stance of the Historic Harbour View Hotel in the streetscape needs to be maintained and potentially enhanced.

Submitter Number:	247	Submitter:	Kylie Escott
Point Number	247.1		
Summary of Decision Requested:	Retain the Residential Zone for the property at 7 Dromgools Road, Tuakau, as notified and the Residential Zoning on the Tuakau Planning Maps.		
Decision Reasons:	<ul style="list-style-type: none"> • Need for more residential sections. • Proximity to both primary and secondary schools and sporting and recreational areas. • Proximity to wastewater disposal, ease of roading construction. 		

Submitter Number:	248	Submitter:	Sharon Leigh
Point Number	248.1		
Summary of Decision Requested:	Amend the zoning of the property at 525 Horotiu Road, Te Kowhai, as well as its boundary properties to remain as Country Living Zone (Operative District Plan zone).		
Decision Reasons:	<ul style="list-style-type: none"> • The land has only just changed to Country Living Zone from Rural Zone, which the submitter was opposed to. • Allowing smaller lots to be cut off completely changes the country lifestyle the submitter purchased for in the first place. • The area has a high water table and drainage issues and is unsuitable for subdivision smaller than 5000m2. • The high volume of water running through the road drain with no houses yet built in the new subdivision behind the submitters' property has already destroyed the crossing and floods regularly in winter. • The drain in parts is also taking out the bank and has subsided back to the fence line where there was originally around 3 feet clearance. With the extra run off when houses get built there are likely to be some major issues. 		

Submitter Number:	249	Submitter:	Anton Marais
Point Number	249.1		
Summary of Decision Requested:	Amend the title for the "Country Living Zone" for a more commonly used term such as "Rural Residential", "Low Density Residential", or "Rural Settlement Zone".		
Decision Reasons:	<ul style="list-style-type: none"> • The Council should be seeking opportunities to align the Proposed Plan to the developing Draft National Planning Standards. • The Council should use terminology that is more commonly used across the country. • Country Living Zone is a legacy name and this is an opportunity to align with the future. 		
Point Number	249.2		
Summary of Decision Requested:	Amend the title for the "Village Zone", to use a more descriptive term such as "Rural Residential", "Residential Low Density", "Residential Large Lot" or similar.		
Decision Reasons:	<ul style="list-style-type: none"> • The "Village Zone" is not used elsewhere in New Zealand (to submitters knowledge). • "Village Zone" is not suggested in the draft National Planning Standards, and unlikely to be included. • The zone name does not describe the intended land use nor the intended form or feel of the zone. The naming of the zone should describe the activities, land uses, and intended street-scape one would expect, and the name does not describe these areas, the connotation is very unlike what the actual zone is like. • It is difficult for people to describe their property when it is being sold if a buyer is not familiar with the location and the house for sale is in a "Village Zone". • It is not an accurate description of the neighboring property nor the density and lot sizes a person would expect when they hear the term "Village Zone". The description of the property will match buyer/seller expectation of the zone description. • Zoning has a big impact on property valuations and when the name is not consistent with other zone names and types the valuation is not as easily standardized. • Aligning the name to something more commonly used will help people understand what the zone means. • Names such as Rural Residential, Large Lot Residential, or Residential Low Density, would enable a person on the street to know what the intention of the zone is and what it means for their property. 		

Submitter Number:	250	Submitter:	John Cunningham
Point Number	250.1		
Summary of Decision Requested:	Amend the zoning of the property at 102 Travers Road, Te Kauwhata, to remain as Country Living Zone (Operative District Plan zoning).		
Decision Reasons:	<ul style="list-style-type: none"> • Continuous Country Living Zone down from Moorfield Road • The environmental overlay surrounding the drain is flood prone and in winter gives poor drainage. Country Living gives more permeable surface and therefore reduced watershed to adjacent properties. • The amenity of the area will be maintained by the Country Living zoning. • The Lakeside development provides a new area for residential living and takes the pressure off conversion of current Country Living to Residential Living. 		

Submitter Number:	251	Submitter:	John Cunningham
Organisation:	Aparangi Retirement Village Trust		

Point Number	251.1
Summary of Decision Requested:	Amend the Proposed District Plan to enable mixed use of commercial and residential on Waeranga Road, Te Kauwhata.
Decision Reasons:	<ul style="list-style-type: none"> • Te Kauwhata is a growth node for North Waikato and will need more commercial street frontage in the future. • Mixed commercial/residential use of the Aparangi street frontage on Waeranga Road will future-proof the land use.
Point Number	251.2
Summary of Decision Requested:	Amend the Proposed District Plan to provide smaller section sizes for retirement villages.
Decision Reasons:	<ul style="list-style-type: none"> • Smaller section sizes, down to 225m2 will give better land utilization for the current Aparangi village. • It will allow clusters of "mini-houses" which is a popular retirement village layout overseas and will come to New Zealand to give greater flexibility for independent living.
Point Number	251.3
Summary of Decision Requested:	Amend the Proposed District Plan rules to enable retirement villages in Country Living and Rural Zones.
Decision Reasons:	<ul style="list-style-type: none"> • Aparangi could expand into Rural or Country Living in the future. If rules are in the District Plan, that will provide for expansion without the need for private plan changes.
Point Number	251.4
Summary of Decision Requested:	Amend the rules to remove the requirement for a retirement village to be within 400m of public transport and replace with <u>must have transport to take people to shops and connect with public transport.</u>
Decision Reasons:	<ul style="list-style-type: none"> • Public transport is not frequent in rural towns and villages.

Submitter Number:	252	Submitter:	Heather Andrews
Point Number	252.1		
Summary of Decision Requested:	Delete Rule 22.3.6 Building coverage. OR Amend Rule 22.3.6 P1 (a)(ii) Building coverage from 500m2 to at least 750m2.		
Decision Reasons:	<ul style="list-style-type: none"> • The main reason for buying a rural block is to have room to build a good house and have a shed as well. If a person wants to cover more than 500m2 they will be compelled to buy a block in excess of 3ha and have excess land that they may not have wanted. • It will make blocks of less than 3ha worth less and encourage subdivision of larger blocks, which is a waste of land. • It is not unusual for a good house to be in excess of 500m2 these days. 		

Submitter Number:	253	Submitter:	Jasmine Hunter
Point Number	253.1		
Summary of Decision Requested:	Add a Special Character Area for Raglan, with a focus on the following qualities: <ul style="list-style-type: none"> • Diverse buildings and people • Relaxed • No multi-story buildings • Enabled Individual expression • Pedestrian friendly • Bike-friendly • Water views • Human-Scale Buildings • Wild Coast OR Amend the District Plan to require any building activity that does not comply with the District Plan in Raglan to be publicly notified.		
Decision Reasons:	<ul style="list-style-type: none"> • Raglan's special character is eroding and there should be better protection of that character. • There is a need to preserve the quaintness, uniqueness and the kaitiakitanga the Raglan iwi and greater community have. • Needed so that Raglan does not resemble other holiday towns that only cater for holidaymakers. • There needs to be a stronger focus on the sensitivity to character of the CBD area. • The controversy over the recent approval and waivers for an apartment block on Stewart Street highlights the lack of focus within the District Plan. • The District Plan needs strengthening and making the driver of development. 		
Point Number	253.2		

Summary of Decision Requested:	Amend the Proposed District Plan to increase regulation of holiday houses.
Decision Reasons:	<ul style="list-style-type: none"> The submitter does not want to see people struggling to find a home.

Submitter Number:	254	Submitter:	Michelle Levy
Point Number	254.1		
Summary of Decision Requested:	Amend the District Plan to require public notification of any building activity that does not comply with the District Plan.		
Decision Reasons:	<ul style="list-style-type: none"> To ensure the special character of Whaingaroa is protected with no multi-storey developments. To ensure access to green spaces and natural resources such as beaches and bush are freely accessible and available for all to enjoy. To ensure development keeps pace with the infrastructure available. 		
Point Number	254.2		
Summary of Decision Requested:	Add a tax on Air BnB in Raglan.		
Decision Reasons:	<ul style="list-style-type: none"> To remove the high rate of unoccupied properties in Raglan. To ensure adequate housing is available for the permanent population via control on unoccupied housing and Air BnB accommodation. 		

Submitter Number:	256	Submitter:	Liz Shaw
Point Number	256.1		
Summary of Decision Requested:	Amend the Proposed District Plan to prevent holiday houses in Raglan overwhelming already stretched resources. Submission references Chapter 6.4 Infrastructure, Subdivision and Development.		
Decision Reasons:	<ul style="list-style-type: none"> The infrastructure cannot take the building that is happening in Raglan. 		
Point Number	256.2		
Summary of Decision Requested:	Add better protection for the character of Raglan, to prevent multi-storey buildings and condos for holiday homes and high density building.		
Decision Reasons:	<ul style="list-style-type: none"> Raglan's seaside community is being eroded by the high-density holiday accommodation that is currently being built. Long-time residents can no longer afford to live in Raglan even if they can find a rental. Concerned that Raglan's special character is being eroded. 		

Submitter Number:	257	Submitter:	Stuart Chisnall
On behalf of:	Estate of Alwynne McDonald Chisnall		
Point Number	257.1		
Summary of Decision Requested:	Delete the Significant Amenity Landscape from 275 Parker Lane, Buckland.		
Decision Reasons:	<ul style="list-style-type: none"> The site is rough pasture and has no significant landscape features. The site does not meet the criteria for Significant Amenity Landscape. The proposed Significant Amenity Landscape rules are unreasonable and restrict maintenance of significant drains which are legally required to be maintained via a caveat with the Waikato Regional Council. 		
Point Number	257.2		
Summary of Decision Requested:	Delete Rule 22.2.3.4 Earthworks - within Landscape and Natural Character Areas. OR Amend Rule 22.2.3.4 PI Earthworks - within Landscape and Natural Character Areas to change the area and volume of earthworks for Significant Amenity Landscapes.		
Decision Reasons:	<ul style="list-style-type: none"> The rule will unreasonably limit ability to maintain significant drains, specifically for drains required to be maintained under a caveat to the Waikato Regional Council. 		
Point Number	257.3		
Summary of Decision Requested:	Amend Rule 22.2.8 (P1) Indigenous vegetation clearance outside a Significant Natural Area to allow farmers to maintain productive pastures by controlling non-pasture species.		
Decision Reasons:			

- The rule unreasonably restricts the ability of farmers to maintain productive pasture in accordance with ordinary farming practices, outside Significant Natural Areas.

Submitter Number:	258	Submitter:	Georgina Roy
Point Number	258.1		
Summary of Decision Requested:	Add a Special Character Area to Raglan.		
Decision Reasons:	<ul style="list-style-type: none"> • Better protection of Raglan's special character, it is being destroyed by modern flats and holiday homes. • Respect for those who live in Raglan year-round. 		
Point Number	258.2		
Summary of Decision Requested:	Amend the District Plan to require any building activity in Raglan that does not comply with the District Plan to be publicly notified.		
Decision Reasons:	<ul style="list-style-type: none"> • Raglan's special character is being destroyed by 'modern flats' and holiday homes, which do not fit in Raglan and create an obstruction and eyesore. • Respect for those who live in Raglan year-round. 		

Submitter Number:	259	Submitter:	Wendy Rowell
Organisation:	Pokeno Playcentre		
Point Number	259.1		
Summary of Decision Requested:	Amend Rule 16.1.2 Permitted Activities by adding child care facility as a permitted activity.		
Decision Reasons:	<ul style="list-style-type: none"> • ECE confers large benefit to the young, growing Pokeno community. • It is appropriate for ECEs to be in the Residential Zone where people live. • An ECE will not have adverse effects on residential and recreational activities. • The only zone where the proposed plan permits ECEs is the Business Zone. In Pokeno this is a very limited area where pick up /drop offs will be dangerous. • Wish to develop a site for the Pokeno playcentre, which we will lose due to the Pokeno school expansion. 		
Point Number	259.2		
Summary of Decision Requested:	Amend Rule 22.1.2 Permitted Activities by adding childcare facility as a permitted activity.		
Decision Reasons:	<ul style="list-style-type: none"> • ECE confers large benefit to the young, growing Pokeno community. • It is appropriate for ECEs to be in the Residential Zone where people live. • An ECE will not have adverse effects on residential and recreational activities. • The only zone where the proposed plan permits ECEs is the Business Zone. In Pokeno this is a very limited area where pick up /drop offs will be dangerous. • Wish to develop a site for the Pokeno playcentre, which we will lose due to the Pokeno school expansion. 		

Submitter Number:	260	Submitter:	Vaughan Rowsell
On behalf of:	The Pam Fergusson Charitable Trust and Allen Fabrics Limited	Organisation:	OMGTech!
Point Number	260.1		
Summary of Decision Requested:	<p>Add a new zone titled 'Kimihi Lakes Recreation and Events Zone' to the planning maps.</p> <p>AND</p> <p>Amend the zoning of the parcels of land with the legal descriptions Section 3 SO 482553, Lot 1 DPS 20619, Section 1 SO Plan 60522, Allotment 740 Parish of Taupiri, Allot 857 Parish of Taupiri and Allotment 6 Paris of Taupiri from Rural Zone to the proposed Kimihi Lakes Recreation and Events Zone (see Table 6.1 within the submission for details).</p> <p>AND</p> <p>Any consequential amendments as necessary to address the matters raised in the submission.</p>		
Decision Reasons:	<ul style="list-style-type: none"> • There is currently no zone/provisions within the Proposed District Plan that provide for a land use such as the Propose Kimihi Lakes Recreation and Events Park. Neither do the provisions contained within the existing zones be able to be relied on to establish the park. • The District Plan provides for these 'out-of-box' developments through the creation of purpose-written zones (e.g. Hampton Downs Motorsport Park Zone). A comparison can be made between these sites and the Recreation and Events Park. • Relying on resource consent creates uncertainty and may result on going costs and time delays and is deemed an uneconomic option. • A specific overlay is not appropriate. It is recognised that overlays are in relation to significant tracts of land covering various zones (SNA etc). • Waikato District Council no longer desire the use of site specific schedules within the district plan. • The adoption of specific zoning is appropriate and will achieve the sought outcome. • Excludes the existing Lake Kimihi which is owned and managed by the Department of Conservation. 		
Point Number	260.2		

Summary of Decision Requested: **Add** a new section 9.5 Kimihia Lakes Recreation and Events Zone within Chapter 9 Specific Zones containing objectives and policies specifically catering for the Kimihia Lakes Recreation and Events Zone as set out in section 4.2.2 of the submission.

AND

Any consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- There is currently no zone/provisions within the Proposed District Plan that provide for a land use such as the Propose Kimihia Lakes Recreation and Events Park. Neither do the provisions contained within the existing zones be able to be relied on to establish the park.
- The District Plan provides for these 'out-of-box' developments through the creation of purpose-written zones (e.g. Hampton Downs Motorsport Park Zone). A comparison can be made between these sites and the Recreation and Events Park.
- Relying on resource consent creates uncertainty and may result on going costs and time delays and is deemed an uneconomic option.
- A specific overlay is not appropriate. It is recognized that overlays are in relation to significant tracks of land covering various zones (SNA etc).
- Waikato District Council no longer desire the use of site specific schedules within the district plan.
- The adoption of specific zoning is appropriate and will achieve the sought outcome.

Point Number 260.3

Summary of Decision Requested: **Add** a new definition for "Ancillary Buildings (Kimihia Lakes Recreation and Events Park)" to Chapter 13 Definitions as follows:

Means a supporting building that is subordinate and incidental to a permitted activity undertaken in the Park, including storage units, administration and ablution facilities and clubrooms.

AND

Any consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- New provisions are required to support the establishment of a zone to enable development of the Kimihia Lakes Recreation and Events Zone.

Point Number 260.4

Summary of Decision Requested: **Add** a new definition for "Commercial Node Areas" to Chapter 13 Definitions as follows:

Means those specified areas identified on Zone Maps in the Kimihia Lakes Recreation and Events Zone as 'Commercial Node Areas'

AND

Any consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- New provisions are required to support the establishment of a zone to enable development of the Kimihia Lakes Recreation and Events Zone.

Point Number 260.5

Summary of Decision Requested: **Add** a new definition for "Community Activities and Facilities (Kimihia Lakes Recreation and Event Park)" to Chapter 13 as follows:

Means in the Kimihia Lakes Recreation and Events Zone, land or building used for community activities, generally established on a not-for-profit basis, and includes buildings for educational purposes, community functions and public toilets or public rooms.

AND

Any consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- New provisions are required to support the establishment of a zone to enable development of the Kimihia Lakes Recreation and Events Zone.

Point Number 260.6

Summary of Decision Requested: **Add** a new definition for "Operational Facilities" to Chapter 13 Definitions as follows:

Means the construction and use of facilities and/or infrastructure to assist in the day to day operation of the Kimihia Lakes Recreation and Events Parks, including but not limited to car parking, internal access, ticketing offices, storage and maintenance sheds, and helipads.

AND

Any consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- New provisions are required to support the establishment of a zone to enable development of the Kimihia Lakes Recreation and Events Zone.

Point Number 260.7

Summary of Decision Requested: **Add** a new definition for "Outdoor Education" to Chapter 13 Definitions as follows:

Means in the Kimihia Lakes Recreation and Events Zone, land or buildings used for the formal or informal education or training and includes (but is not limited to) confidence courses.

AND

Any consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- New provisions are required to support the establishment of a zone to enable development of the Kimihia Lakes Recreation and Events Zone.

Point Number 260.8

Summary of Decision Requested:	<p>Add a new definition for "Outdoor Pursuits" to Chapter 13 as follows:</p> <p><u>Means moving across land by non-powered means for example biking, orienteering, tramping, and horse trekking.</u></p> <p>AND</p> <p>Any consequential amendments as necessary to address the matters raised in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> New provisions are required to support the establishment of a zone to enable development of the Kimihia Lakes Recreation and Events Zone.
Point Number	260.9
Summary of Decision Requested:	<p>Add a new definition for "Recreation Activity and Facilities" to Chapter 13 Definitions as follows:</p> <p><u>Means any non-motorised indoor or outdoor passive or active leisure, sports, entertainment, games or recreational pursuits and buildings in the Kimihia Lakes Recreation and Events Park Zone for participants and/or spectators, whether or not they are undertaken for profit or reward or for which no charge is made, and shall include such activities on or in water or land, or in the air and includes but is not limited to:</u></p> <ul style="list-style-type: none"> <u>Recreational events and activities</u> <u>Walking, running and cycling tracks</u> <u>Training or education</u> <u>Club Days and practice activities</u> <u>Organised Events and festivals</u> <u>Concerts</u> <u>Multi sport and off road running events</u> <u>Outdoor skate, parks and playgrounds</u> <u>Informal Recreation</u> <u>Tourism related activities</u> <u>Outdoor Pursuits</u> <p>AND</p> <p>Any consequential amendments as necessary to address the matters raised in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> New provisions are required to support the establishment of a zone to enable development of the Kimihia Lakes Recreation and Events Zone.
Point Number	260.10
Summary of Decision Requested:	No specific decision sought, but the submission notes that the of the Regional Infrastructural Specifications (RITS) and the Waikato Regional Council Regional Plan will be the relevant documents for some developments in the park
Decision Reasons:	No reasons provided.
Point Number	260.11
Summary of Decision Requested:	<p>Amend the zoning of the parcels of land with the legal descriptions Allotment 746 Parish of Taupiri, Lot 20 DP 347582, Lot 21 DP 347582, Allotment 777 Parish of Taupiri and Lot 23A Section 463 Parish of Taupiri from Rural Zone to Residential Zone (See Table 6.1 of the submission for further details).</p> <p>AND</p> <p>Any consequential amendments as necessary to address the matters raised in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> This area is located abutting existing Residential Zoned land and so forms a contiguous residential tract, ensuring services and infrastructure can easily be extended to the new residential area. Tunnel mining was undertaken west of the site and under the Huntly township including State Highway 1, Schools, the Power Station, the Waikato River and Riverine Lakes but no tunnel mining was undertaken at the Huntly East Mine. Subsidence as a result of mining would not occur in this location. Residential use of the land is therefore not subject to that risk.
Point Number	260.12
Summary of Decision Requested:	Retain the Residential Zone on the parcels of land with the legal descriptions Lot 18 DP 347582, Lot 19 DP 347582, Sec 3 SO Plan 400374, Allot 515 Parish of Taupiri and Allot 789 Parish of Taupiri (See Table 6.1 of the submission for further details).
Decision Reasons:	Tunnel mining was undertaken west of the site and under the Huntly township including SH1, schools, the Power Station, the Waikato River and Riverine lakes but no tunnel mining was undertaken at the Huntly East Mine. Subsidence as a result of mining, would not occur in this location. Residential use of the land is therefore not subject to that risk.
Point Number	260.13
Summary of Decision Requested:	<p>Add a new Chapter 29 Kimihia Lakes Recreation and Events Zone that contains rules for the Kimihia Lakes Recreation and Events Zone as outlined within section 4.2.4 of the submission.</p> <p>AND</p> <p>Any consequential amendments as necessary to address the matters raised in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> There is currently no zone/provisions within the Proposed District Plan that provide for a land use such as the Propose Kimihia Lakes Recreation and Events Park. Neither do the provisions contained within the existing zones be able to be relied on to establish the park. The District Plan provides for these 'out-of-box' developments through the creation of purpose-written zones (e.g. Hampton Downs Motorsport Park Zone). A comparison can be made between these sites and the Recreation and Events Park. Relying on resource consent creates uncertainty and may result on going costs and time delays and is deemed an uneconomic option. A specific overlay is not appropriate. It is recognised that overlays are in relation to significant tracts of land covering various zones (SNA etc). Waikato District Council no longer desire the use of site specific schedules within the district plan. The adoption of specific zoning is appropriate and will achieve the sought outcome.
Point Number	260.14
Summary of Decision Requested:	Amend Rule 14.12.1 Activity specific conditions 14.12.1.1(1)(e) relating to P1 vehicle access for all activities as follows:

(1) All activities must comply with the following vehicle access conditions:

...

(e) On a site with legal access to two roads, the activity only accesses the road with the lower classification in the road hierarchy in Tables 14.12.5.5 and 14.2.5.6 (where the roads have the same classification, access is only to the road with the lower average daily traffic movements) except in the Kimihia Lakes Recreation and Events Zone where this rules does not apply;

...

AND

Any consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- New provisions are required to support the establishment of a zone to enable development of the Kimihia Lakes Recreation and Events Zone.

Point Number

260.15

Summary of Decision Requested:

Add a new clause (2) to Activity-specific conditions 14.12.1.2 relating to P2 on site parking and loading as follows:

(1) All activities must comply with the following..

(2) In the Kimihia Lakes Recreation and Events Zone the above standards do not apply, providing that:

(a) A minimum of 1500 on-site parking spaces shall be provided except where activities are undertaken within the carpark area or where activity demand exceeds 1500 car parks, then the temporary alternative on-site parking shall be provided.

AND

Any consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- New provisions are required to support the establishment of a zone to enable development of the Kimihia Lakes Recreation and Events Zone.

Point Number

260.16

Summary of Decision Requested:

Add clause (j) to Activity-specific condition 14.12.1.4(1) relating to P4 traffic generation as follows:

(1) Any activity must comply with the following traffic generation conditions:

...

(j) Within the Kimihia Lakes Recreation and Events Zone, there shall be no maximum traffic generation, provided that:

a) A certified Traffic Management Plan (which shall include, but is not limited to, the provisions of a wide area assessment) shall be in place and implemented for all activities. The Traffic Management Plan shall:

i) Provide for the supervision and control of patrons entering and exiting the Kimihia Lakes Recreation and Events Park, and the transportation of patrons to and from the Park;

ii) Limit the speed of traffic within the Kimihia Lakes Recreation and Events Park to 30km/h

iv) Provide for monitoring and reporting on the number of vehicle movements for all activities and events;

v) Include protocols for undertaking reviews of the Traffic Management Plan by an Implementation Monitoring Committee consisting of the New Zealand Police, the Council and the Kimihia Lakes Recreation and Events Park operator

vj) Be reviewed, certified and endorsed by Council, by (date) of each year.

b) For any activity or event, or combination of activities and events where there is likely to be in excess of 5,000 people, the operator of the park shall advise the Council a minimum of 10 working days before the activity and event occurs of the details of the activity and event and the relevant provisions of the Traffic Management Plan that are to be implemented.

AND

Any consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- New provisions are required to support the establishment of a zone to enable development of the Kimihia Lakes Recreation and Events Zone.

Point Number

260.17

Summary of Decision Requested:

Add clause (b) to Activity-specific conditions 14.12.1.8 relating to P8 off-road pedestrian and cycle facilities as follows:

(b) In the Kimihia Lakes Recreation and Events Zone there shall be no activity specific conditions.

AND

Any consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- New provisions are required to support the establishment of a zone to enable development of the Kimihia Lakes Recreation and Events Zone.

Submitter Number:

261

Submitter:

Rita Carey

Point Number

261.1

Summary of Decision Requested:

Amend the approach to Maaori Sites of Significance through the following:

- Purchase the land from landowners;
- Fence the areas off at Council/Iwi cost;
- Council/Iwi to maintain those areas;
- Promote acknowledgement of the areas;
- Reward landowners for past care;
- Incentive Programmes; and
- Council/Iwi fund initial outlay cost such as fences.

Decision Reasons:

- Appears the council is determined to penalize, persecute and generally make life and business difficult for land owners for having areas of 'national treasure' on their land.
- Will have to argue with lawyers at a huge cost in the future if ever it is necessary to do something in and around those areas.

Point Number

261.2

Summary of Decision Requested:

Amend the Maaori Sites of Significance on the submitter's property by:

- Reducing the size of the buffer area;
- Locating them in the correct place; and
- Re-considering the significance of the sites.

Decision Reasons:

- Will be much more reasonable and ensures farming practice and development is not necessarily interrupted.
- 2 areas plotted on the submitter's property are in the wrong place (one of them).
- Not areas the submitter deems of significant interest/value to Maori since one is a suspected Kumara Pit and the other a suspected look out site.
- Huge buffers have been put in place for small areas that the submitter would be happy to leave alone, and has done so, with a small buffer.

Point Number

261.3

Summary of Decision Requested:

Amend the approach to Significant Natural Areas and Significant Amenity Landscapes through the following:

- Council purchase the land;
- Council to fund fencing;
- Council to maintain those areas or promote acknowledgement of the areas;
- Reward landowners for past care;
- Create an incentive programme for future care; and
- Initial capital outlay such as fences be at Council cost.

Decision Reasons:

- Appears the council is determined to penalize, persecute and generally make life and business difficult for land owners for having areas of 'national treasure' on their land.
- Will have to argue with lawyers at a huge cost in the future if ever it is necessary to do something in and around those areas.
- Appears to the submitter council want to take land from them but expect them to pay for the upkeep.
- Purchased land legally and should be able to do with it what they like.
- If council want it, they should purchase it of the submitter at riverfront, riparian right prices and pay for the upkeep themselves.

Point Number

261.4

Summary of Decision Requested:

Amend Rule 22.3.7.1 Building Setbacks - All boundaries, to reduce the setback for a habitable building to 10m.

Decision Reasons:

- A 25m setback from all boundaries means submitter will need to build towards the middle of a flat paddock and makes utilizing for farming difficult.
- The Paddock would become a section unless the paddock is ring fenced at a huge cost and inconvenience to the submitter.
- Better able to utilize the existing boundary fences for the residence section by leaving the rest of the property for grazing/cropping etc.

Submitter Number:

262

Submitter:

Brian Curle

Point Number

262.1

Summary of Decision Requested:

Amend the Proposed District Plan to include the Kimihia Lakes Restoration and Development Project.

Decision Reasons:

- Will expose Huntly and make it a 'destination' (it is a part of the 'Golden Triangle').
- Will provide a wide range of job opportunities.
- Will provide activities for youth.
- Has the potential to create educational involvement.

Submitter Number:

263

Submitter:

Rosemary Curle

Point Number

263.1

Summary of Decision Requested:

Amend the Proposed District Plan to include the Kimihia Lakes Restoration and Development Project.

Decision Reasons:

- Believes this would provide endless opportunities for our community.
- Huntly lies with in the 'Golden Triangle,' with the project added will be well on the way to being a tourist destination.
- There will be many jobs created which will also benefit the town.

Submitter Number:

264

Submitter:

Cathy Miller

Point Number

264.1

Summary of Decision Requested:

Add the Heritage Precinct Guide from the Operative District Plan for Rangiriri, and include the corner of Murphy Street and Rangiriri Road, neighbouring the cemetery and all properties exposed to the SH1 side on Austen St.

Decision Reasons:

- Rangiriri holds a unique place in New Zealand's history and as such should hold unique protection and respect.
- Requests the present Heritage Precinct Guide remains until such time that land/business owners in the precinct and other consultants can collectively respect and protect this towns future.
- Remain until such time that another more comprehensive plan unique to Rangiriri is created.
- Disagrees with Dr Ann McEwan for disestablishing the Heritage Precinct Design Guide.
- The Proposed District Plan, appears to protect and promote the necessary Rangiriri Heritage values and property, but submitter hasn't been able to establish the precinct area to which it will apply or specific specialties.
- It is essential the precinct at least takes in all that was under the removed guide, plus:
 - 1) The corner of Murphy Street and Rangiriri Road (Neighbouring the Cemetery, being exposed to the main entry to the town, a visual part of the Heritage buildings and activities).

Submitter Number:

265

Submitter:

James Whetu

Point Number

265.1

Summary of Decision Requested:**Amend** zoning of the properties at 2, 6 and 8 Durham Street Ngaruawahia from Industrial Zone to Business Zone.**Decision Reasons:**

- Submitter wishes to operate Business Zone type activities on these properties.
- Commercial activities and services are more appropriate on these properties rather than industrial activities.
- Historically, properties were used for retail and commercial services.
- One of the key issues identified in section 32 report 16, Business Zone, is connecting town centers to the Waikato River.
- These properties can improve connection of Ngaruawahia town centre to Waikato river due to their proximity to the town centre.
- Properties are close to key community features such as the Point reserve, the Waikato and Waipa rivers, the Haakarimata ranges and its walkway, as well the Kiingitanga office and reserve, where a strategic focus is promoted.
- 2 Durham Street provides safe access and clear line of sight for those visiting the community's features and improve the functioning the Ngaruawahia's town centre.
- Business zoning will be consistent with the Business Zone activities envisaged at properties 2 and 3 Princess Street and 14 and 16 Herschel Street, both zoned Business under the Proposed Plan.
- Considers natural foot traffic form town centre will be along Durham Street, when they cross over Great South Road.
- The existing railroad crossing by 2 Durham Street provides safe pedestrian passage.
- Property is in close proximity to the town centre, Jesmond Street, and will complement these activities and not detract from its intent.
- Present and future activities are reflective of Business Zone provisions rather than Industrial Zone provisions under the notified plan.
- Business zoning will uphold Objective 4.5.1 and its policies.
- The property will provide for economic, social and cultural well-being of current and future generations in Ngaruawahia.
- Re-zoning of 2 Durham Street as a Business Zone will not compromise the settlement pattern envisaged in the Future Proof Strategy.
- 2 Durham Street property will be actively used for Business Zone activities.
- Industrial provisions are not suitable for 2 Durham Street.

Submitter Number:

266

Submitter:

Etai Gilad

Organisation:

Art of Change Therapy

Point Number

266.1

Summary of Decision Requested:**Amend** the Proposed District Plan to require any building activity that does not comply with the District Plan in Raglan to be publicly notified.**Decision Reasons:**

- Raglan is known for its special characters such as a relaxed family-friendly, multicultural and community-orientated, environmental and social enterprises.
- Concerned that development which doesn't take into account Raglan's residence's needs and wishes will result in such positive characters being lost.
- Important to prevent extensive developments, e.g. chain fast food companies, big chain supermarkets and/or a high rise building.
- Focus on protecting and preserving of nature, bicycle lanes, more long term housing and less vacation accommodation and water quality.

Submitter Number:

267

Submitter:

Elaine Hyland

Point Number

267.1

Summary of Decision Requested:**Amend** the Proposed District Plan to require any building that does not comply with the District Plan in Raglan to be publicly notified.**Decision Reasons:**

- Raglan's special character preserved, with no multi-storey buildings.
- Diversity reflecting nature of Raglan-relaxed village town centre.
- Natural beauty of town be protected.
- More permanent affordable accommodation for locals, rather than only tourists.

Submitter Number:

268

Submitter:

Warwick Cheyne

Point Number

268.1

Summary of Decision Requested:**Delete** Rule 22.3.3.3 Earthworks- Significant Natural Areas.**Decision Reasons:**

- Submitter proposes if they were to have an access track through an Significant Natural Area proposed area it will be problematic to maintain, which becomes a health and safety issue.
- Under the proposal, on a track approximately 3.5m wide, the submitter will only be allowed to do maintenance on around 80m in length per year.
- The track is around 200m long and submitter questions whether they will have to do maintenance over a 3 year period.

Point Number	268.2		
Summary of Decision Requested:	Delete Rule 22.2.3.4 Earthworks- within Landscape and Natural Character Areas.		
Decision Reasons:	<ul style="list-style-type: none"> • A limit of 1000m2 has been arbitrarily assigned for earthworks in a Hill Country Significant Amenity Landscape. • This limit will be problematic for track maintenance where large areas of the farm (60%) are proposed as a Significant Amenity Landscape. • Inability to maintain tracks is a health and safety issue. • Rules render land incapable of reasonable use. 		
Point Number	268.3		
Summary of Decision Requested:	Delete Rule 22.2.7 Indigenous vegetation clearance inside a Significant Natural Area.		
Decision Reasons:	<ul style="list-style-type: none"> • Total of 1000m2 seems overly restrictive. • Could result in land outside an Significant Natural Area becoming incapable of reasonable use as persistent invasive weeds (e.g. Manuka, Totara and Tutu) encroach on the pasture. • Not clear to submitter what 'outside an Significant Natural Area' means. • Submission questions how the Waikato District Council seeks to place restrictions what can be done on their land, beyond specific Significant Natural Area land they are interested in. 		
Point Number	268.4		
Summary of Decision Requested:	Delete the Significant Natural Area from property number 1003679 until there are clear benefits to the landowner in having this on their property. The submitter outlines options which Council could have explored before notifying the proposed plan: <ul style="list-style-type: none"> • Petition the government using the local government association to restore tradeable carbon credits on stands of native timber of 2 hectares or more. • Transferable titles, with not less than one transferable title per hectare of land taken • 100% rates relief from those areas affected by designations • Council to lease the Significant Natural Area • Council to pay landowners per year based on the area of Significant Natural Area to preserve it 		
Decision Reasons:	<ul style="list-style-type: none"> • No wish to have this designation on the property. • The submitter wishes to have a free title on their property with all their entitlement's privileges • Having native timber as carbon credits would do more to preserve these stands than any threats and/or theft by zoning. • Submitter questioned the use of the word "significant" and whether this word adds value to their land. • Submitter questioned who benefits from a Significant Natural Area • Council appears to be penalising farmers who early on decided to keep the bush on their property rather than applying for a subsidy from the government to remove it. • Patches of bush are useful as shelter for stock in rough and hot weather, and are a source of firewood or building materials. • There are risks, as in all businesses, in choosing the right use for the land in question. How to utilise the resource so it is beneficial to the landowner and his family, as well as to the land, so that with minimal inputs it will continue to produce a stable income and be around for future generations to have a go. • Forestry requires waiting 25 years or more to generate income after harvest which is not an incentive. • There is no mention of who or what will benefit from these proposals. It does not appear to benefit the landowner, whose income is dependent on utilising the land to its maximum economic potential. To affect economic potential and restrict income does not benefit the country. Questions why have all these rules and regulations if nobody benefits. 		
Point Number	268.5		
Summary of Decision Requested:	Delete the Significant Amenity Landscape from property number 1003679. The submitter suggested leasing the amenity landscapes.		
Decision Reasons:	<ul style="list-style-type: none"> • No wish to have this designation on the property. • Leasing the amenity landscapes would stop them from changing and help protect them • The rules are naive and ill-informed. 		
Point Number	268.6		
Summary of Decision Requested:	Delete the walkway/ cycleway / bridleway from property number 1003679 until proper consultation and benefits have been discussed and terms agreed to. The submission suggests a lease option and/or transferable title per kilometre of track.		
Decision Reasons:	<ul style="list-style-type: none"> • The submitter has not been provided with any or enough information regarding this proposal • Apart from a line on a map, there is no information at all. 		
Point Number	268.7		
Summary of Decision Requested:	Delete Rule 22.2.8 PI (a)(ii) Indigenous vegetation clearance outside a Significant Natural Area.		
Decision Reasons:	<ul style="list-style-type: none"> • A total of 1000m2 seems overly restrictive and could result in the land outside a Significant Natural Area being incapable of reasonable use as persistent invasive weeds (such as manuka, totara and tutu) encroach on pasture. • It is not clear what "outside a Significant Natural Area" means and questions is it the whole farm or some defined area adjacent to the Significant Natural Area • Questioned how the Waikato District Council can see to place restrictions on what can be done on the submitter's land beyond the specific Significant Natural Area • No benefit economically and is likely to cause undue financial hardship • Considers it theft when a plan, objective, policy or rule is out to remove the rights of ownership, or right of use as the landowner sees fit • Does not believe the NZ Government promotes theft • Uncertain who benefits from these designations • Seeks to pursue a course of action through the NZ Police if the designations remain on the submitter's property due to restricting use of the property as a place of business and potentially lowering its value. 		
Submitter Number:	269	Submitter:	Catherine Wright

Point Number 269.1

Summary of Decision Requested: **Retain** Rule 23.3.2 Minor Dwelling, except for the amendments sought below

AND

Amend Rule 23.3.2 Minor Dwelling to have a flexible location (in metres) between a minor dwelling and the existing dwelling.

Decision Reasons:

- Support in principle a minor dwelling of no more than 70m² be allowed.
- Wish to provide accommodation that can be utilized for extended family when required.
- Submitter suggests negotiation on the siting of the minor dwelling with regards to the proximity of the existing dwelling.
- Otatau and the surrounding area is very undulating and the 20m rule would be impractical in some cases.
- In the submitters case, there is a suitable flat area suitable to a minor dwelling however it is approximately 45m from the main dwelling and can be serviced by the existing driveway.
- The alternative site, which falls under 20m rule, requires some adjustment to the land contour and felling of some trees.
- Wish to provide accommodation that can be utilized for extended family when required.

Submitter Number: 270 **Submitter:** Denise Overend-Clarke

Point Number 270.1

Summary of Decision Requested: **Add** a Special Character area for Raglan.

Decision Reasons:

- Concerns that Raglan's special character is being eroded.
- Raglan is only given token support.
- Better protection in the 10 year plan would be good.
- Diverse buildings in keeping with the area and no multi-story buildings.
- Bike and pedestrian friendly.
- Water access.
- Protect the coast.
- Manage the traffic flow.

Submitter Number: 271 **Submitter:** Dave and Fransiska Falconer

Point Number 271.1

Summary of Decision Requested: **Add** new zoning policy for a specific Kimihia Lakes Recreation and Events park zone, for the Lake Kimihia project and for the restoration of the former Solid Energy Huntly East Mine.

Decision Reasons:

- Other Councils have done it for Queenstown Events Centre, Lake Wanaka Centre, Rotorua Aquatic Centre, Taupo Events Centre, Taupo Equestrian Centre, etc.
- The development of the Lake Kimihia Recreation and Events park would offer significant employment and development opportunities
- It would be a popular events venue that is both accessible by the Auckland and Hamilton urban economies, generating income to Huntly —boosting employment opportunities that was forfeited by the closure of the mine
- The submitters welcome recreational area to their growing population and significant tourism industry.
- The 'Golden Triangle' of Auckland, Hamilton, and Tauranga contains half of the national population and economy, and the present Labour government has committed to building a rapid rail network connecting these areas that run right past Huntly.
- Recreational use of the environment is important to the district however the scale of the proposed Kimihia Lakes Recreation and Events Park would be on a scale that could reach the major city centers that are within Hamilton and Auckland
- It's time to be supportive to an outstanding vision to make Huntly a popular destination
- The significance of the restoration of Lake Kimihia, and wetlands within the former mine area, to their former state embodies the policy I.5.7.2 Landscape and natural character.
- The restored Lake Kimihia would be a complete reflection of the relationship between people and place and it would be a good example of 'de-evolution'
- The new owners have undone much of the exploitation of the lake by allowing it to refill and finally have its mana restored.
- This is relevant to I.9.3 Section 5 RMA, I.9.5 Section 7 RMA, I.12.5, I.12.6, I.12.7, 2.12.8, and Chapter 2: Tangata Whenua in the Proposed District Plan.

Point Number 271.2

Summary of Decision Requested: **Add** a southbound on/exit ramp near Kimihia Road or McVie Road, Huntly, to divert as much traffic away as possible from Taupiri Mountain Cemetery.

Decision Reasons:

- The Maori King, in the late 1860's, wept when he was informed of the intended route of the main rail trunk line alongside state highway I effectively cutting the access to the sacred burial ground.
- Mount Taupiri is a sacred mountain and burial ground for Waikato Iwi and Kingitanga.
- Parking and access became difficult because the State Highway and railway lie largely on gentler sloping land at the foot of the slopes of Taupiri Mountain
- Parking is required to be on the other side of the North Island transport system in a small and constrained area beside the Waikato River and Mangawara Stream.
- Many mourners attending Tangi often cause disruption to traffic, out of necessity.
- Mourners attending funerals have to manage 70kph traffic and then when the trains come it is formidable, as it is required to blow its horn amidst all the mourners and ceremony.
- Any reduction in traffic will be a much welcome outcome

Point Number	271.3
Summary of Decision Requested:	Restore the town name of Huntly to its original name of Rahui Pokeka.
Decision Reasons:	<ul style="list-style-type: none"> The Council need to be mindful of cultural value/impact assessments such as honoring urupa rather than factor the Huntly access to the Expressway The Council should be acknowledging 2.12.1, the significant legal power of Tangata Whenua and areas of significance such as urupa. It is a matter of utmost urgency and an obligation under 2.12.1 (iii) The Council had dismissed the submitters previously "At this stage Council is not looking to rename Huntly".

Point Number	271.4
Summary of Decision Requested:	Amend zoning of a small portion of the land at Solid Energy's Huntly East Mine from Rural Zone to Residential Zone.
Decision Reasons:	<ul style="list-style-type: none"> This is in relation to 1.4.4 (Issues for Waikato District – The Urban Environment) and 1.5.2 (What does this mean for Waikato district strategic objectives and directions – Planning for urban growth and development) To help fund for the project proposed in previous submission points. The rezoning of a small portion of the defunct mine to Residential Zoning would meet the Councils requirement to ensure the environment is maintained and enhanced from the derelict state it was left in to creating quality residential sites in a desirable area, which will fund further development of the mine into a sustainable environment.

Submitter Number:	272	Submitter:	Mark Smith
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Point Number	272.1
Summary of Decision Requested:	Amend the zoning of the properties in Summerfield Land, Tamahere from Rural Zone to Country Living Zone (see map attached to submission).
Decision Reasons:	<ul style="list-style-type: none"> Land forming Summerfield Lane was subdivided in 1992 into 10 lots with areas between 5218m2 and 2.8155ha. Subsequent boundary exchange resulted in 1 extra lot being created and lot sizes now ranging between 5218m2 and 2.037ha. Lots are all used as single dwelling lifestyle properties. Land not used directly for housing. Curtilage to housing is of low quality soils that are unsuitable for cropping or intensive farming. Land use fits requirements of Country Living Zone. Does not fit requirement of Rural Zone. Any future subdivision would not affect productive values of land or place any significant increase in traffic/services.

Submitter Number:	273	Submitter:	Russell Luders
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Point Number	273.1
Summary of Decision Requested:	No specific decision sought, but submission opposes Rule 22.1.3 RD1 (a)(b) Restricted Discretionary Activities.
Decision Reasons:	<ul style="list-style-type: none"> The definition of intensive farming lacks clear intent. The submitter disagrees with any definition of farming that is linked to soil fertility. A management decision forced by extreme weather could suddenly mean that the submitters are intensive farmers.

Point Number	273.2
Summary of Decision Requested:	No specific decision sought, but submission opposes Rule 22.2.3.3 PI (a) Earthworks – Significant Natural Areas.
Decision Reasons:	<ul style="list-style-type: none"> The submitters must be able to maintain existing farm tracks to meet health and safety standards. It is not possible to repair a track or fence or drain with a volume limit of 50m3. 200m of track 3m wide skimming 10cm of soil amounts to 60m3. A 12 tonne digger has a 0.65m bucket. 50m3 would allow the submitter to move 76.92 buckets of soil. Hill country boundary fence lines often need earthworks to provide a foundation for a long lasting quality fence. Traditional post wire and batten fence is an expensive farm investment and needs to be erected on a well prepared line to get the longest life from this investment. Provision must be allowed for earthworks for new farm infrastructure such as fencing, tracks and drains.

Point Number	273.3
Summary of Decision Requested:	No specific decision sought, but submission opposes the limits on volume, area and cut of earthworks in Rule 22.2.3.4 PI (a) Earthworks within landscape or Natural Character Areas.
Decision Reasons:	<ul style="list-style-type: none"> Regular maintenance of tracks is essential. Provisions must be allowed for earthworks for maintaining existing farm infrastructure.

Point Number	273.4
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Summary of Decision Requested: No specific decision sought, but submission opposes Rule 22.2.7 P3 (a) Indigenous vegetation clearance inside a Significant Natural Area.

Decision Reasons:

- The locations of building sites are highly dependent on topography and access.
- 250m2 is not enough allowance when building platform, access, stormwater, sewage systems fencing and landscaping are required.

Point Number 273.5

Summary of Decision Requested: No specific decision sought, but submission opposes the restrictions in Rule 22.4.2 RD1 (a) Title boundaries – natural hazard area, contaminated land, Significant Amenity Landscape, notable trees, intensive farming activities, aggregate extraction areas.

Decision Reasons:

- Boundaries must be determined by topography, and some Significant Amenity Landscapes already have property boundaries through them.

Point Number 273.6

Summary of Decision Requested: No specific decision sought, but submission opposes the restrictions in Rule 22.4.3 RD1 (a) Title boundaries – Significant Natural Areas, heritage items, Maaori sites of significance and Maaori areas of significance.

Decision Reasons:

- Boundaries must be determined by topography, and some Significant Natural Areas already have property boundaries through them.

Point Number 273.7

Summary of Decision Requested: **Delete** Environmental Protection Areas from all of the Proposed District Plan, including Rule 22.4.6 Subdivision of land containing all or part of an Environmental Protection Area.

Decision Reasons:

- Environmental Protection Area is not defined.
- There is no apparent reason for having both Significant Natural Areas and Environmental Protection Areas.

Point Number 273.8

Summary of Decision Requested: No specific decision sought, but submission opposes Rule 22.2.3.3 P2 Earthworks - Significant Natural Area and the limits on imported fill.

Decision Reasons:

- Sometimes the only option to repair a track or fence lines is to import fill.

Point Number 273.9

Summary of Decision Requested: No specific decision sought, but submission opposes Significant Natural Areas being identified on private land.

Decision Reasons:

- The submitter takes pride in the private bush area which their predecessors chose not to develop.
- Strongly oppose being dictated and restricted on what can and cannot be done on these areas.
- These areas in the future could possibly have significant value, however consultation needs to be undertaken prior.
- The Waikato District Council has not presented a practical plan for the direction of future management of Significant Natural Areas.

Point Number 273.10

Summary of Decision Requested: No specific decision sought, but submission opposes Significant Amenity Landscapes being identified on private land.

Decision Reasons:

- The submitter takes pride in the private bush area which their predecessors chose not to develop.
- Strongly oppose being dictated and restricted on what can and cannot be done on these areas.
- These areas in the future could possibly have significant value, however consultation needs to be undertaken prior.
- The Waikato District Council has not presented a practical plan for the direction of future management of Significant Amenity Landscapes.

Point Number 273.11

Summary of Decision Requested: No specific decision sought, but submission opposes Rule 22.2.8 P1 (a) Indigenous vegetation clearance outside a Significant Natural Area.

Decision Reasons:

- There is not enough clarity on what Outside a Significant Natural Area means.
- Indigenous vegetation clearance for any farming purpose should be permitted given that farming is a permitted activity.
- Over time, invasive indigenous vegetation will revert productive land unusable as it overruns productive pasture.
- Provision must be allowed for indigenous vegetation clearance for the purpose of new farming infrastructure such as fences, tracks, drains and keeping productive land clear.
- Provision must be allowed for indigenous vegetation clearance for the purpose of new dwellings and buildings including access.

Point Number 273.12

Summary of Decision Requested: No specific decision is sought, but the submission opposes Rule 22.4.1.6 RD1(a) Conservation Lot Subdivision.

Decision Reasons:

- If the Waikato District Council is intent on defining a piece of the submitter's land as being of public interest, then those public benefits should be accounted for by a transaction.

- If perceived value of conservation lots are assessed on a per hectare basis, then the real ongoing costs and liabilities to landowners must be calculated and compensated on a per hectare basis. All conservation lots, regardless of size will require an ongoing commitment and liability to the landowners for maintenance and management.
- All Significant Natural Areas should be eligible for compensation which is in proportion to the size of the Significant Natural Area and its' conservation lot.
- Many landowners do not wish to subdivide their land, or their land is unsuitable for subdivision, therefore a subdivision incentive is not an option.
- Monetary compensation must be offered.

Submitter Number:	274	Submitter:	Charlie Young
Organisation:	Raglan Chamber of Commerce		
Point Number	274.1		
Summary of Decision Requested:	Add a new specific zone, in Chapter 9 Specific Zones for Huntly's Kimihia Lakes Recreation and Events zone for the following 183ha of properties: Section 3 SO 482553, Lot 1 DPS 20619, Allotment 746 Parish of Taupiri, Section 1 SO Plan 60522, Allotment 740 of Taupiri, Lot 18-21 DP 347582, Sec 3 SO Plan 400734, Allotment 777 Parish of Taupiri, Lot 23A Section 463 Parish of Taupiri, Allot 857 Parish of Taupiri, 515 Parish of Taupiri, 789 Parish of Taupiri and Allotment 6 Parish of Taupiri (Submission refers to attached submission from Allen Fabric Limited).		
Decision Reasons:	<ul style="list-style-type: none"> • Impending re-routing of main arterial motorway to the east of Huntly's town centre means the challenges facing the community are many, difficult and complex. • Businesses that traditionally rely on passing vehicular traffic will be severely impacted and may force some to close or relocate. • Run-on effect of loss of business and jobs will have a profound effect on the community's teetering ability to maintain its proud and vibrant history. • Huntly community needs a new direction and game changing plan to lead the way for the town's revitalization, which the proposed Kimihia Lakes redevelopment can be a catalyst for. • Closing of the Huntly East Mine brought a statutory rezoning of the area from an overlay 'Extraction Zone' to 'Rural Zone' which severely restricts the type of access and redevelopment activities that can occur. • New overlay is sought to enable lake associated activities to be created and conducive to education, recreation and economic development. • Alignment and recognition within the newly proposed Waikato District Council Plan is necessary. • Huntly is most deserving and in need of a new specific revitalization and economic zone. • Kimihia Lakes Project area needs to be defined as a specific zone to enable the commencement of its overall business plan. • Not including the Kimihia Lakes project would result in an expensive and arduous private plan change which Huntly cannot afford. • The Intent of the Kimihia Lakes Restoration and Redevelopment Project is to align with the Waikato District Council's stated overall vision for its communities ("Liveable, Thriving and Connected Communities"). • Kimihia Lakes Project is a grassroots community led program enabling the core environmental assets of the area to become the centerpiece to Huntly's revitalization, river and lakes network. • Recent closure of Huntly East Mine is an opportunity to restore the open cast mine back to an accessible lake and shoreline. • Restoration funds set aside by previous mine owners (Solid Energy) to kick start revitalization effort. • Plan's vision will be centered on future capabilities of the Lake's rehabilitation efforts, facilities and outlooks to create a sustainable circular economy model. • The renewed Kimihia Lake will be Huntly's largest deep water lake capable of hosting non-powered water craft events. • Allen Family (of Allen Fabrics Ltd.) acquired the mine property, as well as the responsibility of managing its restoration and connectivity to the environment and community, and is in the process of organizing a working group of stakeholders, iwi and investors. 		

Submitter Number:	275	Submitter:	Tim Foy
Organisation:	Waikare Golf Club (Te Kauwhata) Inc.		
Point Number	275.1		
Summary of Decision Requested:	Delete the proposed walkway/cycle way/bridleway overlay from the Waikare Golf Club, Te Kauwhata.		
Decision Reasons:	<ul style="list-style-type: none"> • Proposed bridleway/cycle way shown on the district plan poses a significant risk to people, horses etc. from flying golf balls. Oppose inclusion of cycle way/ bridleway/ walkway on this basis. • Not opposed to the idea of exercise facilities, however the health and safety risk in this case is too great. • Current board will not recommend to their member the sale of such land for the purpose of exercise facilities. 		
Point Number	275.2		
Summary of Decision Requested:	Amend the setback distance for the properties on the northern boundaries of Waikare Golf Club, Te Kauwhata from 1.5m to 10m.		
Decision Reasons:	<ul style="list-style-type: none"> • Submitter's experience with minimum setback distances allowed for development on their western boundary and likely on their eastern boundary has, is or is likely to cause significant health and safety issues for residents and their families. 		

Submitter Number:	276	Submitter:	Ted and Kathryn Letford
Point Number	276.1		
Summary of Decision Requested:	Amend Table 14.12.5.14-Access and Road conditions relating to the access leg widths for the Residential Zone as follows: <ul style="list-style-type: none"> • 1-3 allotments: 3.6m • 4-6 allotments: 4-6m 		
Decision Reasons:	<ul style="list-style-type: none"> • The access leg for requirement for 1 lot of 4m width is too wide and a waste of residential space. • The access lot requirement for 2-4 lots of 8m required is too wide and a waste of space. • HCC have a requirement for access serving 1-3 allotments and serves well. Suggests adopting the same for urban areas. • HCC also have 4-6 allotments at 4-6m private way width and suggests adopting the same approach for urban areas. • Urban land is going to waste, and is the zone where subdivision should be taking place. 		

Point Number 276.2

Summary of Decision Requested: **Retain** the following access widths in Table 14.12.5.15 Access and Road condition for Rural and Country Living Zone

- 6m wide access for one allotment.
- 6m wide access for 2-3 lots.
- 10m for 4-8 lots.

Decision Reasons:

- Proposed access widths are far more practical than the current requirements under Operative District Plan which wastes too much space.

Point Number 276.3

Summary of Decision Requested: **Retain** the ability in Chapter 16 Residential Zone to undertake multi unit development

AND

Amend Chapter 16 Residential Zone to reduce the size of the net site area per residential unit for multi unit development from 300m2 net site area to 150m2 average per apartment and 200m2 net site area per half duplex to be similar to Hamilton City Council.

Decision Reasons:

- Supports the ability to cater for Multi Unit Development.
- Recommend reconsidering 300m2 net site area per residential unit as they may be too large for this type of development.
- Suggests adopting a similar approach to HCC: 150m2 per apartment, 200m2 net site area per half duplex unit.

Point Number 276.4

Summary of Decision Requested: **Amend** Rule 16.4.1 RD1 (iv) Subdivision General to increase the number of lots to 20 or more for when this rule is triggered.

Decision Reasons:

- Seems hard to work with.
- Submissions uses an example of a four lot subdivision with two front and two rear lots to illustrate that subdivision will not be able to achieve this rule.
- Would be difficult to obtain a parent title with a sufficiently long road frontage to make this work.
- Number of lots need to be raised for when this rule is triggered, suggests 20 lots or more.

Point Number 276.5

Summary of Decision Requested: **Retain** Rule 16.4.6 Subdivision - Amendments and updates to cross lease flats plans and conversions to freehold.

Decision Reasons:

- Supports the inclusion of Amendments to cross lease and flats plans.
- Supports the ability to convert from cross lease to fee simple title.
- This is an improvement on the Operative Plan, which has no provision for these.

Point Number 276.6

Summary of Decision Requested: **Retain** Rule 22.3.2 Minor dwelling.

Decision Reasons:

- Should be permitted to have a minor dwelling.
- Should be no requirement for it to be occupied by a dependent person related to the person in the main dwelling.
- Better outcome than the current Dependent Person Dwelling rule under the Operative Plan.

Point Number 276.7

Summary of Decision Requested: **Retain** 22.3.7.1 Building Setbacks - All boundaries, as notified.

AND

Retain Rule 22.3.7.1 P2 (a) Building Setbacks - all boundaries, which sets out non-habitable building setbacks on a title less than 1.6ha.

AND

Retain Rule 22.3.7.1 P4 (a) Building Setbacks - All boundaries, which sets out non-habitable building setbacks on a title greater than 1.6ha.

Decision Reasons:

- Non-habitable buildings should be permitted to be setback closer than 25m from every boundary other than a road.

Point Number 276.8

Summary of Decision Requested: **Delete** the Prohibited Activity Status from Rural subdivision rules (Rule 22.4.1.1 Prohibited Subdivision).

Decision Reasons:

- Many farmers want the right to split off a block that can be used for family members to build on or to sell during hard times and generate some income.
- If the record of title is large (over 20ha) then splitting off a small block (for example between 2500m2 and 5000m2) has minimal effects on losing those high quality soils. The Plan should allow this.
- Similarly, if the record of title is small to begin with (less than 4ha) and is not a viable productive rural block, then splitting off a small block as per above, is not going to result in a loss of productive land. The Plan should allow this.
- Prohibited activity status is too restrictive.

Point Number 276.9

Summary of Decision Requested: **Amend** Rule 22.4.1.2 RD1 (a) (iv) General Subdivision to reduce the size of the additional lot.

Decision Reasons:

- This is too large.
- Area should be smaller and rural blocks left in larger holdings.
- People want a small block and do not want to maintain a block size up to 1.6ha.

Point Number 276.10

Summary of Decision Requested: Amend Rule 23.3.7.1 (a) (iii) Building Setbacks (All Boundaries), from 12m to a 6m setback.

Decision Reasons:

- 12m setback seems like an inefficient use of land.
- Difference between 6m and 12m in terms of noise and privacy is not something that would be noticed in terms of effects on the residents, compared to the effects of the waste of space that it results in.

Point Number 276.11

Summary of Decision Requested: Amend Rule 23.4.2 RD1 (a) (i) General Subdivision, to reduce the minimum lot size to allow lots below 5000m2.

Decision Reasons:

- WDC needs to think about productivity of land and the use of it as most Waikato District towns are surrounded by very fertile land.
- Council should concentrate on developing smaller blocks as they have the inability to be used for productive purposes.
- More intensive subdivision in Tamahere should be catered for as a priority due to its proximity to Hamilton, which would require reducing the lot sizes to 2500m2 for all of the Country Living zone.
- it is important for Waikato farmland to be maintained to a viable size.
- Enabling the Country Living Zone to be more intensively developed leaves the Rural Zone available for productive purposes.
- Leaving the minimum lot size at 5000m2 seems like a very inefficient way of conserving large lots for farming purposes.
- Better to intensify the land that is already zoned for Country Living.
- Other councils in the Waikato Region manage to successfully have 2500m2 and the residents still enjoy a 'large lot' feel.
- Submission questions where the 5000m2 requirement came from.
- Reducing lot size to 2500m2 reduces the amount of land being taken out of productivity.
- Minimum lot size of 5000m2 encourages the loss of landscaped/garden areas as they are harder to maintain the lawn, reflecting a changing society which places less priority on gardening and more on family and recreation.
- Tamahere is in a location where development should be encouraged and catered for options, retaining some larger blocks, and allowing smaller country living blocks. Tamahere is also close to places of work, shopping areas and services, close to entertainment, the Waikato expressway and Airport.

Point Number 276.12

Summary of Decision Requested: No specific decision sought, but submission considers Rule 22.4.1.2 RD1 (a)(v) is too restrictive to enable subdivision based on soil type and will create difficulty in excessive assessment reports having to test the entire property.

Decision Reasons:

- Too restrictive to enable subdivision based on soil type.
- If additional lots are sufficiently small, this will minimise loss of productive land.
- Requirement will create difficulty in extensive assessment reports having to test right across the title in order to quantify the two lots in terms of high class soils.

Point Number 276.13

Summary of Decision Requested: Amend Rule 22.4.1.4 RD1 (a)(iv) Boundary relocation, for the lots to be smaller than 8000m2.

AND

Retain the absence of the requirement for boundary relocation titles to be held in common ownership in Rule 22.4.1.4 Boundary relocation.

Decision Reasons:

- Rural farmers do not want to lose too much land, but want ability for smaller blocks.
- Support removing requirement for boundary relocation titles to be held in common ownership, which is an improvement on the Operative District Plan.

Point Number 276.14

Summary of Decision Requested: Amend Rule 22.4.1.5 RD1 (a) (iii) Rural Hamlet Subdivision to reduce the 8000m2 minimum area requirement.

Decision Reasons:

- Support in principle.
- Should be provision for smaller blocks.
- Will retain rural balance blocks in larger holdings.

Point Number 276.15

Summary of Decision Requested: Amend Rule 22.4.1.6 RD1 (vi) and (vii) Conservation lot subdivision, to enable smaller lots.

Decision Reasons:

- Support in principal.
- The minimum lot size is too large at 8000m2.
- Provision to cater for smaller lots should be available and will result in larger balance rural land blocks.

Point Number 276.16

Summary of Decision Requested: Retain Rule 22.4.9 Subdivision - Building Platform.

AND

Retain the number of car parks for a dwelling in Table 14.12.5.7 Required parking spaces and loading bays.

Decision Reasons:

- Support the number of car parking spaces for the dwelling.
- This is an improvement on the Operative District Plan, requiring one parking space per bedroom.

Submitter Number:	277	Submitter:	Anthony Gurr
Point Number	277.1		
Summary of Decision Requested:	Retain Chapter 9.2 Te Kowhai Airpark, as notified.		
Decision Reasons:	<ul style="list-style-type: none"> • Aviation serves the wider community as a whole, and with the option of living as part of an aviation community, it will help go a long way to bringing more people and move diversity to a community. 		
Point Number	277.2		
Summary of Decision Requested:	Retain Chapter 27 Te Kowhai Airpark Zone, as notified.		
Decision Reasons:	<ul style="list-style-type: none"> • This is somewhere the submitter would look to retire later in life, somewhere they can be close to two major centers and still own and operate an aircraft from the comfort of home. The submitter also believes that this will bring an influx of people to and business to Te Kowhai. 		

Submitter Number:	278	Submitter:	Simpson Trevor
Organisation:	Simpsons Farms Ltd		
Point Number	278.1		
Summary of Decision Requested:	Delete the Outstanding Natural Features on the properties owned by Simpson Farms Ltd.		
Decision Reasons:	<ul style="list-style-type: none"> • Object to the application of the Outstanding Natural Feature without direct consultation and prior knowledge of the submitter 		
Point Number	278.2		
Summary of Decision Requested:	Delete the Significant Natural Area overlay on the properties owned by Simpsons Farms Ltd.		
Decision Reasons:	<ul style="list-style-type: none"> • Object to the application of the Significant Natural Areas overlay without direct consultation and prior knowledge of the submitter. 		

Submitter Number:	279	Submitter:	Robbie Bennett
Point Number	279.1		
Summary of Decision Requested:	Amend Rule 22.4.1.6 (a) (vi) Conservation lot subdivision to allow for a minimum lot size of 5,000m2.		
Decision Reasons:	<ul style="list-style-type: none"> • 5,000m2 lot size still retains rural character. • Subdivision of properties that contain indigenous vegetation need good incentive to protect, and 5,000m2 would encourage this. • There are properties west of Ngaruawahia, that often have a LUC of 4- 6e. Class 1-3e soils would still be protected. • The Country Living Zone allows for properties to have a minimum lot size of 5,000m2. • By allowing 5,000m2 there is more potential to support the rural communities . (in particular rural schools). • There are Rural Zoned properties on sealed roads within 10km of a township (eg Ngaruawahia). More rates to contribute to the maintenance of the roads. • The neighbouring council of Waipa allows for 5,000m2 which will mean Waikato District will be consistent with our neighbouring council. 		

Submitter Number:	280	Submitter:	Peter Nation
Organisation:	New Zealand National Fieldays Society Inc		
Point Number	280.1		
Summary of Decision Requested:	<p>Amend Rule 22.2.1 Noise to align with the Waipa District Plan and implement the Environment Court Consent Order with regards to Mystery Creek Events Centre (see submission for copy of Consent Order).</p> <p>AND</p> <p>Amend the zoning to align with Waipa District Council's Operative District Plan to manage the Mystery Creek Events Centre and noise generation.</p>		
Decision Reasons:			

- Mystery Creek Event Zone is identified as a specific zone in the operative Waipa District Plan.
- Refer to Appendix B in submission for corresponding Map.
- Waipa District Plan specifies a noise contour specific to Mystery Creek Events Centre.
- Careful restrictions placed on noise and event activity within the operative Waipa District Plan's Mystery Creek Events Zone and Mystery Creek Noise Contour, including limits on the number of events per year.
- Main basis of noise controls is the Mystery Creek Noise Contour.
- Contour extends across event platform to the centreline of the Waikato River adjacent to the Eastern boundary of the MCRC events Zone.
- Refer to Appendix B in submission for corresponding map.

Point Number 280.2

Summary of Decision Requested: **Amend** Rule 23.2.1 Noise to align with the Waipa District Council operative District Plan and implement the Environment Court Consent Order (see submission for copy of Consent Order).

AND

Amend the zoning to align with Waipa District Councils Operative District Plan to manage the Mystery Creek Events Centre and noise generation.

Decision Reasons:

- Implement provisions outlined in Environment Court Consent Order issued 28 July 1997 between PM & VWR Lang, Waipa District Council, Waikato District Council and the NZ National Fieldays Society.
- Refer to Appendix C in the submission for Court Order.
- Court Order contemplated noise provisions in the Waikato District Plan.
- Provisions contemplated decibel levels between 40dBA and 50dBA and 55dBA during scheduled times.
- Rules incorporated in Waipa District Plan.
- Rules not incorporated in Waikato District Plan, believe to be an omission.
- Society considers WDC's agreement to introduce noise provisions set out in the Memorandum and Consent Order should be incorporated in provisions within the proposed Waikato District Plan.

Point Number 280.3

Summary of Decision Requested: **Amend** the Proposed District Plan to include a noise contour for Mystery Creek Events Centre to align with the noise contour in the Operative Waipa District Plan.

AND

Add the rules from the Waipa District Plan (see Appendix E attached to the submission).

Decision Reasons:

- Waipa District Council have a Mystery Creek Noise Contour.
- Noise contour stops at boundary between the Waipa and Waikato Districts.
- Noise contour does not stop in logical location.
- Refer to Appendix F for an example map of an appropriate noise contour.
- Consistency of approach with the Waipa District Plan.

Submitter Number: 281 **Submitter:** Zeala Ltd

Organisation: Trading as Aztech Buildings

Point Number 281.1

Summary of Decision Requested: **Defer** the hearing of submissions until after the adoption of the National Planning Standards, and/or after Stage 2 of the review of Future Proof/updated Waikato Regional Policy Statement.

Decision Reasons:

- Deferring the Proposed Plan will allow for more thorough editing of the document
- Legislative reforms are currently occurring with other documents being updated:
 - Draft National Planning Standards (NPS) have been through consultation, with indications of adoption in 2019. The NPS are set to improve consistency in Plan structure format and content. The Ministry for Environment has signaled a desire for cost savings and standardization - particularly with regard to definitions.
 - The Proposed Plan is required to 'give effect to' to the Objectives and Policies of the Operative Waikato Regional Policy Statement (WRPS). While the WRPS was Operative 2016, the Objectives and Policies are yet to fully encompass the northern areas of the District that transferred from the former Franklin District. The WRPS will be reviewed to encompass this additional area and is largely informed with regard to settlement patterns, by 'Future Proof', which is also being updated over the 2018/19 period.
- That National Standards, potential changes in land use patterns through the adoption of revisions in Future Proof that will then inform the WRPS raises question marks regarding the timing of the review as subsequent changes to the Proposed Plan brought about by these other documents will be unnecessarily time consuming and expensive

Point Number 281.2

Summary of Decision Requested: **Amend** Section 1.4.3.1 (a) Rural Activities as follows:

Productive rural activities are those activities that use rural resources for economic gain or which cannot be carried out easily or appropriately in an urban setting. Farming activities including dairy, dry stock, horse breeding, training, honey production, horticulture, pig and poultry, mining, and forestry are all significant industries in economic terms for the Waikato district.

Decision Reasons:

- Farming Activities includes a prescriptive list of activities. This list is not inclusive of all things that could be deemed farming activities and differs from the definition of farming within the Proposed Plan.
- Deleting the list does not detract from the Strategic Direction of the document.

Point Number	281.3
Summary of Decision Requested:	Amend Section 1.10.1.1 (a) Waikato District Development Strategy 2015 to refer to the correct Waikato Regional Policy Statement Policy as "6.1.1" rather than "6.11".
Decision Reasons:	<ul style="list-style-type: none"> • It refers to the wrong WRPS Policy.
Point Number	281.4
Summary of Decision Requested:	Retain Objective 5.1.1 (a)(i) and (ii) The rural environment.
Decision Reasons:	<ul style="list-style-type: none"> • The primacy of this Objective is supported. • Productivity of the Rural Sector is of National importance. • Primary Objective of Rural Environment recognises this importance. • Rules need to be consistent with this Policy.
Point Number	281.5
Summary of Decision Requested:	Retain Policy 5.3.2 Productive rural activities. AND Amend rules to be consistent with this policy.
Decision Reasons:	<ul style="list-style-type: none"> • Rural rules need to be consistent with this policy as in further submission points. • The policy recognises the importance of buildings associated with farming, rural industry and established rural activities and is supported.
Point Number	281.6
Summary of Decision Requested:	Amend Policy 5.3.5 (a) Earthworks activities as follows: <i>(a) Provide for <u>Enable earthworks</u> where they support rural activities including...</i>
Decision Reasons:	<ul style="list-style-type: none"> • Providing for earthworks "supporting" rural activities is not actually supportive if the rules unduly restrict such activities.
Point Number	281.7
Summary of Decision Requested:	Retain Policy 5.3.6(a) Intensive farming activities, except for the amendments sought below AND Amend Policy 5.3.6 (a) Intensive farming activities as follows: <i>Enable Provide for intensive farming activities provided they operate in accordance with industry best practice and management of that are not reliant on the productive capacity of the soil on the site provided that the operative effectively manages the adverse effects both on-site and on any neighbouring sites.</i>
Decision Reasons:	<ul style="list-style-type: none"> • Support the enabling policy with regard to Intensive farming where the proposal is shown to mitigate the potential adverse effects of operations. • Amend the wording of what constitutes intensive farming so that the definition excludes farming operations that are dependent on the productive capacity of the soils on site. • Rules need to be consistent with this Policy – see following section on Rural Rules, while the current definition is not reflective of this Policy - and frankly does not make sense. • See later discussion on definition of Intensive farming.
Point Number	281.8
Summary of Decision Requested:	Add a new line to Policy 5.3.7 (a) Reverse sensitivity effects as follows: <i>(vi) <u>buildings associated with rural production.</u></i>
Decision Reasons:	<ul style="list-style-type: none"> • This Policy should recognise that farming/the rural environment may also contain large buildings/structures associated with rural production such as covered feed pads, wintering barns, glass houses, barns, implement sheds etc. • Further having large rural buildings which may house farming stock, either on a temporary or permanent basis, enables the better mitigation of one of the potential adverse effects of ruminant stock (effluent disposal) by separated stormwater from animal effluent whilst the animals are housed. • This type of mitigation is supported at a Regional Council level. • Housing animals also results in increased productivity, reduction in waste product and reduced pugging.
Point Number	281.9
Summary of Decision Requested:	Retain Policy 5.3.7(h) Reverse sensitivity effects. AND Amend rules to be consistent with this policy.
Decision Reasons:	<ul style="list-style-type: none"> • Rural rules need to be consistent with this policy as discussed in other submission points.

- Support the enabling policy with regard to Intensive farming where best practice is followed with regard to mitigating the potential adverse effects of operations.

Point Number 281.10

Summary of Decision Requested: **Amend** Rule 14.2.3 Discretionary Activities to exclude farm irrigation/drains. (This relates to the changes sought to the definition of "Infrastructure" to exclude farm irrigation/drains elsewhere in the submission).

Decision Reasons:

- Infrastructure includes drainage - Discretionary or Non-Complying Activities status may apply for earthworks associated with farm drainage. This is in conflict with the Rural Objectives and Policies relating to Earthworks.

Point Number 281.11

Summary of Decision Requested: **Amend** Table 14.12.5.7 Required parking spaces and loading bays – Industrial activities as follows:

1 car space per 1002m² GFA for the first 500m² of any tenancy and thereafter 1 space per 500m².

Decision Reasons:

- The parking standard for industrial buildings does not recognise the differing nature of Industrial buildings or the nature of the activities within such buildings with failure triggering Restricted Discretionary Assessment.
- A large storage warehouse will not necessarily require 20 times as many car parking spaces as an industrial building 1/20th the scale. Most TA's use a sliding scale to recognise this.

Point Number 281.12

Summary of Decision Requested: **Amend** Rule 22.1.3 RD1 Restricted Discretionary Activities so that Intensive Farming is a Permitted Activity subject to compliance with standards that reflect the potential adverse effects of differing types of intensive farming.

AND

Add a Restricted Discretionary Activity for Intensive Farming activities that do not comply with the Permitted Activity Standards, where the potential effects (odour, noise and visual amenity) are able to be assessed to avoid, remedy or mitigate such effects.

AND

Amend the yard setback requirement to 100 metres for Intensive Farming as a Permitted Activity.

AND

Delete the specific building coverage requirement for intensive farming and rely on the building coverage standards within Rule 22.3.6 and other general development standards within the Rural Zone, noting that the effects of "farming" operations that do not comply with standards relating to activities, effects or building contained in Rules 22.12, 22.2 and 22.3 (unless otherwise specified as controlled, restricted discretionary or non-complying), default to full Discretionary assessment under Rule 22.1.5.

Decision Reasons:

- There is no justification within the Objectives or Policies of the Rural zone for the classification of Intensive Farming as a Restricted Discretionary Activity.
- Further failure of the 'development standards' (land use effects and building effects rules) mean automatic default to Non-Complying.
- The proposed rules creates unnecessary restrictions on the ability to establish Intensive Farming operations on smaller land holdings.
- Standards that need to be met to achieve the Restricted Discretionary Activity include a setback of 300 meters for any building or yard from any site boundary (where the activity is deemed to be Intensive Farming).
- The impact of such restrictions would be that a small intensive farming operation would need to be located on approximately 40 hectares of land to avoid NON-COMPLYING status - this is not consistent with the Objectives and Policies for Intensive Farming.
- The proposed Rule creates unnecessary restrictions on the ability to establish Intensive Farming Operations on smaller land holdings and is counter intuitive to the nature of Intensive Farming Operations which normally take place on such smaller holdings and are non-reliant on the productive capacity of the land.
- There is no justification for the 300 meter yard separation in dealing with the effects of buildings or yards associated with Intensive Farming, where the policy acknowledges potential effects are odour, noise, and visual amenity, and where such effects are 'permitted' for other rural activities. (green houses, silage bins, normal farming practices).
- The proposed rule does not recognize the potential positive environmental effect of buildings housing animals (either temporarily or permanently) in effectively separating stormwater from animal effluent, increased productivity through reduced farm pugging.

Point Number 281.13

Summary of Decision Requested: **Retain** the permitted activity status for ancillary rural earthworks in Rule 22.2.3.1 RD1 (a)(i) Earthworks General

AND

Add a new clause (v) to Rule 22.2.3.1 (a) Earthworks General as follows:

(v) for building works authorised by a building consent, and the area of earthworks is no more than 150% of the area of those building works and occurs on land with an average gradient no steeper than 1:8.

Decision Reasons:

- While the 'permitted activity' status for ancillary rural earthworks is supported the definition of ancillary rural earthworks (point 3 of the definition) creates some uncertainty over the extent of works which could be deemed permitted (i.e. earthworks for structures associated with farm buildings).
- The Waikato Section of Operative District Plan included permitted activity status for earthworks necessary for building works authorized by a building consent provided that the area of earthworks is no more than 150% of the area of those building works and occurs on land with an average gradient no steeper than 1:8.

Point Number 281.14

Summary of Decision Requested: **Amend** terminology in the Proposed District Plan to provide consistency between maps and text, particularly with respect to overlays.

Decision Reasons:

- There appears to be some inconsistency in terminology used in the Overlays on the Planning Maps versus provisions within the text – for example in the Rural Zone referencing "Outstanding Natural Character" versus "Maps Natural Character".

Point Number	281.15
Summary of Decision Requested:	Delete the definition of "Animal Feed Lot" in Chapter 13: Definitions.
Decision Reasons:	<ul style="list-style-type: none"> • It does not appear to be referenced elsewhere in the plan • Animal feed lot does not appear in either the list of landuse activities, land use effects, or land use buildings. • The reference in the definition to the "intensively feeding animals" could give rise to confusion around "Intensive Farming".
Point Number	281.16
Summary of Decision Requested:	<p>Amend the definition of "Fill Material" in Chapter 13: Definitions as follows:</p> <p><i>Means material used for filling activities including, <u>but not limited to, materials such as sand</u>, soil, clay or aggregate.</i></p>
Decision Reasons:	<ul style="list-style-type: none"> • Clarify that the list is not inclusive - other materials could be fill such as sand.
Point Number	281.17
Summary of Decision Requested:	<p>Amend the definition of "Impervious Surface" in Chapter 13: Definitions as follows:</p> <p><i>Means a surface such as a road, rooftop, footpath, paving, decking, swimming pool, patio, driveway, vehicle access and manoeuvring area or highly-compacted soil that is not vegetated and does not infiltrate runoff. It excludes wooden decks with spacing between boards of 4mm or more, or surfaces such as gobi paving, where water is allowed to drain through to a permeable surface below the deck.</i></p>
Decision Reasons:	<ul style="list-style-type: none"> • Definition is unduly restrictive and does not cater for 'pervious' materials that may be used for driveways etc.
Point Number	281.18
Summary of Decision Requested:	Amend clause (e) and (f) of the definition of "Infrastructure" in Chapter 13: Definitions to exclude farm irrigation/drains.
Decision Reasons:	<ul style="list-style-type: none"> • It may be interpreted to include farm irrigation and farm drains
Point Number	281.19
Summary of Decision Requested:	<p>Delete the whole definition of "Intensive Farming" in Chapter 13: Definitions</p> <p>AND</p> <p>Add the following replacement definition for "Intensive Farming" in Chapter 13: Definitions:</p> <p><i><u>Means the commercial raising and keeping of plants or animals contained in buildings or outdoor enclosures, that occurs independent of the soil fertility on the site, is dependent on a high input of food or fertiliser from beyond the site, and may (but not necessarily) involve artificially controlled growing conditions. It may include the use of feedlots for farmed animals; free range, farming where feed is introduced from off site, and vegetable, fruit and herb growing operations indoors in artificially controlled growing conditions.</u></i></p>
Decision Reasons:	<ul style="list-style-type: none"> • The proposed definition of "Intensive Farming" does not make sense and is not consistent with the Objectives and Policies relating to Rural Productivity and Rural Effects and should be amended. • What constitutes Intensive Farming throughout various Local Authorities varies, but the overriding theme relates to the lack of reliance on the productive capacity of the soils on site. I.e. factory farming where feed is imported and not grown in-site.

Submitter Number:	282	Submitter:	Diane Emms
Point Number	282.1		
Summary of Decision Requested:	Delete the Significant Natural Area from 126C Woodcock Road, Tamahere.		
Decision Reasons:	<ul style="list-style-type: none"> • The area is mainly weeds, boggy, willows and blackberry. There is hardly anything except pest species growing there. 		
Point Number	282.2		
Summary of Decision Requested:	Delete the Walkway/cycleway/bridleway from 126c Woodcock Road, Tamahere.		
Decision Reasons:	<ul style="list-style-type: none"> • The submitter's privacy and security would be greatly compromised by the walkway/cycleway. • The submitter refuse's to agree to have a walkway/cycleway/bridleway ever appear on the title of their property. • The cost of this project would be prohibitive - totally unfair to except this to be covered by the rates. • It would be extremely difficult to construct and maintain and all the gully floor is very boggy with large areas of brambles and pest plants and the gully sides are very, very steep. • To create a walkway through this area which is so boggy is very dangerous. • Children would have free access and it would be so easy for a small child to drown if they stepped off the walkway. • There is a risk of sinking into the mud and being unable to pull your feet out. • Falling over in areas of over half a metre of bog would be fatal. 		

Point Number	282.3
Summary of Decision Requested:	Delete the Walkway/cycleway/bridleway from Fuschia Lane to Titoki Lane, Tamahere.
Decision Reasons:	<ul style="list-style-type: none"> • The submitter's privacy and security would be greatly compromised by the walkway/cycleway. • The submitter refuse's to agree to have a walkway/cycleway/bridleway ever appear on the title of their property. • The cost of this project would be prohibitive - totally unfair to except this to be covered by the rates. • It would be extremely difficult to construct and maintain and all the gully floor is very boggy with large areas of brambles and pest plants and the gully sides are very, very steep. • To create a walkway through this area which is so boggy is very dangerous. • Children would have free access and it would be so easy for a small child to drown if they stepped off the walkway. • There is a risk of sinking into the mud and being unable to pull your feet out. • Falling over in areas of over half a metre of bog would be fatal.

Submitter Number:	283	Submitter:	Andrew Standley
Point Number	283.1		
Summary of Decision Requested:	Add a special character area for Raglan to the Proposed District Plan to preserve the unique diversity of the town's built form and addresses the following aspects:		
	<ul style="list-style-type: none"> • Explicit protection against poor characterless design • No multi-storied buildings • Buildings should not be uniform in layout • Building frontages that reflect the areas unique built form character • Greater focus on pedestrian and cycling areas. 		
Decision Reasons:	<ul style="list-style-type: none"> • To manage the damaging effect of inappropriate building design eroding Raglans unique character. • Raglan needs explicit protection against poor characterless development design ensuring multi storey buildings are denied. • Buildings should be non-uniform in layout and frontage reflecting the areas unique built form character. • Greater focus on pedestrian and cycling areas will enhance the character of the town and coastal area. • Raglan is the District's top tourist attraction, let's preserve what makes it appealing. 		

Submitter Number:	284	Submitter:	Chris Aitchison
Point Number	284.1		
Summary of Decision Requested:	Add an individual Special Character Area for Raglan.		
Decision Reasons:	<ul style="list-style-type: none"> • Raglan is a special place of special character and must be protected/preserved. • Concerned that Raglan is changing for the worse. 		
Point Number	284.2		
Summary of Decision Requested:	Amend the Proposed District Plan to protect Raglan township from future development not under the District Plan.		
Decision Reasons:	<ul style="list-style-type: none"> • Raglan is a special place of special character and must be protected/preserved. • Concerned that Raglan is changing for the worse. 		
Point Number	284.3		
Summary of Decision Requested:	Amend the Proposed District Plan so that any activity that does not fall under the Plan is publically notified.		
Decision Reasons:	<ul style="list-style-type: none"> • Raglan is a special place of special character and must be protected/preserved. • Concerned that Raglan is changing for the worse. 		
Point Number	284.4		
Summary of Decision Requested:	Amend the Proposed District Plan to avoid multi-storey buildings in Raglan.		
Decision Reasons:	<ul style="list-style-type: none"> • Raglan is a special place of special character and must be protected/preserved. • Concerned that Raglan is changing for the worse. 		

Submitter Number:	285	Submitter:	Anatoly Chernyshev
Point Number	285.1		
Summary of Decision Requested:	Retain Section 9.2 - Te Kowhai Airpark as notified.		
Decision Reasons:	<ul style="list-style-type: none"> • No reasons provided. 		

Point Number 285.2
Summary of Decision Requested: Retain Chapter 27 - Te Kowhai Airpark Zone, as notified.
Decision Reasons:

- No reasons provided.

Submitter Number: 286 **Submitter:** Lorraine Dixon
Organisation: Waikato-Tainui

Point Number 286.1

Summary of Decision Requested: **Add** provisions to the Proposed District Plan to enable land in Te Wherowhero title at Hopuhopu to be planned for, developed and used in accordance with the mandate outlined below (or words to similar effect):

(b) Other land is held in Te Wherowhero title, created under the Waikato Raupatu Claims Settlement Act 1995. Te Wherowhero title land is held by Custodian Trustees for the benefit of all Waikato. The former Hopuhopu military base, now the site of Waikato-Tainui College for Research and Development and other activities, is in Te Wherowhero title. The district plan addresses this land differently from other Maori land. Business and Residential zoned areas at Hopuhopu are subject to the plan provisions that apply to those zones. The remainder of Hopuhopu is a specific site in the Rural Zone.

AND

Add a new point to Section 2.6 - Powers to set aside Maori Land for special purposes, (b), as follows:

(b) The district plan adopts a different approach to land at Hopuhopu in Te Wherowhero title. Rural Zoned land is identified as a specific site, enabling a range of activities appropriate to the aspirations of the Waikato Raupatu Claims Settlement Act 1995 and the Deed creating the Waikato Raupatu Lands Trust (1995.) Business and Residential zoned areas at Hopuhopu are subject to the plan provisions that apply to those zones.

AND

Add a new point to Section 2.8 - Concept Management Plan, as follows:

(c) At Hopuhopu, a concept management plan is required for some permitted activities. The concept plan for Hopuhopu is not subject to Maori Land Court approval.

AND

Add a new point to Section 2.13.1 - Policy Tangata Whenuatanga (utilisation by landowners), as follows:

(d) That the Te Wherowhero title at Hopuhopu can be sustainably used and developed.

AND

Add a new policy to Section 5.3 - Rural Character and Amenity after Policy 5.3.17, as follows:

Policy - Specific Area - Hopuhopu

(a) Provide for a range of activities on the land in Te Wherowhero title at Hopuhopu to plan for, develop and use the land in accordance with the mandate of the title, including the Waikato-Tainui College for Research and Development and associated facilities, sports facilities, hauora, marae complexes and associated facilities, and papakainga housing development according to customs and practices.

AND

Add a new section to Chapter 22 - Rural Zone after Section 22.8, as follows:

22.9 Specific Area - Hopuhopu

22.9.1 Application of Rules

(a) The rules that apply to the Hopuhopu specific area as identified on the planning maps are as follows:

(i) Rule 22.1 Land Use - Activities, and the additional permitted and discretionary activities identified in rules 22.9.2 and 22.9.3;

(ii) Rule 22.2 Land Use - Effects;

(iii) Rule 22.3 Land Use - Building; and

(iv) Rule 22.4 - Subdivision.

22.9.2 Permitted Activities - Hopuhopu

(a) Additional permitted activities at Hopuhopu:

P1: Education facilities - A concept management plan is provided.

P2: Marae complex - A concept management plan is provided.

P3: Papakainga Housing Development and Papakainga building - A concept management plan is provided.

P4: Place of assembly - A concept management plan is provided.

P5: Hauora - A concept management plan is provided.

P6: Recreational facility - A concept management plan is provided.

P7: Cultural events - Nil.

P8: Sports - Nil.

P9: Informal recreation - Nil.

P10: Water bulk storage infrastructure and associated easements - Nil.

22.9.3 Discretionary Activities - Hopuhopu

(a) The activities listed below are discretionary activities.

D1 - Any permitted activity that does not comply with an activity specific condition in Rule 22.9.2.

AND

Amend the planning maps by Hopuhopu Specific Area.

AND

Amend Chapter 13 - Definitions, by adding a definition for the "Hopuhopu Specific Area" as follows:

Hopuhopu Specific Area means the area shown on the planning maps.

Decision Reasons:

- To enable the land at Hopuhopu to be planned for, developed and used in accordance within the mandate of the Te Wherowhero title. This submission addresses a gap in the Proposed Plan. Hopuhopu will not get the benefit of the proposed new rules that confer

additional permitted activities on Maaori freehold land, because Hopuhopu is in special Te Wherowhero title created under the Waikato Raupatu Claims Settlement Act 1995.

- The removal of the Pa Zone results in Hopuhopu losing some permitted activities under the operative plan.
- The majority of Hopuhopu is in the Rural Zone, and the best approach for the district plan is to identify the rural part of Hopuhopu as a specific area in the Rural Zone, with appropriate rules. This fits the existing plan structure, which provides for some rural sites to be managed as specific areas, including agricultural research centres and Huntly power station facilities.

Point Number 286.2

Summary of Decision Requested: Retain areas of Hopuhopu in the Residential Zone being managed under the ordinary rules of that zone.

Decision Reasons:

- No reasons provided.

Point Number 286.3

Summary of Decision Requested: Retain areas of Hopuhopu in the Business Zone being managed under the ordinary rules of that zone.

Decision Reasons:

- No reasons provided.

Point Number 286.4

Summary of Decision Requested: No specific decision sought but submission generally supports the direction that Waikato District Council has taken in the development of the plan. Waikato-Tainui also see parts of the plan that can be improved, with a particular focus on the areas that effect Waikato-Tainui people.

Decision Reasons:

- Waikato-Tainui recognises the challenges of the growth pressures, and the large area covered by the district, the proximity to the fast-growing Hamilton City and limitations on funding available.

Point Number 286.5

Summary of Decision Requested: Waikato-Tainui support every opportunity for the planning process to become more streamline and less time consuming.

Decision Reasons:

The proposed plan should provide a document framework that is simple to understand and can be used by all.

Effort should be made to reduce the amount of time required by Waikato-Tainui staff and the community in general to understand the plan the implications for development.

Point Number 286.6

Summary of Decision Requested: No specific decision sought but the submission supports and promotes a co-operative and collaborative approach to natural resource and environmental management, restoration, responsibilities and care within the Waikato-Tainui rohe.

Decision Reasons:

- Mana whakahaere embodies the authority that Waikato-Tainui have established in respect of the environment and view the holistic integrated management of the environment of utmost importance.
- Waikato-Tainui are responsible for protecting and nurturing the mauri of all living things in accordance with tikanga.
- Waikato-Tainui welcomes the District plan that is intended to align and integrate the resource management system to enhance iwi and hapuu participation and that it provides robust and durable planning and environmental outcomes.

Point Number 286.7

Summary of Decision Requested: No specific decision sought but the submission opposes any legislative and policy development that may undermine participation in resource management processes that have been achieved to date. In respect of the Waikato River, Te Ture Whaimana/the vision and Strategy for the Waikato River is of paramount importance and must continue to prevail over other planning instruments and to ensure the Vision and Strategy is given effect to. Waikato-Tainui participation in planning processes relating to the Vision and Strategy must not be diluted.

Decision Reasons:

- Waikato-Tainui are Tangata whenua of the Waikato and Auckland regions including West Coast Harbours (Manukau, Whaingaroa, Aotea and Kawhia) the coastal areas of these regions.
- Waikato-Tainui are recognised as kaitiaki of their environment and view the holistic integrated management of the environment of utmost importance.
- Te Ture Whaimana is intended to be the primary direction-setting document for the Waikato River and activities within its catchment affecting the River.
- Te Ture Whaimana has certain status and prevails over any inconsistencies in other policies, plans, or processes affecting the Waikato River. Relevant policies, plans and processes cannot be amended so that they are inconsistent with Te Ture Whaimana and must be reviewed and amended, if required to address any inconsistencies.
- Resource management, use and activities with the Waikato River catchment in the Waikato-Tainui rohe are to be consistent with Te Ture Whaimana.
- Crown Iwi Accords reflect a commitment between the Crown and Waikato-Tainui to enter an era of co-management over the Waikato River with the overarching purpose of restoring and protecting the health and wellbeing of the Waikato River for future generations.
- The Waikato River Settlement provide for the establishment of Joint Management Agreements (JMAs) between local authorities and Waikato-Tainui and this provides the opportunity to sit at the table with local authorities and participate in the local government activities so far as they relate to the river.

Point Number 286.8

Summary of Decision Requested: No specific decision sought but the submission seeks to ensure that all plans and policies aligns with the outcomes of important tribal documents: Tai Tumu, Tai Pari, Tai Ao Waikato-Tainui Environmental Plan, and Whakatapuranga Waikato-Tainui 2050 Strategic Plan.

Decision Reasons:

- The Waikato-Tainui Environmental Plan is designed to enhance Waikato-Tainui participation in resource and environmental management.
- Waikato-Tainui acknowledges there may be more than one agency involved in the successful achievement of the Plans objectives due to different mandate, legislation, drivers and motivation across external agencies. Waikato-Tainui encourages and advocates for external agencies to do what they can to achieve the Plans objectives.
- Waikato-Tainui support and promotes a coordinated, co-operative and collaborative approach to environmental management across the Waikato-Tainui rohe.
- Whakatapuranga Waikato-Tainui 2050 is the strategic plan blue print for the cultural, social and economic advancement of Waikato-Tainui.

Point Number 286.9

Summary of Decision Requested: No specific decision sought but the submission supports the introduction of a specific chapter addressing Tangata whenua concerns, issues and opportunities.

Decision Reasons:

- The Tangata whenua Chapter discusses statutory responsibilities that are required of the Treaty of Waitangi, The Waikato River Settlement Act 2010 and the Resource Management Act amongst others. It is important to Waikato-Tainui that this recognition of responsibilities and commitments that the crown has made are acknowledged throughout the plan and how it is implemented.

Point Number 286.10

Summary of Decision Requested: Amend the Proposed District Plan to ensure that the Objectives, Policies, principles and intent of the Tangata Whenua Chapter is provided for across the plan and how it is implemented.

Decision Reasons:

- It is important the Tangata whenua issues are addressed throughout the proposed plan to ensure a holistic approach is taken to resource management, consistent with the principles of whakapapa, whanaunatanga, tangata whenuatanga, and kaitiaki.
- These principles are a way to interact and behave with the environment. By including these principles in the Proposed District Plan, Waikato District Council is committing to observe and work consistently with these principles.
- It is important to Waikato-Tainui that this recognition of responsibilities and commitments that the crown has made are acknowledged throughout the plan and how it is implemented.

Point Number 286.11

Summary of Decision Requested: Amend the Proposed District Plan to allow for greater use of Maatauranga Maaori.

Decision Reasons:

- Waikato-Tainui expects that Waikato District Council look to Maatauranga Maaori to remedy adverse effects of development.
- Maatauranga Maaori is increasingly being used as conditions of resource consents and in the identification of restoration projects as an alternative to engineering solutions.
- The Proposed Plan should signal and provide for greater opportunities to utilise Maatauranga Maaori for the benefit of the environment.

Point Number 286.12

Summary of Decision Requested: Amend the Proposed District Plan to ensure that the Waikato-Tainui Environmental Plan, Tai Tumu, Tai Pari, Tai Ao has been included, following engagement with Waikato-Tainui.

Decision Reasons:

- Waikato-Tainui considers greater regard be given to the Waikato-Tainui Environmental Plan, Tai Tumu, Tai Pari, Tai Ao than has occurred in the notified version.
- This statutory document provides significant information to provide council staff and the community in general an understanding of the expectations upon resource users in the rohe.
- In particular, but not limited to, Waikato-Tainui consider that greater weight and consideration should have been given to Chapter 7 of the Waikato-Tainui Environmental Plan, Tai Tumu, Tai Pari, Tai Ao which discusses Environmental Enhancement. At its core this chapter requires resource users not to simply mitigate adverse effects on the environment, but to act in a manner that enhances an environment for the betterment of the natural resource.
- There may be future opportunities for Waikato-Tainui and Council to develop initiatives and programmes of work where marae and Maaori owned land is better utilised.

Point Number 286.13

Summary of Decision Requested: No specific decision sought but submission supports the identification of areas of high and outstanding natural character and outstanding natural features and landscapes, and the engagement of experts in this field and with mana whenua.

Decision Reasons:

- No reason provided.

Point Number 286.14

Summary of Decision Requested: Amend the Proposed District Plan to include the Waikato River in its entirety as both an Outstanding Natural Feature and an Outstanding Natural Landscape

AND

Amend the Proposed District Plan maps to include the Waikato River in its entirety as both an Outstanding Natural Feature and an Outstanding Natural Landscape.

Decision Reasons:

- Waikato-Tainui do not support the assessment of the non-inclusion of the Waikato River as an Outstanding Natural Feature and/or Landscape.
- Waikato-Tainui do not believe that parts of the Waikato River can be cut into sections and not viewed holistically.
- The assessment of the Waikato River as an Outstanding Natural Feature and Landscape is both a historic and contemporary issue. A variety of legislative and policy directions have been developed that support the identification of the Waikato River as an Outstanding Natural Feature and Landscape.
- The Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 talks of the significance and holistic nature of the Waikato River is viewed. The submission quotes Part 2, Settlement redress through legislation (8).
- This acknowledgement by the Crown, that the Waikato River should be considered in its entirety and not divided, as it has been assessed in the Proposed District Plan, provides what the river settlement legislation was seeking.
- The Vision and Strategy for the Waikato River was required to be included without amendment in the Waikato Regional Policy Statement. The Regional Policy Statement review assessed the Waikato River as an Outstanding Natural Feature and Landscape. This was removed in the decision's version on the basis that the Waikato River had been modified too significantly, in particular the part of the river flowing through Hamilton City to be deemed an Outstanding Natural Feature or Landscape and that the necessary assessments and understanding of the cultural significance has not been undertaken to support the rivers inclusion.
- Fast forward to the current situation where Waikato District Council are assessing the river at a more detailed district level, that does not include Hamilton City. In addition Waikato District Council have a greater understanding of the cultural significance of the Waikato River to Waikato-Tainui through the engagement process.
- The Proposed Plan and maps provide for the Waikato River as an Outstanding Natural Feature, only from the river Delta to inside the river mouth. Waikato-Tainui are of the opinion the Waikato River is an Outstanding Natural Feature in its entirety and the reasons for it not attaining regional significance was based on interpretation and lack of work on behalf of those researching the cultural significance of the river.
- The Waikato River is recognised by statute and is the subject of a previously unique authority that funds the restoration and protection annually. Alone this legislative weight potentially justifies its status as an Outstanding Natural Feature and Landscape at a district level.

- Of more importance is the cultural connection that Waikato-Tainui have with the Waikato River. Whilst the landscape assessment attached to the Proposed Plan does not support the entire river being included, it does as a starting point provide justification as to how the assessment was made (submission refers to the Proposed Plan Appendix 3).
- The cultural and heritage values do not neatly fit into the specific feature or landscape assessment criteria, however engagement with iwi and understanding the districts identity should have seen the Waikato River included as an Outstanding Natural Feature or Landscape or both. The lines that are blurred on the margins of the river by wetlands, tributaries, islands and river use in general only add to the rivers significance. Because the river does not sit neatly as an Outstanding Natural Feature or Outstanding Natural Landscape, that it should be considered both, and afforded the highest protection rather than defaulting to a partial categorisation that undermines its significance.
- The assessment criteria used appears to isolate features or places, rather than taking a more holistic approach. If this had been the case Waikato-Tainui assume that the Waikato River would have been deemed Outstanding; both as a landscape and a feature.

Point Number 286.15

Summary of Decision Requested: Amend the Proposed District Plan after undertaking a natural character assessment for the Waikato River to determine if there are any areas of high or outstanding natural character.

Decision Reasons:

- Waikato-Tainui have concerns that no natural character assessment has been undertaken for the Waikato River.

Point Number 286.16

Summary of Decision Requested: Amend the property description and title number SA57C/456 relating to 333 Old Taupiri Road and 467 Hakarimata Road to correct an error where both are referenced under same property description and title number.

Decision Reasons:

- Seeks to clarify and remedy an administrative error.

Point Number 286.17

Summary of Decision Requested: Amend the zoning at 333 Old Taupiri Road to a specific Hopuhopu Zone.

Decision Reasons:

- To remove confusion and provide clarity around future uses, Waikato-Tainui consider that providing for a Hopuhopu Zone is appropriate. The variety of activities that currently occurs at Hopuhopu and, the future aspirations for the site demand greater clarity.
- Waikato-Tainui considers that sufficient time will be available pre-hearing, that a Hopuhopu Zone can be drafted and presented to commissioners. This should be developed as a partnership between Waikato District Council and Waikato-Tainui.

Point Number 286.18

Summary of Decision Requested: Amend the description of 333 Old Taupiri Road to remove the incorrect reference to a Paa site.

Decision Reasons:

- The 467 Hakarimata Road site was a pre-1900 paa site, and the Old Taupiri Road site (Hopuhopu) was not.
- This places overly restrictive controls on this site and no historical Paa site zoning should apply or whatever the new definition or zoning is applied to this site.

Point Number 286.19

Summary of Decision Requested: No specific decision sought but the submission supports the introduction of Concept Management Plans.

AND

Amend the Proposed District Plan to provide greater clarity as to what information must be provided when developing a Concept Management Plan.

AND

Provide further information as to how Concept Management Plans will be implemented as part of a Resource Management Act process.

AND

Provide greater clarity as to the application of the plan if, a Concept Management Plan is not developed.

AND

Provide greater clarity as to who resources the development of Concept Management Plans and what council information and assistance will be provided to marae and/or trusts.

Decision Reasons:

- The ability of marae or trusts to develop Maaori Freehold Land has historically proven challenging and any initiative that remedies this is generally supported.
- Aside from the RMA issues around Concept Management Plans, Waikato-Tainui understands the key benefits being the development of papakainga housing and the ability to futureproof in some situations future land use. This is supported provided additional resource consents are not required to satisfy district plan requirements.
- Waikato-Tainui seek additional information as to the implementation of the plans. Whilst the introduction of Concept Management Plans and the potential for reduce regulation is positive, Waikato-Tainui want to ensure that the development of these plans is not overly onerous. Waikato-Tainui do not want to see individual marae or Maaori freehold land owners required to provide a Concept Management Plan and then still require further resource consents application to satisfy district plan requirements.
- The development and process of Concept Management Plan requires greater explanation in the proposed plan. Whilst Waikato-Tainui support ease of development on marae and Maaori freehold land, the potential still remains for a lengthy consenting process.
- Clarification is also sought in the proposed plan as to the application of the plan zoning when a Concept Management Plan is not developed. It is presumed that this means the underlying zone applies and this could create issues for those located in Residential and Rural Zones. It is understood that marae and papakainga housing will default to Discretionary Activity status without an approved Concept Management Plan. This would appear to be a restrictive activity status for what could be small scale development.

Point Number 286.20

Summary of Decision Requested: Amend the Proposed District Plan to ensure consistency of wording in the Rural and Residential Zones in relation to the approval process for a Concept Management Plan.

Decision Reasons:

- Waikato-Tainui seek additional information as to the implementation of the plans. Whilst the introduction of Concept Management Plans and the potential for reduce regulation is positive, Waikato-Tainui want to ensure that the development of these plans is no overly

- onerous. Waikato-Tainui do not want to see individual marae or Maaori freehold land owners required to provide a Concept Management Plan and then still require further resource consents application to satisfy district plan requirements.
- The development and process of Concept Management Plan requires greater explanation in the proposed plan. Whilst Waikato-Tainui support ease of development on marae and Maaori freehold land, the potential still remains for a lengthy consenting process. Clarification is also sought in the proposed plan as to the application of the plan zoning when a Concept Management Plan is not developed. It is presumed that this means the underlying zone applies and this could create issues for those located in Residential and Rural Zones. It is understood that marae and papakainga housing will default to Discretionary Activity status without an approved Concept Management Plan. This would appear to be a restrictive activity status for what could be small scale development.
 - Aside from the RMA issues around Concept Management Plans, Waikato-Tainui understands the key benefits being the development of papakainga housing and the ability to futureproof in some situations future land use. This is supported provided additional resource consents are not required to satisfy district plan requirements.

Point Number 286.21

Summary of Decision Requested: Amend the Proposed District Plan to provide for a new district-wide Maaori land Chapter, which provides a specific objective and policy framework, a wider range of activities relevant to Maaori land, such as Urupaa and koohanga (could be specifically identified rather than just covered under the definition of Marae Complex), and Concept Management Plans which provide for permitted activities. This chapter would apply district wide and ensure the benefits are not limited to certain zones.

Decision Reasons:

- Waikato-Tainui consider a more effective and efficient method of providing for the use and development of Maaori land in accordance with matauranga and tikanga is by way of a district-wide Maaori land chapter.
- In addition to the practical benefits, this would ensure that the Tangata Whenua Chapter as notified is brought through the entire plan, not simply a heading at the beginning of the proposed plan. This approach has been successful implemented in the Auckland Unitary Plan.

Point Number 286.22

Summary of Decision Requested: Amend the definition of "Marae Complex" in Chapter 13 Definitions as follows:

Means a group of buildings that constitutes a marae and can be made up of a whareniui (meeting house), wharekai (eating house), an aatea (courtyard area in front of the whareniui), urupaa (graveyard), waahu (memorial stones sacred place for ritual practices), waharao (archway entrance at the entrance to the aatea), and other buildings, (church, hauora (health clinic), koohanga (pre-school), conference centre and facilities, waananga (education facility), recreation facilities, places of cultural significance, a papakainga/papakainga building and utility services).

Decision Reasons:

- Waikato-Tainui seek the definitions that apply to Maaori land are clarified. Some definitions remain undefined and very broad.

Point Number 286.23

Summary of Decision Requested: Amend the definition of "Maaori Freehold Land" in Chapter 13 Definitions to be consistent with section 129(2)(b) of the Te Ture Whenua Maaori Act 1993.

Decision Reasons:

- Waikato-Tainui seek the definitions that apply to Maaori land are clarified. Some definitions remain undefined and very broad.

Point Number 286.24

Summary of Decision Requested: Amend the definition of "Maaori Customary Land" in Chapter 13 Definitions to be consistent with section 129(2)(a) of the Te Ture Whenua Maaori Act 1993.

Decision Reasons:

- Waikato-Tainui seek the definitions that apply to Maaori land are clarified. Some definitions remain undefined and very broad.

Point Number 286.25

Summary of Decision Requested: Place the district plan review process on hold so that the outcomes of the blueprinting exercise can be accommodated in the District Plan, including the development of structure plans.

Decision Reasons:

- Waikato-Tainui are pleased that structure plans were referenced in various parts of the Proposed District Plan, however there appears to be an absence of structure plans when attempting to locate them in the plan.
- Waikato-Tainui understands a 'Blueprinting' exercise is currently underway and will provide the basis for any future structure plans. Whilst this initiative is supported, it is considered that the timing of this process is unfortunate and would have been more effective if the process had been undertaken pre notification of the Proposed District Plan. The concern is, the Blueprinting exercise and potential structure plans will require a plan change process to implement as part of the district plan. Locations such as Huntly, Mercer and Pokeno are in need of high-level planning assessment and it is disappointing that resource and time are required to get these guiding plans part of the district plan.

Point Number 286.26

Summary of Decision Requested: No specific decision sought but submission requests the blueprint and structure plan processes recognise tikanga and Maatauranga Maaori.

Decision Reasons:

- Waikato-Tainui are of the opinion that any structure plans or Blueprinting exercises should recognise Waikato-Tainui tikanga and Maatauranga Maaori, to reflect the districts rich Maaori heritage.

Point Number 286.27

Summary of Decision Requested: Amend the Proposed District Plan to provide setbacks from the waterways that are consistent with Proposed Plan Change 1 to the Waikato Regional Council and gives effect to the Vision and Strategy for the Waikato River and the Waikato-Tainui Environmental Plan.

Decision Reasons:

- Waikato-Tainui have concerns that the earthworks setbacks do not adequately protect waterways and fail to be consistent with the notified Proposed Plan Change 1 to the Waikato Regional Plan. This plan change process triggered by the need to give effect to the Vision and Strategy for the Waikato River requires a minimum setback of 5m from a waterway (for cropping only) to be considered a permitted activity. The Proposed Waikato District Plan allows for a 1.5 setback in the Residential Zone and appears to have no setbacks at all for earthworks in the Rural Zone.
- The lack of a setback is inappropriate and has failed to have regard to the Vision and Strategy for the Waikato River and the Waikato-Tainui Environmental Plan. As a minimum it would be anticipated that the Proposed District Plan change would be consistent with

Point Number	286.28
Summary of Decision Requested:	Retain earthworks on Maaori Sites of Significance and Maaori Areas of Significance as a restricted discretionary activity.
Decision Reasons:	<ul style="list-style-type: none"> Waikato-Tainui support this as early warning when such activities are being undertaken is desirable.
Point Number	286.29
Summary of Decision Requested:	Retain the activity status and clearance thresholds for indigenous vegetation clearance for marae, dwellings and papakainga on Maaori Freehold Land or Maaori Customary Land.
Decision Reasons:	<ul style="list-style-type: none"> Waikato-Tainui support the ability to clear indigenous vegetation for the purpose of establishing these activities on Maaori Freehold Land or Maaori Customary Land.
Point Number	286.30
Summary of Decision Requested:	Amend the Proposed District Plan to provide for earthworks in Significant Natural Areas that are for the establishment of marae, papakainga, dwellings and associated access, parking and manoeuvring as a permitted activity.
Decision Reasons:	<ul style="list-style-type: none"> Earthworks within a Significant Natural Area associated with marae, papakainga and dwellings are not afforded the same permitted status as vegetation clearance and would be a restricted discretionary activity. There seems little point in providing for a permitted indigenous clearance for these activities but then requiring resource consent for earthworks. As currently proposed, consent for a restricted discretionary activity would potentially need to be obtained to establish building platforms and access.
Point Number	286.31
Summary of Decision Requested:	Retain the permitted activity provisions for indigenous vegetation clearance associated with the gathering of plants in accordance with Maaori customs and values.
Decision Reasons:	<ul style="list-style-type: none"> This is supported.
Point Number	286.32
Summary of Decision Requested:	Amend Policy 4.7.3 (a) (xvi) Residential subdivision to refer to low impact stormwater design. AND Amend the Proposed District Plan to clarify situations where low impact design is not appropriate.
Decision Reasons:	<ul style="list-style-type: none"> Amendments to Policy 4.7.3 would improve consistency with Policy 6.4.7 Stormwater which does mention low impact design being adopted where appropriate. The language used references low impact design 'where appropriate' understanding of where it would not be appropriate is sought. An example of this is in 14.11 Water, wastewater and stormwater.
Point Number	286.33
Summary of Decision Requested:	Amend the Proposed District to utilise Low Impact Design in all new developments.
Decision Reasons:	<ul style="list-style-type: none"> Clarification is sought as to why Council would not be seeking best practice low impact design for the management of stormwater to reduce the demand and load on existing infrastructure.
Point Number	286.34
Summary of Decision Requested:	Amend the Proposed District Plan to re-instate deferred zoning to a point in time when Waikato District Council have clarity around their wastewater infrastructure and are not reliant on outdated technology that is currently causing negative environmental outcomes.
Decision Reasons:	<ul style="list-style-type: none"> The Proposed District Plan 'live zones' or assigns Residential Zoning to areas of land that were previously Rural Zone/Future Urban/Deferred Zones. For most of this land there is uncertainty around infrastructure timing and funding, and structure planning is yet to be undertaken. Given the wastewater issues that the Council currently have and are facing in the future it seems almost impossible that Council infrastructure will be able to cope with the live zoning of the district. Waikato-Tainui are concerned that live zoning will create an expectation that the Waikato River will be absorbing greater volumes of wastewater and stormwater discharge. This expectation is contrary to and does not give effect to the Vision and Strategy for the Waikato River. Waikato-Tainui strongly oppose this proposition and believe deferred zoning is required in most if not all locations that cannot be catered for through existing infrastructure.
Point Number	286.35
Summary of Decision Requested:	Amend Chapter 14 Infrastructure to provide clear provisions to manage the effects of infrastructure and energy activities on Maaori Areas of Significance and Maaori Sites of Significance. This may include amending the activity status, rules and defining terms such as "identified areas."
Decision Reasons:	<ul style="list-style-type: none"> Chapter 14 states that the zone chapters are their associated overlays, objectives, policies and rules do not apply to infrastructure and energy activities unless specifically referred to within the Infrastructure and Energy Chapter. In other words, Chapter 14 is largely designed to be self-contained and standalone.

- Clarity is sought to what activity status and provisions would apply to infrastructure and energy activities proposed on Maaori Areas of Significance or Maaori Sites of Significance. Throughout the Chapter the terminology "identified areas" is used. This term is not defined in Chapter 13 Definitions and therefore it is unclear if this is intended to capture Maaori Areas of Significance or Maaori Sites of Significance.
- Without clear provisions regarding infrastructure and energy activities Maaori Areas of Significance or Maaori Sites of Significance there is a risk that these areas and sites may be adversely affected by activities with very few checks and balances in place. It is important to note that not all Areas of Significance to Waikato-Tainui are listed or public knowledge, this is well understood by all parties. For this reason, concerns exist that if infrastructure development was occurring, site disturbance could occur at sites of significance without the knowledge of Waikato-Tainui or the infrastructure provider.

Point Number 286.36

Summary of Decision Requested: **Withdraw** or place on hold the Proposed Waikato District Plan review process to allow for the Hazards Chapter to be developed, integrated and considered as part of a thorough district plan review process.

Decision Reasons:

- Waikato-Tainui are concerned that the Natural Hazards Chapter has been omitted from the notified Proposed District Plan. It is challenging to consider a Proposed District Plan without a natural hazards chapter in the plan.
- Given the vast array of natural hazards in the district, Waikato-Tainui are of the opinion that it is not realistic to progress the plan without this chapter being considered in tandem with the other chapters of the plan.
- This is a major flaw in the process and to ensure consistency and integration across the plan.

Point Number 286.37

Summary of Decision Requested: **Add** clear provisions for genetically modified organisms that include:

- precautionary policies to regulate the outdoor use of genetically modified organisms;
- prohibit the release of genetically modified organisms on land; and
- make field trials a discretionary activity with performance standards in regard to liability and the posting of bonds.

Decision Reasons:

- Waikato-Tainui are concerned about the potential risks posed by releasing genetically modified organisms (GMOs) into the environment. It considers the science is unproven and the risk of biological and ecosystem harm is too great not to include precautionary provisions for GMOs under local plans.
- Equally important is the risk to social, economic, and cultural wellbeing, even if the Council considers that GMOs pose no biological or ecosystem risks. GMO contamination could have significant adverse effects on the economic markets, way of life, for both organic and non-GMO food producers and the mauri and tikanga of Tangata whenua.
- The Waikato-Tainui Environmental Plan takes a precautionary approach to GMOs and specifies that application for new organisms and GMOs must demonstrate that there are no risks to humans, indigenous ecosystems, indigenous species, or primary production.
- The draft Maniapoto Environment Plan also takes a precautionary approach to GMOs and specifies that any applications for the introduction of new or GMOs into the environment must ensure that there is no risk to indigenous flora and fauna, ecosystems, or to the health and wellbeing of Maniapoto Iwi.
- A number of councils around New Zealand have been moving to protect their primary producers and communities by introducing precautionary or prohibitive policies. Auckland Council, Far North District Council, Whangarei District Council and Hastings District Council have all included provisions in their planning documents to regulate the outdoor use of genetically modified organisms. All four councils have prohibited the release of GMOs on land and made field trials a discretionary activity with performance standards in regards to liability and the posting of bonds.

Point Number 286.38

Summary of Decision Requested: **Amend** the Proposed District Plan to give further consideration to ensuring district plans are progressed in an integrated and holistic way, and that changes intended to promote residential economic development are balanced and do not undermine the existing environmental principles of the freshwater management regime.

Decision Reasons:

- No reason provided.

Submitter Number: 287 **Submitter:** Tony Risetto

Point Number 287.1

Summary of Decision Requested: **Amend** the zoning of 77 and 85 Barnaby Road, Tuakau from Village Zone to Residential Zone, allowing lots of 450m2.

Decision Reasons:

- Would reflect the existing neighbouring properties.
- Barnaby Road is supported by infrastructure including high voltage power and phone lines.
- Collaborating with neighbours in regards to the installation of sewerage pumping station.
- Rezoning will assist in meeting the needs of rapid growth within Tuakau.
- 77 and 85 Barnaby Road is suitable for residential activity, retirement village and multi-uni developments.
- The site is located in close proximity to all amenities within Tuakau.
- The site would offer Tuakau community a good mix of quality housing with minimum footprint and high standard of housing.
- Barnaby Road is one kilometre from the towncentre and the site is accessible via footpath.
- 77 and 85 Barnaby Road offers the closeness of the town centre and facilities with a touch of rural views.
- Good quality multi-unit development could assist with affordable housing.

Submitter Number: 288 **Submitter:** Brendan Wood

On behalf of: The Trustees of the Valmont & Oakfield Trusts as Registered Proprietors of the Property at 165 Wairamarama-Onewhero Rd

Point Number 288.1

Summary of Decision Requested: **Amend** the significant features identified for Scheduled Historic Heritage Building Number 35 ('Clunes'/Cameron's Castle' 1915-16) to recognise only the architectural significance of the Californian bungalow style and protect the tower and front concrete facade of the dwelling.

Decision Reasons:

There are a number of errors in the heritage assessment sheets for the building at 165 Wairamarama-Onewhero Road including:

- The turret can not be easily be seen;
- Forbes did not live in the house until her death;
- Many of the original features have been removed;

- There is little cultural significance of the house;
- Duncan Cameron did not reside in the house for a long period of time;
- The property has no scientific values as there are little original features remaining;
- The gardens were planted recently and do not have aesthetic or historic value;
- The front verandah was altered with removal of the balustrade;
- The balustrade on the ground floor in front of the porch and at the bottom of the turret were removed.

Submitter Number: 289 **Submitter:** Sarah and Dean Hewitt and McGill

Point Number 289.1

Summary of Decision Requested: Amend the zoning of 27 Barnaby Road, Tuakau from Village Zone to Residential Zone.

Decision Reasons:

- Property lends itself more to residential, which is in keeping with neighbouring properties and the first half of Barnaby Road.
- Landowners of 27 Barnaby Road are collaborating with neighbours to install a sewerage pumping station.
- Rezoning to residential zone will meet the needs of rapid growth in Tuakau.
- Infrastructure including town supply water, sewerage, high voltage power and phone lines are in place in Barnaby Road.
- Property is suitable to accommodate multi-unit developments, residential activities and a retirement village.
- Ideal location for residential activities in close proximity to Tuakau amenities and located 1.2km from the town.
- Easy vehicle access and will eventually be within walking distance of a future railway station.
- Will consist of development with minimal foot print and high quality of build with no transportable homes.
- Will be in accordance with the government desire for affordable housing.
- Landowners of 27 Barnaby Road, Tuakau are prepared to contribute wetlands/streams for reserves or provide walkway and cycle links in conjunction with residential development.

Point Number 289.2

Summary of Decision Requested: Retain the 450m2 minimum net site are for Residential Zone sites (Rule 16.4.1 RD1 (a)(j) Subdivision- General).

Decision Reasons:

- No reasons provided.

Submitter Number: 290 **Submitter:** Zikang (James) Lin

Point Number 290.1

Summary of Decision Requested: Amend the zoning of part of the site at 297 Dominion Road, Tuakau (Lot 1 DP 509070 and Lot 2 DP 202306) from Rural Zone to Village Zone in accordance with Sheet 2 of the plans attached to the submission in Appendix A.

Decision Reasons:

- The additional Village Zoned land will help contribute to satisfying the current demand and strategic projected growth of Tuakau.
- The existing Village Zone under the Proposed Waikato District Plan is restricting and does not encompass the full potential of the site. There are multiple other areas, including the small plateau located to the north-west and the Rural zoned land within the gully, which would be suitable for the Village Zone.
- Access restrictions to service the current Village zoned area have been identified onsite, due to the land dropping steeply away from Dominion Road. By encompassing the whole site within the Village Zone a more appropriate entrance can be provided which will allow for more efficient access to the gully area.
- A potential future road connection has also been provided on the Concept Plan (Sheet 3 – to Appendix A of the submission), attached within Appendix A. This potential connection may provide more connectivity and accessibility within the Village Zone and allow better access to those properties zoned village which are restricted by access.
- The current Rural zoned areas of the submission site are not suited to a range of rural activities due to the scale and nature of the site and can be better utilised as Village zoned land.
- The existing dwelling on the submission site is segregated from the farming block and gives the appearance of a separate property currently.
- The majority of the lots shown on the Concept Plan (Sheet 3 – to Appendix A of the submission) are located in or around the gully. This will help to visually contain the developments and means they will not be intrusive within the surrounding area or landscape.
- The ridgeline and plateau located to the north-west of the gully area within the site is overshadowed by the hilly terrain east of the site, towards Ridge Road. Development of this land should not appear visually prominent or invasive in the wider context of the general area.
- Connectivity and links can be provided between other properties located in the Village Zone, including an adjoining property which is undertaking a similar submission to this one. Refer to Sheet 2 attached within Appendix A of the submission.
- Refer to the submission for an assessment against the proposed district plan Village Zone objectives and policies as well as full details of the site and rationale.

Submitter Number: 292 **Submitter:** David Yzendoorn

Organisation: David and Barbara Yzendoorn

Point Number 292.1

Summary of Decision Requested: Delete the Urban Expansion Area overlay from the submitter's property at 83 Greenhill Road, Puketaha.

Decision Reasons:

- Urban Expansion Area rules unnecessarily restrict development of the subject site, a small residential lot.
- Is no scope for any development on the property to compromise future urban development, of which policy 5.5.1 indicates as the underlying reason.

Point Number 292.2

Summary of Decision Requested: Add Residential Activities as a permitted activity in Chapter 22 Rural Zone.

Decision Reasons:

- There is no mention of residential activities in Rule 22.1.2, so these are Non-complying activities under Rule 22.1.5. This is unreasonable and onerous as residential activities are expected throughout the Rural Zone.

Point Number 292.3
Summary of Decision Requested: Amend the zoning of the properties between Gordonton Road, Greenhill Road and the Waikato Expressway (including 83 Greenhill Road, Puketaha) from Rural Zone to Residential Zone.

Decision Reasons:

- The land (including 83 Greenhill Rd) is immediately adjacent to Hamilton City and is suitable for Residential development. Although reticulated water and wastewater services are not yet available, the rezoning should still proceed because the area is largely in residential use. The rezoning to Residential Zone will be appropriate as it will recognize the predominant residential character of the block

Point Number 292.4
Summary of Decision Requested: Amend the zoning of the property at 1002 Gordonton Road, Gordonton from Rural Zone to Residential Zone.

Decision Reasons:

- 1002 Gordonton Rd is a 2500m2 lot adjoining Residential Zone properties to the north.
- It is already developed as a residential property and reads as part of Gordonton Village. It has no productive value in the Rural Zone and should be changed to Residential Zone, to promote best residential use of the land, and to protect the amenity values of the neighbours to the north.

Point Number 292.5
Summary of Decision Requested: Amend Rule 22.3.1 P1(a) Number of dwellings within a lot to permit more than one dwelling on lots less than 40ha.

Decision Reasons:

- The rule unreasonably restricts development of small lots.
- The submitter has approximately 5500m2 lot across the road from the Hamilton City boundary at 83 Greenhill Rd, and wishes to build a new home with a decent floor space, and also retain the small 85ish m2 existing house which is in above average condition.

Point Number 292.6
Summary of Decision Requested: Amend the zoning of the property at 1012 Gordonton Road, Gordonton from Rural Zone to Residential Zone.

Decision Reasons:

- The site is irregular shaped and adjoins Hukanui Park and Residentially zoned properties.
- The property is partly zones Living Zone in the Operative District Plan
- It is unfair to downzone the Living Zone portion of the property by zoning the whole property as Rural Zone in the Proposed District Plan.
- The entire site should be an extension to the Gordonton Village, in accordance with Objective 4.1.2 Urban Growth
- Land has minimal productive value as farmland.
- Rural activities on the site will have adverse effects on the amenity of surrounding residential properties and will be subject to reverse sensitivity effects in the future.
- The land is suitable for residential use and development.

Submitter Number: 296 **Submitter:** Richard Falconer
Organisation: Terra Consultants (CNI) Ltd

Point Number 296.1
Summary of Decision Requested: Retain the Village zoning of 714 Te Kowhai Road, Te Kowhai as notified.

Decision Reasons:

- Rezoning to Village (from Country Living in the Operative District Plan) is consistent for growth ambitions for Te Kowhai and consistent with the views of the Te Kowhai community as reflected in the Te Kowhai Structure Plan (March 2017).

Point Number 296.2
Summary of Decision Requested: Retain the subdivision and activity provisions and development controls of Chapter 24 - Village Zone as notified.

Decision Reasons:

- Supports in particular the 3,000m2 minimum lot size as it is a reasonable sized rural-residential holding with it being large enough to retain the character of Te Kowhai while avoiding maintenance issues for future owners that has occurred in the Operative District Plan Country Living Zone.

Point Number 296.3
Summary of Decision Requested: Amend the zoning of the land between Horotiu Road and Te Kowhai Road from Rural Zone to Village Zone, as shown on Figure 2 of the submission.

Decision Reasons:

- Submitter has experienced a high demand for residential sections of their development, in particular for smaller sections (3,000m2).
- Additional land is necessary for rezoning to Village Zone due to complexities of developing other land and that the land should be rezoned now, as it is inevitable that the supply of suitable residential development land will be exhausted well before the next plan review cycle.

Point Number 296.4
Summary of Decision Requested: Retain the provisions of Chapter 17 - Business Zone as notified.

Decision Reasons:

- No reasons provided.

Point Number 296.5

Summary of Decision Requested: **Retain** the Business Zoning of the properties at 561 and 571 Horotiu Road, Te Kowhai as notified.

Decision Reasons:

- The Te Kowhai Structure Plan (2017) indicated a future town centre to support residential growth. The proposed rezoning to Business Zone will provide effective and efficient delivery of the Te Kowhai Structure Plan (2017).
- Submitter has resource consent for a cafe at 571 Horotiu Road and intends to develop 561 Horotiu Road with a retail development (superette or similar).
- The two sites are suitable for the town centre given that they have frontage to an arterial road which is the primary access to Te Kowhai from the north and east. This ensures that the greatest visibility and accessibility is afforded to the two properties.

Point Number 296.6

Summary of Decision Requested: **Retain** Rule 24.4.1 - RD1 (a) Subdivision - General, that has a minimum lot size of 3000m2.

Decision Reasons:

- Supports the 3,000m2 minimum lot size as it is a reasonable sized rural-residential holding with it being large enough to retain the character of Te Kowhai while avoiding maintenance issues for future owners that has occurred in the Operative District Plan Country Living Zone.

Submitter Number: 297 **Submitter:** Dave Glossop

Organisation: Counties Manukau Police

Point Number 297.1

Summary of Decision Requested: **Amend** Section 1.9.3 Section 5 RMA to include a reference to conforming to the four principles of CPTED and the seven qualities of safer places contained within the National Guidelines for Crime Prevention through Environmental Design in New Zealand.

OR

Amend the most appropriate section in Chapter 1 Introduction to include a reference to conforming to the four principles of CPTED and the seven qualities of safe places contained within the National Guidelines for Crime Prevention through Environmental Design in New Zealand.

Decision Reasons:

- To prevent victimisations caused by crime and road related offending, injury or death
- To make people safe and feel safe.

Point Number 297.2

Summary of Decision Requested: **Retain** Section 1.12.5 Community well-being specifically the wording "a high level of... personal safety and the potential for crime is recognised in the design of (these) public places".

AND

Amend Section 1.12.5 Community well-being to include conforming to the four principles of CPTED and the seven qualities of safer places contained within the National Guidelines for Crime Prevention through Environmental Design in New Zealand.

Decision Reasons:

- To prevent victimisations caused by crime and road related offending, injury or death
- To make people safe and feel safe.

Point Number 297.3

Summary of Decision Requested: **Amend** Section 1.12.5 Community well-being to include conforming to the four principles of CPTED and the seven qualities of safer places contained within the National Guidelines for Crime Prevention through Environmental Design in New Zealand.

Decision Reasons:

- To prevent victimisations caused by crime and road related offending, injury or death
- To make people safe and feel safe.

Point Number 297.4

Summary of Decision Requested: **Retain** Section 1.12.8 (b)(ii) Strategic Objectives.

Decision Reasons:

- To prevent victimisations caused by crime and road related offending, injury or death
- To make people safe and feel safe.

Point Number 297.5

Summary of Decision Requested: **Amend** Objective 4.1.1(a) Strategic as follows:
Liveable, safe, thriving and connected communities that are sustainable, efficient, and coordinated.

Decision Reasons:

- Decision making is dependent upon the strategic direction
- The inclusion of the word safe within the strategic objective would ensure that in all decision making about the urban environment there would be an obligation to consider keeping communities safe.
- To prevent victimisations caused by crime and road related offending, injury or death

- To make people safe and feel safe.

Point Number 297.6

Summary of Decision Requested: **Retain** Policy 4.1.8 Integration and Connectivity
AND
Add to Policy 4.1.8(iv) Integration and connectivity a new line that reads:
D. National Guidelines for Crime Prevention through Environmental Design in New Zealand.
AND
Add a new appendix to Chapter 29 Appendices - the National Guidelines for Crime Prevention through Environmental Design in New Zealand.

Decision Reasons:

- To ensure that CPTED is an obligatory consideration and influence in the manner in which development occurs.
- In any subdivision design CPTED should be an obligatory consideration to ensure people are safe and feel safe and to prevent victimisations.
- It is inadequate for the CPTED guidelines to appear only as a reference document within an appendix. CPTED guidelines must be an obligatory consideration for any development, at present they are not and the current location and wording does not highlight their significance and importance to safety.
- At present, the National CPTED Guidelines referred to in Appendix 3.1 page 7 that is listed at 4.1.8(iv) A. The context is very light and the National CPTED Guidelines are only included as a reference document to provide further useful information in relation to subdivision design.
- This will ensure that Waikato District Council actively demonstrates the commitment that is signed up to as part of the New Zealand Urban Design Protocol voluntary agreement.

Point Number 297.7

Summary of Decision Requested: **Amend** Policy 4.1.10(a) Tuakau as follows:
(i) Subdivision, land use and development in Tuakau's new residential and business areas occurs in a manner that promotes the development of a variety of housing densities, diversity of building styles and a safe, high quality living environment;
...
(iii) Future neighbourhood centres, roads, parks, pedestrian, cycle and bridle networks are developed in accordance with the Tuakau Structure Plan and conform to the national guidelines for CPTED.

Decision Reasons:

- To ensure that safety is included within the policy for the development of Tuakau and therefore obligate all development to consider safety and conform safety and conform to the national guidelines for CPTED.
- To prevent victimisations and to make people safe and feel safe.

Point Number 297.8

Summary of Decision Requested: **Amend** Policy 4.1.11(a) Pokeno as follows:
(i) Subdivision, land use and development of new growth areas promotes a safe, high quality environment and does not compromise the potential further growth and development of the town;
(ii) Walking and cycling networks are integrated with the existing urban area and conform to the national guidelines for CPTED
...

Decision Reasons:

- To ensure that safety is included within the policy for the development of Pokeno and therefore obligate all development to consider safety and conform safety and conform to the national guidelines for CPTED.
- To prevent victimisations and to make people safe and feel safe.

Point Number 297.9

Summary of Decision Requested: **Retain** Objective 4.2.3 Residential built form and amenity as notified.

Decision Reasons:

- The ensure that there is an obligation to consider safety, reducing victimisation, making people safe and feel safe.

Point Number 297.10

Summary of Decision Requested: **Amend** Policy 4.2.4(a)(iii) Front setback as follows:
Providing for passive surveillance to roads, avoiding windowless walls to the street and conforming to national guidelines for CPTED principles.

Decision Reasons:

- To ensure that there is an obligation to consider national guidelines for CPTED, reducing victimisation, making people safe and feel safe.

Point Number 297.11

Summary of Decision Requested: **Amend** Policy 4.2.10(c) Daylight and outlook as follows:
Maintain and enhance attractive open space character of residential areas by ensuring that development is compatible in scale to surrounding activities and structures and has generous on-site landscaping, screening and street planting, conforming to the national guidelines for CPTED.

Decision Reasons:

- To ensure that there is an obligation to consider national guidelines for CPTED, reducing victimisation, making people safe and feel safe.

Point Number	297.12
Summary of Decision Requested:	Amend Policy 4.2.12(a) Outdoor Living Court Multi-unit development as follows: <i>Enable multi-unit development to provide usable, <u>safe</u> and accessible outdoor living courts in alternative ways...</i>
Decision Reasons:	<ul style="list-style-type: none"> To ensure that there is an obligation to consider national guidelines for CPTED, reducing victimisation, making people safe and feel safe.
Point Number	297.13
Summary of Decision Requested:	Amend Policy 4.2.13(a) Outdoor living court – Retirement villages as follows: <i>Require outdoor living courts or communal outdoor living courts to be usable, and accessible and <u>safe</u> (conforming to the national guidelines for CPTED).</i>
Decision Reasons:	<ul style="list-style-type: none"> To ensure that there is an obligation to consider national guidelines for CPTED, reducing victimisation, making people safe and feel safe.
Point Number	297.14
Summary of Decision Requested:	Add to Policy 4.2.15 Earthworks a new line as follows: <i><u>Manage the earthworks site to ensure that resources at the site are safe and to minimise the risk of victimisation</u></i>
Decision Reasons:	<ul style="list-style-type: none"> Development sites are crime attractors Vehicles, tools and diesel have previously been targeted by criminals The inclusion of this wording ensures that there in an obligation through council policy to consider safety at development sites This should result in a reduction victimisations, making people safe and feel safe.
Point Number	297.15
Summary of Decision Requested:	Add to Policy 4.3.15 Earthworks a new line as follows: <i><u>Manage the earthworks site to ensure that resources at the site are safe and to minimise the risk of victimisation</u></i>
Decision Reasons:	<ul style="list-style-type: none"> Development sites are crime attractors Vehicles, tools and diesel have previously been targeted by criminals The inclusion of this wording ensures that there in an obligation through council policy to consider safety at development sites This should result in a reduction in victimisations, making people safe and feel safe.
Point Number	297.16
Summary of Decision Requested:	Add to Policy 4.5.41 Earthworks a new line as follows: <i><u>Manage the earthworks site to ensure that resources at the site are safe and to minimise the risk of victimisation</u></i>
Decision Reasons:	<ul style="list-style-type: none"> Development sites are crime attractors Vehicles, tools and diesel have previously been targeted by criminals The inclusion of this wording ensures that there in an obligation through council policy to consider safety at development sites This should result in reduced victimisations, making people safe and feel safe.
Point Number	297.17
Summary of Decision Requested:	Add to Policy 5.3.5 Earthworks activities a new line as follows: <i><u>Manage the earthworks site to ensure that resources at the site are safe and to minimise the risk of victimisation</u></i>
Decision Reasons:	<ul style="list-style-type: none"> Development sites are crime attractors Vehicles, tools and diesel have previously been targeted by criminals The inclusion of this wording ensures that there in an obligation through council policy to consider safety at development sites This should result in reduced victimisations, making people safe and feel safe.
Point Number	297.18
Summary of Decision Requested:	Add to 5.6.7 (Rural Environment – Country Living Zone – Policies - Earthworks) a new line as follows: <i><u>Manage the earthworks site to ensure that resources at the site are safe and to minimise the risk of victimisation</u></i>
Decision Reasons:	<ul style="list-style-type: none"> Development sites are crime attractors Vehicles, tools and diesel have previously been targeted by criminals The inclusion of this wording ensures that there in an obligation through council policy to consider safety at development sites This should result in reduced victimisations, making people safe and feel safe.
Point Number	297.19
Summary of Decision Requested:	Add to Policy 4.2.18(b) Multi-unit development a new line as follows:

Conform to the national guidelines for CPTED.

Decision Reasons:

- To ensure that there is an obligation to consider national guidelines for CPTED, reducing victimisation, making people safe and feel safe.

Point Number 297.20

Summary of Decision Requested: **Add** to Policy 4.2.19(a) Retirement villages a new line as follows:

Conforming to the national guidelines for CPTED.

Decision Reasons:

- To ensure that there is an obligation to consider national guidelines for CPTED, reducing victimisation, making people safe and feel safe.

Point Number 297.21

Summary of Decision Requested: **Add** to Policy 4.3.12(a)(iii) Non-residential activities a new line as follows:

Conforming to the national guidelines for CPTED.

Decision Reasons:

- To ensure that there is an obligation to consider national guidelines for CPTED, reducing victimisation, making people safe and feel safe.

Point Number 297.22

Summary of Decision Requested: **Amend** Objective 4.4.1(a) Adverse effects of land use and development as follows:

The health, ~~and~~ well-being and safety of people, communities and the environment are protected from the adverse effects of land use and development.

Decision Reasons:

- To ensure that there is an obligation to consider safety, reducing victimisation, making people safe and feel safe.

Point Number 297.23

Summary of Decision Requested: **Retain** Policy 4.4.3 Artificial outdoor lighting, except for the amendments sought below.

AND

Add to Policy 4.4.3 Artificial outdoor lighting a new line as follows:

(d) Conform to the national guidelines for CPTED.

Decision Reasons:

- To ensure that there is an obligation to consider security and CPTED, reducing victimisation, making people safe and feel safe.

Point Number 297.24

Summary of Decision Requested: **Retain** Policy 4.5.38 Artificial outdoor lighting, except for the amendments sought below.

AND

Add to Policy 4.5.38(a) Artificial outdoor lighting a new line as follows:

(iv) artificial outdoor lighting conforms to national guidelines for CPTED

Decision Reasons:

- To ensure that there is an obligation to consider security and CPTED, reducing victimisation, making people safe and feel safe.

Point Number 297.25

Summary of Decision Requested: **Retain** Policy 5.6.15 Artificial outdoor lighting, except for the amendments sought below.

AND

Add to Policy 5.6.15 Artificial outdoor lighting a new line as follows:

(d) Conform to the national guidelines for CPTED.

Decision Reasons:

- To ensure that there is an obligation to consider security and CPTED, reducing victimisation, making people safe and feel safe.

Point Number 297.26

Summary of Decision Requested: **Retain** Policy 4.4.7 Managing the adverse effects of signs as notified.

Decision Reasons:

- The intention of this policy is in line with the Police Prevention First Model (taking every opportunity to prevent harm) and the Safer Journeys Strategy (reducing and preventing road related trauma) and the target to reduce road deaths every year by 5 percent.

Point Number 297.27

Summary of Decision Requested: **Retain** Policy 4.5.37 Managing the adverse effects of signs as notified.

Decision Reasons:

- The intention of this policy is in line with the Police Prevention First Model (taking every opportunity to prevent harm) and the Safer Journeys Strategy (reducing and preventing road related trauma) and the target to reduce road deaths every year by 5 percent.

Point Number 297.28

Summary of Decision Requested: **Retain** Policy 5.6.14 Managing the adverse effects of signs as notified.

Decision Reasons:

- The intention of this policy is in line with the Police Prevention First Model (taking every opportunity to prevent harm) and the Safer Journeys Strategy (reducing and preventing road related trauma) and the target to reduce road deaths every year by 5 percent.

Point Number 297.29

Summary of Decision Requested: **Amend** Objective 4.5.12(c) Business Town Centre - Character as follows:
Development of town centres is designed in a functional and attractive manner serving the needs of the community and conforms to the national guidelines for CPTED.

Decision Reasons:

- To ensure that there is an obligation to consider CPTED, reducing victimisation, making people safe and feel safe.

Point Number 297.30

Summary of Decision Requested: **Retain** Policy 4.5.13(a)(i) Town centre built form as notified.

Decision Reasons:

- To ensure that there is an obligation to consider safety, reducing victimisation, making people safe and feel safe.

Point Number 297.31

Summary of Decision Requested: **Retain** Policy 4.5.18(a)(i) Pokeno Town Centre as notified.

Decision Reasons:

- To ensure that there is an obligation to consider access and CPTED, reducing victimisation, making people safe and feel safe
- To ensure that there is an obligation to consider access by emergency services and other service vehicles
- This is of specific concern and has been problematic in some new developments under the authority of Auckland Council.

Point Number 297.32

Summary of Decision Requested: **Add** to Policy 4.7.10(a) Recreation and access a new point as follows:
(g)(iv) conforming to the national guidelines for CPTED

Decision Reasons:

- To ensure that there is an obligation to consider CPTED, reducing victimisation, making people safe and feel safe.

Point Number 297.33

Summary of Decision Requested: **Add** to Policy 5.3.8(a) Effects on rural character and amenity from rural subdivision a new point as follows:
(g) subdivision, use, and development is designed to conform to the national guidelines for CPTED

Decision Reasons:

- To ensure that there is an obligation to consider CPTED, reducing victimisation, making people safe and feel safe

Point Number 297.34

Summary of Decision Requested: **Add** to Policy 5.3.9 Non-rural activities a new point as follows:
(c) ensure any non-rural activities and associated buildings, structures and facilities conform to the national guidelines for CPTED

Decision Reasons:

- To ensure that there is an obligation to consider CPTED, reducing victimisation, making people safe and feel safe

Point Number 297.35

Summary of Decision Requested: **Add** to Policy 5.6.2 Country Living character a new point as follows:
(f) conforms to the national guidelines for CPTED

Decision Reasons:

- To ensure that there is an obligation to consider CPTED, reducing victimisation, making people safe and feel safe.

Point Number 297.36

Summary of Decision Requested: **Add** to Policy 5.6.3(a) (Subdivision within the Country Living Zone a new point as follows:
(vi) conforms to the national guidelines for CPTED

Decision Reasons:

- To ensure that there is an obligation to consider CPTED, reducing victimisation, making people safe and feel safe.

Point Number	297.37
Summary of Decision Requested:	Add to Policy 5.6.8 Non-residential activities a new point as follows: <i>(b) ensure any non-residential activities and associated buildings, structures and facilities conform to the national guidelines for CPTED</i>
Decision Reasons:	<ul style="list-style-type: none"> To ensure that there is an obligation to consider CPTED, reducing victimisation, making people safe and feel safe
Point Number	297.38
Summary of Decision Requested:	Add to Policy 6.1.2(a) Development, operation and maintenance, a new point as follows: <i>(vii) the need to conform to the national guidelines for CPTED</i>
Decision Reasons:	<ul style="list-style-type: none"> To ensure that there is an obligation to consider CPTED, reducing victimisation, making people safe and feel safe.
Point Number	297.39
Summary of Decision Requested:	Amend Policy 6.1.9(a) Environmental effects, community health, safety and amenity, as follows: <i>Require the development, operation, maintenance, repair, replacement, upgrading and removal of infrastructure and its associated structures to avoid, remedy or mitigate adverse effects on the environment, community health, safety by conforming to the national guidelines for CPTED and amenity.</i>
Decision Reasons:	<ul style="list-style-type: none"> To ensure that there is an obligation to consider CPTED, reducing victimisation, making people safe and feel safe.
Point Number	297.40
Summary of Decision Requested:	Amend Policy 6.4.4 Road and rail network as follows: <i>(a) Discourage subdivision, use and development that would compromise: (i) The road function, as specified in the road hierarchy, or the safety and efficiency of the roading network; (ii) The access by emergency services and their vehicles; and (iii) the safety and efficiency of the railway network.</i>
Decision Reasons:	<ul style="list-style-type: none"> To ensure that there is an obligation to consider access by emergency services and consequently any other service vehicles This is of specific concern and has been problematic in some new developments under the authority of Auckland Council.
Point Number	297.41
Summary of Decision Requested:	Amend Policy 6.4.5(a)(i) Roading infrastructure to read: <i>The design, location, alignment and dimensions of new roads provide safe vehicle (including all emergency services vehicles), pedestrian and cycling access and maneuvering to every site</i>
Decision Reasons:	<ul style="list-style-type: none"> To ensure that there is an obligation to consider access by emergency services and consequently any other service vehicles especially when other vehicles are parked on the road side This is of specific concern and has been problematic in some new developments under the authority of Auckland Council.
Point Number	297.42
Summary of Decision Requested:	Amend Objective 6.5.1(a)(i) Land transport network as follows: <i>All transport modes, including emergency services vehicles, are accessible, safe and efficient; and</i>
Decision Reasons:	<ul style="list-style-type: none"> To ensure that there is an obligation to consider access by emergency services and consequently any other service vehicles especially when other vehicles are parked on the roadside This is of specific concern and has been problematic in some new developments under the authority of Auckland Council.
Point Number	297.43
Summary of Decision Requested:	Add to Policy 6.5.2 Construction and operation of the land transport network a new point as follows: <i>(ix) conforming to the national guidelines for CPTED</i>
Decision Reasons:	<ul style="list-style-type: none"> To ensure that there is an obligation to consider CPTED, reducing victimisation, making people safe and feel safe.
Point Number	297.44
Summary of Decision Requested:	Amend Policy 6.5.3(a) Road hierarchy and function as follows: <i>Provide a hierarchy of roads for different functions and modes of land transport while recognising the nature of the surrounding land use within the district ensuring access by all emergency services vehicles</i>
Decision Reasons:	<ul style="list-style-type: none"> To ensure that there is an obligation to consider access by emergency services and consequently any other service vehicles especially when other vehicles are parked on the road side This is of specific concern and has been problematic in some new developments under the authority of Auckland Council.

Point Number 297.45

Summary of Decision Requested: **Add** to Policy 6.5.5 Road safety clause (b) as follows:
(b) Ensure that all road design, structures, lighting, signage and vegetation conform to national guidelines for CPTED, including access by emergency services and their vehicles

Decision Reasons:

- To ensure that there is an obligation to consider safety and CPTED, reducing victimisation, making people safe and feel safe
- To ensure that there is an obligation to consider access by emergency services and other service vehicles
- This is of specific concern and has been problematic in some new developments under the authority of Auckland Council.

Point Number 297.46

Summary of Decision Requested: **Amend** Policy 6.5.7(a) Vehicle access as follows:
Control the location of new vehicle accesses to sites adjacent to other accesses and rail level crossings to improve the safety and efficiency of the land transport network ensuring that all roads are accessible to emergency services vehicles.

Decision Reasons:

- To ensure that there is an obligation to consider access by emergency services and other service vehicles
- This is of specific concern and has been problematic in some new developments under the authority of Auckland Council.

Point Number 297.47

Summary of Decision Requested: **Add** to Policy 8.1.2(c) Provision, use and development of public open space and reserves a new point, as follows:
(iii) being safe and conforming to the national guidelines for CPTED

Decision Reasons:

- To ensure that there is an obligation to consider CPTED, reducing victimisation, making people safe and feel safe.

Point Number 297.48

Summary of Decision Requested: **Amend** Policy 8.1.3 (b)(ii) Esplanade reserves and walkways as follows:
(ii) incorporating safety and security for neighbours and walkway users by conforming to the national guidelines for CPTED;

Decision Reasons:

- To ensure that there is an obligation to consider CPTED, reducing victimisation, making people safe and feel safe.

Point Number 297.49

Summary of Decision Requested: **Amend** Rule 14.12.1.6 P6(1) Permitted Activities – New public roads as follows:
New public roads, and private access, including where....

Decision Reasons:

- To ensure that there is an obligation to consider access, this is critical for the access of emergency services and other service vehicles.
- This is of specific concern and has been problematic in some new developments under the authority of Auckland Council.

Point Number 297.50

Summary of Decision Requested: **Retain** Table 14.12.5.14 Access and road conditions (Residential, Village, Business, Business Town Centre and Industrial Zones) which requires the minimum road/right of way access to be no less than 4m.

Decision Reasons:

- To ensure that there is an obligation to consider access, this is critical for the access of emergency services and other service vehicles.
- This is of specific concern and has been problematic in some new developments under the authority of Auckland Council
- The minimum width required for a Fire and Emergency Service general appliance is 4 meters
- The minimum requirement for an aerial appliance is 6 metres.

Point Number 297.51

Summary of Decision Requested: **Add** a new matter of discretion to Rule 14.12.2 RD1 Restricted Discretionary Activities as follows:
(f) the foreseeable needs for access by emergency services and their vehicles

Decision Reasons:

- To ensure that there is an obligation to consider access, this is critical for the access of emergency services and other service vehicles
- This is of specific concern and has been problematic in some new developments under the authority of Auckland Council
- The minimum width required for a Fire and Emergency Service general appliance is 4 meters
- The minimum requirement for an aerial appliance is 6 metres.

Point Number 297.52

Summary of Decision Requested: **Amend** Appendix 3.1 Residential Subdivision Guidelines to prominently include the national guidelines for CPTED to provide further useful information, and not just listed as a reference.

Decision Reasons:

- To ensure that there is an obligation to consider CPTED, reducing victimisation, making people safe and feel safe.

Point Number

297.53

Summary of Decision Requested:

Amend Appendix 3.3 Town Centre Guidelines to prominently include the national guidelines for CPTED to provide further useful information, and not just listed as a reference.

Decision Reasons:

- To ensure that there is an obligation to consider CPTED, reducing victimisation, making people safe and feel safe.

Point Number

297.54

Summary of Decision Requested:

Amend Appendix 3.4 Multi-unit Development to prominently include the national guidelines for CPTED to provide further useful information, and not just listed as a reference.

Decision Reasons:

- To ensure that there is an obligation to consider CPTED, reducing victimisation, making people safe and feel safe.

Point Number

297.55

Summary of Decision Requested:

Retain Section 4.2 in Appendix 3.1 Residential Subdivision Guidelines – Connectivity and Movement Networks – Outcomes Sought as notified.

Decision Reasons:

- To consider CPTED, reducing victimisation, making people safe and feel safe.

Point Number

297.56

Summary of Decision Requested:

Amend Section 4.3 Page 10, second row of the table in Appendix 3.1 Residential Subdivision Guidelines to provide clarification about pedestrian and cyclist linkages within the guideline around avoiding cul-de-sacs.

Decision Reasons:

- To consider CPTED, reducing victimization, making people safe and feel safe.
- The use of access ways must consider CPTED considerations such as multiple exit points and avoiding entrapment spots.

Point Number

297.57

Summary of Decision Requested:

Amend 4.3 Page 12 in Appendix 3.1 Residential Subdivision Guidelines relating to rear lots to have stronger wording about conforming to CPTED guidelines.

Decision Reasons:

- To consider CPTED, reducing victimisation, making people safe and feel safe.
- Rear lots have become a crime attractor at other locations within the Police District, lack of good visibility, sightlines and casual surveillance are key as are elements such as concealment and lack of adequate lighting within the design.
- Police would like to advise developers of how to avoid replicating the design failings of other sites with rear parking lots.

Point Number

297.58

Summary of Decision Requested:

Retain Policy 6.4.5(a)(iii) Roading Infrastructure as notified.

Decision Reasons:

- To ensure that there is an obligation to consider access by emergency services and consequently any other service vehicles especially when other vehicles are parked on the road side.
- This is of specific concern and has been problematic in some new developments under the authority of Auckland Council.

Point Number

297.59

Summary of Decision Requested:

Add a new matter of discretion to Rule 14.12.2 RD2 Restricted discretionary activities as follows:

(f) the foreseeable needs for access by emergency services and their vehicles.

Decision Reasons:

- To ensure that there is an obligation to consider access, this is critical for the access of emergency services and other service vehicles.
- This of specific concern and has been problematic in some new developments under the authority of Auckland Council.
- The minimum width required for a Fire and Emergency Service general appliance is 4 metres.
- The minimum requirement for an aerial appliance is 6 metres.

Point Number

297.60

Summary of Decision Requested:

Add to Policy 4.5.18(a) Pokeno Town Centre a new point as follows:

(g)(v) ensuring adequate accessibility for emergency services and other service vehicles. (Including adequate turning circles and road widths when roads are in use and taking into consideration parked vehicles at the road side)

Decision Reasons:

- To ensure that there is an obligation to consider access and CPTED, reducing victimisation, making people safe and feel safe
- To ensure that there is an obligation to consider access by emergency services and other service vehicles
- This is of specific concern and has been problematic in some new developments under the authority of Auckland Council.

Point Number	297.61
Summary of Decision Requested:	Add to Policy 4.5.18(a) Pokeno Town Centre a new point as follows: <i>(a)(vi) by conforming to the National Guidelines for Crime Prevention through Environmental Design in New Zealand.</i>
Decision Reasons:	<ul style="list-style-type: none"> To ensure that there is an obligation to consider access and CPTED, reducing victimisation, making people safe and feel safe To ensure that there is an obligation to consider access by emergency services and other service vehicles This is of specific concern and has been problematic in some new developments under the authority of Auckland Council.
Point Number	297.62
Summary of Decision Requested:	Retain Policy 4.7.2 Subdivision location and design except for the amendments sought below. AND Add to Policy 4.7.2(a) subdivision location and design a new point as follows: <i>(a)(v), promote safe communities through quality urban design, including conforming to the national guidelines for CPTED.</i> AND Add to Policy 4.7.2 Subdivision location and design a new point between (vi) and (vii) as follows: <i>Ensure adequate accessibility for emergency services and other services vehicles (including the provision of an adequate turning circle and road widths when roads are in use and taking into consideration parked vehicles at the road side.)</i>
Decision Reasons:	<ul style="list-style-type: none"> To ensure that there is an obligation to consider safety and CPTED, reducing victimisation, making people safe and feel safe. To ensure that there is an obligation to consider access by emergency services and other service vehicles. This is of specific concern and has been problematic in some new development under the authority of Auckland Council.
Point Number	297.63
Summary of Decision Requested:	Amend Policy 4.7.3(a)(viii) Residential subdivision as follows: <i>Conforming to national guidelines for CPTED, ensuring pedestrian access is consistent with the Crime Prevention through Environmental Design (CPTED)</i>
Decision Reasons:	<ul style="list-style-type: none"> To ensure that there is an obligation to consider CPTED, reducing victimisation, making people safe and feel safe.
Point Number	297.64
Summary of Decision Requested:	Add to Policy 4.7.6(a) Co-ordination between servicing and development and subdivision a new point as follows: <i>(a)(v), provides adequate accessibility for emergency services and other service vehicles (including the provision of an adequate turning circle and road width when roads are in use and taking into consideration parked vehicles at the road side).</i>
Decision Reasons:	<ul style="list-style-type: none"> To ensure that there is an obligation to consider access by emergency services and any other service vehicles This is of specific concern and has been problematic in some new developments under the authority of Auckland Council

Submitter Number:	299	Submitter:	2SEN Limited and Tuakau Estates Limited
Point Number	299.1		
Summary of Decision Requested:	Retain Section 4.1 Strategic Direction as notified except where specific modification is sought elsewhere in the submission.		
Decision Reasons:	<ul style="list-style-type: none"> It provides a suitable framework to facilitate a residential environment. 		
Point Number	299.2		
Summary of Decision Requested:	Retain Section 4.2 Residential Zone as notified except where specific modification is sought elsewhere in the submission.		
Decision Reasons:	<ul style="list-style-type: none"> It provides a suitable framework to facilitate a residential environment. 		
Point Number	299.3		
Summary of Decision Requested:	Retain Section 4.4 Noise, lighting, outdoor storage, signs and odour as notified except where specific modification is sought elsewhere in the submission.		
Decision Reasons:	<ul style="list-style-type: none"> It provides a suitable framework to facilitate a residential environment. 		
Point Number	299.4		
Summary of Decision Requested:	Retain Section 4.7 Urban Subdivision and development as notified except where specific modification is sought elsewhere in the submission.		
Decision Reasons:	<ul style="list-style-type: none"> It provides a suitable framework to facilitate a residential environment. 		

Point Number 299.5

Summary of Decision Requested: Retain Policy 4.1.3 (b) Location of development as notified.

Decision Reasons:

- The Future Proof Strategy recognizes Tuakau as a R2 growth area.

Point Number 299.6

Summary of Decision Requested: Retain Policy 4.4.2 Noise as notified.

Decision Reasons:

- The policy seeks to ensure lawfully established activities are protected and that setbacks are provided. This is agreed and will need to be supported with robust planning (for lawful establishment) and technical (acoustic) reporting where any setback is proposed.

Point Number 299.7

Summary of Decision Requested: Retain Policy 4.4.5 Objectionable odour as notified.

Decision Reasons:

- The policy seeks to ensure lawfully established activities are protected and that setbacks are provided. This is agreed and will need to be supported with robust planning (for lawful establishment) and technical (acoustic) reporting where any setback is proposed.

Point Number 299.8

Summary of Decision Requested: Retain Objective 4.6.6 Manage adverse effects as notified.

Decision Reasons:

- Industrial activities are required to manage effects in accordance with Regional and District Plan provisions and any relevant resource consents.

Point Number 299.9

Summary of Decision Requested: Retain Policy 4.7.11 Reverse sensitivity, except for the amendments sought below

AND

Amend Policy 4.7.11 Reverse Sensitivity as follows:

(a) Development and subdivision design minimises lawfully established and operating reverse sensitivity effects on adjacent sites, adjacent activities, or the wider environment; and

(b) Avoid potential reverse sensitivity effects of locating new dwellings in the vicinity of lawfully established and operating intensive farming, extraction industry or industrial activity.

AND

Any consequential changes necessary to give effect to the relief sought.

Decision Reasons:

- Activities which generate effects on adjoining sites should not be protected if there is no consented right to operate.
- To ensure that 'protection' of sites generating adverse effects is extended only where those effects are lawfully established (ie. consistent with Rule 4.4.2 Noise and Rule 4.4.5 Objectionable Odour).

Point Number 299.10

Summary of Decision Requested: Retain Section 16.3 Building as notified except where modifications are sought elsewhere in the submission.

Decision Reasons:

- It provide for suitable controls expected within a residential environment.

Point Number 299.11

Summary of Decision Requested: Retain Section 16.4 Subdivision as notified, except where modifications are sought elsewhere in the submission.

Decision Reasons:

- It provide for suitable controls expected within a residential environment.

Point Number 299.12

Summary of Decision Requested: Retain Rule 21.2.3.1 P3 Noise – General as notified.

Decision Reasons:

- It ensures that effects of Industrial zones on adjoining sites are appropriately managed.

Point Number 299.13

Summary of Decision Requested: Retain Rule 21.2.3.1 P4 Noise – General as notified.

Decision Reasons:

- It ensures that effects of Industrial zones on adjoining sites are appropriately managed.

Point Number 299.14

Summary of Decision Requested: **Amend** the zoning of the entire property at 48 Dominion Road, Tuakau to Residential Zone.
AND
Any consequential changes necessary to give effect to the relief sought.

Decision Reasons:

- There is no detailed reasoning as to why the proposed boundary location has been selected. The s32 analysis relies on the Tuakau Structure Plan to establish the rural residential boundary.
- The proposed boundary does not reflect the technical analysis presented to support the proposed District Plan.
- The proposed boundary is arbitrary, following no geographical or cadastral features.
- The proposed boundary would appear to limit opportunities to connect to the existing roading network (adjoining the site to the west).
- The proposed remaining Rural Zoned area would effectively be 'sterilised' by the proposed boundary location.
- Rezoning is supported by the following analyses:
 - Flooding hazards
 - Transportation
 - Archaeology
 - Visual assessment
 - Geotechnical
 - Ground contamination

Point Number 299.15

Summary of Decision Requested: **Amend** the zoning of the entire property at 52 Dominion Road, Tuakau to Residential Zone.
AND
Any consequential changes necessary to give effect to the relief sought.

Decision Reasons:

- There is no detailed reasoning as to why the proposed boundary location has been selected. The s32 analysis relies on the Tuakau Structure Plan to establish the rural residential boundary.
- The proposed boundary does not reflect the technical analysis presented to support the proposed District Plan.
- The proposed boundary is arbitrary, following no geographical or cadastral features.
- The proposed boundary would appear to limit opportunities to connect to the existing roading network (adjoining the site to the west).
- The proposed remaining Rural Zoned area would effectively be 'sterilised' by the proposed boundary location.
- Rezoning is supported by the following analyses:
 - Flooding hazards
 - Transportation
 - Archaeology
 - Visual assessment
 - Geotechnical
 - Ground contamination

Point Number 299.16

Summary of Decision Requested: **Delete** Rule 14.12.1.6(d)(iii) Transportation – Permitted Activities.
AND
Any consequential changes necessary to give effect to the relief sought.

Decision Reasons:

- Whilst swales are not generally opposed as a method of stormwater management, they will not be suitable in all circumstances. The rule is not specific enough to be a permitted activity standard eg: terms are not defined or quantifiable (poor drainage; infiltration system).
- This matter is more appropriately dealt with by an engineering code of practice requirement

Point Number 299.17

Summary of Decision Requested: **Retain** Section 16.1 Activities, except where modifications are sought elsewhere in the submission.

Decision Reasons:

- It provide for suitable controls expected within a residential environment.

Point Number 299.18

Summary of Decision Requested: **Amend** Rules 16.2.4.1 P1, P2, and P3 Earthworks- General to clarify how these rules work together.
AND
Any consequential changes necessary to give effect to the relief sought.

Decision Reasons:

- It is uncertain if the provisions of P1 need to be met when relying on P2 and P3. In particular, it is uncertain whether earthworks that does not involve importation of fill but is for a building platform, would fall within P1 or P2.

Point Number 299.19

Summary of Decision Requested: **Retain** Rule 21.2.3.1 P2 Noise – General as notified.

Decision Reasons:

- It ensures that effects of Industrial zones on adjoining sites are appropriately managed.

Point Number 299.20

Summary of Decision Requested: **Retain** Section 16.2 Effects, as notified, except where modifications are sought elsewhere in the submission.

Decision Reasons:

- It provide for suitable controls expected within a residential environment.

Submitter Number:

300

Submitter:

Rolande Paekau

Organisation:

The Te Whaanga 2B3B2 & 2B1 Ahu Whenua Trust

Point Number

300.1

Summary of Decision Requested:

Amend Section 2.2 Background to apply the Resource Management definitions, as follows:

Tangata Whenua: In relation to a particular area means the iwi, or hapu, that holds mana whenua over that area.

Mana Whenua: Means customary authority exercised by an iwi or hapu in an identified area.

AND

Amend Section 2.2 Background to recognise that Waikato-Tainui do not have authority or Tangata Whenua status in Raglan. Tangata Whenua in Whaingaroa are only those that can whakapapa to Whaingaroa.

Decision Reasons:

- Waikato-Tainui do not have authority or tangata whenua status in Raglan. Tainui iwi and hapu of the West Coast harbours have not ceded their sovereignty to Waikato-Tainui and do not hold the mandate to speak on behalf of the rohe for Te Whaanga 2B3B2 and 2B1 Ahu Whenua Trust on matters that concern future developments, growth, progress and the relationship with Waikato District Council. Council must not confuse the identity and status of tangata whenua and other hapu and/or iwi with its obligations under the RMA to all tangata whenua groups within Waikato District. The only tangata in Whaingaroa are those that can Whakapapa to Whaingaroa:
 - Ko Karioi te Maunga
 - Ko Whaingaroa te Moana
 - Ko Tainui te Waka
 - Ko Tainui te Iwi
 - Ko Ngati Koata, Ngati Hounuku, Ngati Te Ikanahi, Ngati Kahu, Te Paetoka, Ngati Pukoro, Ngati Tira, Ngati Rua Aruhe, Ngati Heke, Ngati Tahau, Ngati Te Kore nga hapu.

Point Number

300.2

Summary of Decision Requested:

Retain Section 2.5 Understanding Maaori Land Ownership, which addresses the change of Maori Freehold Title to Maori land blocks across Waikato District.

Decision Reasons:

- The change of title status will enable more Maori land blocks and trusts to develop and utilise their respective lands.

Point Number

300.3

Summary of Decision Requested:

Retain Section 2.8 Concept Management Plan contained in Chapter 2 Tangata Whenua which supports the submission of the Whaingaroa Kite Whenua, Tihei Mauriora land to develop Te Kopua lands for a future cultural theme park.

Decision Reasons:

- The plan for the cultural theme park aligns with the hapu, iwi aspirations and vision of Tuaiwa Rickard for Te Kopua lands.
- Supports any updated version of the plan to be submitted.

Point Number

300.4

Summary of Decision Requested:

Amend the Proposed District Plan to retain the Operative District Plan provisions for Te Kopua lands located on Riria Kereopa Memorial Drive at Raglan, which include permitted activities for:

- facilities for surface water activities
- recreation
- Kohanga reo
- education facilities
- public toilets
- campsite and associated carwash, grocery or boating store and marae
- restaurant
- conference facilities
- travellers' accommodation

Decision Reasons:

- The activities specifically requested above are currently listed as permitted activities on Te Kopua lands in the Operative Pa Zone.
- The provisions need to contain these same permissions to reflect the aspirations of tangata whenua and the owners and beneficiaries of Te Kopua lands.

Point Number

300.5

Summary of Decision Requested:

No specific decision sought, but submission opposes Section 3.4 Multi-unit development in Appendix 3.1 Residential Subdivision Guidelines. In particular the submission considers the natural character and essence of Raglan CBD will be significantly changed should 2-storey apartments or dwellings be erected along Wainui Road-Fire station area

Decision Reasons:

- The natural character and essence of Raglan's CBD would significantly change if 2-storey apartments or 2-storey dwellings are developed along Wainui Road and in the area of the fire station. This exploits the landscape values for tourism and economic gain with no benefits being provided to local tangata whenua.

Submitter Number:

301

Submitter:

Lizbeth Hughes

Point Number

301.1

Summary of Decision Requested:

Amend the zoning of the property at 17 Calvert Road, Raglan from Rural Zone to Residential Zone.

Decision Reasons:

- There has never been any rural activities carried out on this property as it has always been used for residential purposes.

Point Number

301.2

Summary of Decision Requested:

Delete the Significant Natural Area from the property at 17 Calvert Road, Raglan.

Decision Reasons:

- All vegetation on this property was planted by previous owners and the landowner wishes to manage this as a personal property right.

Point Number

301.3

Summary of Decision Requested:

Delete the Significant Amenity Landscape from the property at 17 Calvert Road, Raglan.

Decision Reasons:

- Unlike other properties that can be viewed in the Coastal Marine area, the property at 17 Calvert Road, and any activities on it, are less visible.

Submitter Number:

302

Submitter:

Jeremy Talbot

On behalf of:

EnviroWaste New Zealand Limited

Organisation:

Barker & Associates Limited

Point Number

302.1

Summary of Decision Requested:

Amend the definition for "National Grid Yard" in Chapter 13 Definitions to reduce the yard setbacks to align with the decisions on appeals and consent orders on the Auckland Unitary Plan and the current Auckland Unitary Plan rules.

AND

Amend the Proposed District Plan to make consequential amendments or additional amendments to address the matters raised in the submission.

Decision Reasons:

- The Overlay and its provisions should reflect the minimums allowed under the Auckland Unitary Plan, whereby the "Yard" is measured at 12m in any direction from the outer edge of a National Grid support structure and 12m either side of the centerline of any overhead National Grid line (rather than up to 37m either side of transmission lines for 220kv lines under the Proposed Plan).
- There is no reason for the Waikato District Plan to have a wider restriction buffer than Auckland (when the effect on the National Grid would be the same regardless of Region and cognizant that the Auckland rules apply immediately adjoining the submitter's site).
- As Auckland has the most recent case law on the National Grid network through the Auckland Unitary Plan appeals process, it is not unreasonable to consider that its provisions are suitable to meet the National Policy Statement for Electricity Transmission.

Point Number

302.2

Summary of Decision Requested:

Amend Rules 14.4.1 - 14.4.4 National Grid to reduce the yard setbacks to align with decisions on appeals and consent orders on the Auckland Unitary Plan. The current Auckland Unitary Plan rules, and the activities within the yard allow for car parking or hard stand surfaces (and associated drainage) with limited storage height, on Industrial Zoned land, rather than the current proposed provisions which sterilize large tracts of Industrial Zone land for any activities.

AND

Amend the Proposed District Plan to make consequential amendments or additional amendments to address the matters raised in the submission.

Decision Reasons:

- The Overlay and its provisions should reflect the minimums allowed under the Auckland Unitary Plan, whereby the "Yard" is measured at 12m in any direction from the outer edge of a National Grid support structure and 12m either side of the centerline of any overhead National Grid line (rather than up to 37m either side of transmission lines for 220kv lines under the Proposed Plan).
- There is no reason for the Waikato District Plan to have a wider restriction buffer than Auckland (when the effect on the National Grid would be the same regardless of Region and cognizant that the Auckland rules apply immediately adjoining the submitter's site).
- As Auckland has the most recent case law on the National Grid network through the Auckland Unitary Plan appeals process, it is reasonable to consider that its provisions are suitable to meet the National Policy Statement for Electricity Transmission.

Point Number

302.3

Summary of Decision Requested:

Delete Rule 14.12.1 P4(e) Permitted Activities.

AND

Amend the Proposed District Plan to make consequential amendments or additional amendments to address the matters raised in the submission.

Decision Reasons:

- The applicant is concerned at the traffic generation threshold allowable for the Light Industrial Zone, being "Maximum 250 vehicle movements per day and no more than 15% of these vehicle movements are heavy vehicle movements".
- Heavy vehicle movements characterize industrial zones and to limit these to only 15% of the trip generations are unnecessarily restrictive on industrial operations.
- The objectives and policies contained in Chapter 6.5 do not support this restriction on transportation.

Point Number

302.4

Summary of Decision Requested:

Add to Rule 20.1.1 Industrial Zone – Permitted Activities the following activities as permitted (as a minimum):

- Hire Centres
- Wholesale
- Trade Supply outlet

- Transport Depot
- Garden Centres
- Retailing of agricultural and industrial motor vehicles and machinery
- Processing, storage, distribution and sale (wholesale or retail) of aggregates.

AND

Amend the Proposed District Plan to make consequential amendments or additional amendments to address the matters raised in the submission.

Decision Reasons:

- Under the Proposed Plan, there is no activity distinction between those activities provided for in the Heavy Industrial Zone and the Industrial Zone where the listed permitted activities are the same. This is inconsistent with Policy 4.6.2 which seeks to provide for "different functions" within the zones, but also a "range of activities".
- The range of permitted activities is too constrained and does not take into account more land intensive activities of a lower amenity value, which should be located an Industrial Zone rather than the Business Zone (where they are otherwise provided for as "commercial activities").
- The area of Business Zoned land nearby near Pokeno, where such activities could locate, is very limited (only around the Town Centre) and in close proximity to more services areas (i.e. residential).
- These activities could reasonably locate in an Industrial Zone (and be compatible with surrounding activities). Currently they are not considered in P1-P6, under rule 20.1.1 and unless specifically provided for would therefore default to a Non-Complying Activity (under NCI).

Point Number 302.5

Summary of Decision Requested: Delete from Rule 20.1.1 Permitted Activities any restriction on gross floor area

AND

Amend Rule 20.1.1 Permitted activities to allow for any office that is ancillary to a permitted activity.

AND

Amend the Proposed District Plan to make consequential amendments or additional amendments to address the matters raised in the submission.

Decision Reasons:

- There is no reason to restrict offices associated with permitted activities where these support the efficient and effective operation of a permitted activity.

Point Number 302.6

Summary of Decision Requested: Add a permitted activity for the construction of a building for any permitted activity (which complies with the development controls) to Rule 20.1.1 Permitted Activities.

AND

Amend the Proposed District Plan to make consequential amendments or additional amendments to address the matters raised in the submission.

Decision Reasons:

- The activity status of buildings is unclear; this is to clarify the activity status.

Point Number 302.7

Summary of Decision Requested: Delete Rule 20.2.1 Servicing and hours of operation.

AND

Amend the Proposed District Plan to make consequential amendments or additional amendments to address the matters raised in the submission.

Decision Reasons:

- This control is without precedent and represents a restrictive and inappropriate regime.

Point Number 302.8

Summary of Decision Requested: Amend Rule 20.2.2 CI Landscape planting for landscape planting to change from a controlled activity to a permitted activity.

AND

Amend the Proposed District Plan to make consequential amendments or additional amendments to address the matters raised in the submission.

Decision Reasons:

- This control is without precedent and represents a restrictive and inappropriate regime.

Point Number 302.9

Summary of Decision Requested: Delete Rule 20.2.2 C1 (b) Landscape planting.

AND

Amend the Proposed District Plan to make consequential amendments or additional amendments to address the matters raised in the submission.

Decision Reasons:

- This control creates a mandatory requirement for planting of streams irrespective of what the proposal is (for example a car parking shortfall) and without any consideration of the costs associated with the rule).

Point Number 302.10

Summary of Decision Requested: Retain Rule 20.2.3 Noise as notified.

Decision Reasons:

- The control is appropriate in managing effects between zones.

Point Number 302.11

Summary of Decision Requested: **Add** an exclusion to Rule 20.2.4 Glare and Artificial Light Spill so that it does not apply between sites in the Industrial Zones.
AND

Amend the Proposed District Plan to make consequential amendments or additional amendments to address the matters raised in the submission.

Decision Reasons:

- These rules should only apply to sites adjoining a residential, reserve or countryside living zone (similar to the landscape screening and lower noise limits) and should not be applicable between Industrial sites.

Point Number 302.12

Summary of Decision Requested: **Retain** Rule 20.2.5.1 Earthworks – General as notified.

Decision Reasons:

- The control is appropriate in managing effects.

Point Number 302.13

Summary of Decision Requested: **Add** clarification to Rule 20.2.7.1 P2 (a) Signs – General that it applies to freestanding signs only.

AND

Amend the Proposed District Plan to make consequential amendments or additional amendments to address the matters raised in the submission.

Decision Reasons:

- There is no valid reason to restrict signage of buildings.

Point Number 302.14

Summary of Decision Requested: **Amend** Rule 20.2.7.1 P2 Signs – General to increase rules to 10m² per site as a minimum.

AND

Amend the Proposed District Plan to make consequential amendments or additional amendments to address the matters raised in the submission.

Decision Reasons:

- The signage rules are unnecessarily restrictive in terms of freestanding sign size being limited to one sign per site at 3m².
- This does not take into account the use of a site for more than one activity and combined with the allowance for all other signs to be 1m² would create more visual clutter than allowing a larger free standing in the first instance.

Point Number 302.15

Summary of Decision Requested: **Amend** Rule 20.2.7.2 Signs – Effects on traffic to specify that it does not apply to site identification signs.

AND

Amend the Proposed District Plan to make consequential amendments or additional amendments to address the matters raised in the submission.

Decision Reasons:

- It is unclear what is meant by “any sign directed at road users” - arguably any sign for identification of a business could be deemed to be directed at road user – however effects associated with identification signs are already managed by Rule 20.2.7.1.

Point Number 302.16

Summary of Decision Requested: **Delete** Rule 20.2.8(iv) Outdoor storage of goods or materials.

AND

Amend the Proposed District Plan to make consequential amendments or additional amendments to address the matters raised in the submission.

Decision Reasons:

- The submitter opposes any restriction on the percentage of the site allowable for storage use and this should be deleted, as storage activities are permitted. Any visual effects associated with outdoor storage are already mitigated by the maximum height, setback and screening requirements contained in this rule.

Point Number 302.17

Summary of Decision Requested: **Retain** the 15m maximum height in Rule 20.3.1 Building height

OR

Amend Rule 20.3.1 Building height to increase the maximum height of 15m.

AND

Amend the Proposed District Plan to make consequential amendments or additional amendments to address the matters raised in the submission.

Decision Reasons:

- A height of 15m is similar to that which has already started to develop/establish in the Pokeno Light Industrial 2 Zone, and there is no reason for this height to decrease. The submitter would support an increase in height.

Point Number 302.18

Summary of Decision Requested: **Amend** Rule 20.3.3 Daylight admission to increase height from 2.5m to 3m.
AND
Amend Rule 20.3.3 Daylight Admission to specifically exclude roads from any daylight admission plane.
AND
Amend the Proposed District Plan to make consequential amendments or additional amendments to address the matters raised in the submission.

Decision Reasons:

- There is no justification to reduce the height to boundary recession plane, to a height that is lower than the previous Franklin provisions when the maximum heights have been kept the same.
- There is no reason to apply a daylight recession plane against roads in the Industrial Zones as these areas are generally of a lower amenity and less have pedestrian traffic, therefore there is no reason to apply a daylight restriction against the road network.

Point Number 302.19

Summary of Decision Requested: **Retain** Rule 20.3.4.1 Building setback which requires a maximum front yard setback of 5m (which should not be increased).

Decision Reasons:

- A front yard setback of 5m is similar to that which has already started to develop/establish in the Pokeno Light Industrial 2 Zone, and there is no reason for setback to be increased. The submitter would support a decrease in setback.

Point Number 302.20

Summary of Decision Requested: **Amend** Rule 20.3.4.1 (a)(ii) Building setbacks to not apply to boundaries of other industrial zone sites
AND
Amend Rule 20.3.4.1(a)(ii) Building setbacks to reduce setback between sites with other zones from 7.5m to 3m.
AND

Amend the Proposed District Plan to make consequential amendments or additional amendments to address the matters raised in the submission.

Decision Reasons:

- There is no justification to increase the yard setbacks between the Industrial Zones and other zones to 7.5m, when the previous Franklin provisions were more permissive.
- The 3m landscape buffer is sufficient, and there is no reason to have an additional 4.5m of building setback.
- The submitter supports the provisions for side yards to apply only to zones other than the Industrial and Heavy Industrial Zones – this is also backed up with the daylight provisions that also do not apply to adjoining industrial zoned sites.

Point Number 302.21

Summary of Decision Requested: **Retain** in Rule 20.4.1(a) Subdivision – General the minimum lot size of 1000m² and average of 2000m².

Decision Reasons:

- The proposed lot sizes are an efficient use of land for industrial activities.
- The submitter would also support a decrease in minimum area and average.

Point Number 302.22

Summary of Decision Requested: **Delete** Rule 20.4.1 RD1 (a)(iii) Subdivision – General.
AND
Amend the Proposed District Plan to make consequential amendments or additional amendments to address the matters raised in the submission.

Decision Reasons:

- The 20% restriction on rear sites creation results in inefficiencies of land resources (which are already scarce), as it will significantly reduce the amount of land available for industrial activities (and other similar uses).
- These types of areas are generally of a "lower amenity" than town centre or residential areas, and subject to less (if any) pedestrian thoroughfare, there is no reason to restrict the number of rear lots created via subdivision.

Point Number 302.23

Summary of Decision Requested: **Retain** Rule 22.2.1.1 Noise - General as notified.

Decision Reasons:

- Standards are appropriate for noise in the Rural Zone.

Point Number 302.24

Summary of Decision Requested: **Retain** Rule 22.2.1.3 Noise – Construction as notified.

Decision Reasons:

- Standards are appropriate for construction noise.

Point Number 302.25

Summary of Decision Requested: **Amend** Section 22.3 Land Use - Building to make non-residential buildings or structures a permitted activity outside Landscape and Natural Character Areas.

AND

Amend the Proposed District Plan to make consequential amendments or additional amendments to address the matters raised in the submission.

Decision Reasons:

- The Operative Plan provides for non-residential buildings as a permitted activity in the Rural Zone. The proposed plan should include the same provision to ensure farm buildings and similar structures are provided for.

Point Number 302.26

Summary of Decision Requested: **Retain** Rule 22.3.4.1 Height – Building General as notified.

Decision Reasons:

- Standards are appropriate for building height in the Rural Zone.

Point Number 302.27

Summary of Decision Requested: **Delete** Rule 22.3.6 Building coverage.

AND

Amend the Proposed District Plan to make consequential amendments or additional amendments to address the matters raised in the submission.

Decision Reasons:

- A restriction on building coverage and particularly one as low as the proposed 500m² is not consistent with a working rural environment which requires storage sheds, hay barns, milking sheds and dwellings etc.

Point Number 302.28

Summary of Decision Requested: **Amend** Rule 22.3.7 Building setbacks to reduce the yard separation between sites (other than a road) to 12m or less in all instances.

AND

Amend the Proposed District Plan to make consequential amendments or additional amendments to address the matters raised in the submission.

Decision Reasons:

- The submitter opposes the yard setbacks (of up to 22m) as they are too onerous. Setbacks could be reduced and still achieve sufficient separation between activities – and maintain an open landscape character.

Point Number 302.29

Summary of Decision Requested: **Delete** from Section 22.4 Subdivision the arbitrary title date from all rules.

AND

Amend the Proposed District Plan to make consequential amendments or additional amendments to address the matters raised in the submission.

Decision Reasons:

- There is no justification to have an arbitrary title date for further subdivision or boundary adjustments. Potential fragmentation issues can be dealt via other less arbitrary mechanisms.

Point Number 302.30

Summary of Decision Requested: **Delete** Rule 22.4.1.1 Prohibited Subdivision so there is no prohibited subdivision activity.

AND

Amend the Proposed District Plan to make consequential amendments or additional amendments to address the matters raised in the submission.

Decision Reasons:

- Effects on soil classification can be managed in other ways (i.e. objectives and policies) which are far more consistent with an “effects based” approach to resource management.

Point Number 302.31

Summary of Decision Requested: **Amend** Rule 22.4.1.6 Conservation lot subdivision to take into account enhancement planting for the total area to be protected.

AND

Amend the Proposed District Plan to make consequential amendments or additional amendments to address the matters raised in the submission.

Decision Reasons:

- There is a significant environmental benefit to be obtained from enhancement planting, particularly to “join up” areas of SEA (and other non-identified features).

Point Number 302.32

Summary of Decision Requested:	Retain the identification of new and expanded areas of Industrial Zones on the Planning Maps.
Decision Reasons:	<ul style="list-style-type: none"> The increase in land zoned Industrial will support economic growth and employment within existing urban areas and/or locations with good transport accessibility.
Point Number	302.33
Summary of Decision Requested:	Retain Rule 4.6.2 Provide Industrial Zones with different functions insofar as it gives effect to the relief sought.
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports the intention of the policy to enable a range of activities; however, this is not reflected in the Land Use provisions.
Point Number	302.34
Summary of Decision Requested:	Retain Rule 4.6.3 Maintain a sufficient supply of industrial land insofar as it gives effect to the relief sought.
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports the intention of the policy to enable a sufficient supply of Industrial Zoned land.
Point Number	302.35
Summary of Decision Requested:	Retain Rule 4.6.4 Maintain industrial land for industrial purposes insofar as it gives effect to the relief sought.
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports the intention of the policy to enable ancillary activities related to industrial activities; however, this is not reflected in the Land Use provisions.
Point Number	302.36
Summary of Decision Requested:	Retain Rule 4.6.5 Recognition of industrial activities outside of urban areas insofar as it gives effect to the relief sought.
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports the intention of the policy to recognize and provide for existing industrial activities; however, this is not reflected in the Land Use provisions.
Point Number	302.37
Summary of Decision Requested:	Retain the intent of Objective 4.6.6 Manage adverse effects insofar as it gives effect to the relief sought.
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports the intention of this objective to manage adverse effects on sensitive activities in other zones and ecosystems; however, the provisions are unnecessarily restrictive and could be modified as per the submitter's relief to achieve the same outcome.
Point Number	302.38
Summary of Decision Requested:	Retain the intent of Policy 4.6.7 Management of adverse effects within industrial zones insofar as it gives effect to the relief sought.
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports the intention of this objective to manage adverse effects on sensitive activities in other zones and ecosystems; however, the provisions are unnecessarily restrictive and could be modified as per the submitter's relief to achieve the same outcome.
Point Number	302.39
Summary of Decision Requested:	Add an exclusion to Policy 4.7.2 Subdivision location and design for Industrial Zones. AND Amend the Proposed District Plan to make consequential amendments or additional amendments to address the matters raised in the submission.
Decision Reasons:	<ul style="list-style-type: none"> The policy requires subdivision design and layout to adhere to a grid pattern, which enables public viewing for all urban zones, which are unnecessarily restrictive for industrial development. As industrial areas are generally of a "lower amenity" than town center or residential areas, and subject to less pedestrian thoroughfare, there is no reason to require industrial areas to adhere to the same amenity standards as residential and other higher amenity zones.
Point Number	302.40
Summary of Decision Requested:	Add an exclusion to Policy 4.7.5 Urban Outcomes – Servicing requirements for Industrial Zones for provision of cycleways/pedestrian connections. AND Amend the Proposed District Plan to make consequential amendments or additional amendments to address the matters raised in the submission.
Decision Reasons:	<ul style="list-style-type: none"> As Industrial areas are subject to less pedestrian thoroughfare or recreational cyclist facilities, there is no reason to require industrial areas to adhere to the same amenity standards as residential and higher amenity zones.

Point Number 302.41

Summary of Decision Requested: **Retain** Policy 4.7.7(a) Urban Outcomes – Achieving sufficient development density to support the provision of infrastructure services as proposed, to the extent that the industrial lot sizes are retained or reduced.

Decision Reasons:

- The proposed lot sizes are considered as a minimum for the efficient use of land designated for industrial activities, whilst enabling provision for industrial subdivision.
- The policy in its current form would also support a reduction in the average or minimum lot size.

Point Number 302.42

Summary of Decision Requested: **Add** an exclusion to Policy 4.7.9 Connected neighbourhoods for Industrial Zones provision of cycleways/pedestrian connections.

AND

Amend the Proposed District Plan to make consequential amendments or additional amendments to address the matters raised in the submission.

Decision Reasons:

- As Industrial areas are subject to less pedestrian thoroughfare or recreational cyclist facilities, there is no reason to require industrial areas to adhere to the same amenity standards as residential and higher amenity zones.

Point Number 302.43

Summary of Decision Requested: **Add** an exclusion to Policy 4.7.10 Urban Outcomes – Recreation and access for Industrial Zones for provision of cycleways/pedestrian connections.

AND

Amend the Proposed District Plan to make consequential amendments or additional amendments to address the matters raised in the submission.

Decision Reasons:

- As Industrial areas are subject to less pedestrian thoroughfare or recreational cyclist facilities, there is no reason to require industrial areas to adhere to the same amenity standards as residential and higher amenity zones.

Point Number 302.44

Summary of Decision Requested: **Add** provision to Policy 5.3.3(b) Industrial and commercial activities for industrial and commercial activities where effects on rural character can be mitigated.

AND

Amend the Proposed District Plan to make consequential amendments or additional amendments to address the matters raised in the submission.

Decision Reasons:

- It is appropriate that provision is made for industrial and commercial activities in rural areas where their effects can be appropriately managed.

Point Number 302.45

Summary of Decision Requested: **Amend** Policy 5.3.13(b) Waste management activities to provide for waste management facilities that may not be completely compatible with the rural environment.

AND

Amend the Proposed District Plan to make consequential amendments or additional amendments to address the matters raised in the submission.

Decision Reasons:

- It is difficult for waste management facilities to be compatible with rural environments; however, rural land acts as an effective buffer for their effects, which should be acknowledged by the policy.

Point Number 302.46

Summary of Decision Requested: **Retain** the intent of Objective 6.2.1 National Grid insofar as it gives effect to the submitter's sought relief in that the provisions relating to the National Grid Yard are too restrictive.

Decision Reasons:

- The submitter supports the intention of the objective and policies to recognise and protect of the National Grid however, the provisions relating to the National Grid yard are too restrictive.

Point Number 302.47

Summary of Decision Requested: **Retain** Objective 6.4.1 Introduction of infrastructure with subdivision, land use and development subject to relief sought elsewhere in the submission.

Decision Reasons:

- The submitter supports the intention of the objective, subject to the relief sought elsewhere in this submission.

Point Number 302.48

Summary of Decision Requested: **Add** an exclusion to Policy 6.4.5 (i) and (ii) Roading Infrastructure for Industrial Zones.

AND

Amend the Proposed District Plan to make consequential amendments or additional amendments to address the matters raised in the submission.

Decision Reasons:

- As Industrial areas are subject to less pedestrian thoroughfare or recreational cyclist facilities, there is no reason to require industrial areas to adhere to the same amenity standards as residential and higher amenity zones.

Point Number 302.49

Summary of Decision Requested: **Amend** the definition for "Clean Fill" in Chapter 13 Definitions to be consistent with the clean fill Material definition in the WasteMINZ Technical Guidelines for Disposal to Land. This reads:

Clean Fill Material

Virgin excavated natural materials (VENM) such as clay, soil and rock that are free of:

- combustible, putrescible, degradable or leachable components;
- hazardous substances or materials (such as municipal solid waste) likely to create leachate by means of biological breakdown;
- products or materials derived from hazardous waste treatment, stabilisation or disposal practices;
- materials such as medical and veterinary waste, asbestos, or radioactive substances that may present a risk to human health if excavated;
- contaminated soil and other contaminated materials; and
- liquid waste

When discharged to the environment, clean fill material will not have a detectable effect relative to the background.

AND

Amend the Proposed District Plan to make consequential amendments or additional amendments to address the matters raised in the submission.

Decision Reasons:

- For consistency.

Point Number 302.50

Summary of Decision Requested: **Amend** the Land Use provisions in Chapter 20 Industrial Zone to reflect the intentions of Policy 4.6.2 Provide Industrial Zones with different functions, Policy 4.6.4 Maintain industrial land for industrial purposes and Policy 4.6.5 Recognition of industrial activities outside of urban areas.

AND

Amend the Proposed District Plan to make consequential amendments or additional amendments to address the matters raised in the submission.

Decision Reasons:

- The enabling of range of activities, ancillary activities, and existing industrial activities are not reflected in the land use provisions.

Point Number 302.51

Summary of Decision Requested: **Amend** the Land Use provisions in Chapter 21 Industrial Zone Heavy to reflect the intentions of Policy 4.6.2 Provide Industrial Zones with different functions, Policy 4.6.4 Maintain industrial land for industrial purposes as proposed and Policy 4.6.5 Recognition of industrial activities outside of urban areas.

AND

Amend the Proposed District Plan to make consequential amendments or additional amendments to address the matters raised in the submission.

Decision Reasons:

- The enabling of range of activities, ancillary activities, and existing industrial activities are not reflected in the land use provisions.

Point Number 302.52

Summary of Decision Requested: **Retain** the intent of Policy 6.2.2 Recognise the National Grid, insofar as it gives effect to the submitter's relief sought in the provisions relating to the National Grid Yard being too restrictive.

Decision Reasons:

- The submitter supports the intention of the policy to recognise and protect the National Grid, however, the provisions relating to the National Grid Yard are too restrictive.

Point Number 302.53

Summary of Decision Requested: **Retain** the intent of Policy 6.2.3 Operation and development of the National Grid, insofar as it gives effect to the submitter's relief sought in the provisions relating to the National Grid Yard being too restrictive.

Decision Reasons:

- The submitter supports the intention of the policy to recognise and protect the National Grid, however, the provisions relating to the National Grid Yard are too restrictive.

Point Number 302.54

Summary of Decision Requested: **Retain** the intent of Policy 6.2.4 Maintenance and minor upgrade the National Grid, insofar as it gives effect to the submitter's relief sought in the provisions relating to the National Grid Yard being too restrictive.

Decision Reasons:

- The submitter supports the intention of the policy to recognise and protect the National Grid, however, the provisions relating to the National Grid Yard are too restrictive.

Point Number 302.55

Summary of Decision Requested:	Retain the intent of Policy 6.2.5 Environmental Effects , insofar as it gives effect to the submitter's relief sought in the provisions relating to the National Grid Yard being too restrictive.
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports the intention of the policy to recognise and protect the National Grid, however, the provisions relating to the National Grid Yard are too restrictive.
Point Number	302.56
Summary of Decision Requested:	Retain the intent of Policy 6.2.6 Reverse sensitivity and the National Grid, insofar as it gives effect to the submitter's relief sought in the provisions relating to the National Grid Yard being too restrictive.
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports the intention of the policy to recognise and protect the National Grid, however, the provisions relating to the National Grid Yard are too restrictive.

Submitter Number:	303	Submitter:	Dave Campbell
Organisation:	The Village Church		
Point Number	303.1		
Summary of Decision Requested:	Amend Historic Heritage Item 107, Masonic Lodge Te Marama at 18 Hershel Street, Ngaruawahia which protects the interior, exterior and location of the building to allow for wide-ranging development and modernisation of the building.		
Decision Reasons:	<ul style="list-style-type: none"> The current restrictions on this building in the Proposed District Plan present a significant hurdle for the community, in terms of utilising the asset. The protections on the interior and exterior of the building hinder the future use of the building. The building would be useful for youth education, church services, community meals etc., however it currently cannot serve these needs and the proposed restrictions will further restrict its likelihood of becoming a community facility. The heritage values that has been attached to the building is outweighed by the benefit it could have to Ngaruawahia if it could be modified to services a community-oriented purpose. 		

Submitter Number:	304	Submitter:	Graham Taylor
Point Number	304.1		
Summary of Decision Requested:	Amend Rule 27.2.6 Noise - Other than Taxiways to include a night curfew on general aviation and recreational flying between 10pm and 7am.		
Decision Reasons:	<ul style="list-style-type: none"> There are many dwellings in close proximity to the airfield and aircraft movements at night would have serious adverse effects on residents. 		
Point Number	304.2		
Summary of Decision Requested:	Amend Rule 27.2.7 Noise - Taxiways to include a night curfew on general aviation and recreational flying between 10pm and 7am.		
Decision Reasons:	<ul style="list-style-type: none"> There are many dwellings in close proximity to the airfield and aircraft movements at night would have serious adverse effects on residents. 		

Submitter Number:	305	Submitter:	John Joensen
Point Number	305.1		
Summary of Decision Requested:	Amend the Proposed District Plan to allow for more high density housing within central Raglan, possibly as far as James Street.		
Decision Reasons:	<ul style="list-style-type: none"> Allow for higher density housing to alleviate the housing shortage within Raglan. Building smaller units will free up the bigger homes for families. Raglan businesses suffer during winter and need an increase in resident population. Reduces need to drive into town and reduces traffic congestion. Keeping standards high will enhance the town and create a more vibrant atmosphere. 		

Submitter Number:	306	Submitter:	Peter Fitzpatrick
Point Number	306.1		
Summary of Decision Requested:	Amend the zoning of the land between Taplin, Hoeka and Marychurch Roads, Matangi from Rural Zone to Village Zone or Country Living Zone.		
Decision Reasons:	<ul style="list-style-type: none"> The area surrounding Matangi township is highly developed and reflects the provisions of the Country Living Zone. Areas of Ohaupo and Te Kowhai have been proposed as Village Zone and Matangi is also suitable for such development. Properties along Meadowpark Way, Clover Close and Margot Lane and neighbouring properties have been developed and subdivided into the Country Living Zone size lots. 		

- Services and traffic links are established in and around Matangi Village.
- The area in and around Matangi Road is well served by quality traffic links, rural services and amenities.
- Rezoning some of this area will allow for a more intensive land use, and will not detract from any productive land utilisation.
- Based on the objectives of the Proposed Waikato District Plan, this area is more suited to Country Living Zone.
- The predominant soils have limited horticultural use due to a pan which limits drainage.
- Any potential development will be in keeping with the current nature of Matangi village.

Submitter Number:	307	Submitter:	Julie Caddigan
Point Number	307.1		
Summary of Decision Requested:	Amend Rule 22.2.3.2 Earthworks - Maaori Sites and Maaori Areas of Significance to be more in line with Rule 22.2.3.3 and allow for a defined level of earthworks, cut and fill as a permitted activity, for example rotary hoeing, fencing and forestry activities and ensure farming remains viable in these areas.		
Decision Reasons:	<ul style="list-style-type: none"> • This earthworks rule is onerous • This rule states no permitted earthworks activities within the overlay which is broadly applied. • It would be difficult for the District Council to exercise this rule in relation to the Maaori Site of Significance S14/5 which has been incorrectly located. • This rule will obstruct farming activities. • Rules needs to be clarified to ensure farming remains viable in these areas. 		
Point Number	307.2		
Summary of Decision Requested:	Amend the specific location for Maaori Site of Significance S14/5 Te Uhi Paa, Exelby Road, Rotokauri to the correct coordinates.		
Decision Reasons:	<ul style="list-style-type: none"> • There is confusion and conflicting co-ordinates over the exact location of the paa site. Various sources have differing coordinates for the paa site. • It is questionable as to the reliability of the site co-ordinates used by the Council in their mapping of S14/5. • Desktop based methods of research were used and therefore relied on secondary information and no additional evidence was provided beyond the New Zealand Archaeological Association report. • A review has been undertaken that reiterates that the site was searched for, but not found and there is poor archaeological evidence. 		
Point Number	307.3		
Summary of Decision Requested:	Amend Maaori Site of Significance site S14/5 Te Uhi Paa, Exelby Road Rotokauri to be reduced to reflect the correction location and extent of the Paa site.		
Decision Reasons:	<ul style="list-style-type: none"> • There is confusion and conflicting co-ordinates over the exact location of the pass site. Various sources have differing co-ordinates for the paa site. • It is questionable as to the reliability of the site co-ordinates used by the Council in their mapping of S14/5. • Desktop based methods of research were used and therefore relied on secondary information and no additional evidence was provided beyond the New Zealand Archaeological Association report. • Two sources state that the paa site was the size of a house and 1/6 of an acre. The overlay area for S14/5 is approximately 2ha and larger than the actual paa site. 		
Point Number	307.4		
Summary of Decision Requested:	Delete the Maaori Site of Significance site S14/5 at Exelby Road, Rotokauri from Lot 1 DPS 80361 if it is found that the paa site is located in the swamp area by the lake edge.		
Decision Reasons:	<ul style="list-style-type: none"> • There is confusion and conflicting co-ordinates over the exact location of the paa site. Various sources have differing coordinates for the paa site. 		
Point Number	307.5		
Summary of Decision Requested:	Amend the Proposed District Plan to reflect further investigation of Maaori Site of Significance S14/5 at Exelby Road, Rotokauri, given that the New Zealand Archaeological Association report states there are no visible remains of the paa site and the site has been destroyed.		
Decision Reasons:	<ul style="list-style-type: none"> • There is confusion and conflicting co-ordinates over the exact location of the paa site. Various sources have differing coordinates for the paa site. 		

Submitter Number:	310	Submitter:	Fiona McNabb
Organisation:	Whaingaroa Raglan Affordable Housing Project		
Point Number	310.1		
Summary of Decision Requested:	Delete the minimum unit areas from Rule 16.4.4 RD1 (a) (iv) Multi-unit development. OR Amend Rule 16.4.4 RD1 (a) (iv) Multi-unit development by replacing the minimum unit areas with lower values for example Studio unit 30m2, One bedroom unit 40m2, Two Bedroom 50m2, Three bedroom 70m2.		
Decision Reasons:	<ul style="list-style-type: none"> • Cost of building has risen such that in order to retain affordability, building smaller dwellings is necessary. • Having fixed minimum sizes restricts those wanting to live in a much smaller space in order to meet the Building Code and retain accessible building cost. • The attached Raglan Housing Study (attached to the submission) recommends investigating the commercial potential for alternative forms of housing that depart from traditional single site/detached dwelling (e.h. multi-units/townhouses). 		

- Whaingaroa/Raglan Affordable Housing Project highlights need for Raglan community to generate and explore all possible options to provide affordable houses.

Point Number 310.2

Summary of Decision Requested: **Amend** Residential Zone Subdivision Rule 16.4.4 RD1 (b), by including the following:
(xi) Positive effects for affordable housing.

Decision Reasons:

- Affordability of housing should be enabled by objectives and Rules of District Plan.
- WRAP highlight need for Raglan community to generate and explore all possible options to provide affordable houses.

Point Number 310.3

Summary of Decision Requested: **Amend** Objective 4.1.1 (a) Strategic, to read as follows:
(a) Liveable, thriving, and connected communities that are sustainable, affordable, efficient and co-ordinated.

Decision Reasons:

- Only mention of affordability in the District Plan is in the strategic directions section 1.12.3 which calls for 'affordable options.'
- Affordability should be a core principle of the District Plan in order to support overarching goal of objective 4.1.1 (a).
- Current housing models and forecasts predict a widening disparity between portion of community who can and those who cannot afford housing.
- Lack of affordability now affects all at and below the median income and extends into the 3rd quarter of income.
- Strategy for the District Plan should recognise the environment that now surrounds housing affordability and impact is having on communities.
- Plan should enable innovative housing developments that deliver highly affordable housing options for all income streams.

Point Number 310.4

Summary of Decision Requested: **Amend** Direction Policy 4.1.18 (iii)- Raglan as follows:
Rangitahi is the ~~only~~ area that provides for the medium term future growth...

Decision Reasons:

- Other districts (e.g. Queenstown Lakes District Council) require components of all developments to deliver a portion of affordable housing, however Waikato District Council does not.
- Raglan has no affordable housing as part of their plan and the cost to buy a section is likely to exceed \$575,000.
- Raglan median household income is calculated at \$47,500 and Stats NZ suggests affordability range for this income is \$323,000 (20% deposit), which is far below the lowest range of housing likely to be able to be constructed within Rangitahi development.
- Retaining the word "only" will create a bias in affordability only attainable for household incomes above \$90,500.

Point Number 310.5

Summary of Decision Requested: **Amend** Policy 4.1.18 (iii)- Raglan to read as follows:
~~Rangitahi is the only area that will provide for the medium term future growth and is above the multiple median of affordability for Raglan. Developments that propose affordable housing to cater for the quartiles below the multiple median and that are developed in a manner that connects to the existing town and maintains and enhances the natural environment will be considered as preferred options for additional green fields development.~~

Decision Reasons:

- Will require a negotiated definition of 'affordable' and acceptance the 'multiple median' is the international standard by which housing affordability is determined.
- Rangitahi has no affordable housing as part of their plan, therefore the cost to buy a section and build is likely to exceed \$575,000.
- Raglan median household income is calculated at \$47,500 and Stats NZ suggests affordability range for this income is \$323,000 (20% deposit), which is far below the lowest range of housing likely to be able to be constructed within Rangitahi development.

Point Number 310.6

Summary of Decision Requested: **Add** a new objective to 4.2- Residential Zone as the follows:
Objective: To provide for a range of opportunities for affordable housing that enables low and moderate income people to live in the district in accommodation that suits their needs.

Decision Reasons:

- Affordability of housing should be enabled by objectives and Rules of the District Plan.

Point Number 310.7

Summary of Decision Requested: **Add** the following policies to 4.2-Residential Zone as follows (or words to similar effect):

- *Policy 1: Enable affordable housing by allowing residential densities that make economical and best use of available land in existing residential areas.*
- *Policy 2: New housing developments will include affordable housing as part of the development plan.*
- *Policy 3: Allow access for developers of affordable housing to lower cost structure of consent and regulation requirements.*
- *Policy 4: Encourage multi-unit residential developments subject to appropriate safeguards to amenities and the environment.*
- *Policy 5: Take into account positive effects for the community of affordable housing when assessing resource consent applications.*

Decision Reasons:

- Affordability of housing should be enabled by the objectives and rules of the District Plan.

Point Number 310.8

Summary of Decision Requested: **Amend** Rule 16.3.1 P1- Dwelling as follows:
One dwelling within a site Two dwellings within a site, where the combined floor areas do not exceed 'X' percentage of the section.

Decision Reasons:

- Increasing building density in residential zoned land increases the availability of affordable housing.

- Increasing density while meeting the height to boundary and other restrictions requires building smaller dwellings or multi-unit dwellings.
- 16.3 currently restricts the numbers of dwellings per site and the size of those buildings therefore requiring discretionary resource consent adding to the cost of development.
- Amending Rule 16.3 as suggested enables affordable development design in residential zoned land to maximize number of dwellings on a site without discretionary consent.
- Other councils have made similar changes (e.g. Auckland, Wellington) to enable increased density by right within the rules of the plan.

Point Number 310.9

Summary of Decision Requested: **Add** new rule to Rule, 16.3.1 P2 Dwelling as follows:

(g) Three dwellings within a site, if at least two of the dwellings are small houses each with a gross floor area of less than 45m².

Decision Reasons:

- Increasing building density in residential zoned land can increase the availability of affordable housing.
- Increasing density while meeting the height to boundary and other restrictions requires building smaller dwellings or multi-unit dwellings.
- Rule 16.3 currently restricts the numbers of dwellings per site and the size of those buildings therefore requiring discretionary resource consent adding to the cost of development.
- Amending Rule 16.3 as suggested enables affordable development design in residential zoned land to maximize number of dwellings on a site without discretionary consent.
- Other councils have made similar changes (e.g. Auckland, Wellington) to enable increased density by right within the rules of the plan.

Point Number 310.10

Summary of Decision Requested: **Amend** Rule 16.3.9.1 RD1 Building setbacks - All boundaries, to include the following:

(v) (iii) Positive effects for affordable housing.

Decision Reasons:

- Amending Rule 16.3 as suggested enables affordable development design in residential zoned land to maximize the number of dwellings on a site without discretionary consent.
- Other councils have made similar changes, e.g. Auckland & Wellington, to enable increased density by right within the rules of the plan.

Point Number 310.11

Summary of Decision Requested: **Amend** Rule 16.4.1 RD1 (b) Subdivision - General by including the following:

xi) Positive effects for affordable housing.

Decision Reasons:

- To insert consideration of affordability in housing development into the focus for Council discretion when considering development consents for subdivision.

Point Number 310.12

Summary of Decision Requested: **Amend** Rule 17.1.2 Permitted Activities, by including "Relocatable Home Park" as a permitted activity in the Business Zone.

AND

Add a definition to Chapter 13 Definitions for "Relocatable Home Park."

Decision Reasons:

- Building much smaller, on trailers and with intent houses could be moved if desired is a mechanism for providing affordable housing that is not currently addressed by the District Plan.
- Future option is that land be retained by the developer and only dwellings would be owned by the purchaser(s).
- Developments created to provide suitable flat size, power, potable water and waste amenities to the site ready for connection.
- Shared facilities of communal gardens and recreation areas could be a pre-requisite for such developments.
- Rule change necessary to create the above as a permitted activity and provide good planning objectives so that such developments would be built of good standard, enhance town and building amenities and provide affordable options for those wanting smaller homes in a village environment.

Point Number 310.13

Summary of Decision Requested: **Amend** Rule 16.3.7 PI (iii)- Living court by changing the 80m² requirement to 40m².

Decision Reasons:

- Decreasing living court requirements will enable more dwellings to be situated on a single site.
- Increasing building density in residential zoned land can increase the availability of affordable housing.
- Increasing density while meeting the height to boundary and other restrictions requires building smaller dwellings or multi-unit dwellings.
- Rule 16.3 currently restricts the numbers of dwellings per site and the size of those buildings therefore requiring discretionary resource consent adding to the cost of development.
- Amending Rule 16.3 as suggested enables affordable development design in residential zoned land to maximize number of dwellings on a site without discretionary consent.
- Other councils have made similar changes (e.g. Auckland, Wellington) to enable increased density by right within the rules of the plan.

Point Number 310.14

Summary of Decision Requested: **Amend** Rule 16.3.1 Dwelling, to allow more than one primary dwelling and one minor dwelling per site.

Decision Reasons:

- Increased building density in residential zoned land can increase the availability of affordable housing.
- Rule 16.3 currently restricts numbers of dwellings per site therefore requiring discretionary resource consent adding to the cost of development.
- Amending Rule 16.3 as suggested enables affordable development design in residential zoned land to maximize the number of dwellings on a site without discretionary consent.
- Other councils have made similar changes, e.g. Auckland & Wellington, to enable increased density by right within the rules of the plan.

Point Number 310.15

Summary of Decision Requested: **Amend** the definition of 'minor dwelling' in Chapter 13 Definitions, to allow more than one minor dwelling per site.

AND

Amend Rule 16.3.1 Dwelling to allow more than one primary dwelling and one minor dwelling per site.

Decision Reasons:

- Increased building density in residential zoned land can increase the availability of affordable housing.
- Increased density while meeting the height to boundary and other restrictions
- Rule 16.3 currently restricts numbers of dwellings per site therefore requiring discretionary resource consent adding to the cost of development.
- Amending Rule 16.3 as suggested enables affordable development design in residential zoned land to maximize the number of dwellings on a site without discretionary consent.
- Other councils have made similar changes, e.g. Auckland & Wellington, to enable increased density by right within the rules of the plan.

Point Number 310.16

Summary of Decision Requested: **Delete** the setback requirement for garages in Rule 16.3.9.1 Building setbacks - All boundaries.

Decision Reasons:

- Increasing density whilst meeting height-boundary and other restrictions requires building smaller dwellings or multi-unit dwellings.
- Amending Rule 16.3 as suggested enables affordable development design in residential zoned land to maximize the number of dwellings on a site without discretionary consent.
- Other councils have made similar changes, e.g. Auckland & Wellington, to enable increased density by right within the rules of the plan.

Point Number 310.17

Summary of Decision Requested: **Delete** Rule 16.3.9.1 P3 Building setbacks - All boundaries.

Decision Reasons:

- Increasing density whilst meeting height-boundary and other restrictions requires building smaller dwellings or multi-unit dwellings.
- Amending Rule 16.3 as suggested enables affordable development design in residential zoned land to maximize the number of dwellings on a site without discretionary consent.
- Other councils have made similar changes, e.g. Auckland & Wellington, to enable increased density by right within the rules of the plan.

Submitter Number: 311 **Submitter:** Harpal Singh-Sandhu

Point Number 311.1

Summary of Decision Requested: **Retain** Objective 5.1.1 The rural environment, except for the amendments sought below

AND

Amend Objective 5.1.1 The rural environment, as follows:

(a) Subdivision, use and development within the rural environment where:

(i) high class soils are reasonably and appropriately protected for productive rural activities;

(ii) productive rural activities are supported, while maintaining or enhancing the rural environment;

(iii) urban subdivision, use and development in the rural environment is avoided.

Decision Reasons:

- The submitter generally supports the principle that typical urban subdivision, use and development should not be encouraged within the rural environment, particularly within properties with high-class soils.
- Reasonable and appropriate subdivision that supports the amenity and purpose of the rural environment and communities should be considered, with particular regard to sites that do not sufficiently support the overall operation of rural activities.

Point Number 311.2

Summary of Decision Requested: **Retain** Objective 5.2.1 Rural resources.

Decision Reasons:

- It is appropriate to direct inappropriate subdivision and land use away from productive soils to support the retention of rural land and activities.

Point Number 311.3

Summary of Decision Requested: **Retain** Policy 5.2.3 Effects of subdivision and development on soils.

Decision Reasons:

- It is appropriate to direct inappropriate subdivision and land use away from productive soils to support the retention of rural land and activities.

Point Number 311.4

Summary of Decision Requested: Amend Rule 22.4.1.1 PR1 Prohibited subdivision, to be a non-complying activity.

Decision Reasons:

- It is acknowledged that the high-class soils should be protected for rural land use practices. Inappropriate subdivision and land use should be directed away from locations/properties with high-class soils to ensure that the rural capabilities of the land are retained.
- There are pockets of land that are considered high class soils, however they cannot be easily used to support the overall operation of a rural land use and activity. This results in an inefficient use of a resource that could otherwise be used to provide properties and housing for members of the community that are not directly employed in rural businesses, but support other business and institutions (e.g. schools, stores) within the local community.
- It is supported that high-class soils be protected, however it should not be considered a prohibited activity, particularly because such subdivision may be considered appropriate in various circumstances. Therefore, such proposed subdivision should be considered a non-complying activity.

Point Number 311.5

Summary of Decision Requested: Amend Rule 22.4.1.1 PR4 Prohibited subdivision to be a non-complying activity.

Decision Reasons:

- It is acknowledged that the high-class soils should be protected for rural land use practices. Inappropriate subdivision and land use should be directed away from locations/properties with high-class soils to ensure that the rural capabilities of the land are retained.
- There are pockets of land that are considered high class soils, however they cannot be easily used to support the overall operation of a rural land use and activity. This results in an inefficient use of a resource that could otherwise be used to provide properties and housing for members of the community that are not directly employed in rural businesses, but support other business and institutions (e.g. schools, stores) within the local community.
- It is supported that high-class soils be protected, however it should not be considered a prohibited activity, particularly because such subdivision may be considered appropriate in various circumstances. Therefore, such proposed subdivision should be considered a non-complying activity.

Submitter Number: 312

Submitter: Brian Putt

Organisation: Metro Planning Ltd

Point Number 312.1

Summary of Decision Requested: Add a site-specific precinct as Appendix I3 for the Whatawhata Arboretum at 635 State Highway 23, Whatawhata which:

- provides for not more than 10 house sites;
- protects all identified trees and planting areas on a precinct tree plan; and
- enables subdivision associated with the approved house sites and the protection of individual or groups of notable trees.

Decision Reasons:

- A site-specific precinct for the arboretum is sought because:
- The property at 635 State Highway 23, Whatawhata is unique as it was planted by acknowledged Waikato foresters 60-80 years ago.
- The register of trees on this property confirms the notable character of the site which has district significance.
- The site can not be farmed for pastoral or horticultural purposes without adversely affecting the notable trees and the significant environmental value that the site contributes to the district.
- The proposed precinct secures the permanent environmental qualities of the site while allowing for a rural residential environment to emerge which maintains and enhances those qualities.
- The protection of the arboretum within a rural residential environment would achieve the purpose of the RMA, particularly Part 2.

Point Number 312.2

Summary of Decision Requested: Amend Rule 22.4.1.1 Prohibited subdivision, by deleting all references to a prohibited activity.

Decision Reasons:

- A prohibited activity status for subdivision represents an abrogation of resource management principles in respect of land use, development and subdivision in the Rural Zone.
- Subdivision is the principal method for providing for land use activity in the Rural Zone that achieves the economic, social and cultural well-being of the rural community. This is achieved through the underlying creation of titles providing for rural investment.
- Planning can not predict the future opportunities for rural investment and therefore must leave subdivision available as a technique for achieving the purpose of the RMA.
- The prohibited activities provisions in Rule 22.4.1 have no foundation in the objectives and policies of the district plan. Prohibited activities are not mentioned in Chapter 5.
- Accordingly, providing for prohibited activity subdivision is contrary to the purpose of the RMA, in particular section 5.

Submitter Number: 323

Submitter: Dorothy Chipman

Point Number 323.1

Summary of Decision Requested: No specific decision sought, but submission states support in part for rule 22.4.1.4 Boundary relocation and expresses desire to be able to relocate a boundary within one farming property from the Waikato area to the Franklin area.

Decision Reasons:

- Submitter has 3 titles adjacent to each other, 2 covered under the Waikato and 1 under the Franklin District Council.
- Would like to move a title which can be created from the Waikato area to the Franklin area.
- Have gone to considerable unnecessary expense to try and relocate the extra title to the Franklin area.
- Will allow retention of a large land holding more suitable for productive farming by keeping titles in a small rural hamlet together and leaving remaining titles in a productive farming enterprise and make landholdings larger.
- Unfairly restrained by boundary relocation due to being situated over 2 differing councils with a paper road bisecting the property.
- There will be a definite advantage in keeping productive soils from subdivided by keeping land together under a boundary relocation.

Submitter Number: 324

Submitter: Jason Dawson

Organisation: Hamilton & Waikato Tourism

Point Number 324.1

Summary of Decision Requested: **Add** a new section, 9.5 Kimihia Lakes Recreation and Events Zone, to Chapter 9 Specific Zones, to enable the development of a regionally-significant events and recreation facility at the former Huntly East Mine.

AND

Add a policy entitled "Tourism Significance" as follows:

Policy: Tourism Significance

(g) To promote the on-going development of the Kimihia Lakes Recreation and Events Park as a venue for regional, national and international events and outdoor pursuits, whilst providing for the general public to use and enjoy the facilities.

Decision Reasons:

- Approach in the PDP is to provide the activity with its own zone due to its unique nature.
- Seeks to include only privately owned land and excludes the existing Lake Kimihia Lake which is DOC owned and operated.
- Develop the area into a regionally-significant events and recreation facility.
- Establishment of a zone with supporting provisions is envisaged to 'fast forward' the development of the Park without onerous and numerous resource consenting processes.
- Location of the proposed Kimihia Lakes Recreation and Events Park provides a catchment of 2.3 million people within a 3-hour drive radius.
- Kimihia Lakes Recreation and Events Park development is aligned to the following game-changers identified in the plan:
 - Regional Events Strategy
 - Home of Kingitanga
 - Activate the Waikato River and environs.
- Submitter supports development of Kimihia Lakes Recreation and Events Park to include 3 precincts of facilities/activities including:
 1. Lake precinct for all types of water-based and lakeside based sports, recreation activities and events;
 2. The commercial nodes immediately adjacent to the lake where a community and education focused Aquatic Centre would be built along with ancillary recreation and retail facilities; and
 3. Remaining natural areas where all types of non-motorised recreation activities and events could occur.

Point Number 324.2

Summary of Decision Requested: **Add** a new Chapter 29 Kimihia Lakes Recreation and Events Zone, including the following:

29.1.1 Permitted Activities

All permitted activities are subject to compliance with the Land Use Effects, Land Use Building and Activity Specific rules below:

- Recreation Activity and Facilities

- Construction, additions and alterations of buildings to support and/or accommodate Recreation Activities

- Construction of structures in and/or over the lake, including (but not limited to) jetties, piers, pontoons and walkways;

- Community Activities and Facilities

- Outdoor Education

- Commercial activities within the Commercial Node Areas;

- Ancillary buildings;

- Operational Facilities;

- Travellers' Accommodation including campgrounds;

- Signs;

- Earthworks;

- Managers'/Caretakers' Dwellings;

- Beekeeping

- Temporary Event

- A Conservation activity

AND

Add the new provisions attached to the submission including a new Chapter 29, additions to Chapter 13 Definitions, additions to Chapter 14 Infrastructure and Energy and consequential amendments.

Decision Reasons:

- Hamilton and Waikato region, especially Waikato District, has an urgent shortage of large quality commercial accommodation and addition of a campground/holiday park to the Kimihia Lakes Recreation and Events Zone.
- Supports the proposal to develop a recreation zone for rowing, waka ama, sailing, aqua cycles, mountain biking, zip-lines and fitness/confidence courses, but excluding powered/motor activities.
- This proposal aligns to the 2016 Tourism Opportunities Plan to develop visitor experiences within the North Waikato Corridor around outdoor recreation.

Submitter Number: 325

Submitter: Noelene Searle

Point Number 325.1

Summary of Decision Requested: **Amend** the zoning of the property at 102 Travers Road, Te Kauwhata to Country Living Zone.

Decision Reasons:

- Land is prone to flooding as there is a creek running through it.
- Increase in traffic along Travers Road.
- Already 60 houses being built on Travers Road.
- Loss of rural views due to streets, lights and houses.
- Rezoning would result in many houses bordering the property.
- Submitter concerned about livestock (sheep) theft.

Submitter Number: 326

Submitter: Charlie Young

Organisation: Raglan Chamber of Commerce

Point Number 326.1

Summary of Decision Requested: **Amend** Objective 4.1.1 (a) Strategic, as follows:
Liveable, thriving, and connected communities that are sustainable, affordable, efficient and coordinated.

Decision Reasons:

- The only mention of affordability in the District Plan is in the strategic directions section 1.12.3 calling for 'affordable options.'
- Affordability should be a core principle of the district plan.
- Current housing models and forecasts predict a widening disparity between portion of community who can and those who cannot afford housing.
- Lack of affordability now affects all those at and below the median income and extends into the 3rd quarter of income.
- Strategy for District Plan should recognise the environment that surrounds housing affordability and the impact it's having on communities.
- Plan should enable innovative housing developments that deliver highly affordable housing options for all income streams.
- Housing developments have a focus on providing good quality homes which meet the needs of individual communities at a cost that enables those at all income levels to afford a decent place to live are supported in the consent and development processes.
- Clearly housing affordability throughout District needs to be supported.
- Lack of affordable housing is having a severe impact on businesses trying to retain staff in communities.
- Other NZ District Councils have recognized housing crisis and have activated affordable housing policies and initiatives.

Point Number 326.2

Summary of Decision Requested: **Amend** Urban Environment Strategic Direction Policy 4.1.18(iii) Raglan, to remove the word "only" and allow other developments that support affordable development to occur by replacing with the following wording:

Rangitahi will provide for medium term growth above the multiple median of affordability for Raglan. Developments that propose affordable housing to cater for the quartiles below the multiple median and that are developed in a manner that connects to the existing town and maintains and enhances the natural environment will be considered as preferred options for additional green fields development.

Decision Reasons:

- This will require a negotiated definition of 'affordable' and acceptance that the 'multiple median' is the international standard by which housing affordability is determined.
- Housing developments have a focus on providing good quality homes which meet the needs of individual communities at a cost that enables those at all income levels to afford a decent place to live are supported in the consent and development processes.
- Clearly housing affordability throughout District needs to be supported.
- Lack of affordable housing is having a severe impact on businesses trying to retain staff in communities.
- Other NZ District Councils have recognised housing crisis and have activated affordable housing policies and initiatives.
- Other districts, e.g. Queenstown Lakes District Council, require compulsory components of all developments to deliver a portion of affordable housing within the development, of which Waikato District Council currently doesn't.
- Rangitahi has no affordable housing as part of plan and cost to buy a section/build likely to exceed \$575,000.
- Raglan median household income is calculated at \$47,500 and Stats NZ's affordability range for this household income is \$323,000-\$387,000, far below the lowest range of housing able to be constructed within Rangitahi development.
- Retaining 'only' will create a bias in affordability only attainable for household income above \$90,500.
- Housing developments have a focus on providing good quality homes which meet the needs of individual communities at a cost that enables those at all income levels to afford a decent place to live are supported in the consent and development processes.
- Clearly housing affordability throughout District needs to be supported.
- Lack of affordable housing is having a severe impact on businesses trying to retain staff in communities.
- Other NZ District Councils have recognized housing crisis and have activated affordable housing policies and initiatives.

Point Number 326.3

Summary of Decision Requested: **Add** a new policy and objective to Section 4.2 Residential Zone, as follows (or similar wording):

Objective: To provide for a range of opportunities for affordable housing that enables low and moderate income people to live in the district in accommodation that suits their needs.

Policy 1: Enable affordable housing by allowing residential densities that make economical and best use of available land in existing residential areas.

Policy 2: New housing development will include affordable housing as part of the development plan.

Policy 3: Allow access for developers of affordable housing to lower cost structure of consent and regulation requirements.

Policy 4: Encourage multi-unit residential developments subject to appropriate safeguards to amenities and the environment.

Policy 5: Take into account the positive effects for the community of affordable housing when assessing resource consent applications.

Decision Reasons:

- Affordability of housing should be enabled by the objectives and Rules of the District Plan.
- Housing developments have a focus on providing good quality homes which meet the needs of individual communities at a cost that enables those at all income levels to afford a decent place to live are supported in the consent and development processes.
- Clearly housing affordability throughout District needs to be supported.
- Lack of affordable housing is having a severe impact on businesses trying to retain staff in communities.
- Other NZ District Councils have recognized housing crisis and have activated affordable housing policies and initiatives.
- Policies need to be incorporated into the district plan.

Point Number 326.4

Summary of Decision Requested: **Delete** Rule 16.4.4 RD1 (a)(iv) Multi-unit development

OR

Amend Rule 16.4.4 RD1 (a)(iv) Multi-unit development by decreasing the Multi-unit development minimum unit areas, for example Studio unit 30m², One bedroom unit 40m², Two bedroom 50m² and Three bedroom 70m².

Decision Reasons:

- Affordability of housing should be enabled by the rules of the District Plan.
- The cost of building has risen such that in order to retain affordability, building smaller dwellings is necessary.
- Having fixed minimum sizes in the rules restricts those wanting to live in a much smaller space to meet Building Code and retain accessible building cost.
- Housing developments have a focus on providing good quality homes which meet the needs of individual communities at a cost that enables those at all income levels to afford a decent place to live are supported in the consent and development processes.
- Clearly housing affordability throughout District needs to be supported.
- Lack of affordable housing is having a severe impact on businesses trying to retain staff in communities.
- Other NZ District Councils have recognised housing crisis and have activated affordable housing policies and initiatives.

Point Number 326.5

Summary of Decision Requested: **Add** "Relocatable Home Park" to Rule 17.1.2 Permitted Activities, to include 'Relocatable Home Park'

AND

Add a definition to Chapter 13 Definitions, that describes a "Relocatable home park".

Decision Reasons:

- Building much smaller, building on trailers and with the intent that houses could be moved if the owner wanted to relocate is a mechanism for providing affordable housing that is not currently addressed by the District Plan.
- Land remains one of the most expensive components, a future option is that land ownership be retained by the developer and only the dwellings would be owned by purchaser(s).
- Developments could be created to provide suitable flat site, power, potable water and waste amenities to the site ready for connection.
- Some shared facilities of communal gardens and recreation areas could be a pre-requisite for such developments.
- Rule change necessary to create activity as permitted and provide good planning objectives so such developments are of a good standard, enhance town and building amenities and provide affordable options for those desiring smaller homes in village environment.
- Housing developments have a focus on providing good quality homes which meet the needs of individual communities at a cost that enables those at all income levels to afford a decent place to live are supported in the consent and development processes.
- Clearly housing affordability throughout District needs to be supported.
- Lack of affordable housing is having a severe impact on businesses trying to retain staff in communities.
- Other NZ District Councils have recognized housing crisis and have activated affordable housing policies and initiatives.

Point Number

326.6

Summary of Decision Requested:

Amend Rule 16.3 Land use, so that the number of dwellings and the definition of a minor dwelling allow for more than one primary dwelling and one minor dwelling per site. The submission sets out some examples of possible amendments to rules, e.g.:

Rule 16.3.1 P1

Two dwellings within a site where the combined floor areas do not exceed x percentage of the section.

New Rule 16.3.1.P2

Three dwellings within a site, if at least two of the dwellings are small houses each with a gross floor area of less than 45m2.

Decision Reasons:

- Increasing building density in residential-zoned land can increase the availability of affordable housing.
- Increasing density requires building smaller dwellings or multi-unit dwellings.
- Rule 16.3 restricts the number of dwellings and therefore adds cost through requiring a resource consent.
- These changes enable affordable housing design to maximise the number of dwellings on a site without discretionary consent.

Point Number

326.7

Summary of Decision Requested:

Add a matter of discretion to Rule 16.4.4 RDI(b)- Multi-unit development as follows:

(xi) Positive effects for affordable housing.

Decision Reasons:

- Affordability of housing should be enabled by rules of the District Plan.
- Clearly housing affordability throughout District needs to be supported.
- Lack of affordable housing is having a severe impact on businesses trying to retain staff in communities.
- Other NZ District Councils have recognised housing crisis and have activated affordable housing policies and initiatives.
- The cost of building has risen such that, in order to retain affordability, building smaller dwellings is necessary.

Point Number

326.8

Summary of Decision Requested:

Amend Rule 16.3.7 P1(iii) Living Court, by changing "80m2" to "40m2".

Decision Reasons:

- Increasing building density in residential zoned land can increase the availability of affordable housing.
- Increasing density while meeting the height to boundary and other restrictions requires building smaller dwellings or multi-unit dwellings.
- 16.3 currently restricts the numbers of dwellings per site and the size of those buildings therefore requiring discretionary resource consent adding to the cost of development.
- Amending 16.3 as suggested enables affordable development design in residential zoned land to maximize the number of dwellings on a site without discretionary consent.
- Other councils have made similar changes (Auckland, Wellington) to enable increased density by right within the rules of the plan.

Point Number

326.9

Summary of Decision Requested:

Delete Rule 16.3.9.1 P3 Building setback - All boundaries

AND

Add a matter of discretion to Rule 16.3.9.1 RDI Building setbacks - all boundaries, as follows:

(viii) Positive effects for affordable housing.

Decision Reasons:

- Increasing building density in residential zoned land can increase the availability of affordable housing.
- Increasing density while meeting the height to boundary and other restrictions requires building smaller dwellings or multi-unit dwellings.
- 16.3 currently restricts the numbers of dwellings per site and the size of those buildings therefore requiring discretionary resource consent adding to the cost of development.
- Amending 16.3 as suggested enables affordable development design in residential zoned land to maximize the number of dwellings on a site without discretionary consent.
- Other councils have made similar changes (Auckland, Wellington) to enable increased density by right within the rules of the plan.

Point Number

326.10

Summary of Decision Requested:

Add a matter of discretion to Rule 16.4.1 RDI(b) Subdivision - general, as follows:

(xi) Positive effects for affordable housing.

Decision Reasons:

- Inserts a consideration of affordability in housing development into the focus for Council discretion when considering development consents for subdivision.
- Clearly housing affordability throughout District needs to be supported.
- Lack of affordable housing is having a severe impact on businesses trying to retain staff in communities.
- Other NZ District Councils have recognised housing crisis and have activated affordable housing policies and initiatives.

Submitter Number:	327	Submitter:	Jon Harris
Point Number	327.1		
Summary of Decision Requested:	Delete the Significant Natural Area from the property at 140B Woodcock Road, Tamahere.		
Decision Reasons:	<ul style="list-style-type: none"> The area indicated contains predominantly introduced and pest species of vegetation, such as willow trees. 		
Point Number	327.2		
Summary of Decision Requested:	Delete the walkway / cycle-way / bridleway from Fuchsia Lane to Titoki Drive, Tamahere.		
Decision Reasons:	<ul style="list-style-type: none"> The banks of the gully are steep, unstable and prone to erosion due to the sandy loam soil structure. The stream banks and low lying surrounding area are extremely boggy which would make construction of a walkway / cycle-way / bridleway impractical and prohibitively expensive. 		

Submitter Number:	328	Submitter:	Paula Dudley
Point Number	328.1		
Summary of Decision Requested:	Retain Chapter 2 Tangata Whenua.		
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided. 		
Point Number	328.2		
Summary of Decision Requested:	Retain Objective 2.14 Kaitiaki (steward/guardian).		
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided. 		
Point Number	328.3		
Summary of Decision Requested:	Amend Policy 3.2.7 (vii) Managing Significant Natural Areas to extend the role of kaitiaki to the neighbouring property owners residing next to historical reserves, to include daily upkeep and management of lawns, gardens and rubbish. Kaitiaki to be supported by WDC to maintain grounds.		
Decision Reasons:	<ul style="list-style-type: none"> Historical site proposed on south boundary of the property at 524A State Highway 1, Tamahere, but concerns are raised as to who will be responsible for its upkeep/maintenance. If a property owner has links to Tainui, consideration could be made to be supported by WDC to manage and maintain the lawns and rubbish of the reserve and turning bay at the entrance of the submitter's property and the neighbouring reserve. 		
Point Number	328.4		
Summary of Decision Requested:	Retain Section 3.4 Significant Amenity Landscapes.		
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided. 		
Point Number	328.5		
Summary of Decision Requested:	Amend Rule 23.4.2 RD1 (a)(i) General Subdivision, to be 3000m2 minimum site area rather than 5000m2.		
Decision Reasons:	<ul style="list-style-type: none"> As the submitter's property must also adhere to the various subdivision constraints imposed from the south boundary (historical reserve), west boundary (highway) and east boundary (SNA), it is more difficult for the submitter to meet the complex subdivision criteria. The complexity of the submitter's boundaries seeks flexibility on the net site area to 3000m2 to ensure a fair solution in optimising subdivision potential. Optimise division of land into smaller sized lots. 		
Point Number	328.6		
Summary of Decision Requested:	Amend Rule 23.1.1 P3 (c) Permitted Activities for Operating hours of temporary events to be shortened with some flexibility during daylight savings.		
Decision Reasons:	<ul style="list-style-type: none"> Safety concerns with public entry and activity(s) on neighboring historical reserve to property owners and residents. Safety concerns for neighbouring residents near public reserves. 		

Point Number	328.7
Summary of Decision Requested:	Amend Rule 23.4.7 RD1 (a) Road frontage to include more specific details on rules about what/how the number(s) of dwellings/lots/activities can determine the width(s) of a right of way and the 15m width is excessive.
Decision Reasons:	<ul style="list-style-type: none"> • An excessive width from the modest 7-9m width required for a property wishing to explore subdivision potential. • Not enough information is provided in the Proposed Plan (or various public mediums) to property owners and residents on what/ how the width of a right of way can influence and/or affect the number of dwellings permitted. A land acquisition involving the submitter's original privately owned right of way (approx. 9m) to be replaced with only a 7m, reducing their chances for any future subdivision potential.
Point Number	328.8
Summary of Decision Requested:	Amend Rule 23.4.9 RD1 (b) Subdivision creating Reserves to require consultation with neighbouring property owners directly affected by planning and implementation of public owned reserves.
Decision Reasons:	<ul style="list-style-type: none"> • The sharing of information between parties (council and owner(s)) can only improve the effectiveness on the operation of any public reserves. • To be amended to also consult with affected property owners. • To build relationships.
Point Number	328.9
Summary of Decision Requested:	Retain Section 7.1 Protection of Historic Heritage and Notable Trees.
Decision Reasons:	<ul style="list-style-type: none"> • No reasons provided.
Point Number	328.10
Summary of Decision Requested:	Amend Policy 8.1.2(b)(iv) Provision, use and development of public open space and reserves, to ensure the relevant style/type of fencing and lighting is negotiated with neighbouring property owner(s).
Decision Reasons:	<ul style="list-style-type: none"> • Historical reserve on the south boundary of the submitter's property - raises concerns for residents/ owners' safety. • Currently, no information has been forwarded outlining plan and implementation pre-development and post-development.
Point Number	328.11
Summary of Decision Requested:	Amend Section 12.2 How to use and interpret the rules – Categories of Activities, pertaining to controlled activities to offer provisions to property owners who are affected by multiple public developments. AND Amend Section 12.2 How to use and interpret the rules – Categories of Activities, specifically in relation to the ability for council to refuse to grant a controlled activity subdivision if the provisions of s106 of the Resource Management Act apply, to ensure provisions are offered to support property owners faced with unusual circumstances of multiple public developments.
Decision Reasons:	<ul style="list-style-type: none"> • Both the historical reserve on the south boundary of the property (524B State Highway, Tamahere) and a four-lane highway on the west boundary pose additional complications for a potential subdivision. • A case-by-case scenario supports property owners faced with unusual circumstances of multiple public developments.

Submitter Number:	329	Submitter:	Richard Sun
Organisation:	The Coffee Club Te Rapa Service Centre		
Point Number	329.1		
Summary of Decision Requested:	Retain the Residential Zone at the property owned by the Coffee Club Te Rapa Service Centre.		
Decision Reasons:	<ul style="list-style-type: none"> • Perfect location to Horotiu School • Accessibility to employment surrounding Horotiu • Good vehicle access • Easy connection to river ride • River sided and improve environment. 		

Submitter Number:	330	Submitter:	Andrew and Christine Gore
Point Number	330.1		
Summary of Decision Requested:	Amend the activity status of subdivision to be controlled activities.		
Decision Reasons:	<ul style="list-style-type: none"> • No reasons provided. 		

Point Number	330.2
Summary of Decision Requested:	Retain the provisions restoring and enhancing the gully systems throughout the Waikato Region.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.3
Summary of Decision Requested:	Retain Rule 22.4.1.6 Conservation lot subdivision, allowing an extra subdivision right to protect ecological areas and for the contiguous area to be determined by an experienced and suitably qualified ecologist.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.4
Summary of Decision Requested:	Amend the Proposed District Plan to allow subdivision where a property is planted and creates an ecological area for the future.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.5
Summary of Decision Requested:	Amend the Proposed District Plan to require more consideration of the environment including lighting and noise.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.6
Summary of Decision Requested:	No specific decision sought, however submission refers to Section A Plan Overview and Strategic Directions.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.7
Summary of Decision Requested:	No specific decision sought, however submission refers to Section 1.4.3 The Rural Environment.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.8
Summary of Decision Requested:	No specific decision sought, however submission refers to Section 1.4.4 The Urban environment.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.9
Summary of Decision Requested:	No specific decision sought, however submission refers to Section 1.5.1 Compact urban development.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.10
Summary of Decision Requested:	No specific decision sought, however submission refers to Section 1.5.2 Planning for urban growth and development.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.11
Summary of Decision Requested:	No specific decision sought, however submission refers to Section 1.5.3 Cross-boundary issues.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.12
Summary of Decision Requested:	No specific decision sought, however submission refers to Section 1.5.4 Urban growth.

Decision Reasons:

- No reasons provided.

Point Number 330.13

Summary of Decision Requested: No specific decision sought, however submission refers to Section 1.5.7 Natural Environment.

Decision Reasons:

- No reasons provided.

Point Number 330.14

Summary of Decision Requested: No specific decision sought, however submission refers to Section 1.5.7.1 Indigenous biodiversity.

Decision Reasons:

- No reasons provided.

Point Number 330.15

Summary of Decision Requested: No specific decision sought, however submission refers to Section 1.5.7.2 Landscape and natural character.

Decision Reasons:

- No reasons provided.

Point Number 330.16

Summary of Decision Requested: No specific decision sought, however submission refers to Section 1.10 Integration of district plan with other plans and documents.

Decision Reasons:

- No reasons provided.

Point Number 330.17

Summary of Decision Requested: No specific decision sought, however submission refers to Section 1.10.1 The relationship with Council strategies and other documents.

Decision Reasons:

- No reasons provided.

Point Number 330.18

Summary of Decision Requested: No specific decision sought, however submission refers to Section 1.10.1.1 Waikato District Development Strategy 2015.

Decision Reasons:

- No reasons provided.

Point Number 330.19

Summary of Decision Requested: No specific decision sought, however submission refers to Section 1.10.1.2 Waikato District Economic Development Strategy 2015.

Decision Reasons:

- No reasons provided.

Point Number 330.20

Summary of Decision Requested: No specific decision sought, however submission refers to Section 1.10.1.3 The Long Term Plan.

Decision Reasons:

- No reasons provided.

Point Number 330.21

Summary of Decision Requested: No specific decision sought, however submission refers to Section 1.10.1.4 Annual Plan.

Decision Reasons:

- No reasons provided.

Point Number 330.22

Summary of Decision Requested: No specific decision sought, however submission refers to Section 1.10.1.5 Activity Management Plans and the 30-Year Infrastructure Strategy.

Decision Reasons:

- No reasons provided.

Point Number	330.23
Summary of Decision Requested:	No specific decision sought, however submission refers to Section 1.10.1.6 Development Contributions Policy.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.24
Summary of Decision Requested:	No specific decision sought, however submission refers to Section 1.10.2 The relationship with regional plans and documents.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.25
Summary of Decision Requested:	No specific decision sought, however submission refers to Section 1.10.2.1 Waikato Regional Policy Statement 2016.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.26
Summary of Decision Requested:	No specific decision sought, however submission refers to Section 10.2.2 Waikato Regional Plan.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.27
Summary of Decision Requested:	No specific decision sought, however submission refers to Section 1.10.2.3 Waikato Region strategies and plans.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.28
Summary of Decision Requested:	No specific decision sought, however submission refers to Section 1.10.2.4 Upper North Island Strategic Alliance.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.29
Summary of Decision Requested:	No specific decision sought, however submission refers to Section 1.10.2.5 Future Proof Growth Strategy and Implementation Plan.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.30
Summary of Decision Requested:	No specific decision sought, however submission refers to Section 1.10.2.6 The Waikato Plan.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.31
Summary of Decision Requested:	No specific decision sought, however submission refers to Section 1.10.2.7 Regional Infrastructure Technical Specifications.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.32
Summary of Decision Requested:	No specific decision sought, however submission refers to Section 1.10.3 The Relationship between district plans and other resource management planning documents.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.33

Summary of Decision Requested:	No specific decision sought, however submission refers to Section 10.3.1 Resource Management Act 1991 (RMA).
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.34
Summary of Decision Requested:	No specific decision sought, however submission refers to Section 1.10.3.2 Local Government Act 2002.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.35
Summary of Decision Requested:	No specific decision sought, however submission refers to Section 1.10.3.3 National Policy Statements.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.36
Summary of Decision Requested:	No specific decision sought, however submission refers to Section 1.10.3.4 National Environmental Standards.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.37
Summary of Decision Requested:	No specific decision sought, however submission refers to Section 1.7 Settlement Acts/ Co-management/ Rivers - Vision and Strategies/ Joint Management Agreement.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.38
Summary of Decision Requested:	No specific decision sought, however submission refers to Section 1.7.1.2 - The River Settlement Acts.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.39
Summary of Decision Requested:	No specific decision sought, however submission refers to Section 1.7.2.7 Definition of Waikato River and its catchment area.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.40
Summary of Decision Requested:	No specific decision sought, however submission refers to Section 1.7.3 Joint Management Agreements.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.41
Summary of Decision Requested:	No specific decision sought, however submission refers to Section 1.7.3.1 Waikato River Joint Management agreement (JMA) 2010.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.42
Summary of Decision Requested:	No specific decision sought, however submission refers to Section 1.7.3.2 Joint Management Agreement (JMA) 2010.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.43
Summary of Decision Requested:	No specific decision sought, however submission refers to Section 1.7.3.3 Consultation.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.

Point Number 330.44
Summary of Decision Requested: No specific decision sought, however submission refers to Section 1.9 Statutory Context and Framework.
Decision Reasons:

- No reasons provided.

Point Number 330.45
Summary of Decision Requested: No specific decision sought, however submission refers to Section 1.12 Strategic directions and objectives for the district.
Decision Reasons:

- No reasons provided.

Point Number 330.46
Summary of Decision Requested: No specific decision sought, however submission refers to Section 1.12.1 Strategic direction.
Decision Reasons:

- No reasons provided.

Point Number 330.47
Summary of Decision Requested: No specific decision sought, however submission refers to Section 1.12.2 Natural environment.
Decision Reasons:

- No reasons provided.

Point Number 330.48
Summary of Decision Requested: No specific decision sought, however submission refers to Section 1.12.3 Built environment.
Decision Reasons:

- No reasons provided.

Point Number 330.49
Summary of Decision Requested: No specific decision sought, however submission refers to 1.12.4 Ease of movement.
Decision Reasons:

- No reasons provided.

Point Number 330.50
Summary of Decision Requested: No specific decision sought, however submission refers to Section 1.12.5 Community wellbeing.
Decision Reasons:

- No reasons provided.

Point Number 330.51
Summary of Decision Requested: No specific decision sought, however submission refers to Section 1.12.6 Employment and economic growth.
Decision Reasons:

- No reasons provided.

Point Number 330.52
Summary of Decision Requested: No specific decision sought, however submission refers to Section 1.12.7 Managing change.
Decision Reasons:

- No reasons provided.

Point Number 330.53
Summary of Decision Requested: No specific decision sought, however submission refers to Section 1.12.8 Strategic objectives.
Decision Reasons:

- No reasons provided.

Point Number 330.54

Summary of Decision Requested: No specific decision sought, however submission refers to Section B Objectives and Policies.

Decision Reasons:

- No reasons provided.
-

Point Number 330.55

Summary of Decision Requested: No specific decision sought, however submission refers to Chapter 2 Tangata Whenua.

Decision Reasons:

- No reasons provided.
-

Point Number 330.56

Summary of Decision Requested: No specific decision sought, however submission refers to Chapter 5 Rural Environment.

Decision Reasons:

- No reasons provided.
-

Point Number 330.57

Summary of Decision Requested: No specific decision sought, however submission refers to Policy 5.3.7 Reverse sensitivity effects.

Decision Reasons:

- No reasons provided.
-

Point Number 330.58

Summary of Decision Requested: No specific decision sought, however submission refers to Policy 5.3.8 Effects on rural character and amenity from rural subdivision.

Decision Reasons:

- No reasons provided.
-

Point Number 330.59

Summary of Decision Requested: No specific decision sought, however submission refers to Policy 5.3.15 Noise and vibration.

Decision Reasons:

- No reasons provided.
-

Point Number 330.60

Summary of Decision Requested: No specific decision sought, however submission refers to Policy 5.6.15 Artificial outdoor lighting.

Decision Reasons:

- No reasons provided.
-

Point Number 330.61

Summary of Decision Requested: No specific decision sought, however submission refers to Policy 5.6.16 Noise.

Decision Reasons:

- No reasons provided.
-

Point Number 330.62

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.1 Land Use - Activities.

Decision Reasons:

- No reasons provided.
-

Point Number 330.63

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.1.1 Prohibited Activities.

Decision Reasons:

- No reasons provided.
-

Point Number 330.64

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.1.2 Permitted Activities.

Decision Reasons:

- No reasons provided.

Point Number 330.65
Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.1.3 Restricted Discretionary Activities.
Decision Reasons:

- No reasons provided.

Point Number 330.66
Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.1.5 Discretionary Activities.
Decision Reasons:

- No reasons provided.

Point Number 330.67
Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.1.5 Non-Complying Activities.
Decision Reasons:

- No reasons provided.

Point Number 330.68
Summary of Decision Requested: No specific decision sought, however submission refers to Rule 23.1- Land Use- Activities and/or all rules sitting under Rule 23.1 Land Use- Activities.
Decision Reasons:

- No reasons provided.

Point Number 330.69
Summary of Decision Requested: No specific decision sought, however submission refers to Rule 23.2 Land Use - Effects and/or all the rules sitting under Rule 23.2 Land Use - Effects.
Decision Reasons:

- No reasons provided.

Point Number 330.70
Summary of Decision Requested: No specific decision sought, however submission refers to Rule 23.2.1.2 Noise - Construction.
Decision Reasons:

- No reasons provided.

Point Number 330.71
Summary of Decision Requested: No specific decision sought, however submission refers to Rule 23.2.6 - Signs-General.
Decision Reasons:

- No reasons provided.

Point Number 330.72
Summary of Decision Requested: No specific decision sought, however submission refers to Rule 23.3 Land Use - Building and/or all rules sitting under Rule 23.3 Land Use - Building.
Decision Reasons:

- No reasons provided.

Point Number 330.73
Summary of Decision Requested: No specific decision sought, however submission refers to Rule 23.4 Subdivision and/or all rules sitting under Rule 23.4 Subdivision.
Decision Reasons:

- No reasons provided.

Point Number 330.74
Summary of Decision Requested: No specific decision sought, however submission refers to Section C Rules.
Decision Reasons:

- No reasons provided.

Point Number 330.75

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.2.1 Noise.

Decision Reasons:

- No reasons provided.
-

Point Number 330.76

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.2.1.1 Noise - General.

Decision Reasons:

- No reasons provided.
-

Point Number 330.77

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.2.1.2 Noise - Frost Fans.

Decision Reasons:

- No reasons provided.
-

Point Number 330.78

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.2.1.3 Noise - Construction.

Decision Reasons:

- No reasons provided.
-

Point Number 330.79

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.2.2 - Glare and Artificial Light Spill.

Decision Reasons:

- No reasons provided.
-

Point Number 330.80

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.2.3 Earthworks.

Decision Reasons:

- No reasons provided.
-

Point Number 330.81

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.2.3.1 Earthworks - General.

Decision Reasons:

- No reasons provided.
-

Point Number 330.82

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.2.3.2 Earthworks - Maori Sites and Maori Areas of Significance.

Decision Reasons:

- No reasons provided.
-

Point Number 330.83

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.2.3.3 Earthworks - Significant Natural Areas.

Decision Reasons:

- No reasons provided.
-

Point Number 330.84

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.2.3.4 Earthworks - Within Landscape and Natural Character Areas.

Decision Reasons:

- No reasons provided.
-

Point Number 330.85

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.2.4 Hazardous substances.

Decision Reasons:

- No reasons provided.

Point Number 330.86

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.2.5 Notable trees and/or all rules sitting under Rule 22.2.5 Notable trees.

Decision Reasons:

- No reasons provided.

Point Number 330.87

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.2.6 Signs and/or all rules sitting under Rule 22.2.6 Signs.

Decision Reasons:

- No reasons provided.

Point Number 330.88

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.2.7 Indigenous vegetation clearance inside a Significant Natural Area.

Decision Reasons:

- No reasons provided.

Point Number 330.89

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.2.8- Indigenous vegetation clearance outside a Significant Natural Area.

Decision Reasons:

- No reasons provided.

Point Number 330.90

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.3 Land Use - Building.

Decision Reasons:

- No reasons provided.

Point Number 330.91

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.8.8 Lakeside Comprehensive Subdivision Consent.

Decision Reasons:

- No reasons provided.

Point Number 330.92

Summary of Decision Requested: No specific decision sought, however submission refers to Chapter 23 Country Living Zone.

Decision Reasons:

- No reasons provided.

Point Number 330.93

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 23.1 Land Use - Activities, and all rules sitting under Rule 23.1.

Decision Reasons:

- No reasons provided.

Point Number 330.94

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 23.2 Land Use - Effects.

Decision Reasons:

- No reasons provided.

Point Number 330.95

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 23.2.1 - Noise, and/or all rules under Rule 23.2.1.

Decision Reasons:

- No reasons provided.

Point Number 330.96
Summary of Decision Requested: No specific decision sought, however submission refers to Rule 23.2.2 Glare and Artificial Light Spill.
Decision Reasons:

- No reasons provided.

Point Number 330.97
Summary of Decision Requested: No specific decision sought, however submission refers to Rule 23.2.3 Earthworks, and/or all rules sitting under Rule 23.2.3.
Decision Reasons:

- No reasons provided.

Point Number 330.98
Summary of Decision Requested: No specific decision sought, however submission refers to Rule 23.2.4 Hazardous substances.
Decision Reasons:

- No reasons provided.

Point Number 330.99
Summary of Decision Requested: No specific decision sought, however submission refers to Rule 23.2.5 Notable Trees, and/or all rules sitting under 23.2.5.
Decision Reasons:

- No reasons provided.

Point Number 330.100
Summary of Decision Requested: No specific decision sought, however submission refers to Rule 23.2.6.1 Signs - General.
Decision Reasons:

- No reasons provided.

Point Number 330.101
Summary of Decision Requested: No specific decision sought, however submission refers to Rule 23.2.6 Signs - effects on traffic.
Decision Reasons:

- No reasons provided.

Point Number 330.102
Summary of Decision Requested: No specific decision sought, however submission refers to Rule 23.2.7 Outdoor Storage.
Decision Reasons:

- No reasons provided.

Point Number 330.103
Summary of Decision Requested: No specific decision sought, however submission refers to Rule 23.2.8 Indigenous vegetation clearance inside a Significant Natural Area.
Decision Reasons:

- No reasons provided.

Point Number 330.104
Summary of Decision Requested: No specific decision sought, however submission refers to Rule 23.2.9 Indigenous vegetation clearance outside a Significant Natural Area.
Decision Reasons:

- No reasons provided.

Point Number 330.105
Summary of Decision Requested: No specific decision sought, however submission refers to Rule 23.3 Land Use - Building.
Decision Reasons:

- No reasons provided.

Point Number 330.106
Summary of Decision Requested: No specific decision sought, however submission refers to Rule 23.3.1 Dwelling.

Decision Reasons:

- No reasons provided.

Point Number 330.107

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 23.3.2 Minor dwelling.

Decision Reasons:

- No reasons provided.

Point Number 330.108

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 23.3.3 Buildings and structures in Landscape and Natural Character Areas.

Decision Reasons:

- No reasons provided.

Point Number 330.109

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 23.3.4 Height, and/or all rules sitting under Rule 23.3.4.

Decision Reasons:

- No reasons provided.

Point Number 330.110

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 23.3.5 Daylight admission.

Decision Reasons:

- No reasons provided.

Point Number 330.111

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 23.3.6 Building coverage.

Decision Reasons:

- No reasons provided.

Point Number 330.112

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 23.3.7 Building setbacks and all other rules sitting under Rule 23.3.7.

Decision Reasons:

- No reasons provided.

Point Number 330.113

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 23.3.8 Horotiu Noise Acoustic Area.

Decision Reasons:

- No reasons provided.

Point Number 330.114

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 23.3.9 Historic Heritage, and/or all rules sitting under Rule 23.3.9.

Decision Reasons:

- No reasons provided.

Point Number 330.115

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 23.4 Subdivision.

Decision Reasons:

- No reasons provided.

Point Number 330.116

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 23.4.1 Prohibited subdivision.

Decision Reasons:

- No reasons provided.

Point Number	330.117
Summary of Decision Requested:	No specific decision sought, however submission refers to Rule 23.4.2 General Subdivision.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.118
Summary of Decision Requested:	No specific decision sought, however submission refers to Rule 23.4.3 Subdivision within identified areas.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.119
Summary of Decision Requested:	No specific decision sought, however submission refers to Rule 23.4.4 Title boundaries - natural hazard area, contaminated land, Significant Amenity Landscape, notable trees, intensive farming activities, aggregate extractions areas.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.120
Summary of Decision Requested:	No specific decision sought, however submission refers to Rule 23.4.5 Site boundaries - Significant Natural Areas, heritage items, archaeological sites, sites of significance to Maori.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.121
Summary of Decision Requested:	No specific decision sought, however submission refers to Rule 23.4.6 Subdivision of land containing heritage items.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.122
Summary of Decision Requested:	No specific decision sought, however submission refers to Rule 23.4.7 Subdivision - Road frontage.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.123
Summary of Decision Requested:	No specific decision sought, however submission refers to Rule 23.4.8 Subdivision- Building platform.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.124
Summary of Decision Requested:	No specific decision sought, however submission refers to Rule 23.4.9 Subdivision creating Reserves.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.125
Summary of Decision Requested:	No specific decision sought, however submission refers to Rule 23.4.10 Subdivision of land containing mapped off-road walkways.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.126
Summary of Decision Requested:	No specific decision sought, however submission refers to Rule 23.4.11 Subdivision of land containing all or part of an Environmental Protection Area.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.127

Summary of Decision Requested:	No specific decision sought, however submission refers to Rule 23.4.12 Esplanade reserves and esplanade strips.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.128
Summary of Decision Requested:	No specific decision sought, however submission refers to Section E Designations.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.129
Summary of Decision Requested:	Amend Section 5.1 The Rural Environment so that urban subdivision use and development is appropriate to circumstance, in particular for properties such as the submitters' at 295 Kay Road, Horsham Downs.
Decision Reasons:	<ul style="list-style-type: none"> The submitters' property has been dislocated from rural land use by the Waikato expressway and Resolution Drive. It is unreasonable to have an objective that limits urban subdivision in an area that is marked future urban. Landowners such as the submitters are penalised by development. Fragmentation by NZTA/Alliance road development and future demand by Hamilton City for Housing.
Point Number	330.130
Summary of Decision Requested:	Amend Section 5.2 Productive Versatility of Rural Resources to recognise that where the surrounding ecosystem has already been changed by development that the best use forward is the option. This could include developments with best practice to prevent further deterioration of those ecosystems, such as appropriate subdivision and appropriate productive rural activity.
Decision Reasons:	<ul style="list-style-type: none"> The health and wellbeing of the submitters land has already been compromised by the large-scale projects bordering the property. The natural ecosystem is already altered irreparably.
Point Number	330.131
Summary of Decision Requested:	Amend Section 5.3 Rural Character and Amenity to recognise properties where the continued operation of the rural environment as a productive working environment is not possible so the landowners can develop their property.
Decision Reasons:	<ul style="list-style-type: none"> It is not possible to recognise and protect our land as a productive working environment The submitters are fragmented from neighbouring land by NZTA roading The submitters are prevented from intensive agriculture by proposed future urban zoning
Point Number	330.132
Summary of Decision Requested:	Amend Policy 5.3.4 Density of dwellings and buildings within the rural environment to allow urban development to take place in an amended environment that preserves the rural character, by less intensive urbanisation.
Decision Reasons:	<ul style="list-style-type: none"> It must be addressed where property is a Future Urban Zone and has restrictions on rural amenity imposed by current development
Point Number	330.133
Summary of Decision Requested:	Amend Policy 5.3.8 Effects on rural character and amenity from rural subdivision, so that urban development can take place in the form of rural development that does not have to regard the productive soils where the productive rural area is already compromised by development such as large scale public works.
Decision Reasons:	<ul style="list-style-type: none"> In a situation such as the submitters', the rural land is no longer productive due to fragmentation out of their control. Rural subdivision should be able to take place without the clause protecting production.
Point Number	330.134
Summary of Decision Requested:	Amend Policy 5.3.15 Noise and vibration to mitigate adverse effects of large-scale roading developed next to urbanisation at the source, and the ecological management area must be considered in the mitigation as future proofing.
Decision Reasons:	<ul style="list-style-type: none"> This policy does not go far enough. The submitters' property is a Future Urban Zone. The submitters' property is under the overlay of ecological area. The NZTA/Alliance roading is not sufficiently noise mitigated in the mitigating plan for this type of development. Urbanisation will be sensitive to noise effect. This is proven throughout the North Island where housing and large expressways intersect. To plan an ecological area should have excellent noise management. Lower noise is essential for the movement of any wildlife who rely on acoustic vibration. By allowing extensive roading into this proposed ecological area, the ecosystem has been irreparably altered. It is noted that noise being experienced currently in the proposed ecological area is unacceptable for an ecological management area. All effort should be made to minimize any more effect into the environment by noise.

- Noise policy needs to directly address the potential traffic noise effect from the unfinished road projects, and finished road projects to ensure the basin area can be promoted as ecological.
- Noise levels should be subject to tighter environmental control.

Point Number 330.135

Summary of Decision Requested: **Amend** Section 5.5 Hamilton's Urban Expansion Area for those under the Rural Zone to be able to develop according to rural rules unless the land is acquisitioned by Hamilton City Council. This is especially for the submitters' property at 295 Kay Road RD1, Horsham Downs.

Decision Reasons:

- Land cannot be unreasonably protected for Hamilton urban development.
- This is an unrealistic and unfair objective for small landholders such as the submitters' who have been subjected to land fragmentation by large-scale development.
- As landowners of a small Land holding, 4ha, they should not have their land which is also a Rural Zone protected just for the Hamilton urban expansion
- In their situation, they cannot use the productive rural land due to fragmentation by large NZTA/ Alliance roading projects.
- They should be able to use the land for appropriate rural use, such as a rural supporting business, e.g. veterinary clinic.
- They should be able to develop a rurally sensitive subdivision.
- They should not be put in a holding pattern by Hamilton urban expansion objectives.
- They should be able to develop a Hamilton Country Living Zone such as 5.6 (Rural Environment - Country Living Zone).

Point Number 330.136

Summary of Decision Requested: **Amend** Policy 5.6.15 Artificial outdoor lighting to control adverse effects of large project lighting and any other lighting in an ecological management area with low light emission tolerance.

Decision Reasons:

- This policy does not go far enough
- An ecological management area should be managing for environmentally sensitive lower light spill tolerance.
- Dark sky area should be promoted
- Specific mitigation policy should be in place for road lighting spill.
- Permissible Lux light level should be lower.
- If this is an ecological area then a dark sky area should be promoted. It is noted that there is no significant dark sky area in this central area of the north island. It is also noted that light spill is being experienced currently in the proposed ecological area that is unacceptable for an ecological management area.
- The light spill should be strictly controlled. Lighting should be subject to tighter environmental control.

Point Number 330.137

Summary of Decision Requested: **Amend** Rule 22.2.2 Glare and Artificial Light Spill to specify the type of lighting to comply with low glare and low light spill
AND
Amend Rule 22.2.2 Glare and Artificial Light Spill to ensure that lighting into an ecological area will meet standards for dark sky.
AND
Amend Rule 22.2.2 Glare and Artificial Light Spill to lower lux standards.

Decision Reasons:

- This rule is not comprehensive enough
- With an ecological management zone the rules around lighting to be more comprehensive.
- The lux should be lower.
- The mitigation measures should be stipulated.

Point Number 330.138

Summary of Decision Requested: **Amend** Rule 22.4.1.1 PR1 Prohibited subdivision to not apply to land that is fragmented by projects the council supports, in particular by other publicly driven projects such as expressway development.

Decision Reasons:

- The submitters are in a Rural Zone, and should be able to subdivide a rural subdivision and build a business that supports the Rural Zone.
- As a property owner that has been fragmented by NZTA/Alliance roading projects, the submitters are no longer able to produce off the land.
- As a property owner under a future Urban Zone, the submitters cannot intensively farm the land with agriculture.
- The submitters are penalized because of development around them.
- Their land is 4ha and is too small to be economic on its own. With all of the boundary constraints, they should be able to develop a rural subdivision that meets ecological management and Waikato river basin management requirements.
- They cannot be in a holding pattern of prohibited activity by either the Waikato District Council or the Hamilton City Council. They own the land, the WDC and the HCC do not.

Point Number 330.139

Summary of Decision Requested: **Amend** Rule 22.4.1.2 RD1 General Subdivision to reflect rural values but supply some urban demand
AND
Add new clauses to Rule 22.4.1.2 RD1 General Subdivision to allow for smaller rural lots that are developed ecologically.
AND

Amend Rule 22.4.1.2 RDI General Subdivision to require that subdivision should be ecological in management in order to retain a natural environment.

Decision Reasons:

- RDI (a) is not practical where properties are future Urban Zone and Rural Zones, and Hamilton basin zoned.
- As the area is future Urban Zoned, the development needs to be rurally sensitive but also urban pitched within the ecological management.

Point Number 330.140

Summary of Decision Requested: **Amend** Section 5.1 The Rural Environment so that it does have primacy over all other objectives as it is not suitable for all properties.

Decision Reasons:

- Objective 5.1.1 is not suitable for all properties in particular those such as the submitters' property.
- The submitters' property has been dislocated from rural land use by the Waikato expressway and Resolution Drive.
- It is unreasonable to have an objective that limits urban subdivision in an area that is marked future urban.
- Landowners such as the submitters are penalised by development.
- Fragmentation by NZTA/Alliance road development and future demand by Hamilton City for Housing.

Point Number 330.141

Summary of Decision Requested: **Amend** the Proposed District Plan to allow small land holdings such as 4ha to be sensitivity developed as Country Living Zones, in particular land that has been fragmented by publicly driven projects such as the expressway.

Decision Reasons:

- The submitters are in a Rural Zone, and should be able to subdivide a rural subdivision and build a business that supports the Rural Zone.
- As a property owner that has been fragmented by NZTA/Alliance roading projects, the submitters are no longer able to produce off the land.
- As a property owner under a future Urban Zone, the submitters cannot intensively farm the land with agriculture.
- The submitters are penalised because of development around them.
- Their land is 4ha and is too small to be economic on its own. With all of the boundary constraints, they should be able to develop a rural subdivision that meets ecological management and Waikato river basin management requirements.
- They cannot be in a holding pattern of prohibited activity by either the Waikato District Council or the Hamilton City Council. They own the land, the WDC and the HCC do not.

Point Number 330.142

Summary of Decision Requested: **Amend** Objective 5.1.1- The Rural Environment so that it does not limit urban subdivision in an area that is marked future urban.

Decision Reasons:

- No reasons provided.

Point Number 330.143

Summary of Decision Requested: **Add** a clause to Policy 5.3.15- Noise and Vibration addressing roading project noise.

Decision Reasons:

- No reasons provided.

Point Number 330.144

Summary of Decision Requested: **Amend** Rule 22.1.2 Permitted Activities, to include veterinary activities.

Decision Reasons:

- No reasons provided.

Point Number 330.145

Summary of Decision Requested: **Amend** Rule 22.1.2 Permitted Activities, to include agribusiness activities.

Decision Reasons:

- No reasons provided.

Point Number 330.146

Summary of Decision Requested: **Amend** the rules to not prohibit subdivision in the Urban Expansion Policy Area.

Decision Reasons:

- No reasons provided.

Point Number 330.147

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.3.1 Number of dwellings within a lot.

Decision Reasons:

- No reasons provided.

Point Number 330.148

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.3.2 Minor dwelling.

Decision Reasons:

- No reasons provided.
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Point Number 330.149

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.3.3 Buildings and structures in Landscape and Natural Character Areas.

Decision Reasons:

- No reasons provided.
-

Point Number 330.150

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.3.4 Height, and/or all other rules sitting under Rule 22.3.4 Height.

Decision Reasons:

- No reasons provided.
-

Point Number 330.151

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.3.5 Daylight admission.

Decision Reasons:

- No reasons provided.
-

Point Number 330.152

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.3.6 Building coverage.

Decision Reasons:

- No reasons provided.
-

Point Number 330.153

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.3.7 Building setbacks, and/or all other rules sitting under Rule 22.3.7 Building setbacks.

Decision Reasons:

- No reasons provided.
-

Point Number 330.154

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.3.8 Heritage items, and/or all other rules sitting under Rule 22.3.8 Heritage items.

Decision Reasons:

- No reasons provided.
-

Point Number 330.155

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.4 Subdivision.

Decision Reasons:

- No reasons provided.
-

Point Number 330.156

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.4.1.1 Prohibited subdivision.

Decision Reasons:

- No reasons provided.
-

Point Number 330.157

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.4.1.2 General subdivision.

Decision Reasons:

- No reasons provided.
-

Point Number 330.158

Summary of Decision Requested:	No specific decision sought, however submission refers to Rule 22.4.1.3 Subdivision of Maori Freehold Land.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.159
Summary of Decision Requested:	No specific decision sought, however submission refers to Rule 22.4.1.4 Boundary relocation.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.160
Summary of Decision Requested:	No specific decision sought, however submission refers to Rule 22.4.1.5 Rural Hamlet Subdivision.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.161
Summary of Decision Requested:	No specific decision sought, however submission refers to Rule 22.4.1.6 Conservation lot subdivision.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.162
Summary of Decision Requested:	No specific decision sought, however submission refers to Rule 22.4.1.7 Subdivision to create a reserve.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.163
Summary of Decision Requested:	No specific decision sought, however submission refers to Rule 22.4.2 Title boundaries - natural hazard area, contaminated land, Significant Amenity Landscape, notable trees, intensive farming activities, aggregate extraction areas.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.164
Summary of Decision Requested:	No specific decision sought, however submission refers to Rule 22.4.3 Title boundaries - Significant Natural Areas, heritage items, Maori sites of significance and Maori areas of significance.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.165
Summary of Decision Requested:	No specific decision sought, however submission refers to Rule 22.4.4 Subdivision - Road frontage.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.166
Summary of Decision Requested:	No specific decision sought, however submission refers to Rule 22.3.5 Subdivision within identified areas.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.167
Summary of Decision Requested:	No specific decision sought, however submission refers to Rule 22.4.6 Subdivision of land containing all or part of an Environmental Protection Area.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.168
Summary of Decision Requested:	No specific decision sought, however submission refers to Rule 22.4.7 Esplanade reserves and esplanade strips.
Decision Reasons:	

- No reasons provided.

Point Number 330.169

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.4.8 Subdivision of land containing heritage items.

Decision Reasons:

- No reasons provided.

Point Number 330.170

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.4.9 Subdivision - Building platform.

Decision Reasons:

- No reasons provided.

Point Number 330.171

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.5 Specific Area- Agriculture Research Centres.

Decision Reasons:

- No reasons provided.

Point Number 330.172

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.5.1 Application of Rules.

Decision Reasons:

- No reasons provided.

Point Number 330.173

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.5.2 Permitted Activities - Agricultural and Horticultural Research.

Decision Reasons:

- No reasons provided.

Point Number 330.174

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.5.3 Discretionary Activities - Agricultural and Horticultural Research.

Decision Reasons:

- No reasons provided.

Point Number 330.175

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.5.4 Building Height - within a Campus.

Decision Reasons:

- No reasons provided.

Point Number 330.176

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.5.5 Building Coverage - within a Campus.

Decision Reasons:

- No reasons provided.

Point Number 330.177

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.6 Specific Area - Huntly Power Station- Coal and Ash Water.

Decision Reasons:

- No reasons provided.

Point Number 330.178

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.6.1 Application of Rules.

Decision Reasons:

- No reasons provided.

Point Number	330.179
Summary of Decision Requested:	No specific decision sought, however submission refers to Rule 22.6.2 Permitted Activities - Huntly Power Station.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.180
Summary of Decision Requested:	No specific decision sought, however submission refers to Rule 22.6.3 Discretionary Activities - Huntly Power Station.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.181
Summary of Decision Requested:	No specific decision sought, however submission refers to Rule 22.6.4 Building Setback and Location - Huntly Power Station.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.182
Summary of Decision Requested:	No specific decision sought, however submission refers to Rule 22.6.5 Building Height.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.183
Summary of Decision Requested:	No specific decision sought, however submission refers to Rule 22.6.6 Coal stockpile height, setback and coverage.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.184
Summary of Decision Requested:	No specific decision sought, however submission refers to Rule 22.6.7 Ash disposal and transport of coal ash water.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.185
Summary of Decision Requested:	No specific decision sought, however submission refers to Rule 22.6.8 Energy corridor - transportation of minerals and substances.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.186
Summary of Decision Requested:	No specific decision sought, however submission refers to Rule 22.7 Specific Area - Whaanga Coast Development Areas.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.187
Summary of Decision Requested:	No specific decision sought, however submission refers to Rule 22.7.1 Application of Rules within a Whaanga Coast Development Area, and/or all rules sitting under Rule 22.7.1.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.188
Summary of Decision Requested:	No specific decision sought, however submission refers to Rule 22.7.2 Application of Rules outside a Whaanga Coast Development Area.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	330.189
Summary of Decision Requested:	No specific decision sought, however submission refers to Rule 22.8 Lakeside Te Kauwhata Precinct.

Decision Reasons:

- No reasons provided.

Point Number 330.190

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.8.1 Application of rules.

Decision Reasons:

- No reasons provided.

Point Number 330.191

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.8.2 Permitted Activities.

Decision Reasons:

- No reasons provided.

Point Number 330.192

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.8.3 Restricted Discretionary Activities.

Decision Reasons:

- No reasons provided.

Point Number 330.193

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.8.4 Discretionary Activities.

Decision Reasons:

- No reasons provided.

Point Number 330.194

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.8.5 Non-Complying Activities.

Decision Reasons:

- No reasons provided.

Point Number 330.195

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.8.6 Earthworks - General.

Decision Reasons:

- No reasons provided.

Point Number 330.196

Summary of Decision Requested: No specific decision sought, however submission refers to Rule 22.8.7 Subdivision Lakeside General.

Decision Reasons:

- No reasons provided.

Submitter Number: 331

Submitter:

Roderick MacRae

Point Number 331.1

Summary of Decision Requested: Delete the Significant Natural Area from the property at 142 Woodcock Road, Tamahere.

Decision Reasons:

- The area does not meet the definition of a Significant Natural Area and therefore should not be identified as a Significant Natural Area.
- There are some indigenous plants, however the majority of the plants are pests species including willow trees, gorse convolvulus, Japanese honey suckle, blackberry etc.

Point Number 331.2

Summary of Decision Requested: Delete the Walkway Cycleway Bridleway overlay from the property at 142 Woodcock Road, Tamahere.

Decision Reasons:

- The proposed route is unsuitable. The gully floor is too boggy and the banks of the gully are soft sandy soil.
- Traffic via foot, cycle and horse would lead to significant damage and erosion of the area.
- There is evidence of erosion damage in the form of slips and slumps caused by the use of herbicides.
- The submitter is an avid cyclist and does not support this overlay.
- Concerns regarding privacy and security. Recent tampering of the Allan Turner walkway is an example.

Submitter Number:	332	Submitter:	Gwyneth & Barrie Smith
Point Number	332.1		
Summary of Decision Requested:	<p>Retain Policy 3.2.8 Incentivise subdivision, except for the amendments sought below</p> <p>AND</p> <p>Add a new clause to Policy 3.2.8 Incentivise subdivision, as follows:</p> <p><i>(b) Incentivise subdivision in the Rural Zone when there is the enhancement and/or restoration of biodiversity, legal and physical protection of areas that are of a suitable size and meet the Criteria for Determining Significance of Indigenous Biodiversity.</i></p>		
Decision Reasons:	<ul style="list-style-type: none"> Support incentivising the protection of existing biodiversity with the ability to subdivide subject to meeting certain criteria. Policy 3.2.8 should be expanded to include provision for the enhancement and/or restoration of areas, when once restored, would be a suitable size and quality to achieve a functioning ecosystem. Appendix 2 of the Proposed District Plan could provide a basis for assessing the eligibility of these areas. Incentivising restoration is in line with the Vision and Strategy for the Waikato River. 		
Point Number	332.2		
Summary of Decision Requested:	Retain Objective 5.1.1 The rural environment.		
Decision Reasons:	<ul style="list-style-type: none"> Protecting high class soils from adverse effects of inappropriate use and development that may impact their life supporting capacity is of national importance, and this is now being recognized with a National Policy Statement for Versatile Land and High Class Soils under consideration. Urban subdivision of rural production land may undermine the integrated development of identified townships and expansion areas. Support the strength of wording in this objective and agree that urban development within the Rural Environment is an outcome that should be avoided. 		
Point Number	332.3		
Summary of Decision Requested:	<p>Retain Objective 5.2.1 Rural resources, except for the amendment sought below</p> <p>AND</p> <p>Amend Objective 5.2.1 Rural resources as follows:</p> <p><i>(a) Maintain or enhance the:</i></p> <p><i>(i) Inherent life-supporting capacity, <u>accessibility</u> and versatility of soils, in particular high class soils;</i></p>		
Decision Reasons:	<ul style="list-style-type: none"> Support maintaining and enhancing the life-supporting capacity and versatility of soils. Accessibility to versatile land is also a key consideration in managing this resource. Support the enhancement and/or restoration of natural ecosystems, surface and ground water quality, and the natural characteristics of fresh waterbodies and coastal waters. A method of enhancement should be incentivising the stock exclusion, restoration of biodiversity, and protection of waterways through rural subdivision. Providing for conservation lot subdivision via enhancement and/or restoration would enable this policy. 		
Point Number	332.4		
Summary of Decision Requested:	Retain Policy 5.2.2 High class soils.		
Decision Reasons:	<ul style="list-style-type: none"> Support retaining high class soils and ensuring adverse effects do not compromise the life supporting properties of high class soils. 		
Point Number	332.5		
Summary of Decision Requested:	<p>Retain Policy 5.2.3 Effects of subdivision and development on soils, except for the amendment sought below</p> <p>AND</p> <p>Amend Policy 5.2.3 Effects of subdivision and development on soils as follows:</p> <p><i>(b) Subdivision which provides a range of lifestyle options is directed away from high class soils and/or where indigenous biodiversity is being protected, <u>enhanced, and/or restored (with plantings)</u>.</i></p>		
Decision Reasons:	<ul style="list-style-type: none"> Support incentivising the protection, enhancement and/or restoration of biodiversity values, however this policy only provides for subdivision where existing indigenous biodiversity is being protected. There are a number of waterways and wetlands in the Rural Zone that would benefit from stock exclusion, enhancement and/or restoration. The cost of restoration is approximately \$45,000 + GST per ha and subdivision offers an incentive for landowners to undertake restoration works which they would be unlikely to do without a financial offset. This policy will support the protection/restoration outcomes sought in Policy 5.2.1(a)(ii) and the enhancement outcome sought in Policy 3.1.2. The Vision and Strategy for the Waikato River seeks restoration of health and wellbeing of the Waikato River Catchment. The incentives offered in this policy will contribute to the achievement of the objectives of the Vision and Strategy. 		
Point Number	332.6		
Summary of Decision Requested:	<p>Retain Objective 5.3.1 Rural character and amenity, except for the amendment sought below</p> <p>AND</p> <p>Amend Objective 5.3.1 Rural character and amenity, as follows:</p> <p><i>(a) Rural character and amenity are maintained <u>while recognising the localised character of different parts of the District.</u></i></p>		
Decision Reasons:	<ul style="list-style-type: none"> Need to recognise the variation of what defines rural character and amenity across the district. 		

- The district encompasses a variety of landscapes and activities, including coastal areas, hill country which comprise of large landholdings and pastoral uses and smaller landholdings.
- Consideration of rural character should take into account the unique variables of the locality including land holding pattern, built form, land use activities, vegetation and geomorphology.

Point Number 332.7

Summary of Decision Requested: **Retain** Policy 5.3.8 Effects on rural character and amenity from rural subdivision, except for the amendments sought below

AND

Amend Policy 5.3.8 Effects on rural character and amenity from rural subdivision as follows:

(b) *Ensure development does not compromise the predominant open space, character and amenity of rural areas.*

...

(d) *Rural hamlet subdivision and boundary relocations ensure the following:*

(i) *Protection of rural land for productive purposes;*

(ii) *Maintenance of the localised rural character and amenity of the surrounding rural environment;*

(iii) *Minimisation of cumulative effects.*

(e) *Subdivision, use and development opportunities ensure that localised rural character and amenity values are maintained.*

...

Decision Reasons:

- Policy 5.3.8(b) duplicates Policies 5.3.8(d)(i) and 5.3.8(e), which both seek to ensure that rural character and amenity are maintained.
- Not all rural areas comprise open space character and amenity.
- The district's rural character varies in nature and comprises landscapes, landforms and structures. There are also areas of active and dynamic primary production rather than benign landscapes.
- Rural landscapes can be visually altered by structures and buildings, however these are important components of primary production activities and form part of the rural environment.

Point Number 332.8

Summary of Decision Requested: **Retain** the definition of Significant Natural Area in Chapter 13: Definitions, except for the amendment sought below

AND

Amend the definition of Significant Natural Area in Chapter 13: Definitions as follows:

Means an area of significant indigenous biodiversity that is identified as a Significant Natural Area on the planning maps or has been assessed as meeting one or more of the Criteria for Determining Significance of Indigenous Biodiversity, (Appendix 2) by a suitably qualified Ecologist.

Decision Reasons:

- The definition needs to be expanded to include areas that have been assessed by a suitably qualified Ecologist as meeting one more of the criteria in Appendix 2 of the Proposed District Plan. This would align with the wording of the Conservation Lot Subdivision provisions which allow for subdivision where an Significant Natural Area is identified as being protected or meets the criteria for determining significance of indigenous biodiversity.

Point Number 332.9

Summary of Decision Requested: **Amend** Rule 22.4.1.1 Prohibited subdivision, to change the activity status for PR1, PR2, PR3 and PR4 from prohibited to non-complying

AND

Amend all references to "lot" with the term "Record of Title".

Decision Reasons:

- With regards to PR2 and PR3, there may be circumstances where the subdivision of high class soils has overall positive effects that can be supported by the objectives and policies. However, it is fanciful to think that every subdivision on high class soil would result in a significant adverse effect on the environment.
- There are circumstances where it may be unavoidable to create an additional record of title.
- The rule relies on the definition of 'high class soils' within the Proposed District Plan and may not be versatile due to a range of factors identified through case law.
- It is unreasonable to prohibit the creation of lots that accommodate existing and well-established rural activities and it is appropriate for these to be subdivided from other rural activities on the site.
- There may be circumstances where subdivision enables more significant opportunities for economic well being and the efficient and effective operation of the activity.
- Commercial reasons may necessitate subdivision including the desire to sell or lease the business, rather than having no other option but to dispose of the entire property or invest more capital.
- Prohibited activity status prevents opportunities for subdivision where there is a significant capital investments and the intensive rural activity will continue to be commercially viable and sustainably following is subdivision. .
- PR4 unreasonably restricts the subdivision potential over and above what is necessary to avoid undermining the intent of the rule under which these records of title were created. While subdividing lots amalgamated under section 22b of the Franklin Section require more attention, this should merit a non-comply activity status only.
- The objectives and policies of the Proposed District Plan should be sufficiently strong to ensure that the subdivision of land with high class soils is protected from inappropriate subdivision and development.
- The change in terms from "lot" to "record of title" is necessary to capture multiple lots and hold them in one Record of Title. e.g. roads or streams bisecting land.

Point Number 332.10

Summary of Decision Requested: **Retain** Rule 22.4.1.4 Boundary relocation, except for the amendments sought below

AND

Amend Rule 22.4.1.4 Boundary Relocation as follows:

RDI

(a) *The boundary relocation must:*

(i) *Relocate a common boundary or boundaries between two or more existing Records of Title or consented lots that existed prior to 18 July 2018;*

...

(b) *Council's discretion is restricted to the following matters:*

...

(v) *effects on high class soils, farm management and productivity.*

Decision Reasons:

- Support the inclusion of boundary relocation provisions and flexibility to allow large rural landholdings to provide a logical lot arrangement that supports farming activities.
- Boundary relocations typically result in positive effects through the enhancement of the farming system and allows for the relocation of house sites to favourable locations.
- Seek that provision be made for the relocation of the boundaries of adjacent consented lots and records of title held in common ownership as per the Frankline section of the Operative District Plan.
- Consider the retention of the date, 18 July 2018 is appropriate and will allow for scrutiny of those records of title and consented lots created under the Transferable and Environmental Lot rules of the previous sections of the district plan.
- Consider it appropriate to include a matter of discretion to acknowledge the effects on high class soils, farm management and productivity in combination with the objectives and policies within Chapter 5 to provide a robust framework to ensure adverse effects on high class soils are avoided.

Point Number 332.11

Summary of Decision Requested: Retain Appendix 2.

Decision Reasons:

- Support the inclusion of the Criteria for Determining Significance of Indigenous Biodiversity.

Point Number 332.12

Summary of Decision Requested: Retain Rule 22.4.1.2(a)(i)-(iii) General subdivision.

Decision Reasons:

- Support the inclusion of the general subdivision rules.

Point Number 332.13

Summary of Decision Requested: Retain Rule 22.4.1.2 General subdivision, except for the amendments sought below

AND

Amend Rule 22.4.1.2 General subdivision to include a discretionary activity rule as follows:

DI

(g) General subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.2(iv) RDI.

(b) General subdivision around established rural activities that does not comply with Rule 22.4.1.2(iv) RDI.

...

Decision Reasons:

- The creation of an additional vacant lot between 8,000m² and 1.6ha is supported.
- Creating a child lot around an existing dwelling, where a curtilage and farming regime is established will provide flexibility in lot size to ensure that farming can continue. It ensures practical location of boundaries.
- A discretionary rule should also be provided for lots less than 8,000m² and greater than 1.6ha where they contain an existing dwelling. There may be site specific factors that create a unique situation that is conducive to the the proposed lot size whilst achieving the objectives and policies.
- The creation of lots that accommodate existing and well-established rural activities with a viable, sustainable and permanent nature can be appropriately subdivided from other other activities on the site should be provided for.
- Lots greater than 1.6ha may need an assessment on productive potential of the land.

Point Number 332.14

Summary of Decision Requested: Delete Rule 22.4.1.2(a)(v) General subdivision

AND

Amend Rule 22.4.1.2(b)(vi) General subdivision as follows:

RDI

(a) Subdivision must comply with all of the following conditions:

....

(v) Land containing high class soil (as determined by a Land Use Capability Assessment prepared by a suitably qualified person) must be contained within the boundaries of only two lots as follows;

~~— A. one lot must contain a minimum of 90% of the high class soil; and~~

~~— B. the other lot may contain up to 20% of high class soil.~~

(b) Council's discretion is restricted to the following matters:

...

(vi) Effects on rural productivity and fragmentation of high class soils.

..."

Decision Reasons:

- There is no analysis of this rule in the section 32 report regarding relevance or practicality.
- Agree with the intent to design subdivision to avoid the fragmentation of high class soils.
- The strict 80/20 requirement of this rule may not result in the best layout, design or farming outcome for the site.
- The objectives and policies given primacy to the protection of high class soils. The submitter would like to see the matters relating to the retention of high class soils and maintenance of productivity/farming systems be addressed as a matter of discretion. The objectives and policies with the matters of discretion will be strong enough to avoid adverse outcomes on high class soils.
- The 80/20 split will result in the necessary inclusion of Landuse Capability Reporting with every subdivision application under the general provisions and this will become an additional compliance cost and box ticking exercise for Council.

Point Number 332.15

Summary of Decision Requested: Retain Rule 22.4.1.6 Conservation lot subdivision, except for the amendments sought below

AND

Amend Rule 22.4.1.6 Conservation lot subdivision as follows:

RD I

(a) The subdivision must comply with all of the following conditions:

(i) The lot must contain:

A. a contiguous area of existing Significant Natural Area either as shown on the planning maps or as determined by an experienced and suitably qualified ecologist which meets; or

B. a contiguous area, to be enhanced and/or restored;

in accordance with the table below:

...

(ii) The area of Significant Natural Area, or area to be enhanced and/or restored, is assessed by a suitably qualified person as satisfying at least one criteria in Appendix 2 (Criteria for Determining Significance of Indigenous Biodiversity);

(iii) The Significant Natural Area or area to be restored is not already subject to a conservation covenant pursuant to the Reserves Act 1977 or the Queen Elizabeth II National Trust Act legal protection.

(iv) The subdivision proposes to legally protect all areas of Significant Natural Area or area to be restored by way of a conservation covenant pursuant to the Reserves Act 1977 or the Queen Elizabeth National Trust Act.

(v) An ecological management plan is prepared to address the ongoing management of the ~~covenant~~ protected area to ensure that the Significant Natural Area area to be protected is a self-sustaining and that plan:

A. Addresses fencing requirement for the ~~covenant~~ protected area;

B. Addresses ongoing pest plan and animal control;

C. Identifies any enhancement and/or restoration or edge planting required within the ~~covenant~~ area to be protected.

...

(b) Council's discretion is restricted to the following matters:

(i) Subdivision layout and proximity of building platforms to Significant Natural Area the area to be protected;

(ii) Matters contained in an ecological management plan for the ~~covenant~~ protected area;

(iii) Effects of the subdivision on localised rural character and amenity values;

(iv) Extent of earthworks including earthworks for the location of building platform and access ways;

(v) Mechanism of legal protection for the area to be protected.

DI

(a) Conservation lot subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.6(vi-vii) RD I.

(b) Conservation lot subdivision around established rural activities that does not comply with Rule 22.4.1.6(vi-vii) RD I.

...

Decision Reasons:

- Support the incentivisation of legally and physically protecting Significant Natural Areas and other areas of existing biodiversity.
- There is no provision for ecological enhancement and/or restoration in the Conservation Lot Rule. The Proposed District Plan should be enabling or improving both biodiversity and water quality within the Waikato Catchment and incentivising/restoring areas that meet one or more criteria outlined in Appendix 2.
- Incentivising through subdivision would assist in offsetting the cost of enhancing and restoring.
- Seeks the inclusion of provisions that enable ecological enhancement and/or restoration of appropriate areas to be included in the Conservation Lot Subdivision rules. This includes appropriate features as noted in Appendix 2 of the Proposed District Plan or areas identified as Significant Natural Areas that do not meet the minimum size requirements for subdivision without additional enhancement and/or restoration planting. Minimum areas for enhancement should be in accordance with rule 22.4.1.6.
- This rule requires legal protection only, suggest leaving the mechanism of protection to the discretion of Council when assessing the application.
- Flexibility for lot size around an existing dwelling avoids unnecessary fragmentation of productive farming land and could be addressed as a matter of discretion.

Point Number

332.16

Summary of Decision Requested:

Retain Rule 22.4.1.5 Rural Hamlet Subdivision, except for the amendments sought below

AND

Amend Rule 22.4.1.5 Rural Hamlet Subdivision to allow relocation of consented lots to allow clustering of General lots in a hamlet and reduce lot size requirements as follows:

RD I

(a) Subdivision to create a Rural Hamlet must comply with all of the following conditions:

(i) it results in 3 to 5 proposed lots being clustered together;

(ii) All existing Records of Title and/or consented lots form one continuous landholding;

(iii) Each proposed lot has a maximum area of 85,000m²;

(iv) Each proposed lot has a maximum area of 1.4ha;

(v) The proposed balance lot has a minimum area of 20ha; and

(vi) It does not create any additional lots beyond the number of existing Records of Title.

(b) Council's discretion is restricted to the following matters:

(i) subdivision layout and design including dimension, shape and orientation of the proposed lots and specified building areas;

(ii) effects on rural character and amenity values;

(iii) effects on landscape values;

(iv) potential for reverse sensitivity effects;

(v) extent of earthworks including earthworks for the location of building platforms and access ways;

(vi) effects on rural productivity and fragmentation of high class soils.

Decision Reasons:

- Support the hamlet subdivision within the Rural Zone. Well-designed rural hamlets will result in benefits such as shared infrastructure, improved and enhanced farming systems, housing and lifestyle choices.
- Seek the inclusion of consented lots in the hamlet provisions. This would have positive outcomes through the provision of shared infrastructure and enhancement of production systems, and would limit the wider dispersal of lots.
- The purpose of rural hamlets is to allow for compact design within a rural setting. Dwellings within a hamlet borrow their rural character and amenity from adjoining rural land. The hamlet provisions should ensure that a response to the landscape context is more important than meeting performance standards relating to lot size etc.
- Smaller lot sizes would visually result in a more compact development.

Submitter Number:	333	Submitter:	Russell Grey
Point Number	333.1		
Summary of Decision Requested:	Amend Rule 24.3.5 P2 Building Coverage, reducing the provision from 20% to 15%.		
Decision Reasons:	<ul style="list-style-type: none"> On a 5000m2 20% site coverage allows 600m2 of building ground floor area which is excessive. Most new dwellings are 250m2-350m2 in size with a shed of 100m2 totaling 450m2/15% which is ample for small sites. More building area will lead to greater pressure on storm water runoff and local waterways, and ultimately the Waipa River. 		
Point Number	333.2		
Summary of Decision Requested:	Amend Rule 24.3.6.1 P1 (i) Building setbacks- All boundaries so that a setback from a road at 3m is the same as a setback from an indicative road of 13m.		
Decision Reasons:	<ul style="list-style-type: none"> Appears to be an anomaly around the setbacks. A large Te Kowhai property is to be rezoned 'Village,' allowing building setbacks to be 3m from a local rural road (Woolrich Road) with a 5.5m width, impacting on its rural nature, whilst any setback from indicative roads within the proposed development would be 13m. 		
Point Number	333.3		
Summary of Decision Requested:	Amend Rule 24.3.6.1 P1 (iii) and (iv)-Building setbacks- All boundaries to be a minimum of 3m.		
Decision Reasons:	<ul style="list-style-type: none"> Appears to be an anomaly around the setbacks. 		
Point Number	333.4		
Summary of Decision Requested:	No specific decision sought , but submission considers Horotiu Road should be the main vehicle access to 702 Horotiu Road, Te Kowhai.		
Decision Reasons:	<ul style="list-style-type: none"> Horotiu Road is classified as an Arterial Road, whereas Woolrich Road is a local road and thus the main access for the property. Horotiu Road provides excellent linkage through to Limmer Road and SH39 and is fully road marked. Woolrich Road has a sealed width of 5.5m with limited road markings and two sharp corners. Submitter notes an increase in traffic flow resulting from more dwelling constructions on Woolrich, Bedford, Richards and Collie Road, all utilizing Woolrich Road for SH39 access. There is still a number of vacant blocks yet to be developed which will lead to increased traffic. Potential for additional blocks to be developed within 702 Horotiu Road would exacerbate traffic problem by using Woolrich Road for access. Recommend no vehicle access from Woolrich Road for 702 Horotiu Road for safety reasons. Rule 14.12.5.1 requires the minimum sealed width for a road within such a development is 8m, greater than Woolrich Road's width. 		

Submitter Number:	335	Submitter:	Willemien Wennekers
Point Number	335.1		
Summary of Decision Requested:	Amend the Proposed District Plan to include a Special/Specific Zone for Kimihia Lakes in accordance with the relevant relief sought by Submission #584 Louise Feathers Planning.		
	AND		
	Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.		
Decision Reasons:	<ul style="list-style-type: none"> Submission strongly supports submission #584 and its relief sought around the Kimihia Lakes zone. The closed Huntly Mine was purchased with a vision for developing such land as a recreation and events park. Scale of vision is vast enabling a regionally significant tourist attraction, as well as a facility for the Huntly community. 		
Point Number	335.2		
Summary of Decision Requested:	Add a new zone titled 'Kimihia Lakes Recreation and Events Zone' to the planning maps.		
	AND		
	Amend the zoning of the parcels of land with the legal descriptions Section 3 SO 482553, Lot 1 DPS 20619, Section 1 SO Plan 60522, Allotment 740 Parish of Taupiri, Allot 857 Parish of Taupiri and Allotment 6 Paris of Taupiri from Rural Zone to the proposed Kimihia Lakes Recreation and Events Zone (see table 6.1 within the submission for details).		
	AND		
	Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.		
Decision Reasons:	<ul style="list-style-type: none"> There is currently no zone/provisions within the Proposed District Plan that provide for a land use such as the Propose Kimihia Lakes Recreation and Events Park. Neither do the provisions contained within the existing zones be able to be relied on to establish the park. 		

- The District Plan provides for these 'out-of-box' developments through the creation of purpose-written zones (e.g. Hampton Downs Motorsport Park Zone). A comparison can be made between these sites and the Recreation and Events Park.
- Relying on resource consent creates uncertainty and may result on going costs and time delays and is deemed an uneconomic option.
- A specific overlay is not appropriate. It is recognised that overlays are in relation to significant tracts of land covering various zones (SNA etc).
- Waikato District Council no longer desire the use of site specific schedules within the district plan.
- The adoption of specific zoning is appropriate and will achieve the sought outcome.
- Excludes the existing Lake Kimihia which is owned and managed by the Department of Conservation.

Point Number 335.3

Summary of Decision Requested: **Add** a new section 9.5 Kimihia Lakes Recreation and Events Zone within Chapter 9 Specific Zones containing objectives and policies specifically catering for the Kimihia Lakes Recreation and Events Zone, as set out in section 4.2.2 of submission 584.

AND

Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- There is currently no zone/provisions within the Proposed District Plan that provide for a land use such as the Propose Kimihia Lakes Recreation and Events Park. Neither do the provisions contained within the existing zones be able to be relied on to establish the park.
- The District Plan provides for these 'out-of-box' developments through the creation of purpose-written zones (e.g. Hampton Downs Motorsport Park Zone). A comparison can be made between these sites and the Recreation and Events Park.
- Relying on resource consent creates uncertainty and may result on going costs and time delays and is deemed an uneconomic option.
- A specific overlay is not appropriate. It is recognised that overlays are in relation to significant tracks of land covering various zones (SNA etc).
- Waikato District Council no linger desire the use of site specific schedules within the district plan.
- The adoption of specific zoning is appropriate and will achieve the sought outcome.

Point Number 335.4

Summary of Decision Requested: **Add** a new definition for "Ancillary Buildings (Kimihia Lakes Recreation and Events Park)" to Chapter 13 Definitions as follows:

Means a supporting building that is subordinate and incidental to a permitted activity undertaken in the Park, including storage units, administration and ablution facilities and clubrooms.

AND

Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- New provisions are required to support the establishment of a zone to enable development of the Kimihia Lakes Recreation and Events Zone.

Point Number 335.5

Summary of Decision Requested: **Add** a new definition for "Commercial Node Areas" to Chapter 13 Definitions as follows:

Means those specified areas identified on Zone Maps in the Kimihia Lakes Recreation and Events Zone as 'Commercial Node Areas'

AND

Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- New provisions are required to support the establishment of a zone to enable development of the Kimihia Lakes Recreation and Events Zone.

Point Number 335.6

Summary of Decision Requested: **Add** a definition for "Community Activities and Facilities (Kimihia Lakes Recreation and Event Park)" to Chapter 13 as follows:

Means in the Kimihia Lakes Recreation and Events Zone, land or building used for community activities, generally established on a not-for-profit basis, and includes buildings for educational purposes, community functions and public toilets or public rooms.

AND

Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- New provisions are required to support the establishment of a zone to enable development of the Kimihia Lakes Recreation and Events Zone.

Point Number 335.7

Summary of Decision Requested: **Add** a definition for "Operational Facilities" to Chapter 13 Definitions as follows:

Means the construction and use of facilities and/or infrastructure to assist in the day to day operation of the Kimihia Lakes Recreation and Events Parks, including but not limited to car parking, internal access, ticketing offices, storage and maintenance sheds, and helipads.

AND

Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- New provisions are required to support the establishment of a zone to enable development of the Kimihia Lakes Recreation and Events Zone.

Point Number 335.8

Summary of Decision Requested: **Add** a new definition for "Outdoor Education" to Chapter 13 Definitions as follows:

Means in the Kimihia Lakes Recreation and Events Zone, land or buildings used for the formal or informal education or training and includes (but is not limited to) confidence courses.

AND

Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- New provisions are required to support the establishment of a zone to enable development of the Kimihia Lakes Recreation and Events Zone.

Point Number 335.9

Summary of Decision Requested: **Add** a new definition for "Outdoor Pursuits" to Chapter 13 as follows:

Means moving across land by non-powered means for example biking, orienteering, tramping, and horse trekking.

AND

Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- New provisions are required to support the establishment of a zone to enable development of the Kimihia Lakes Recreation and Events Zone.

Point Number 335.10

Summary of Decision Requested: **Add** clause (b) to Activity-specific conditions 14.12.1.8 relating to P8 off-road pedestrian and cycle facilities, as follows:

(b) In the Kimihia Lakes Recreation and Events Zone there shall be no activity specific conditions.

AND

Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- New provisions are required to support the establishment of a zone to enable development of the Kimihia Lakes Recreation and Events Zone.

Point Number 335.11

Summary of Decision Requested: No specific decision sought, but the submission notes that the of the Regional Infrastructural Specifications (RITS) and the Waikato Regional Council Regional Plan will be the relevant documents for some developments in the park.

Decision Reasons:

- No reasons provided.

Point Number 335.12

Summary of Decision Requested: **Amend** the zoning of the parcels of land with the legal descriptions Allotment 746 Parish of Taupiri, Lot 20 DP 347582, Lot 21 DP 347582, Allotment 777 Parish of Taupiri and Lot 23A Section 463 Parish of Taupiri from Rural Zone to Residential Zone (see table 6.1 of the submission for further details).

AND

Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- This area is located abutting existing Residential Zoned land and so forms a contiguous residential tract, ensuring services and infrastructure can easily be extended to the new residential area.
- Tunnel mining was undertaken west of the site and under the Huntly township including State Highway 1, Schools, the Power Station, the Waikato River and Riverine Lakes but no tunnel mining was undertaken at the Huntly East Mine. Subsidence as a result of mining would not occur in this location. Residential use of the land is therefore not subject to that risk.

Point Number 335.13

Summary of Decision Requested: **Retain** the Residential Zone on the parcels of land with the legal descriptions Lot 18 DP 347582, Lot 19 DP 347582, Sec 3 SO Plan 400374, Allot 515 Parish of Taupiri and Allot 789 Parish of Taupiri (see table 6.1 of the submission for further details).

Decision Reasons:

- Tunnel mining was undertaken west of the site and under the Huntly township including SH1, schools, the Power Station, the Waikato River and Riverine lakes but no tunnel mining was undertaken at the Huntly East Mine. Subsidence as a result of mining, would not occur in this location. Residential use of the land is therefore not subject to that risk.

Point Number 335.14

Summary of Decision Requested: **Add** a definition for "Recreation Activity and Facilities" to Chapter 13 Definitions as follows:

Means any non-motorised indoor or outdoor passive or active leisure, sports, entertainment, games or recreational pursuits and buildings in the Kimihia Lakes Recreation and Events Park Zone for participants and/or spectators, whether or not they are undertaken for profit or reward or for which no charge is made, and shall include such activities on or in water or land, or in the air and includes but is not limited to:

- Recreational events and activities
- Walking, running and cycling tracks
- Training or education
- Club Days and practice activities
- Organised Events and festivals
- Concerts
- Multi-sport and off-road running events
- Outdoor skate, parks and playgrounds
- Informal Recreation
- Tourism related activities
- Outdoor Pursuits

AND

Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- New provisions are required to support the establishment of a zone to enable development of the Kimihia Lakes Recreation and Events Zone.

Point Number 335.15

Summary of Decision Requested: **Add** a new Chapter 29 to Kimihia Lakes Recreation and Events Zone that contains rules for the Kimihia Lakes Recreation and Events Zone, as outlined within section 4.2.4 of submission 584.

AND

Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- There is currently no zone/provisions within the Proposed District Plan that provide for a land use such as the Propose Kimihia Lakes Recreation and Events Park. Neither do the provisions contained within the existing zones be able to be relied on to establish the park.
- The District Plan provides for these 'out-of-box' developments through the creation of purpose-written zones (e.g. Hampton Downs Motorsport Park Zone). A comparison can be made between these sites and the Recreation and Events Park.
- Relying on resource consent creates uncertainty and may result on going costs and time delays and is deemed an uneconomic option.
- A specific overlay is not appropriate. It is recognised that overlays are in relation to significant tracts of land covering various zones (SNA etc).
- Waikato District Council no longer desire the use of site specific schedules within the district plan.
- The adoption of specific zoning is appropriate and will achieve the sought outcome.

Point Number 335.16

Summary of Decision Requested: **Amend** Rule 14.12.1 Activity specific conditions 14.12.1.1(1)(e) relating to P1 vehicle access for all activities as follows:

(1) All activities must comply with the following vehicle access conditions:

...

(e) On a site with legal access to two roads, the activity only accesses the road with the lower classification in the road hierarchy in Tables 14.12.5.5 and 14.2.5.6 (where the roads have the same classification, access is only to the road with the lower average daily traffic movements) except in the Kimihia Lakes Recreation and Events Zone where this rules does not apply;

...

AND

Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- New provisions are required to support the establishment of a zone to enable development of the Kimihia Lakes Recreation and Events Zone.

Point Number 335.17

Summary of Decision Requested: **Add** a new clause (2) to Activity-specific conditions 14.12.1.2 relating to P2 on site parking and loading, as follows:

(1) All activities must comply with the following...

(2) In the Kimihia Lakes Recreation and Events Zone the above standards do not apply, providing that:

(a) A minimum of 1500 on-site parking spaces shall be provided except where activities are undertaken within the carpark area or where activity demand exceeds 1500 car parks, then the temporary alternative on-site parking shall be provided.

AND

Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- New provisions are required to support the establishment of a zone to enable development of the Kimihia Lakes Recreation and Events Zone.

Point Number 335.18

Summary of Decision Requested: **Add** clause (j) to Activity-specific condition 14.12.1.4(1) Permitted Activities relating to P4 traffic generation, as follows:

(1) Any activity must comply with the following traffic generation conditions:

...

(j) Within the Kimihia Lakes Recreation and Events Zone, there shall be no maximum traffic generation provided that:

a) A certified Traffic Management Plan (which shall include, but is not limited to, the provisions of a wide area assessment) shall be in place and implemented for all activities. The Traffic Management Plan shall:

i) Provide for the supervision and control of patrons entering and exiting the Kimihia Lakes Recreation and Events Park, and the transportation of patrons to and from the Park;

ii) Limit the speed of traffic within the Kimihia Lakes Recreation and Events Park to 30km/h

iv) Provide for monitoring and reporting on the number of vehicle movements for all activities and events;

v) Include protocols for undertaking reviews of the Traffic Management Plan by an Implementation Monitoring Committee consisting of the New Zealand Police, the Council and the Kimihia Lakes Recreation and Events Park operator

v) Be reviewed, certified and endorsed by Council, by (date) of each year.

b) For any activity or event, or combination of activities and events where there is likely to be in excess of 5,000 people, the operator of the park shall advise the Council a minimum of 10 working days before the activity and event occurs of the details of the activity and event and the relevant provisions of the Traffic Management Plan that are to be implemented.

AND

Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- New provisions are required to support the establishment of a zone to enable development of the Kimihia Lakes Recreation and Events Zone.

Submitter Number: 337 **Submitter:** Michelle Byers

Point Number	337.1		
Summary of Decision Requested:	Amend the zoning of the property at 102 Travers Road, Te Kauwhata, to retain the Operative District Plan Zoning of Country Living Zone.		
Decision Reasons:	<ul style="list-style-type: none"> • Submitter doesn't want any intensive development on 102 Travers Road. • Subject property is unsuitable for intensive development due to flooding. • Concerned about the impact on the adjoining rural property which is a working orchard and has stock. 		

Submitter Number:	338	Submitter:	John Van der Star
Organisation:	Five Star Gardens Limited		
Point Number	338.1		
Summary of Decision Requested:	Amend the zoning of the property at 102 Travers Road, Te Kauwhata, to retain the Operative Plan Zoning of Country Living Zone.		
Decision Reasons:	<ul style="list-style-type: none"> • Submitter doesn't want any intensive development at 102 Travers Road. • Property is unsuitable for intensive development due to land being subject to flooding. • Concerned about the impact on the adjoining rural property which is a working orchard and has stock. 		

Submitter Number:	339	Submitter:	Leah Forbes-Oakes
Point Number	339.1		
Summary of Decision Requested:	Add a Special Character Zone to Raglan.		
Decision Reasons:	<ul style="list-style-type: none"> • Submitter is concerned that Raglan's special character is being eroded, which needs better protection. • Submitter recommends the Special Character Area focus on the following: Diverse buildings and diverse people, relaxed, no multi-story buildings, enabling individual expression, pedestrian and bike friendly, water views, human scale buildings and wild coast. • Need more controls on how much of the town is being turned into permanent holiday accommodation. e.g. Airbnb. 		
Point Number	339.2		
Summary of Decision Requested:	Amend the proposed District Plan so that any building not complying with the District Plan in Raglan will be publicly notified.		
Decision Reasons:	<ul style="list-style-type: none"> • Need more controls on how much of the town is being turned into permanent holiday accommodation. e.g. Airbnb. • Submitter is concerned that Raglan's special character is being eroded, which needs better protection. 		

Submitter Number:	340	Submitter:	Stuart Jefferis
Organisation:	Ruakiwi Graziers Ltd		
Point Number	340.1		
Summary of Decision Requested:	No specific decision sought, however submission states the Maori Sites of Significance S13/119 and S13/141 on Jefferis Road are unconfirmed.		
Decision Reasons:	<ul style="list-style-type: none"> • Sites on property are not confirmed as Maori Sites. • Aerial Photos do not confirm sites S13/119, S13/141. 		
Point Number	340.2		
Summary of Decision Requested:	No specific decision sought, however submission states that the Significant Natural Area identified on the property at Jefferis Road, Waerenga is not significant to Council.		
Decision Reasons:	<ul style="list-style-type: none"> • Sites were identified prior to 2008, however under the Public Works Act Transpower removed a significant area of mature native trees so new pylons could be erected. • Submitter has protected the trees for close to 145 years, yet they can be removed with a 'stroke of a pen.' • Mature strands of trees are significant to the submitter's family. 		
Point Number	340.3		
Summary of Decision Requested:	No specific decision sought, however submission opposes Rule 22.2.3.3 Earthworks - Significant Natural Area and Rule 22.2.3.2 Earthworks - Maori Sites and Areas of Significance.		
Decision Reasons:	<ul style="list-style-type: none"> • No reasons provided. 		

Submitter Number:	341	Submitter:	Brian Croad
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Organisation: Tainui Group Holdings Limited

Point Number 341.1

Summary of Decision Requested: **Amend** zoning of Sections 8 and 9 SO 483544, held in CT SA53C/665 (located on the north-west corner of Ruakura Road and Davidson Road) from Rural Zone to a new Ruakura Industrial Zone (the extent of this land is shown in Appendix A to the submission). Details of the new zone are outlined in other submission points.

AND

Amend the Proposed District Plan to make consequential amendments as necessary to give effect to the matters raised in the submission.

Decision Reasons:

- TGHL's largest investment is the current development of the Ruakura inland port and its associated logistics, industrial, commercial, education, research, retail and residential areas.
- The process in terms of re-zoning, consenting and now developing the Ruakura area has been long and complex, and has included the preparation of a comprehensive plan change and structure plan and a subsequent Board of Inquiry.
- TGHL is now in the process of working with a range of local and internationally based operators to confirm site leases at Ruakura, with some initial enabling works completed on-site.
- Based on these experiences to date, TGHL have a strong understanding of the current demand for developable land of this nature within the Waikato region and the wider country.
- Ruakura is identified as a Strategic Industrial Node within the Waikato Regional Policy Statement (the RPS), with an allocation of 405 ha of gross developable industrial land to be provided between 2010 and 2061 as directed by Future Proof.
- Further constraining the ability to deliver on industrial land demand is the continuation of high population growth occurring within the Waikato region.
- The National Policy Statement on Urban Development Capacity (the NPSUDC) requires that high-growth urban areas; of which Waikato District Council is part of the high-growth Hamilton urban area, produce a future development strategy to demonstrate there will be sufficient, feasible development capacity in the medium (3-10 years) and long term (10-30 years).
- TGHL note that three of the Special Housing Areas currently approved by Hamilton City Council involves the proposed usage of existing industrially zoned land for residential housing purposes.
- The Phase 2 review of Future Proof Strategy Update, which is currently being undertaken and is proposed to be released in early 2019, is expected to recalibrate the RPS's existing land allocation assumptions and requirements based on the implications of the NPS-UDC.
- A new Ruakura Industrial Zone, aligned with the existing Ruakura Logistics and Ruakura Industrial Park zones within the HCC ODP, is the most appropriate way to enable for the types of activities that will occur within this area.
- The land is essentially contiguous with the existing Ruakura Logistics and Ruakura Industrial Park zones in the HCC ODP.
- The land is located in immediate proximity to the WEX, thereby having direct access via the future Ruakura interchange, as well as the East Coast Main Trunk rail line. This integration with key infrastructure aligns with the strategic objectives of the RPS.
- Market response on the current offering at Ruakura has shown strong demand for large logistics and industrial footprints.
- Undertaking the re-zoning as part of the Proposed Plan provides efficiencies for Waikato District Council, TGHL and all relevant stakeholders; minimising the significant costs and procedures that would be associated with a separate plan change process.
- The future expansion of Ruakura will help support and strengthen the growth of the district's industry, which is consistent with Waikato District Council's economic growth of industry objective.
- The Ruakura development, in being heard by a Board of Inquiry, has previously been assessed as being of national significance.
- Providing for a longer-term expansion of TGHL's operations at Ruakura aligns not only with TGHL's intergenerational investment approach but also will help address future demand for developable land of this nature.

Point Number 341.2

Summary of Decision Requested: **Add** a new Ruakura Industrial Zone as follows:

Add a new set of objectives and policies to Section 9 Specific Zones as Section 9.5 for Ruakura Industrial Zone and that these be based on the existing objectives and policies for the Ruakura Logistics and Ruakura Industrial Park zones contained within Sections 10.2 and 11.2 of the Operative Hamilton City District Plan.

AND

Add a set of rules to Chapter 29 Appendices that give effect to the requested objectives and policies for Ruakura Industrial Zone based on existing objectives and policies for the Ruakura Logistics and Ruakura Industrial Park Zones contained within Sections 10.2 and 11.2 of the Operative Hamilton City District Plan.

AND

Add any consequential amendments and refinements to the Proposed District Plan as appropriate in order to allow a new Ruakura Industrial Zone to apply at Tainui Group Holdings Ltd land in Ruakura.

AND

Amend the Proposed District Plan to make consequential amendments as necessary to give effect to the matters raised in the submission.

Decision Reasons:

- TGHL's largest investment is the current development of the Ruakura inland port and its associated logistics, industrial, commercial, education, research, retail and residential areas.
- The process in terms of re-zoning, consenting and now developing the Ruakura area has been long and complex, and has included the preparation of a comprehensive plan change and structure plan and a subsequent Board of Inquiry.
- TGHL is now in the process of working with a range of local and internationally based operators to confirm site leases at Ruakura, with some initial enabling works completed on-site.
- Based on these experiences to date, TGHL have a strong understanding of the current demand for developable land of this nature within the Waikato region and the wider country.
- Ruakura is identified as a Strategic Industrial Node within the Waikato Regional Policy Statement (the RPS), with an allocation of 405 ha of gross developable industrial land to be provided between 2010 and 2061 as directed by Future Proof.
- Further constraining the ability to deliver on industrial land demand is the continuation of high population growth occurring within the Waikato region.
- The National Policy Statement on Urban Development Capacity (the NPSUDC) came into effect in December 2016 and requires that high-growth urban areas; of which Waikato District Council is part of the high-growth Hamilton urban area, produce a future development strategy to demonstrate there will be sufficient, feasible development capacity in the medium (3-10 years) and long term (10-30 years).
- The Phase 2 review of Future Proof Strategy Update, which is currently being undertaken and is proposed to be released in early 2019, is expected to recalibrate the RPS's existing land allocation assumptions and requirements based on the implications of the NPS-UDC.
- All these factors contribute to the need for long-term, strategic planning to ensure the future demand for industrial land is provided for. A new Ruakura Industrial Zone, aligned with the existing Ruakura Logistics and Ruakura Industrial Park zones within the HCC ODP, is the most appropriate way to enable for the types of activities that will occur within this area.
- The Ruakura development, in being heard by a Board of Inquiry, has previously been assessed as being of national significance.
- Providing for a longer-term expansion of TGHL's operations at Ruakura aligns not only with TGHL's intergenerational investment approach but also will help address future demand for developable land of this nature.

Point Number 341.3

Summary of Decision Requested: **Retain** Rule 22.1.2 P6 Permitted Activities for Afforestation not in an Outstanding Landscape Area.

Decision Reasons:

- TGHL supports the provision of these activities in the Rural Zone as a permitted activity subject to meeting all the relevant Rural Zone effect and building conditions.

- TGHL own and manage a number farming and forestry operations throughout the Waikato District. In enabling farming and forestry activities within the Rural Zone the importance of these primary industries to the economic wellbeing of the Waikato District, wider region and country is appropriately provided for.
- Retain the 'activity based' structure of the Proposed Plan whereby activity tables establish the status of the activities provided for in a zone.
- This approach has also reduced the replication of the numerous conditions/performance standards within each zone chapter of the Proposed Plan, compared to the Operative Plan, and has consequently improved readability and provided greater certainty.

Point Number 341.4

Summary of Decision Requested: **Amend** the numbering of Rule 22.1.5 Discretionary Activities to Rule 22.1.4.

AND

Amend the Proposed District Plan to make consequential amendments as necessary to give effect to the matters raised in the submission.

Decision Reasons:

- The relief sought will correct the typographical error within the Proposed Plan which currently has Rule 22.1.5 subsequent to Rule 22.1.3.

Point Number 341.5

Summary of Decision Requested: **Add** to Rule 22.1.5 Discretionary Activities "Permanent Sawmills and Timber Processing Facilities" as a discretionary activity.

AND

Amend the Proposed District Plan to make consequential amendments as necessary to give effect to the matters raised in the submission.

Decision Reasons:

- The definition of Forestry within Chapter 13 of the Proposed Plan excludes the establishment and/or use of permanent sawmills or other methods of timber processing, and under Rule 22.1.5 (Non-Complying Activities) any activity that is not listed as Prohibited, Permitted, Restricted Discretionary or Discretionary is assessed as a non-complying activity.
- The specific inclusion of Permanent Sawmills and Timber Processing Facilities such a definition will provide certainty around the activity status for these facilities.

Point Number 341.6

Summary of Decision Requested: **Retain** Rule 22.1.3 RD1 Restricted Discretionary Activities for Intensive Farming.

Decision Reasons:

- The matters listed for Council's discretion are more succinct and without the associated list of information requirements (for Intensive Farming) when compared to the Operative Plan.
- TGHL supports the Proposed Plan's more simplified consenting approach for Intensive Farming and Rural Industry activities.

Point Number 341.7

Summary of Decision Requested: **Retain** Chapter 21 Industrial Zone Heavy as notified, including the proposed structure and approach.

Decision Reasons:

- A Heavy Industrial zoning is proposed for the TGHL owned Huntly and Meremere Power Stations sites within the Proposed Plan as notified.
- Policy 4.6.2 of the Proposed Plan describes the Heavy Industrial Zone as providing 'for a range of industrial and other compatible activities that generate potentially significant effects on more sensitive zones, including relatively high levels of visual impact from buildings and associated parking and loading spaces, outdoor storage, lighting, noise, odour and heavy traffic, subject to appropriate separation distances.'
- Further to the comments above regarding the Rural Zone provisions, TGHL support the more 'activity based' structure and approach to Chapter 21 for the Heavy Industrial Zone.
- For ease of interpretation, TGHL also support the specific Heavy Industrial Zone chapter when compared to the lengthy combined Industrial Chapter in Operative Plan.

Point Number 341.8

Summary of Decision Requested: **Amend** Section 14.4 National Grid to ensure undue limitations are not placed on land subject to these provisions.

AND

Amend the Proposed District Plan to make consequential amendments as necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Both the Huntly and Meremere Power Station sites owned by TGHL currently contain the following National Grid transmissions lines/assets which are owned and operated by Transpower New Zealand Limited.
- The presence of Transpower's transmission lines places limitations on the ability for TGHL to develop their land.
- Rule 14.4.1.2 allows a limited range of buildings and structures as a permitted activity to occur within the National Grid Yard.
- Rule 14.4.1.3 allows a limited range of earthworks activities as a permitted activity to occur within the National Grid Yard.
- The non-complying activity status under Rule 14.4.4 (NC4) for any activity within the National Grid Yard that does not comply with one or more of the conditions of Rule 14.4.1.2 is unnecessarily onerous.

Point Number 341.9

Summary of Decision Requested: **Amend** the planning maps and Section E to reduce the extent as far as practicable of Designation K4 -Transpower New Zealand Limited (Meremere Switching Station).

AND

Amend the Proposed District Plan to make consequential amendments as necessary to give effect to the matters raised in the submission.

Decision Reasons:

- The Meremere Switching Station is located immediately south of the decommissioned Meremere Power Station. Designation K4 is 0.6065 ha (6,065m²) in area.
- Transpower has however requested this designation is 'rolled over' without modification from the Operative Plan.

- A number of low lying transmission lines also extend beyond the designation and connect to the existing National Grid transmission lines some 300m to the east.
- TGHL wish to maximise the ability to develop their land at Meremere, which includes the removal of any redundant assets.
- TGHL understand from previous correspondence with Transpower that some or all of the transmission assets within the Meremere Switching Station and across TGHL's land at Meremere are no longer active.
- Considering the status of the Transpower assets and the fact TGHL have an interest in the land subject to the Designation K4, the relevant matters that a territorial authority must have regard to when considering a notice of requirement under section 171(1) of the Resource Management Act 1991 have been considered. TGHL conclude the following:
 - No consideration of alternatives sites (in this instance, site extent) appears to have been undertaken by Transpower;
 - The proposed extent of Designation K4 is not considered reasonably necessary to achieve Transpower's objectives for which the designation was originally sought
- TGHL acknowledge that Transpower will have a position on this designation relative to their aspirations and future plans for these assets.
- TGHL intend to have further discussions with Transpower around a suitable designation extent for the Meremere Switching Station that meets the requirements of both parties.

Point Number 341.10

Summary of Decision Requested: **Retain** Rule 22.1.3 RD2 Restricted Discretionary Activities for Rural Industry.

Decision Reasons:

- The matters listed for Council's discretion are more succinct and without the associated list of information requirements (for Intensive Farming) when compared to the Operative Plan.
- TGHL supports the Proposed Plan's more simplified consenting approach for Intensive Farming and Rural Industry activities.

Point Number 341.11

Summary of Decision Requested: **Amend** the definition of "Farming" in Chapter 13 Definitions as follows:

Means an agricultural, horticultural or apicultural activity having as its primary purpose the production of any livestock or crop using the in-situ soil, water and air as the medium for production. It includes:

- Ancillary buildings and structures such as barns and dairy sheds;
- Ancillary produce stalls;
- Processing of farm produce grown on the land, such as cutting, cleaning, grading, chilling, freezing, packaging and storage

AND

Amend the Proposed District Plan to make consequential amendments as necessary to give effect to the matters raised in the submission.

Decision Reasons:

- The relief sought will provide clarity that ancillary buildings and structures associated with farming operations fall within this activity.

Point Number 341.12

Summary of Decision Requested: **Amend** the definition of "National Grid Yard" in Chapter 13 Definitions as follows:

National Grid Yard means the area located measured either side of the centre line of any above-ground electricity transmission as follows:

- 12 metres in any direction from the outer edge of a national grid support structure; and
- 10 metres either side of the centre line of any above-ground 110kV national grid line on single poles; and
- 12 metres either side of the centre line of any above-ground national grid line on towers.
- ~~14m for the 110kV national grid lines on single poles;~~

~~16m for the 110kV national grid lines on pi-poles;~~

~~22m for 110kV national grid lines on towers; and~~

~~37m for the 220kV transmission lines.~~

~~Refer to the diagram in the definition for "National grid corridor".~~

AND

Amend the Proposed District Plan to make consequential amendments as necessary to give effect to the matters raised in the submission.

Decision Reasons:

- The definitions for the National Grid Yard and National Grid Corridor as notified within the Proposed Plan are transposed, as it is in fact the National Grid Corridor that extends up to 37m; rather than the National Grid Yard.
- Making these amendments will help ensure the associated National Grid provisions are implemented correctly.

Point Number 341.13

Summary of Decision Requested: **Amend** the definition of "National Grid Corridor" in Chapter 13 Definitions as follows:

National grid corridor means the area measured either side of the centre line of any above-ground electricity transmission line as follows:~~located:~~

- ~~14m for the 110kV national grid lines on single poles;~~
- ~~16m for the 110kV national grid lines on pi poles;~~
- ~~22m for 110kV national grid lines on towers; and~~
- ~~37m for the 220kV transmission lines.~~
- 12 metres in any direction from the outer edge of a national grid support structure; and
- 10 metres either side of the centre line of any above-ground 110kV national grid line on single poles; and
- 12 metres either side of the centre line of any above-ground national grid line on towers

AND

Amend the Proposed District Plan to make consequential amendments as necessary to give effect to the matters raised in the submission.

Decision Reasons:

- The definitions for the National Grid Yard and National Grid Corridor as notified within the Proposed Plan are transposed, as it is in fact the National Grid Corridor that extends up to 37m; rather than the National Grid Yard.
- Making these amendments will help ensure the associated National Grid provisions are implemented correctly.

Point Number 341.14

Summary of Decision Requested: Retain Rule 22.1.2 P7 Permitted Activities for Farming.

Decision Reasons:

- TGHl supports the provision of these activities in the Rural Zone as a permitted activity subject to meeting all the relevant Rural Zone effect and building conditions.
- TGHl own and manage a number farming and forestry operations throughout the Waikato District. In enabling farming and forestry activities within the Rural Zone the importance of these primary industries to the economic wellbeing of the Waikato District, wider region and country is appropriately provided for.
- Retain the 'activity based' structure of the Proposed Plan whereby activity tables establish the status of the activities provided for in a zone.
- This approach has also reduced the replication of the numerous conditions/performance standards within each zone chapter of the Proposed Plan, compared to the Operative Plan, and has consequently improved readability and provided greater certainty.

Point Number 341.15

Summary of Decision Requested: Retain Rule 22.1.2 P8 Permitted activities for Forestry.

Decision Reasons:

- TGHl supports the provision of these activities in the Rural Zone as a permitted activity subject to meeting all the relevant Rural Zone effect and building conditions.
- TGHl own and manage a number farming and forestry operations throughout the Waikato District. In enabling farming and forestry activities within the Rural Zone the importance of these primary industries to the economic wellbeing of the Waikato District, wider region and country is appropriately provided for.
- Retain the 'activity based' structure of the Proposed Plan whereby activity tables establish the status of the activities provided for in a zone.
- This approach has also reduced the replication of the numerous conditions/performance standards within each zone chapter of the Proposed Plan, compared to the Operative Plan, and has consequently improved readability and provided greater certainty.

Submitter Number: 343

Submitter: Michael Briggs

On behalf of: Rangitahi Limited

Organisation: Harrison Grierson Cosultants Limited

Point Number 343.1

Summary of Decision Requested: Amend Policy 4.1.3 (b) Location of development, to clarify the indicative nature of the Future Proof Strategy urban limits.
AND
Amend the Proposed District Plan to make consequential amendments to address the matters raised in this submission.

Decision Reasons:

- The submitter supports the planned and sustainable growth intention of Policy 4.1.3(b). However, while the indicative urban limits on Map 1 of the Future Proof Strategy identify growth to the west of Raglan, the strategy identifies that "These limits, which are shown on Maps 1 and 2, are still indicative and will remain so until further development analysis, for example structure planning, has been completed," and "The indicative urban limits will not necessarily prevent changes to these limits if further development analysis determines such changed to be appropriate".

Point Number 343.2

Summary of Decision Requested: Retain Policy 4.1.18 Raglan, except for the amendments sought below
AND
Amend Policy 4.1.18 Raglan to include the medium to long future growth area.
AND
Amend the Proposed District Plan to make consequential amendments to address the matters raised in this submission.

Decision Reasons:

- Policy 4.1.18(a)(iii) confirms that the Rangitahi Structure Plan area is the only area that provides for the medium term future growth in Raglan.
- While there are some areas of Residential Zoned land around the Raglan township that are yet to be developed, the areas are relatively small in relation to the Rangitahi Structure Plan area.
- Given the strong demand that has been experienced for lots at Rangitahi, the submitter agrees that the Rangitahi Structure Plan area will only provide for short to medium growth and considers that a medium to long term future growth area also needs to be identified and planned for through the Proposed Plan.

Point Number 343.3

Summary of Decision Requested: Retain Policy 9.3.1.1 Development, except for the amendments sought below
AND
Amend Policy 9.3.1.1 Development to include "physical characteristics."
AND
Amend the Proposed District Plan to make consequential amendments to address the matters raised in this submission.

Decision Reasons:

- Policy 9.3.1.1(b) clearly identifies that some variations to the Rangitahi Structure Plan designs are anticipated by the District Plan to respond to development constraints identified through further investigations.
- There are some potential constraints that may relate to poor ground or soil conditions, and therefore "physical" characteristics needs to be added to the policy.

Point Number

343.4

Summary of Decision Requested:

Amend Objective 9.3.2 Non-Residential Activities, to refer to significant adverse traffic effects.

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in this submission.

Decision Reasons:

- Objective 15B.3.10 of the Operative Plan requires non-residential activities to contribute to village character without causing significant adverse traffic effects.
- Objective 9.3.2 does not include reference to significant adverse traffic effects.

Point Number

343.5

Summary of Decision Requested:

Amend Policy 9.3.2.1(b)(i) Commercial Activities, to split the two separate matters relating to active ground-floor business activities and frontages and residential activities above ground floor.

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in this submission.

Decision Reasons:

- The submitter agrees with the intent of the policy insofar as providing for active ground-floor business activities is generally a good urban design approach for mixed-use developments.
- The total area of commercial activity permitted at Rangitahi under the Proposed Plan is limited and in some circumstances it may not be possible for the entire ground floor level of mixed-use developments at Rangitahi to accommodate business activities because of these limitations.
- Good urban design outcomes can be achieved for mixed-use developments with some residential activities at ground floor level.
- The submitter seeks greater flexibility within the policy.

Point Number

343.6

Summary of Decision Requested:

Delete Policy 9.3.3.5(b) Environmental Improvement.

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in this submission.

Decision Reasons:

- This policy goes further than Objective 9.3.3 in seeking net environmental gain for gullies and streams.
- It is not consistent with the objective, the Rangitahi Structure Plan is an established Urban Zone, and the maintenance and enhancement of gully systems and stream margins is already sought by subclause (a).

Point Number

343.7

Summary of Decision Requested:

Amend Policy 9.3.3.7(b) Ecological and Habitat Values, to adopt the same approach as in Policy 15B.2.23 of the Operative Plan, which seeks:

"The loss of significant indigenous vegetation and significant habitat of indigenous fauna should be avoided. Short term, minor, or localised degradation effects should be mitigated if they cannot be practically avoided."

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in this submission.

Decision Reasons:

- This policy fails to recognise that there will be some unavoidable minor and localised loss of indigenous vegetation and habitat required to give effect to the established zoning and the Rangitahi Structure Plan. It would not be possible for all activities to achieve consistency with this policy, which requires that the loss of significant indigenous vegetation and significant habitat of indigenous fauna to be avoided.

Point Number

343.8

Summary of Decision Requested:

Amend Policy 9.3.5.4 Secondary access to fix the list level error as follows:

- Policy 9.3.5.4(a)(i) should be Policy 9.3.5.4(b)
- Policy 9.3.5.4(a)(ii) should be Policy 9.3.5.4(b)(i)
- Policy 9.3.5.4(a)(iii) should be Policy 9.3.5.4(b)(ii)

(a) From the beginning of development of the Rangitahi Peninsula Structure Plan Area up to completion...

~~ii)(b)~~ A permanent secondary access must be constructed:

~~iii)(i)~~ Prior to development of any of the Precincts E, F or G: and

~~iii)(ii)~~ In accordance with access and road performance standards suitable for its secondary function.

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in this submission.

Decision Reasons:

- To correct a list level error.

Point Number 343.9

Summary of Decision Requested: **Retain** the definition for "Child Care Facility" in Chapter 13 Definitions.

Decision Reasons:

- The Submitter supports the inclusion of a definition for childcare facility.

Point Number 343.10

Summary of Decision Requested: **Amend** the definition for "Rangitahi Commercial Activity" in Chapter 13 Definitions to exclude childcare facilities.

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in this submission.

Decision Reasons:

- The definition is broad and needs to be updated to specifically exclude child care facilities so there is no confusion, particularly to make it clear that the maximum floor area limits for those activities are not relevant to child care facilities.

Point Number 343.11

Summary of Decision Requested: **Amend** the definition for "Community Activity" in Chapter 13 Definitions to exclude childcare facilities.

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in this submission.

Decision Reasons:

- The definition is broad and need to be updated to specifically exclude child care facilities so there is no confusion, particularly to make it clear that the maximum floor area limits for those activities are not relevant to child care facilities.

Point Number 343.12

Summary of Decision Requested: **Retain** the definition for "Rangitahi Integrated Development" in Chapter 13 Definitions, except for the amendments sought below

AND

Amend the definition for "Rangitahi Integrated Development" in Chapter 13 Definitions to include "or an approved subdivision".

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in this submission.

Decision Reasons:

- The Submitter supports the inclusion of a definition for "Rangitahi Integrated Development", but seeks flexibility to allow for changes between Development Outcomes Plan 5 of the Rangitahi Peninsula Structure Plan and approved subdivision consents for the relevant precincts.

Point Number 343.13

Summary of Decision Requested: **Delete** Rule 28.1.1 (b) Permitted Activities.

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in this submission.

Decision Reasons:

- Permitted activity conditions (a) and (b) of Rule 28.1.1 of the Proposed Plan are very similar with respect to both conditions requiring activities to be in accordance with the Rangitahi Peninsula Structure Plan.
- Rule 28.1.1(b) is superfluous.
- Conditions (a) and (b) do not reflect that changes to activity locations may occur through the subdivision process for each precinct. The subdivision standards in the Proposed Plan provide some flexibility for variations to the precinct areas.
- The Submitter seeks that the permitted activity conditions in Rule 28.1.1 refer to the location of residential activities being in accordance with the Rangitahi Peninsula Structure Plan or any approved subdivision.

Point Number 343.14

Summary of Decision Requested: **Amend** Rule 28.3.1 Dwellings, to exclude lots in the locations shown on Development Outcomes Plan 5 in Appendix 8, which are likely to include multi-unit developments (Rangitahi Integrated Developments).

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in this submission.

Decision Reasons:

- No reasons were provided.

Point Number

343.15

Summary of Decision Requested:

Amend Rule 28.3.6 P1 (b) Accessory Buildings, to make it clear that the gross floor area standards apply to individual buildings on a site rather than the total floor area of all accessory buildings.

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in this submission.

Decision Reasons:

- No reasons were provided.

Point Number

343.16

Summary of Decision Requested:

Delete the variance standards in Rule 28.4.1 RDI (a)(ii) Subdivision – General.

AND

Retain the matters of discretion in Rule 28.4.1 RDI (b) Subdivision – General.

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in this submission.

Decision Reasons:

- The Rangitahi Structure Plan was originally investigated and designed at a level suitable for structure planning and plan change purposes. Resource consent phases for each Precinct necessitate further investigations and design that is more detailed which has the potential to result in changes to respond to any development constraints or opportunities that may be identified. Examples include poor ground conditions, which might be identified through additional geotechnical investigations, changes to accommodate stormwater treatment/attenuation, minimization of effects on ecologically sensitive areas, or changes to roading layouts in response to factors such as soil conditions or topography. In some cases, if the identified constraints cannot be avoided then there could be significant costs to the developer and future lot owners and/or potentially greater effects on the environment than alternative options.
- The variances allowed for as a Restricted Discretionary Activity under Rule 28.4.1 and as a Controlled Activity under Rule 28.4.2 do not provide enough flexibility to respond to some of the issues that may arise. The existing provisions create the potential that resource consents may be required as a Discretionary Activity due to the extent of variances proposed, despite potentially having good reasons for the changes, such as reduced environmental effects or improved suitability of lots.

Point Number

343.17

Summary of Decision Requested:

Delete the variance standards in Rule 28.4.2 C1 (a)(ii) Subdivision – Boundary adjustments.

AND

Add a matter of control to Rule 28.4.2 C1(c) Boundary adjustments, for the extent to which the subdivision is consistent with the Rangitahi Structure Plan in Rule 28.4.2 Subdivision – Boundary adjustments.

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in this submission.

Decision Reasons:

- The Rangitahi Structure Plan was originally investigated and designed at a level suitable for structure planning and plan change purposes. Resource consent phases for each Precinct necessitate further investigations and design that is more detailed which has the potential to result in changes to respond to any development constraints or opportunities that may be identified. Examples include poor ground conditions, which might be identified through additional geotechnical investigations, changes to accommodate stormwater treatment/attenuation, minimization of effects on ecologically sensitive areas, or changes to roading layouts in response to factors such as soil conditions or topography. In some cases, if the identified constraints cannot be avoided then there could be significant costs to the developer and future lot owners and/or potentially greater effects on the environment than alternative options.
- The variances allowed for as a Restricted Discretionary Activity under Rule 28.4.1 and as a Controlled Activity under Rule 28.4.2 do not provide enough flexibility to respond to some of the issues that may arise. The existing provisions create the potential that resource consents may be required as a Discretionary Activity due to the extent of variances proposed, despite potentially having good reasons for the changes, such as reduced environmental effects or improved suitability of lots.

Point Number

343.18

Summary of Decision Requested:

Delete Rule 28.4.4 Title Boundaries – Contaminated Land.

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in this submission.

Decision Reasons:

- The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health requires the appropriate identification, assessment and if necessary remediation of contaminants contained in soil to make the land safe for human use prior to development.

Point Number

343.19

Summary of Decision Requested:

Delete Rule 28.4.5 (a)(i) Title Boundaries – Significant Natural Areas and Maaori Sites of Significance.

AND

Delete Rule 28.4.5 (b)(ii) Title Boundaries – Significant Natural Areas and Maaori Sites of Significance.

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in this submission.

Decision Reasons:

- There are no Maaori sites of significance within the Rangitahi Structure Plan area identified on Proposed Plan maps 23 (Raglan Coast) and 23.3 (Raglan West).

Point Number 343.20

Summary of Decision Requested: **Amend** Policy 9.3.2.1 Commercial activities, to provide greater flexibility with regards to the location of activities at ground level, including residential.

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in this submission.

Decision Reasons:

- Good urban design outcomes can be achieved for mixed-use development with some residential activities at ground floor level.
- The submitter seeks greater flexibility within the policy.

Point Number 343.21

Summary of Decision Requested: **Amend** Policy 9.3.5.4 Secondary access, to require the permanent secondary access to be constructed prior to the completion of Precincts F or G.

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in this submission.

Decision Reasons:

- The submitter understands that Council is seeking greater certainty as to the timing of the permanent secondary access.
- The construction of the access will be a significant cost to the submitter, and should be undertaken to mitigate effects on the safe and efficient operation of the primary access and surrounding road network.

Point Number 343.22

Summary of Decision Requested: **Amend** the activity conditions in Rule 28.1.1 Permitted Activities, to refer to the location of residential activities being in accordance with the Rangitahi Peninsula Structure Plan or any approved subdivision.

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in this submission.

Decision Reasons:

- Permitted activity conditions (a) and (b) of Rule 28.1.1 of the Proposed Plan are very similar with respect to both conditions requiring activities to be in accordance with the Rangitahi Peninsula Structure Plan.
- Rule 28.1.1 (b) is superfluous.
- Conditions (a) and (b) do not reflect that changes to activity locations may occur through the subdivision process for each precinct. The subdivision standards in the Proposed District Plan provide more flexibility for variations to the precinct plans.
- The submitter seeks that the permitted activity conditions i Rule 28.1.1 refer to the location of residential activities being in accordance with the Rangitahi Peninsula Structure Plan or any approved subdivision.

Point Number 343.23

Summary of Decision Requested: **Amend** Rule 28.2.8 P1 Indigenous Vegetation Clearance Inside a Significant Natural Area, to make provision for indigenous vegetation clearance associated with construction of roads that are in general accordance with the Rangitahi Structure Plan.

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in this submission.

Decision Reasons:

- The Rangitahi Structure Plan area includes planned roads which cross Significant Natural Areas that are identified under the Proposed District Plan. It will therefore be necessary for earthworks to be undertaken in some the Significant Natural Areas in order to give effect to the Structure Plan.

Point Number 343.24

Summary of Decision Requested: **Amend** the Proposed District Plan to include an additional growth area for Raglan West, linking the Rangitahi Peninsula to Te Hutewai Road (near the Raglan Golf Course) and through to Wainui Road near the completed Te Ahiawa subdivision (see submission for map)

AND

Add objectives, policies, rules and zoning to enable future growth of Raglan.

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in this submission.

Decision Reasons:

- The recent Future Proof decisions included changes to the growth strategy in response to Rangitahi Ltd's submission to identify Raglan as a location for growth emphasis and to recognise that residential growth is expected to occur due to lifestyle, proximity to Hamilton and technological and transport improvements.

Point Number 343.25

Summary of Decision Requested: **Amend** Rule 28.1.3 RDI Restricted Discretionary Activities for clarity so that (b) is a subset of (a).

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in this submission.

Decision Reasons:

- The format of Rule 28.1.3 does not make sense in the current form.

Point Number 343.26

Summary of Decision Requested: **Delete** Rule 28.2.4.2 Earthworks Maaori Sites and Maaori Areas of Significance.
AND
Amend the Proposed District Plan to make consequential amendments to address the matters raised in this submission.

Decision Reasons:

- There are no Maaori sites or areas of significance within the Rangitahi Structure Plan area identified on Proposed Plan maps 23 (Raglan Coast) and 23.3 (Raglan West).

Point Number 343.27

Summary of Decision Requested: **Amend** Rule 28.2.4.3 Earthworks - Significant Natural Areas, to make provision for earthworks associated with construction of roads that are in general accordance with the Rangitahi Structure Plan.
AND
Amend the Proposed District Plan to make consequential amendments to address the matters raised in this submission.

Decision Reasons:

- The Rangitahi Structure Plan area includes planned roads, which cross Significant Natural Areas that are identified under the Proposed Plan. It will therefore be necessary for earthworks to be undertaken in some of the Significant Natural Areas in order to give effect to the Structure Plan.

Point Number 343.28

Summary of Decision Requested: **Delete** Rule 28.2.6.3 Heritage items and Maaori Sites of Significance.
AND
Amend the Proposed District Plan to make consequential amendments to address the matters raised in this submission.

Decision Reasons:

- There are no heritage items or Maaori sites of significance within the Rangitahi Structure Plan area identified on Proposed Plan maps 23 (Raglan Coast) and 23.3 (Raglan West).

Point Number 343.29

Summary of Decision Requested: **Delete** references to Schedule 30.5 (Urban Allotment Significant Natural Areas, Maori Freehold Land or Maori Customary Land) from Rule 28.2.8 – Indigenous Vegetation Clearance Inside a Significant Natural Area.
AND
Amend the Proposed District Plan to make consequential amendments to address the matters raised in this submission.

Decision Reasons:

- Urban Allotment Significant Natural Areas, Maori Freehold Land and Maori Customary Land do not relate to the Rangitahi Structure Plan area.

Submitter Number: 344 **Submitter:** Burton Trust

Point Number 344.1

Summary of Decision Requested: **Delete** the date "2017" from Policy 4.1.3(b) Location of development.

Decision Reasons:

- By removing the "2017" date it will remain a current policy through out the life of the Proposed Plan, including when Phase 2 of Future Proof is completed, when the Future Development Strategy is completed and also when Future Proof may be amended again in the future.

Point Number 344.2

Summary of Decision Requested: **Add** new Policy 4.1.3(c) as follows:
(c) Identify and investigate potential future growth area options to meet long term demand.

Decision Reasons:

- Work is continuing on Phase 2 of Future Proof, the Hamilton Growth Corridor and Future Development Strategy so it is appropriate to identify medium and long term options for future investigations.

Point Number 344.3

Summary of Decision Requested: **Add** to planning maps identification of the area east of Hamilton City between Puketaha and Holland Roads that is shown in Attachment 2 to the

submission as an area to be investigated for future urban growth and any additional or consequential relief.

Decision Reasons:

- The submitter owns in excess of 500ha in the locality and the remaining land is predominantly in the ownership of a relatively small number of landowners with large landholdings, willing to avoid subdivision/fragmentation of the land in order to protect the land for future urban growth.
- In addition to the submitter's 500ha with frontage to Puketaha, Greenhill and Telephone Roads, (allowing good urban connectivity in future and logical road connections), the land east of Hamilton will have access to the future Waikato Expressway via the Greenhill and Ruakura interchanges.
- The land to the east of Hamilton owned by the Submitter and immediate neighbours has the following characteristics that make them ideal for future urban growth:
- The land is relatively flat and contiguous with the existing Hamilton urban and business areas, separated only by the Waikato Expressway.
- The proximity of the land to the East Coast Main Trunk railway line allows the possibility for future business space which utilises rail freight.
- The land is adjacent to the future infrastructure for the Ruakura residential and business areas, separated only by the Waikato Expressway. Additional capacity and extensions from the Ruakura infrastructure could enable new infrastructure to develop further east of Hamilton.
- Interest has been expressed by developers who are capable of forward funding key infrastructure rather than relying on Councils.

Submitter Number:

345

Submitter:

Brent Trail

Point Number

345.1

Summary of Decision Requested:

Amend Rule 22.4.1.1 PR4 Prohibited subdivision, by replacing with the following:

Any Subdivision where a lot of a record of title that has been created for the purpose of a transferable rural lot subdivision under the provisions of the previous Operative Waikato District Plan - Franklin.

Except where an additional lot is created by any of the following rules:

(i) The conservation lot subdivision (Rule 22.4.1.6);

(ii) Reserve lot subdivision (Rule 22.4.1.7);

(iii) Access allotment or utility allotment using Rule 14.1.2 (Transportation).

AND

Delete Rule 22.4.1.1 PR4 Prohibited subdivision.

Decision Reasons:

- Wording is inappropriate considering previous clauses.
- Subdivision should be allowed using other provisions that have not been utilised in the past.
- The rules are an attempt to stop people using new lifestyle provisions to gain further subdivisions.
- It makes sense that properties can be subdivided for other reasons.

Point Number

345.2

Summary of Decision Requested:

Retain Rule 22.4.1.2(a)(i)-(iii) General subdivision.

Decision Reasons:

- No reasons provided.

Point Number

345.3

Summary of Decision Requested:

Amend Rule 22.4.1.2(a)(v) General subdivision, to reduce the minimum lot size to 5000m² and increase the upper limit to 3ha, or a percentage of the total land area.

Decision Reasons:

- In the interests of keeping as much land in rural production as possible the minimum should be reduced to 5000m².
- To give the ability for someone, who wants to produce something and needs a larger area, the upper limit should be increased to 3ha, which could be a viable orchard area in the right conditions.
- It could be limited to a certain percentage of the total land area, e.g. 10%, which equates to 2ha of a 20ha farm and 4ha of a 40ha farm.

Point Number

345.4

Summary of Decision Requested:

Delete Rule 22.4.1.2(a)(v) General subdivision.

Decision Reasons:

- The high class soils limit is unnecessarily complex and unnecessary given the small size of excised block relative to the balance block.
- It could create a situation where the lifestyle block is forced onto unsuitable land, particularly when a large block is largely low productive land but has a small buildable area, and this type of land is quite possible.
- The small lifestyle block may be more productive than the larger block.
- The limit in size of the small block will sufficiently take care of this issue.

Point Number

345.5

Summary of Decision Requested:

Delete Rule 22.4.1.4 RD1(a)(i) Boundary relocation.

Decision Reasons:

- The date is not needed.
- The provision should apply to all records of title, regardless of the date they were established.
- There can be all manner of reasons for relocating e.g. size, earth deformation of flooding, reverse sensitivity etc.

Point Number

345.6

Summary of Decision Requested:

Amend Rule 22.4.1.4 RD1(a)(iii) and (iv) and RD1(b) Boundary relocation, to replace the word "lot" with "record of title".

Decision Reasons:

- It should refer to "record of title" rather than "lot" as some Records of Title can be made up of multiple lots due to survey regulations.

Point Number 345.7

Summary of Decision Requested: Amend Rule 22.4.1.5 RDI (a) Rural Hamlet Subdivision, to replace the word "lot" with "record of title".

Decision Reasons:

- The interchangeability between "lot" and "record of title" is confusing and incorrect.
- A lot is a separately surveyed and marked piece of contiguous land, whereas a record of title may be comprised of one or more lots.

Point Number 345.8

Summary of Decision Requested: Amend Rule 22.4.1.5 RDI (iv) Rural Hamlet Subdivision as follows:

(iv) ~~Each proposed lot has a maximum area of 1.6ha~~ except the balance title, which should be as follows

OR

Amend Rule 22.4.1.5 RDI (iv) into one bullet point as follows:

(iv) ~~Each proposed lot has a maximum area of 1.6ha~~ except for ~~the proposed balance~~ ~~record of title~~ which has a minimum area of 20ha; and

~~it~~ it does not create any additional lots beyond the number of existing Records of Title.

Decision Reasons:

- The wording of (iv) is not entirely correct and should be merged with (v) into one statement as indicated.

Point Number 345.9

Summary of Decision Requested: Retain Rule 22.4.1.6 RDI (a)(i) Conservation lot subdivision.

AND

Retain Rule 22.4.1.6 RDI (a)(iii) Conservation lot subdivision.

Decision Reasons:

- No reasons provided.

Point Number 345.10

Summary of Decision Requested: No specific decision sought, but submission opposes Rule 22.4.1.6 RDI (a)(iii) and (iv) Conservation lot subdivision.

Decision Reasons:

- Effectively penalises landowners who have taken the initiative to privately covenant significant areas and not take subdivision credits at the time.
- It is common in other districts to be able to claim subdivision credits retrospectively.
- It could perhaps be handled as a non-complying application in the above circumstance but the land owner should not have to go through the process without certainty.

Point Number 345.11

Summary of Decision Requested: Retain Rule 22.4.1.6 RDI (a)(v) Conservation lot subdivision.

Decision Reasons:

- No reasons provided.

Point Number 345.12

Summary of Decision Requested: Amend Rule 22.4.1.6 RDI (a)(vi) Conservation lot subdivision, to have a minimum lot size of 5000m².

AND

Amend Rule 22.4.1.6 RDI (a)(vii) Conservation lot subdivision, to have a maximum area of 3ha or a percentage of the total land area, e.g. 10%.

Decision Reasons:

- In the interests of keeping as much land in rural production as possible the minimum should be reduced to 5000m².
- To give the ability for those wanting to produce something and need a larger area, the upper limit should be increased to 3ha.
- This could be a viable orchard area in the right conditions.
- Could be limited to a certain percentage of the total land area, e.g. 10%.

Point Number 345.13

Summary of Decision Requested: Retain Rule 22.4.1.6 RDI (a)(viii) Conservation lot subdivision.

Decision Reasons:

- No reasons provided.

Point Number 345.14

Summary of Decision Requested: Retain Rule 22.4.6 Subdivision of land containing all or part of an Environmental Protection Area.

Decision Reasons:

- No reasons provided.

Point Number 345.15

Summary of Decision Requested: **Amend** Rule 22.4.9 RD1 (a)(i) Subdivision building platform, to be reduced to 300m2.

AND

Amend the equivalent rule in all zones, to reduce the building platform requirement to 300m2.

Decision Reasons:

- The rule concerns submitter and thus oppose it along with the same rule appearing anywhere else, particularly in Country Living and Village Zones.
- It is unrealistic.
- A building site of 300m2 is more realistic.
- 100m2 is clearly not meant to cater for wastewater treatment and disposal as well as buildings.

Point Number 345.16

Summary of Decision Requested: **Amend** Rule 22.4.9 RD1 (a)(ii) Subdivision building platform, to have an average gradient of 1:5.

AND

Amend the equivalent rule in all zones to an average gradient of 1:5.

Decision Reasons:

- Rule concerns submitter, along with the same rule appearing anywhere else, particularly in Country Living and Village Zones.
- It is unrealistic.
- Given earthworks take place, a grade of 1.5 would be acceptable.
- Given you require evidence from a geotechnical engineer even steeper may be acceptable.

Point Number 345.17

Summary of Decision Requested: No specific decision sought, but submission opposes Rule 22.4.9 RD1 (a)(iii) Building platform and the equivalent requirement for certification by a geotechnical engineer of a building platform for subdivision in all other zones.

Decision Reasons:

- Rule concerns submitter, along with the same rule appearing anywhere else, particularly in Country Living and Village Zones.
- It is unrealistic.
- It is inappropriate for a flat site.
- A soils engineer should be able to certify such a site up to 1:5.
- Council should seek independent advice on the matter and to not over specify the level of engineer required on straight forward sites.
- Sites can be readily constructed on sloping ground subject to the recommendation and supervision from soils engineers without particular geotechnical qualifications, if they consider it out of their field they are expected to engage an expert.

Point Number 345.18

Summary of Decision Requested: **Delete** Rule 23.4 Subdivision.

Decision Reasons:

- It is an extraordinary measure.
- It will undoubtedly cause future significant hurdles for interim management of land resources.
- There will be cases where, with appropriate planning, subdivision could take place considering future development and thus there will undoubtedly be requirements for subdivision in relation to infrastructure.

Point Number 345.19

Summary of Decision Requested: **Amend** Subdivision Rule 23.4.2 RD1 (a)(i) General Subdivision, to reduce the minimum lot size from 5000m2 to 2500m2.

Decision Reasons:

- This will match requirements for on-site treatment and disposal of wastewater.
- This will allow for much better use of resource.
- This will assist in making housing land more affordable.
- So much land is being wasted with this rule.
- People do not necessarily want to have to maintain 5000m2.

Point Number 345.20

Summary of Decision Requested: **Delete** Rule 23.4.4 RD1 (a)(iii) Title boundaries - natural hazard area, contaminated land, Significant Amenity Landscape, notable trees, intensive farming activities, aggregate extraction areas.

AND

Delete from every zone the subdivision rule which requires the boundary of every proposed lot to not divide any of the following:

- A natural hazard area;
- Contaminated land;
- Significant Amenity Landscape;
- Notable tree.

Decision Reasons:

- Submitter is concerned by rule.
- Submitter agrees a boundary should ideally not go through a notable tree, there will be instances where a boundary could go through a contaminated area, natural hazard or significant landscape.
- Much of Waikato rural land is contaminated due to high levels of cadmium, therefore any rural boundary line would not be allowed.
- Vast lengths of the coast may become natural hazards, therefore any coastal subdivision where lots require to intersect the coastal reserve will likely be affected by this rule.

Point Number 345.21

Summary of Decision Requested: **Delete** Rule 23.4.5 Site boundaries - Significant Natural Areas, heritage items, archaeological sites, sites of significance to Maori.

Decision Reasons:

- The rule concerns submitter and oppose it along with the same rule appearing anywhere else.

- Significant natural areas and Maaori sites can be very large, and often to create access, viable building sites and practical boundaries, and such sites may be required to have boundaries go through parts of them.
- Submitter agrees parts of significant Maaori sites should not be severed, however some sites, by their nature, can be spread out.

Point Number 345.22

Summary of Decision Requested: Delete Rule 23.4.8 Building platform.

Decision Reasons:

- Rule concerns submitter and opposite, along with the same rule appearing anywhere else, particularly in Country Living and Village Zones.
- It is unrealistic.
- A building site of 300m² is more realistic.
- Given earthworks take place, a grade of 1.5 would be acceptable.
- Given that evidence is required from a geotechnical engineer, even steeper may be acceptable.
- With a proposed size of 1000m² it is clearly not meant to cater for wastewater treatment and disposal as well as building.
- It is inappropriate for a flat site.
- A soils engineer should be able to certify such a site up to 1:5.
- Council should seek independent advice on the matter and to not over specify the level of engineer required on straight forward sites.
- Sites can be readily constructed on sloping ground subject to the recommendation and supervision from soils engineers without particular geotechnical qualifications, if they consider it out of their field they are expected to engage an expert.

Point Number 345.23

Summary of Decision Requested: Amend Rule 24.4.1 Subdivision - General to reduce the minimum lot size to 2500m².

Decision Reasons:

- 2500m² is adequate to provide for 'on site' wastewater treatment and disposal.
- Existing rule in Franklin has been in place for many years and significant planning has gone into some sites.
- Reduced size will lead to a reduced yield on land already zoned for development, which will not help with availability and affordability of land and therefore is not sustainable.

Point Number 345.24

Summary of Decision Requested: Retain Rule 22.4.1.6 RDI(b) Conservation lot subdivision.

Decision Reasons:

- No reasons provided.

Point Number 345.25

Summary of Decision Requested: Delete Rule 22.4.2 RDI(a)(iii) Title boundaries - natural hazard area, contaminated land, Significant Amenity Landscape, notable trees, intensive farming activities, aggregate extraction areas and the associated matters of discretion.

AND

Delete from every zone the subdivision rule which requires the boundary of every proposed lot to not divide any of the following:

- A natural hazard area;
- Contaminated land;
- Significant Amenity Landscape;
- Notable trees

and the associated matters of discretion.

Decision Reasons:

- This rule concerns the submitter, along with the same rule that appears anywhere else, particularly in Country Living and Village zones.
- Agrees that a boundary should ideally not go through a notable tree, but there are instances where a boundary could go through a contaminated area, natural hazard or significant landscape.
- Much of Waikato's rural land is contaminated due to high levels of cadmium, thus any rural boundary line would not be allowed.
- Vast lengths of the coast may also be determined to be a natural hazard, therefore any coastal subdivision where lots are required to intersect the coastal reserve will likely be affected by this rule.

Point Number 345.26

Summary of Decision Requested: Delete Rule 22.4.3 Title boundaries - Significant Natural Areas, heritage items, Maaori Sites of Significance and Maaori Areas of Significance.

AND

Delete from every zone the subdivision rule for Title boundaries - Significant Natural Areas, heritage items, Maaori Sites of Significance and Maaori Areas of Significance.

Decision Reasons:

- The rule concerns submitter and oppose it along with the same rule appearing anywhere else, particularly in Country Living and Village Zones.
- Significant natural areas and Maaori sites can be very large, and often to create access, viable building sites and practical boundaries, and such sites may be required to have boundaries go through parts of them.
- Submitter agrees parts of significant Maaori sites should not be severed, however some sites, by their nature can be spread out.

Point Number 345.27

Summary of Decision Requested: Delete Rule 22.4.4 Road Frontage.

OR

Amend Rule 22.4.4 RDI(a) Road Frontage, to be reduced to 40m.

Decision Reasons:

- A narrower road frontage, as long as it is not on all lots, can still manage the necessary separation of access and can be an advantage for amenity and rural character, enabling dwellings and buildings to locate further from the road.

Point Number 345.28

Summary of Decision Requested:	Amend Rule 22.4.4 Road Frontage to change all references to "lot" to "record of title".
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.

Submitter Number:	346	Submitter:	Robert Morton-Jones
Point Number	346.1		
Summary of Decision Requested:	Delete the Significant Green Zone from the property at 35A Norrie Avenue, Raglan.		
Decision Reasons:	<ul style="list-style-type: none"> There were two old pine trees in the middle of the property that were removed approximately 5 years ago and a second dwelling has been built in its place, approved by Waikato District Council. There is a Reserve next to the property which is a Significant Green Zone. 		

Submitter Number:	347	Submitter:	Wallace & AnnMaree Bremner
Point Number	347.1		
Summary of Decision Requested:	Amend zoning of 205 Buckville Road, Buckland from Rural Zone to Country Living Zone.		
Decision Reasons:	<ul style="list-style-type: none"> The surrounding area to the north and west within the Auckland Council territory has been zoned Future Urban under the Auckland Unitary Plan. This could potentially result in residential housing within this locality, rather than a large open space rural environment. The site does not contain prime soils. Given the proximity to Buckland and Pukekohe, rezoning from Rural to Country Living Zone is a logical progression for this area. 		

Submitter Number:	348	Submitter:	Julie Perry
Point Number	348.1		
Summary of Decision Requested:	Amend to allow subdivision of the property at 55A Rosebanks Drive Tamahere into two titles of 5000m2 and 3000m2.		
Decision Reasons:	<ul style="list-style-type: none"> Allow the submitters to purchase the land and build a family home. Allowing the subdivision of the land will accommodate a growing population and economic growth in my region. Minimal impact on the environment. The current site does not infringe on any other resident and is of limited use to the current owner. The proposed site has shared access. Accommodate the growing population and the demands of people wanting to raise a family in a semi-rural environment. Enables family to live close together. The site would maintain its rural character Economic benefits for the surrounding areas and businesses. 		

Submitter Number:	349	Submitter:	Kim Robinson
On behalf of:	Lochiel Farmlands Limited		
Point Number	349.1		
Summary of Decision Requested:	Add the criteria for each Significant Natural Area, as these are what should be relevant when assessing appropriate for Significant Natural Areas.		
Decision Reasons:	<ul style="list-style-type: none"> Section 32 analysis noted that mapping was mainly a desktop exercise. Rules don't identify the characteristics being protected. This submission point applies equally to all Significant Natural Areas. 		

Point Number	349.2		
Summary of Decision Requested:	Retain the intent of Policy 3.2.4 Biodiversity offsetting.		
Decision Reasons:	<ul style="list-style-type: none"> No reasons stated. 		

Point Number	349.3		
Summary of Decision Requested:	Add rules and assessment criteria that provide for biodiversity offsetting where an activity might cause effects on a Significant Natural Areas or on Indigenous Biodiversity outside a Significant Natural Area.		
Decision Reasons:	<ul style="list-style-type: none"> There does not appear to be any reference to biodiversity offsetting in the methods or rules for the Rural Zone. 		

Point Number	349.4		
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Summary of Decision Requested:	Amend Rule 22.2.4 Hazardous substances, to replace the reference from "Appendix 6 (Hazardous Substances)" to "Appendix 5".
Decision Reasons:	<ul style="list-style-type: none"> • Rule 22.2.4 - hazardous substances appears to be a typo and should be Appendix 5 as is the Appendix for hazardous substances.
Point Number	349.5
Summary of Decision Requested:	Retain the intent of Policy 3.2.8 Incentivise subdivision.
Decision Reasons:	<ul style="list-style-type: none"> • No reason stated.
Point Number	349.6
Summary of Decision Requested:	Delete the limitation in Rule 22.4.3(a)(i) Significant Natural Areas on title boundaries not dividing Significant Natural Areas.
Decision Reasons:	<ul style="list-style-type: none"> • It should be an incentive to further protect Significant Natural Areas even if only part of the Significant Natural Areas is to be protected as a conservation lot. There is an inconsistency between Rule 22.4.3 and Policy 22.4.3 if applied to large sites within Significant Natural Areas.
Point Number	349.7
Summary of Decision Requested:	Retain Rule 22.2.1.1 Noise - General.
Decision Reasons:	<ul style="list-style-type: none"> • The submitter supports the permitted activity status of farming noise and noise generated by emergency generators and emergency sirens.
Point Number	349.8
Summary of Decision Requested:	Retain Rule 22.2.3.1 P1(a)(i) Earthworks - General for ancillary rural earthworks as a permitted activity.
Decision Reasons:	<ul style="list-style-type: none"> • Support Rural ancillary earthworks as being permitted.
Point Number	349.9
Summary of Decision Requested:	Add a provision in rule 22.2.3.1.P1 Earthworks - General permitting earthworks for farm buildings.
Decision Reasons:	<ul style="list-style-type: none"> • Earthworks to create farm buildings are not included within the definition of Ancillary rural earthworks and therefore need to be added to the list of permitted earthworks.
Point Number	349.10
Summary of Decision Requested:	Amend Rule 22.2.3.1 P1(a)(ii) Earthworks - General, to increase the volume of aggregate permitted for a farm quarry from 1000m ³ to 2500m ³ .
Decision Reasons:	<ul style="list-style-type: none"> • The permitted volume of earthworks for a farm quarry is too small (1000m³ per 12 months).
Point Number	349.11
Summary of Decision Requested:	Amend Rule 22.2.3.1 Earthworks - General, to reflect the earthworks limits in the Thames Coromandel District Council's Proposed District Plan's Rural Zone, as follows: <ul style="list-style-type: none"> • maximum area per site per calendar year is 10,000m² (1ha) • maximum volume per site per calendar year is 2,500m³ (1ha) • maximum height of any fill and/or cut is 5m.
Decision Reasons:	<ul style="list-style-type: none"> • The volume of earthworks within the general standards under Rule 22.2.3.1P2 is too small and the slope will limit much of the hill country. • The limit on importation of fill under rule 22.2.3.1P4 is too small for rural ancillary earthworks generally and the cut height is too low. The slope (1:2) is too hard to achieve in hill country. • The earthworks limits in the Thames-Coromandel Proposed District Plan are considered appropriate, due to the similar terrains held by the Waikato District and Thames-Coromandel District.
Point Number	349.12
Summary of Decision Requested:	Delete from Rule 22.2.3.3 Earthworks in Significant Natural Areas, the earthworks controls relating to maintenance of existing tracks, fences or drains.
Decision Reasons:	<ul style="list-style-type: none"> • Volume too small and purposes too limited. • Cut height is too low and slope is too gradual. • Hill country is prone to slips and tracks may need to be repaired/restored. Existing use is protected under section 10 RMA.

Point Number	349.13
Summary of Decision Requested:	Delete from Rule 22.2.3.3 Earthworks in Significant Natural Areas, the earthworks controls on cultivation and pasture maintenance.
Decision Reasons:	<ul style="list-style-type: none"> • Volume is too small and purposes too limited. • Cut height is too low and slope is too gradual. • In hill country tracks may need repair/restoration due to a slip. Managing existing tracks and fences is provided for as an existing use under section 10 of the RMA.
Point Number	349.14
Summary of Decision Requested:	Amend Rule 22.2.7D1 Indigenous vegetation clearance inside a Significant Natural Area, to be a restricted discretionary activity rather than a discretionary activity and read: DRD
Decision Reasons:	<ul style="list-style-type: none"> • If indigenous vegetation removal does not comply with the permitted limit it should be a Restricted Discretionary activity, rather than a Discretionary activity.
Point Number	349.15
Summary of Decision Requested:	Amend Rule 22.2.7P3(a) Indigenous vegetation clearance inside a Significant Natural Area, to increase the area for indigenous vegetation clearance in relation to buildings and access/parking.
Decision Reasons:	<ul style="list-style-type: none"> • The rule is too uncertain as to what is an 'alternative development area' is. If the building has been approved, then another assessment should not be required. 250m2 of indigenous vegetation clearance will not provide enough area for a building and driveway.
Point Number	349.16
Summary of Decision Requested:	Amend Rule 22.2.8 Indigenous vegetation clearance outside a Significant Natural Area, to remove all controls on indigenous vegetation clearance for pasture maintenance and other existing activities ancillary to farming.
Decision Reasons:	<ul style="list-style-type: none"> • Farming is a permitted activity protected as existing uses under s10 RMA and there should be no limit on the maintenance requirements for pasture, track and drain maintenance and cultivation. • There should be no limit if the purpose is for pasture maintenance.
Point Number	349.17
Summary of Decision Requested:	Amend Rule 22.2.8 Indigenous vegetation clearance outside a Significant Natural Area, to increase the permitted indigenous vegetation clearance for new pasture, new fencing and tracks to 2,500m2 per site per year.
Decision Reasons:	<ul style="list-style-type: none"> • The limit on indigenous vegetation removal outside a SNA is too low (only 1000m2 per single consecutive 12 month period).
Point Number	349.18
Summary of Decision Requested:	Amend Rule 22.2.8 Indigenous vegetation clearance outside a Significant Natural Area, to increase the limit for permitted indigenous vegetation clearance for new dwellings and buildings and associated access to 2500m2 per site per year.
Decision Reasons:	<ul style="list-style-type: none"> • The limit on indigenous vegetation removal outside a SNA is too low (only 1000m2 per single consecutive 12 month period)
Point Number	349.19
Summary of Decision Requested:	Delete Rule 22.3.7.5 P1 Building setback - water bodies. OR Delete Rule 22.3.7.5 P1 (a)(ii) Building setback - water bodies.
Decision Reasons:	<ul style="list-style-type: none"> • Remove the requirement for a 23m building setback from a bank of a river. • Neither river or water body is defined within the Proposed District Plan, and therefore the setback could apply to a water course of any size. • This setback will also apply outside a SNA, landscape or natural character area.
Point Number	349.20
Summary of Decision Requested:	Amend Rule 22.2.8 Indigenous vegetation clearance outside a Significant Natural Area, to enable any indigenous vegetation clearance for a consented building platform or for clearance that has been considered appropriate at the time of resource or subdivision consent approval to be permitted.
Decision Reasons:	<ul style="list-style-type: none"> • The limit on indigenous vegetation removal outside a Significant Natural Area is too low.
Point Number	349.21
Summary of Decision Requested:	Amend Rule 22.3.7.5D1 Building setback - water bodies, to be considered a restricted discretionary activity rather than discretionary activity and to read: DRD

Decision Reasons:

- Remove the requirement for a 23m building setback from a bank of a river.
- Neither river or water body is defined within the Proposed District Plan, and therefore the setback could apply to a water course of any size.
- This setback will also apply outside a Significant Natural Area, landscape or natural character area.

Point Number 349.22

Summary of Decision Requested: **Delete** references to Environmental Protection Area/EPA in Rule 22.3.7.6 Building setback - water bodies.

Decision Reasons:

- Environmental Protection Area is not defined. There doesn't seem to be any policies in the Proposed District Plan to support an Environmental Protection Area.

Point Number 349.23

Summary of Decision Requested: **Retain** Rule 22.4.1.6 Conservation lot subdivision.

Decision Reasons:

- Generally support the provisions for conservation lot subdivision.

Point Number 349.24

Summary of Decision Requested: **Delete** Rule 22.4.3RD1(a)(i) Title boundaries - Significant Natural Areas, heritage items, Maaori sites of significance and Maaori areas of significance.

Decision Reasons:

- Within large Significant Natural Area site area it may be difficult to ensure that a boundary of a proposed lot does not divide a Significant Natural Area. There may be geographical reasons as to why the boundary of a proposed lot runs through a Significant Natural Area.
- A boundary does not stop a Significant Natural Area from continuing to be considered a Significant Natural Area. Landowners of large Significant Natural Areas should be encouraged to protect the Significant Natural Areas as conservation lots and not be required to encompass all of the Significant Natural Area where it is large.

Point Number 349.25

Summary of Decision Requested: **Amend** Rule 22.4.4RD1 Subdivision - Road frontage, to a discretionary activity rather than a restricted discretionary activity and read ~~RD1~~

Decision Reasons:

- No reasons stated.

Point Number 349.26

Summary of Decision Requested: **Amend** Rule 22.4.3 Title boundaries - Significant Natural Areas, heritage items, Maaori sites of significance and Maaori areas of significance so that subdivision that does not comply with the standards for Title Boundaries on SNAs and Maaori sites/areas of significance is a discretionary activity.

Decision Reasons:

- Subdivision that divides a Significant Natural Area becomes a non-complying activity and this is unreasonable. The effects of dividing a Significant Natural Area into a new lot can be managed as a Restricted Discretionary criterion without triggering a non-complying activity status.

Point Number 349.27

Summary of Decision Requested: **Delete** references to the Environmental Protection Area in Rule 22.4.6 Subdivision of land containing all or part of an Environmental Protection Area.

Decision Reasons:

- The Proposed District Plan has no definition of an Environmental Protection Area and it would seem to be a duplication of Significant Natural Areas..

Point Number 349.28

Summary of Decision Requested: **Review** application of Significant Natural Areas mapping on Lochiel Farmlands Ltd property at 316 Allen and Eyre Road, Onewhero.

Decision Reasons:

- Mapping of Significant Natural Areas is inaccurate on the Lochiel Farmlands Ltd property. The landowner has concerns regarding the accuracy of mapping on the property, which contains multiple Significant Natural Areas.

Point Number 349.29

Summary of Decision Requested: **Ensure** that Council funds the investigation of, identification of and robustness of Significant Natural Area mapping throughout the District.

Decision Reasons:

- It seems that the mapping is provisional and needs to be tested with data from subsequent field surveys. The obligation is on the Council to identify Significant Natural Areas not the landowner.
- Needs to be provision for payment to landowners for that assessment if there is any intention for ecological assessments to be required to determine significance of indigenous vegetation as part of any resource consent process.

Point Number 349.30

Summary of Decision Requested: Amend the mapping of Significant Natural Areas on the Proposed District Plan maps once ground truthing has been undertaken.

Decision Reasons:

- Mapping mainly a desktop exercise and rules do not identify the characteristics being protected.
- Ground truthing is required to check that the areas identified justify protection.

Point Number 349.31

Summary of Decision Requested: Delete from Rule 22.2.3.3 Earthworks - Significant Natural Areas, the earthworks controls on new fencing.

Decision Reasons:

- Fencing is important in protecting Significant Natural Areas from stock. In hill country this can require earthworks to provide a proper building foundation. The earthworks need to be permitted.

Point Number 349.32

Summary of Decision Requested: Delete from Rule 22.2.3.3P2 Earthworks - Significant Natural Areas, the maximum volume control of 200m³ for imported fill.

Decision Reasons:

- A limit of 20m³ imported fill is too low for permitted earthworks in a SNA. If the activity is permitted or an existing activity protected as existing use rights under section 10 of the RMA, it is not relevant that the fill is imported.

Point Number 349.33

Summary of Decision Requested: Amend Rule 22.2.7P1(a)(iv) Indigenous vegetation clearance inside a Significant Natural Area as follows:

Maintaining, repairing or reinstating existing tracks and fences; or

Decision Reasons:

- Add references to repair and/or restore to allow for tracks that need to be re-routed following slips or natural events.

Point Number 349.34

Summary of Decision Requested: Amend Rule 22.2.7P2 Indigenous vegetation clearance inside a Significant Natural Area, to remove the limitation on mauka/kanuka removal.

Decision Reasons:

- Manuka/Kanuka scrub needs to be actively managed to prevent a fire risk and to construct new tracks, fire breaks, fences, etc.

Point Number 349.35

Summary of Decision Requested: Oppose in Rule 22.2.7P3(a) Indigenous vegetation clearance inside a Significant Natural Area, the requirement that indigenous vegetation removal is only permitted if no alternative development area is identified outside the Significant Natural Area.

Decision Reasons:

- The alternative development area has to be a practical site. This limitation will not work if the alternative site is not accessible.

Submitter Number: 350 **Submitter:** Tony Perkins

Organisation: HRRA

Point Number 350.1

Summary of Decision Requested: Amend the designation of the old East Mine area, Huntly for recreational area use.

Decision Reasons:

- Huntly is in a unique place being in the middle of the Auckland, Tauranga, Hamilton triangle. This is a chance to put Huntly on the map as a recreational destination.

Submitter Number: 351 **Submitter:** TKDM Farms Limited

Point Number 351.1

Summary of Decision Requested: Amend the zoning of the property at Lot 9 DP 461781 on Koheroa Road from Rural Zone to Village Zone.

Decision Reasons:

- The site contains minimal development constraints and is appropriate for low-density residential use;
- Rural zoning is an inefficient use of the land resource, that is close to the existing settlement area of Mercer;
- The moderate terrain is suitable for an efficient residential and rural-residential use and development, such as low-density residential development (Village Zone);
- The subject site segregates Mercer School and the Saint Judes Church Cemetery. The rezoning will improve connections between Mercer School and the Cemetery;
- The subject site is within walking distance to Mercer School and the Cemetery and rezoning the land from Rural Zone to Village Zone will provide for low-density residential development an obvious step in providing for an urban land resource that encapsulates this community;
- The current zoning results in an awkward section of rural land between Village Zoned land directly to the northwest and the Cemetery and Mercer School to the north. No reasons explained for the zoning in the s32 analysis;
- The request to rezone the site to Village Zone will enable appropriate low-density residential growth away from rural and coastal areas within the District;
- Prevents inappropriate development on versatile soils. The site is not made up of elite/prime soils.

Submitter Number:	352	Submitter:	Terence Denton
On behalf of:	Terence Denton & Bernardina van Loon		
Point Number	352.1		
Summary of Decision Requested:	Delete the portion of Significant Natural Area on the property at 40 Cameron Town Road, Pukekohe that does not meet any of the Significant Natural Area criteria in Section 11A of the Waikato Regional Policy Statement (see maps attached to the submission).		
Decision Reasons:	<ul style="list-style-type: none"> The notified Significant Natural Area overlay erroneously includes large proportions of garden, amenity and livestock areas which do not meet any of the criteria for significance of indigenous criteria listed in section 11A of the Waikato Regional Policy Statement. The area is used as a garden/stock/amenity/yard area and contains significant infrastructure as well as a substantial number of non-indigenous plant species. 85% of the property is already protected by covenant. The remaining 15% should not fall under the Significant Natural Area classification. 		
Point Number	352.2		
Summary of Decision Requested:	No specific decision sought, but submission opposes Rule 22.2.3.3 P1(a), P2 and RD1 Earthworks - Significant Natural Areas.		
Decision Reasons:	The plan does not adequately address rules applying to existing non-compliant elements or activities within the overlay.		
Point Number	352.3		
Summary of Decision Requested:	No specific decision sought, but submission opposes Rule 22.2.7 P1(a), P3(a) and D1 Indigenous vegetation clearance inside a Significant Natural Area.		
Decision Reasons:	The Plan does not adequately address rules applying to existing non compliant elements or activities with the overlay.		
Point Number	352.4		
Summary of Decision Requested:	No specific decision sought, but submission opposes Rule 22.4.3 RD1(a), RD1(b) and NCI Title boundaries - significant Natural Areas, heritage items, Maaori sites of significance and Maaori areas of significance.		
Decision Reasons:	The plan does not adequately address rules applying to existing non-compliant elements or activities within the overlay.		

Submitter Number:	353	Submitter:	Michael Anderson
Point Number	353.1		
Summary of Decision Requested:	Add strong precautionary and prohibitive policies and rules relating to the management of genetically modified organisms (GMOs), the same or similar to the Far North District Plan, Whangarei District Plan and the Auckland Unitary Plan.		
Decision Reasons:	<ul style="list-style-type: none"> The submission references provisions allowed under the Resource Management Act 1991 and pursuant to the ruling in Federated Farmers of New Zealand v Northland Regional Council [2015] NZEnC 89. Release of genetically modified organisms has a potential to cause significant adverse effects on the environment, including the following: <ol style="list-style-type: none"> biological or ecosystem harm; harm to tangata whenua cultural values such as mauri and tikanga; harm to the cultural values and lifestyle decisions of people and communities at a local level concerning what constitutes their wellbeing; harm from genetically modified organism contamination to existing or potential forms of land use including farming, forestry and other primary production activities dependent on an uncontaminated environmental brand; Adverse effects to these land uses could include loss of organic and GMO-free certification, reputational damage, loss of markets and premiums paid for GMO free produce and loss of livelihood. Conditions of consent may be breached by poor management, human error, natural events. Once GMOs have been released they would be very difficult, if not impossible to eradicate. Application of integrated management and precautionary approach to GMOs under the RMA is the best technique for managing potential adverse effects. It is consistent with the sustainable management purpose and Part II of the RMA to establish district plan provisions that manage the release, location and management of GMOs where they have the potential to adversely affect the environment. 		

Submitter Number:	354	Submitter:	Peter & Janette Middlemiss
Point Number	354.1		
Summary of Decision Requested:	Amend the Rural Zone to have three sub-zoning categories to accommodate the diversity of the area rather than just one blanket zone.		
Decision Reasons:	<ul style="list-style-type: none"> To accommodate the diversity of the area rather than one blanket zoning. Potential zone categories would be need to be discussed. Rural zoning encompasses all rural land regardless of size contour, location and what subdivisions have already been approved in the past. Understands that Council wish to conserve arable farming land. Some land does not lend itself to profitable land uses, therefore should not be categorised with the profitable land when zoned. Accommodate growth by increasing the availability of the less productive land for subdivision e.g. land in Ngaruawahia and Huntly areas The Ngaruawahia area is becoming increasingly sought after due to its easy travelling distance to Hamilton and Auckland. There is a need to provide a broad spectrum of land use environments to accommodate residential, rural, residential, lifestyle, farming, industrial and recreational lands. The District Plan in its current form does not accommodate these land use needs. 		

Point Number 354.2

Summary of Decision Requested: **Delete** restrictions in Rule 22.4.1.2(a)(i) General Subdivision for Record of Title date.
OR
Amend Rule 22.4.1.2(a)(i) if the Rural Zone is tiered, e.g. any lot less than 8,000m2 cannot be further divided.

Decision Reasons:

- Rule outdated
- Should be removed from current plan structure
- Could be incorporated in a different form if the Rural Zone is tiered, e.g. lots less than 8,000m2 cannot be further subdivided.

Point Number 354.3

Summary of Decision Requested: **Delete** restrictions in Rule 22.4.1.2(a)(ii) General Subdivision for minimum qualifying title size of 20ha, particularly for those properties where bordering titles are less than the 20 hectare limit.

Decision Reasons:

- In areas where surrounding/bordering titles are less than 20 ha, this part of the rule needs removing.
- Some property sizes are approximately 5,000m2, 2, 4, 6 and 17 ha e.g. Te Puroa and Waipa Heights Roads.

Point Number 354.4

Summary of Decision Requested: **Amend** restrictions in Rule 22.4.1.2(a)(iv) General Subdivision, requiring the additional lot size being between 8,000m2 and 1.6ha.

Decision Reasons:

- The upper limit of this rule is not realistic and requires increasing or being negotiable. For example where a block is less than 20ha in an already subdivided area or a larger property where subdivision is required for inheritance or family reasons.
- Sizes should be negotiable or tiered in the Rural zone.
- There needs to be a distinction between 'life style' properties and larger properties.

Point Number 354.5

Summary of Decision Requested: **Amend** restrictions in Rule 22.4.1.2(a)(v) General Subdivision, such that the high class soil criteria is negotiable in some circumstances.

Decision Reasons:

- In some circumstances percentage should be negotiable.
- Rural Zoning encompasses all rural classified land regardless of size, contour, locations or what subdivision have been allowed in the past for example Te Puroa Road, Waipa Heights Road, Hill Side Heights Road, Huntly, Kimihia and James Road, Huntly.
- Need to consider Waikato Regional Council requirements to fence off waterways or retire areas at risk of erosion.
- This will further reduce areas of smaller properties rendering them less able to generate income if the percentage of area is significant due to multiple waterways on a property.
- Property at 495 Te Puroa Road has three different water sources in the bottom of each gully.
- Due to property at 495 Te Puroa Road being under 20 hectares this will reduce the amount of land available for our use.
- Subdivision is already part of the character of the immediate area and should be considered correct and proper use of the land.

Point Number 354.6

Summary of Decision Requested: **Delete** Rule 22.4.1.2 (a)(iii) General Subdivision.

Decision Reasons:

- This part of the rule should not be applied to all subdivision.
- If the Rural Zone is tiered, this could be addressed an applied to those larger properties with a commercial land use.

Submitter Number: 355 **Submitter:** Scott & Tina Ferguson

Point Number 355.1

Summary of Decision Requested: **Retain** Objective 5.1.1. The rural environment, as notified.

Decision Reasons:

- The Waikato District has valuable areas of high class soils which are of primary importance for food production both regionally and nationally.
- Protecting these soils from adverse effects of inappropriate use and development is of national importance and is recognised with a National Policy Statement for Versatile Land and High Class Soils under consideration.
- Urban subdivision is an inefficient use of rural production land.
- Urban subdivision, particularly ad-hoc subdivision, may undermine the integrated development of identified townships and expansion areas.
- Agree that urban development in the rural environment is contrary to the intent of the Proposed District Plan and should be avoided.

Point Number 355.2

Summary of Decision Requested: **Retain** Objective 5.2.1 Rural resources, except for the amendments sought below
AND
Amend Objective 5.2.1(a)(i) Rural resources as follows:
(a) Maintain or enhance the:
(i) Inherent life-supporting capacity, accessibility, and versatility of soils, in particular high class soils;
...

Decision Reasons:

- Accessibility to versatile land is also a key consideration in managing this resource and should be included in this policy.

Point Number 355.3

Summary of Decision Requested: **Retain** Policy 5.2.2. High class soils, as notified.

Decision Reasons:

- Policy 5.2.2 seeks to retain high class soils and ensure adverse effects do not compromise the life support properties of high class soil.

Point Number 355.4

Summary of Decision Requested: **Retain** Objective 5.3.1 Rural character and amenity, except for the amendments sought below

AND

Amend Objective 5.3.1 Rural character and amenity, as follows:

Rural character and amenity are maintained while recognising the localised character of different parts of the District.

Decision Reasons:

- Supports the intent of the objective but needs recognition of the variation of what defines rural character and amenity values across a large District.
- The Waikato District encompasses coastal areas, hill country comprising large landholdings and primarily pastoral uses and smaller landholdings which is used for higher value production activities such as intensive cropping, greenhouses etc.
- Consideration of "Rural Character" should take into account the unique variables of the locality including land holding pattern, built form, landuse activities, vegetation and geomorphology.

Point Number 355.5

Summary of Decision Requested: **Retain** Rule 22.4.1.2 (a)(i) – (iii) General Subdivision, as notified.

Decision Reasons:

- The submitter supports the inclusion of the General Subdivision rules.

Point Number 355.6

Summary of Decision Requested: **Amend** Rule 22.4.1.2 General Subdivision to create new discretionary activities, as follows:

DI

(a) General subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.2 (iv) RD I.

(b) General subdivision around established rural activities that does not comply with Rule 22.4.1.2 (iv) RD I.

Decision Reasons:

- General Subdivision creating a child lot around an existing dwelling, where a curtilage is established and farming regime is already in place on the balance lot, should be provided flexibility in lot size to ensure that the existing farming regime can continue.
- Ensure the boundaries proposed are a practical outcome to ensure the most efficient ongoing management of the land. A lot size consistent with the established farming regime will avoid the redevelopment of farm tracks and fence lines to access what is a relatively small piece of land.
- A discretionary rule should also be provided for lots less than 8,000m² and greater than 1.6ha where they contain an existing dwelling.
- There may be site specific factors that create a unique situation that is conducive to the proposed lot size whilst remaining consistent with the objectives and policies.
- For lots smaller than 8000m², it is only necessary to confirm the provision of services within the lot boundaries.
- Lots greater than 1.6ha may need an assessment with respect to the productive potential of the land. If the land comprises existing curtilage around the house then the lot will not result in any unreasonable effects with respect to the productive potential of the balance land. If the land comprises productive potential, then a Farm Management report should be provided to demonstrate that the both the proposed lot and the balance lot are sized to ensure rural land uses continue to predominate.
- Creation of lots that accommodate existing and well-established rural activities where these are of a viable, sustainable and permanent nature, and it is appropriate for these to be subdivided from other rural activities on the site should be provided for.

Point Number 355.7

Summary of Decision Requested: **Delete** Rule 22.4.1.2(a)(v) General Subdivision

AND

Add a new matter of discretion to Rule 22.4.1.2 (b) General Subdivision, as follows:

(b)(vi) Effects on rural productivity and fragmentation of high class soils.

Decision Reasons:

- The strict and arbitrary 80/20 requirement of this rule though may not necessarily result in the best layout, design or farming outcome for the site.
- The objectives and policies (5.1.1, 5.2) give primacy to the protection of high class soils.
- In addition to the objectives and policies (5.2), the submitter would like to see matters relating to the retention of high class soils and the maintenance of productivity/farming systems addressed as a matter of discretion for the General Subdivision provisions. The strength of the objectives and policies together with expanded matters of discretion are sufficiently strong to ensure adverse outcomes on high class soils are avoided.
- The requirement to demonstrate the 80/20 split will result in the necessary inclusion of Landuse Capability Reporting to demonstrate that this exact figure is met. This becomes an additional compliance cost that does not necessarily result in a better environmental outcome. Council's Consent Planners should have the discretion of where these are required in accordance with the recommended matter of discretion.

Point Number 355.8

Summary of Decision Requested: **Retain** Rule 22.4.1.2(a)(iv) General subdivision.

Decision Reasons:

- Creation of a vacant lot between 8,000m² and 1.6ha is supported as a Restricted Discretionary activity.

Point Number 355.9

Summary of Decision Requested: **Retain** Policy 5.3.8 Effects on rural character and amenity from rural subdivision, except for the amendments sought below
AND
Amend Policy 5.3.8 Effects on rural character and amenity from rural subdivisions, as follows:
~~(b) Ensure development does not compromise the predominant open space, character and amenity of rural areas.~~
...
(d)(ii) Maintenance of the localised rural character and amenity of the surrounding rural environment;
(e) ... ensure that localised rural character and amenity values are maintained.

Decision Reasons:

- Policy 5.3.8 (b) duplicates Policy 5.3.8(d)(ii) and 5.3.8(e) which both seek to ensure that rural character and amenity are maintained.
- Not all rural areas comprise open space character and amenity.
- The district's rural character is varied in nature and comprises landscapes, landforms and structures and are areas of active and dynamic primary production and associated activities rather than necessarily benign landscapes.
- Rural landscapes can be visually altered by structures and buildings such as greenhouses and packhouses and are recognised as important components of primary production activities which form part of the rural environment.

Point Number 355.10

Summary of Decision Requested: **Amend** the activity status for Rule 22.4.1.1 PR1, PR2, PR3 and PR4 Prohibited subdivision from Prohibited to Non-Complying Activities.

Decision Reasons:

- There may be circumstances where the subdivision of high class soils has overall positive effects that can be supported by the objectives and policies. Relocating consented lots within a holding (multiple Records of Title held in the same ownership) may produce a better outcome from a farming and landscape perspective.
- In some instances it may be unavoidable to create an additional Record of Title.
- The rule relies on a definition of "High Class Soils". High class soils as defined in the Proposed Plan (relying on soil classification only), may not be versatile due to a range of factors identified through case law.
- It is unreasonable to prohibit the creation of lots that accommodate existing and well-established rural activities which are viable and sustainable such as greenhouses, packhouse, packing sheds, intensive farming, poultry hatcheries or commercial orchards.
- Rural activities do not need to be held on the same certificate of title as other rural activities. Subdivision may enable more opportunities for economic wellbeing and the efficient and effective operation of the activity.
- Commercial reasons could necessitate subdivision including the desire to sell or lease the business, rather than disposal of the entire property or the need to invest more capital in the operation.
- This activity status prevents opportunities for subdivision where there is a significant capital investment, particularly in buildings and the intensive rural activity will continue to be commercially viable and sustainable following separation from other rural activities on the site.
- PR4 unreasonably restricts subdivision potential over what is necessary to avoid undermining the intent of the rule under which these Record of Title were created. Rule 228 of the Franklin Section the donor certificates of title had to meet a minimum area of 1ha each, however, there is no maximum, with many donor Records of Title ranging upwards from 20ha prior to the amalgamation, under the Franklin Section of the District Plan there was no corresponding rule that limited any further subdivision of the donor lot. While subdividing lots amalgamated under Section 22b of the Franklin Section require closer scrutiny this should merit a Non-Complying Activity status. The land affected may contain qualifying Significant Natural Areas or may be able to relocate boundaries without creating an outcome that may compromise the prior transferable subdivision.
- The objectives and policies of the Proposed Plan should be sufficiently strong to ensure that the subdivision of land containing high class soils is protected and that subdivision in the Urban Expansion Zone does not undermine the integrated and efficient development of this zone.

Point Number 355.11

Summary of Decision Requested: **Amend** Rule 22.4.1.1 Prohibited subdivision to replace "lot" with "Record of Title".

Decision Reasons:

- It may be necessary to create multiple lots and hold them in one Record of Title. This may occur where a stream or a public road bisects land held together in one Record of Title.

Submitter Number: 356 **Submitter:** Robert & Colleen Endicott

Point Number 356.1

Summary of Decision Requested: **Amend** Rule 22.4.1.2 General Subdivision, to delete restrictions on subdivision of rural land smaller than 20ha and to delete the requirement that a title issued prior to 1997.

Decision Reasons:

- These restrictions are unreasonable in regards to existing land holdings that are already too small to be an economic farming unit.

Submitter Number: 357 **Submitter:** Colin John Wood

Point Number 357.1

Summary of Decision Requested: **Remove** walkway from the property located at 493 Old Taupiri Road, Hopuhopu.

Decision Reasons:

- The submitter states that a lot of money was spent on the River Bank when it slipped a few years ago.

Submitter Number: 358 **Submitter:** Caroline Swann

Point Number 358.1

Summary of Decision Requested: **Amend** the extent of the Significant Natural Area on the property at 1384 Whaanga Road, Raglan by reducing the size (see map attached to the submission).

Decision Reasons:

- Kanuka/Manuka is a regenerated tree over grassland. These trees are not significant compared to other areas on this farm.

Point Number 358.2

Summary of Decision Requested: Amend Rule 22.2.7 P2 Indigenous vegetation clearance inside a Significant Natural Area, by deleting 5m3 and the words "outside the coastal environment".

Decision Reasons:

- 5m3 is not enough for heating needs within the coastal environment.
- Need to be able to cut kanaka/manuka for firewood.

Point Number 358.3

Summary of Decision Requested: Amend the proposed Significant Natural Area on the property at 1384 Whaanga Road, Raglan, to exclude existing farm tracks.

Decision Reasons:

- To ensure sustainable farm operations can continue.

Submitter Number: 359 **Submitter:** Phillip Swann

Point Number 359.1

Summary of Decision Requested: Amend the size of the proposed Significant Natural Areas on the property at 1665 Whaanga Road, Raglan, to reflect areas of significant ecological value (see map attached to submission).

Decision Reasons:

- Parts of the proposed Significant Natural Area are of low ecological value.
- Comprises recently regenerated Kanuka as well as exotic species and pest species including woolly nightshade and gorse.
- This area has been sustainably farmed for the past 100 years.
- These areas are important parts of the farm and the loss of these productive areas will seriously impact on the economic value of the farm.
- There are areas of vegetation that are of greater significance (see the map attached to the submission for further detail).

Point Number 359.2

Summary of Decision Requested: Amend the area of the Significant Natural Area on the property at 1665 Whaanga Road, Raglan, to exclude existing farm tracks.

Decision Reasons:

- This is to ensure sustainable farm operations can continue.

Point Number 359.3

Summary of Decision Requested: Amend Rule 22.2.7 P2 Indigenous vegetation clearance inside a Significant Natural Area, by deleting "5m3" and replacing it with "1 per cent" AND Delete the words "outside the coastal environment" from Rule 22.2.7 P2 Indigenous vegetation clearance inside a Significant Natural Area.

Decision Reasons:

- 5m3 is insufficient to provide for the heating needs of farms, especially those with more than one dwelling.
- A 1 per cent allowance would have no adverse affects on sustainable management of the resource, or on ecological values.
- Excluding the coastal environment from the firewood allowance is unnecessary and unreasonable.

Point Number 359.4

Summary of Decision Requested: Amend Rule 22.2.3.3 Earthworks - Significant Natural Areas to permit earthworks, to construct new tracks through Significant Natural Areas.

Decision Reasons:

- Rule 22.2.3.3 is silent about construction of new tracks in Significant Natural Areas. New tracks should be permitted to enable ongoing farming operations and farm development.

Submitter Number: 360 **Submitter:** Kwanghoon Yang

Point Number 360.1

Summary of Decision Requested: Amend zoning of the properties on the western side of Helenslee Road and north of Munro Road and Huia Road, Pokeno (see maps included in the submission) Residential to Rural Zone.

Decision Reasons:

- The proposed re-zoning does not include 166 Pokeno Road, which is in the same Central Rural Area.

Point Number 360.2

Summary of Decision Requested: Amend the zoning of the property at 7 Munro Road, Pokeno, from Rural Zone to Residential Zone.

Decision Reasons:

- The site is within 400m of the bus route.
- The property is within the Central Rural Area, same as the properties proposed as Residential Zone on the western side of Helenslee Road.
- The zoning of land on the northern side of the railway line should match that on the southern side of the railway line on Pokeno Road.
- The property is surrounded by three roads so has easy access for residential dwellings.

Submitter Number: 362 **Submitter:** CYK Limited

Point Number 362.1

Summary of Decision Requested: **Retain** Policy 3.2.8 Incentivise subdivision, except for the amendments sought below

AND

Add to Policy 3.2.8 Incentivise subdivision, as follows:

(b) Incentivise subdivision in the Rural zone when there is the enhancement and/or restoration of biodiversity, legal and physical protection of areas that are of a suitable size and meet the Criteria for Determining Significance of Indigenous Biodiversity.

Decision Reasons:

- Support incentivising the protection of existing biodiversity with the ability to subdivide subject to meeting certain criteria.
- Policy 3.2.8 needs to be expanded to include provision for the enhancement and/or restoration of areas, when once restored, would be of a suitable size and quality to achieve a functioning ecosystem. Appendix 2 of the Proposed Plan - 'Criteria for Determining Significance of Indigenous Biodiversity' could provide the basis for assessing the eligibility of these areas. Eligible areas would likely be wetlands and waterways which are degraded in the Waikato District due to farming activities such as stock and cropping.
- Incentivising restoration is in line with The Vision and Strategy for the Waikato River.

Point Number 362.2

Summary of Decision Requested: **Retain** Objective 5.1.1 The Rural Environment, as notified.

Decision Reasons:

- The Waikato District encompasses valuable areas of high class soils that are of primary importance for food production both regionally and nationally.
- Protecting soils from adverse effects of inappropriate use and development may impact life-supporting capacity.
- This is of national importance, and is now being recognised with a NPS for Versatile Land and High Class Soils under consideration.
- Urban subdivision is an inefficient use of rural production land.
- Urban subdivision, particularly ad-hoc subdivision, may undermine the integrated development of identified townships and expansion areas.
- The strength of wording in this objective is supported.
- Agree that urban development within the Rural Environment is an outcome contrary to the intent of the Proposed Plan and should be avoided.

Point Number 362.3

Summary of Decision Requested: **Retain** Objective 5.2.1 (a)(i) Rural Resources, except for the amendments sought below

AND

Amend Objective 5.2.1 (a)(i) Rural Resources, as follows:

(a) Maintain or enhance the:

(i) Inherent life-supporting capacity, accessibility, and versatility of soils, in particular...

Decision Reasons:

- Support sub-policy (i) to maintain or enhance the life-supporting capacity and versatility of soils.
- Accessibility to versatile land is also a key consideration in managing this resource.
- Support the enhancement and/or restoration of natural ecosystems, surface and ground water quality, and the natural characteristics of fresh waterbodies and coastal waters as set in sub-parts ii, iii and iv of this Policy.
- A method of enhancement should be incentivising the stock exclusion, restoration of biodiversity, and protection of waterways through rural subdivision.
- Providing for conservation lot subdivision via enhancement and/or restoration would enable this policy.

Point Number 362.4

Summary of Decision Requested: **Retain** Policy 5.2.2 High Class Soils.

Decision Reasons:

- Supports the policy which seeks to retain high class soils and ensure adverse effects do not compromise the life support properties of high class soil.

Point Number 362.5

Summary of Decision Requested: **Retain** Policy 5.2.3 (b) Effects of subdivision and development on soils, except for the amendments sought below

AND

Amend Policy 5.2.3 (b) Effects of subdivision and development on soils, as follows:

(b) Subdivision which provides a range of lifestyle options is directed away from high class soils and/or where indigenous biodiversity is being protected, enhanced, and/or restored (with plantings).

Decision Reasons:

- Supports provisions that incentivise protection, enhancement and/or restoration of biodiversity values within the Waikato District through subdivision.

- This Policy only provides for subdivision where existing indigenous biodiversity is being protected.
- There are a number of waterways and wetlands in the Rural Zone of the Waikato District that would benefit from stock exclusion (through fencing) and enhancement and/or restoration.
- The cost of full restoration is approximately \$45,000 + GST per ha (excluding fencing of revegetated areas from stock).
- Subdivision offers an incentive for landowners to undertake restoration works which they would be unlikely to do without a financial offset.
- To allow for the protection and/or restoration, particularly of water ways, would achieve the outcome sought in Policy 5.2.1(a)(iii), being the enhancement of water quality.
- Would support Policy 3.1.2 which seeks enhancement of indigenous biodiversity values through planting, pest control and other biosecurity measures.
- The Vision and Strategy for the Waikato River seeks restoration of the health and wellbeing of the Waikato River Catchment - improvements over time.
- Incentivising the fencing and restoration of waterways in the Waikato District would contribute positively to the improvement of water quality and achieving the objectives of the Vision and Strategy.

Point Number 362.6

Summary of Decision Requested: **Retain** Objective 5.3.1 (a) Rural character and amenity, except for the amendments sought below

AND

Amend Objective 5.3.1 (a) Rural character and amenity, as follows:

(a) Rural character and amenity are maintained while recognising the localised character of different parts of the District.

Decision Reasons:

- Support in part the intent of this objective, however, recognition of the variation of what defines rural character and amenity values across a large District is needed.
- The Waikato District encompasses coastal areas, hill country comprising large landholdings and primarily pastoral uses and smaller landholdings, particularly in the northern part of the District which is used for higher value production activities such as intensive cropping, greenhouses etc.
- Consideration of 'Rural Character' should take into account the unique variables of the locality including land holding pattern, built form, landuse activities, vegetation and geomorphology.

Point Number 362.7

Summary of Decision Requested: **Retain** Policy 5.3.8 Effects on rural character and amenity from rural subdivision, except for the amendments sought below

AND

Amend Policy 5.3.8 Effects on rural character and amenity from rural subdivision as follows:

(a) Protect productive rural areas by directing urban forms of subdivision, use, and development to within the boundaries of towns and villages.

~~(b) Ensure development does not compromise the predominant open space, character and amenity of rural areas.~~

(c) Ensure subdivision, use and development minimise the effects or ribbon development.

(d) Rural hamlet subdivision and boundary relocations ensure the following:

(i) Protection of rural land for productive purposes;

(ii) Maintenance of the localised rural character and amenity of the surrounding rural environment;

(iii) Minimisation of cumulative effects.

(e) Subdivision, use and development opportunities ensure that localised rural character and amenity values are maintained.

Decision Reasons:

- Policy 5.3.8(b) duplicates (d)(ii) and (e) which both seek to ensure that rural character and amenity are maintained.
- Not all rural areas comprise open space character and amenity. It is recognised that the district's rural character is varied in nature and comprises landscapes, landforms and structures.
- These are also areas of active and dynamic primary production and associated activities rather than necessarily benign landscapes.
- It should be recognised that rural landscapes can be visually altered by structures and buildings such as greenhouses and packhouses.
- These are recognised as important components of primary production activities and form part of the rural environment and are generally considered rural in appearance and value.

Point Number 362.8

Summary of Decision Requested: **Retain** the definition for "Significant Natural Area" in Chapter 13: Definitions, except for the amendments sought below

AND

Amend the wording of the definition for "Significant Natural Area" in Chapter 13: Definitions, as follows:

Means an area of significant indigenous biodiversity that is identified as a Significant Natural Area of the planning maps or has been assessed as meeting one or more of the Criteria for Determining Significance of Indigenous Biodiversity (Appendix 2) by a suitably qualified Ecologist.

Decision Reasons:

- Support the inclusion of Significant Natural Area's definition.
- Would like to see definition expanded to also include areas that have been assessed by a suitably qualified Ecologist as meeting one or more of the criteria in Appendix 2 of the Proposed Plan - *Criteria for Determining Significance of Indigenous Biodiversity*.
- Aligns with the wording of the Conservation Lot Subdivision provisions which allow for subdivision where an identified as Significant Natural Area is being protected or an area meeting the Criteria for Determining Significance of Indigenous Biodiversity.

Point Number 362.9

Summary of Decision Requested: **Amend** the activity status for Rule 22.4.1.1 PR1, PR2, PR3 and PR4 Prohibited Subdivision, from Prohibited to Non Complying activities.

Decision Reasons:

- There may be circumstances where the subdivision of high class soils has overall positive effects that can be supported by the objectives and policies.
- It is fanciful to think that every subdivision on high class soil would result in a significant adverse effect on the environment.
- Relocating consented lots within a holding (multiple Records of Title held in the same ownership) may produce a better outcome from a farming and landscape perspective.
- There are circumstances where it may be unavoidable to create an additional Record of Title, i.e. where a title is limited as to parcels and held together by covenant.
- The rule relies on a definition of High Class Soils.
- High class soils as defined in the Proposed Plan, (relying on soil classification only), may not be versatile due to a range of factors identified through case law.
- Unfair and unreasonable to prohibit the creation of lots that accommodate existing and well-established rural activities where these are of a viable, sustainable and permanent nature and it is appropriate for these to be subdivided from other rural activities on the site.
- Established rural activities include greenhouses, packhouses, packing sheds, intensive farming, poultry hatcheries or commercial orchard activities.
- Rural activities do not need to be held on the same certificate of title as other rural activities, and there may be circumstances where subdivision enables more significant opportunities for economic wellbeing and the efficient and effective operation of the activity.
- A number of commercial reasons could necessitate subdivision including the desire to sell or lease the business rather than having no other option but to dispose of the entire property, or the need to invest more capital in the operation.
- The prohibited activity status prevents opportunities for subdivision where there is a significant capital investment, particularly in buildings and the intensive rural activity will continue to be commercially viable and sustainable in the long-term following its separation from other rural activities on the site.
- PR4 states any subdivision of a lot previously amalgamated for the purpose of a transferable lot subdivision is prohibited. This rule may unreasonably restrict the subdivision potential over and above what is necessary to avoid undermining the intent of the rule under which these Records of Title were created. Under Rule 22B of the Franklin Section, the donor certificates of title had to meet a minimum area of 1ha each. However there is no maximum, with many donor Records of Title ranging upwards from 20ha prior to the amalgamation. We also note that under the Franklin Section of the District Plan there were no corresponding rules that limited any further subdivision of the donor lot. While subdividing lots amalgamated under Section 22B of the Franklin Section require closer scrutiny this should merit a Non-Complying status only. The land affected may contain qualifying Significant Natural Areas or may be able to relocate boundaries with a neighbour without creating an outcome that may compromise the prior transferable subdivision.
- The objectives and policies of the Proposed Plan should be sufficiently strong to ensure that the subdivision of land containing high class soils is protected in the Rural Zone from inappropriate subdivision and development and that subdivision in the Urban Expansion Area does not undermine the integrated and efficient development of this zone.

Point Number 362.10

Summary of Decision Requested: Retain Appendix 2 Criteria for Determining significance of Indigenous Biodiversity.

Decision Reasons:

- Support the inclusion of the criteria for determining significance of indigenous biodiversity.

Point Number 362.11

Summary of Decision Requested: Add a new discretionary activity to Rule 22.4.1.6 Conservation lot subdivision, as follows:

DI

(a) Conservation lot subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.6(vi-vii) RDI.

(b) Conservation lot subdivision around established rural activities that does not comply with Rule 22.4.1.6(vi-vii) RDI.

Decision Reasons:

No reasons provided.

Point Number 362.12

Summary of Decision Requested: Retain Rule 22.4.1.2 (a)(iv) General Subdivision.

Decision Reasons:

- Creation of a vacant lot between 8,000m² and 1.6ha is supported as a Restricted Discretionary activity.

Point Number 362.13

Summary of Decision Requested: Amend Rule 22.4.1.1 Prohibited subdivision, to replace references to "lot" with "Record of Title".

Decision Reasons:

- It may be necessary to create multiple lots and hold them in one Record of Title. This may occur where a stream or a public road bisects land held together in one Record of Title.

Point Number 362.14

Summary of Decision Requested: Retain Rule 22.4.1.2 (a)(i) – (iii) General Subdivision, as notified.

Decision Reasons:

- Supports the inclusion of General Subdivision provisions.

Point Number 362.15

Summary of Decision Requested: Retain Rule 22.4.2.2 General subdivision, except for the amendments sought below

AND

Amend Rule 22.4.2.2 General subdivision to add new discretionary activities as follows:

DI

(a) General subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.2 (iv) RDI.

(b) General subdivision around established rural activities that does not comply with Rule 22.4.1.2 (iv) RDI.

Decision Reasons:

- General subdivision creating a child lot around an existing dwelling, where a curtilage is established and farming regime is already in place on the balance lot, should be provided flexibility in lot size to ensure that the existing farming regime can continue.
- This will ensure the boundaries proposed are a practical outcome to ensure the most efficient ongoing management of the land and not to meet an arbitrary rule.
- A lot size consistent with the established farming regime will avoid the redevelopment of farm tracks and fence lines to access what is a relatively small piece of land.

- A discretionary rule should be provided for lots less than 8,000m² and greater than 1.6ha where they contain an existing dwelling.
- There may be site specific factors that create a unique situation that is conducive to the proposed lot size whilst remaining consistent with the objectives and policies and achieving the anticipated environmental results.
- For lots smaller than 8,000m² it is only necessary to confirm the provision of services within the lot boundaries.
- Lots greater than 1.6ha may need an assessment with respect to the productive potential of the land.
- If the land comprises existing curtilage around the house then the lot will not result in any unreasonable effects with respect to the productive potential of the balance land.
- If the land comprises productive potential, then a Farm management report should be provided to demonstrate that the both the proposed lot and the balance lot are sized to ensure rural land uses continue to predominate.
- The creation of lots that accommodate existing and well-established rural activities where these are of a viable, sustainable and permanent nature and it is appropriate for these to be subdivided from other activities on the site should be provided for.

Point Number 362.16

Summary of Decision Requested: Delete Rule 22.4.1.2(a)(v) General Subdivision

AND

Add a new matter of discretion to Rule 22.4.1.2, as follows:

(b)(vi) Effects on rural productivity and fragmentation of high class soils.

Decision Reasons:

- There is no analysis in the s32 report regarding the relevance or practicality of this rule.
- The submitter agrees with the intent of this rule, which is to design subdivision to avoid the fragmentation of the high class soils.
- The strict and arbitrary 80/20 requirement of this rule may not necessarily result in the best layout, design or farming outcome for the site.
- The objectives and policies (5.1.1, 5.2) give primacy to the protection of high class soils.
- In addition to the objectives and policies (5.2), the submitter would like to see matters relating to the retention of high class soils and the maintenance of productivity/farming systems addressed as a matter of discretion for the General Subdivision provisions.
- The objectives and policies together with expanded matters of discretion are sufficiently strong to ensure adverse outcomes on high class soils are avoided.
- The requirement to demonstrate the 80/20 split will result in the necessary inclusion of Landuse Capability Reporting with every subdivision application under the General Provisions to demonstrate that this exact figure is met. This becomes an additional compliance cost that does not necessarily result in a better environmental outcome.
- Consent planners should have the discretion of where these are required in accordance with the recommended matter of discretion.

Point Number 362.17

Summary of Decision Requested: Amend clauses (a) and (b) in Rule 22.4.1.6 (a) Conservation Lot subdivision, as follows:

(a) The subdivision must comply with all of the following conditions:

(i) The lot must contain a contiguous area of existing Significant Natural Area either as shown on the planning maps or as determined by an experienced and suitably qualified ecologist, or a contiguous area, to be enhanced and/or restored in accordance with the table below:

...

(ii) The area of Significant Natural Area, or area to be enhanced and/or restored, is assessed by a suitably qualified person as satisfying at least one criteria in Appendix 2 (Criteria for Determining Significance of Indigenous Biodiversity);

(iii) The Significant Natural Area, or area to be restored, is not already subject to a conservation covenant pursuant to the Reserves Act 1977 or the Queen Elizabeth II National Trust Act 1977-legal protection;

(iv) The subdivision proposes to legally protect all areas of Significant Natural Area, or area to be restored; by way of a conservation covenant pursuant to the Reserves Act 1977 or the Queen Elizabeth II National Trust Act 1977;

(v) An ecological management plan is prepared to address ongoing management of the ~~covenant~~ protected area to ensure that the Significant Natural Area area to be protected is self-sustaining and that plan:

A. Addresses fencing requirements for the ~~covenant~~ protected area;

B. Addresses ongoing pest plant and animal control;

C. Identifies any enhancement and/or restoration or edge planting required within the ~~covenant~~ area to be protected;

(vi) All proposed lots are a minimum size of 8,000m²;

(vii) All proposed lots excluding the balance lot, must each have a maximum area of 1.6ha;

(viii) This rule or its equivalent in a previous district plan has not previously been used to gain an additional subdivision entitlement;

(b) Council's discretion is restricted to the following matters:

(i) Subdivision layout and proximity of building platforms to Significant Natural Area the area to be protected;

(ii) Matters contain in an ecological management plan for the ~~covenant~~ protected area;

(iii) Effects of the subdivision on localised rural character and amenity values;

(iv) Extent of earthworks including earthworks for the location of building platforms and access ways.

(v) Mechanism of legal protection for the area to be protected.

Decision Reasons:

- Support the incentivisation of legally and physically protecting Significant Natural Areas and other areas of existing biodiversity which offers positive benefits for the Region.
- There is no provision for ecological enhancement and/or restoration in the Conservation Lot rules.
- There are significant biodiversity and water quality benefits to be gained from ecological enhancement particularly along waterways and wetland areas.
- Water quality is a key issue identified in the Regional Policy Statement and the Vision and Strategy.
- Recognised in the rural objectives and policies which seek enhancement of surface and ground water quality and the natural characteristics of waterways.
- The plan should be enabling of improving biodiversity and water quality within the Waikato Catchment and incentivise enhancement and/or restoration of areas that meet criteria in Appendix 2.
- Re-vegetation costs approximately \$45,000 per hectare.
- Incentivisation through subdivision would assist in offsetting this cost and encourage enhancement and/or restoration.
- Seek that provisions for ecological enhancement and/or restoration of appropriate areas be included.
- Minimum areas for enhancement and/or restoration should be in accordance with Rule 22.4.1.6.
- Rule 22.4.1.6 ii requires the legal protection of the conservation feature.
- Other forms of legal protection, such as the vesting of the conservation area in Council ownership (esplanade reserve) or by S221 consent notice may be appropriate.
- Suggest that this rule require legal protection only and leave the mechanism of protection to discretion of Council.
- Rule 22.4.1.6 (vi) requires a minimum area of 8,000m², flexibility for lot area should be provided where dwellings or established rural activities exist. This avoids unnecessary fragmentation of productive land. This could be addressed as a matter of discretion.

Submitter Number: 363

Submitter:

Divina Libre

Point Number 363.1

Summary of Decision Requested: **Amend** the zoning for the land located between the Waikato Expressway and the Tamahere Country Living Zone (which includes Yumelody Lane) from Rural Zone to Country Living Zone.

Decision Reasons:

- The land around Yumelody Lane is already subdivided into small lots.
- The land is not suitable or economic for farming.
- The land is suitable for Country Living Zone because it is adjacent to the Tamahere Country Living Zone and cut off from other rural areas by the Expressway.

Point Number 363.2

Summary of Decision Requested: **Retain** Rule 22.3.2 (P1) Minor dwelling, and ensure that it does not include reference to dependent persons in the rule.

Decision Reasons:

- There is no need to stipulate that dependent persons live in a minor dwelling.

Point Number 363.3

Summary of Decision Requested: **Delete** Rule 22.3.2 (P1)(b)(i) Minor dwelling, that requires minor dwellings to be within 20m of the main dwelling.

Decision Reasons:

- This requirement for minor dwellings to be within 20m of the main dwelling is unnecessary.
- Takes no account of the topography or other features of the land.
- A better site on the land may be further away.

Point Number 363.4

Summary of Decision Requested: **Amend** the Significant Natural Area near Yumelody Lane further along the gully, past 60 Yumelody Lane.

Decision Reasons:

Significant bird life wild life and large trees in the gully adjacent to 60 Yumelody land that justify this being a Significant Natural Area.

Submitter Number: 364 **Submitter:** Michael Innes

Point Number 364.1

Summary of Decision Requested: **Retain** Objective 5.1.1 The rural environment.

Decision Reasons:

- Waikato District encompasses valuable areas of high class soils that are important for food production both regionally and nationally.
- Protecting these soils from adverse effects of inappropriate use and development that may impact their life supporting capacity is of national importance which is now being recognised with a National Policy Statement for versatile land and High Class Soils).
- Urban subdivision is an inefficient use of rural production land.
- Urban subdivision, particularly ad-hoc subdivision may undermine the integrated development of identified townships and expansion areas.
- Support strength of wording in this objective and agree that urban development is contrary to the intent of the Proposed District Plan and should be avoided.

Point Number 364.2

Summary of Decision Requested: **Retain** Objective 5.2.1 Rural resources, except for the amendments sought below
AND
Amend Objective 5.2.1(a)(i) Rural resources, as follows:
Inherent life-supporting capacity, accessibility, and versatility of soils, in particular high class soils;

Decision Reasons:

- Support the maintenance or enhancement of life-supporting capacity and versatility of soils.
- Accessibility to versatile land is a key consideration in managing this resource.

Point Number 364.3

Summary of Decision Requested: **Retain** Policy 5.2.2. High class soils.

Decision Reasons:

- Support that the policy seeks to retain high class soils and ensure adverse effects do not compromise the life supporting properties of high class soil.

Point Number 364.4

Summary of Decision Requested: **Retain** Objective 5.3.1 Rural character and amenity, except for the amendment sought below
AND
Amend Objective 5.3.1(a)- Rural character and amenity, as follows:
Rural character and amenity are maintained while recognising the localised character of different parts of the District.

Decision Reasons:

- Support the intent of this objective. However recognition of the variation of what defines rural character and amenity values across a large District is needed.

- The Waikato District encompasses coastal areas, hill country comprising large landholdings and primarily pastoral uses and smaller landholding, particularly in the northern part of the District which is used for higher value production activities such as intensive cropping, greenhouses etc.
- Consideration of "Rural Character" should take into account the unique variables of the locality including land holding pattern, built form, landuse activities, vegetation and geomorphology.

Point Number 364.5

Summary of Decision Requested: Retain Rule 22.4.1.2 (a)(i) – (iii) General Subdivision, as notified.

Decision Reasons:

- Support the inclusion of the General Subdivision rules.

Point Number 364.6

Summary of Decision Requested: Retain Rule 22.4.1.2 General subdivision, except for the amendments sought below

AND

Amend Rule 22.4.1.2 General Subdivision to create new discretionary activities as follows:

D1

(g) General subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.2 (iv) RD1.

(b) General subdivision around established rural activities that does not comply with Rule 22.4.1.2 (iv) RD1.

Decision Reasons:

- General subdivision creating a child lot around an existing dwelling, where a curtilage is established and farming regime is already in place on the balance lot, should be provided flexibility in lot size to ensure that the existing farming regime can continue.
- This will ensure the boundaries proposed are a practical outcome to ensure the most efficient ongoing management of the land and not to meet an arbitrary rule.
- A lot size consistent with the established farming regime will avoid the redevelopment of farm tracks and fence lines to access what is a relatively small piece of land.
- A discretionary rule should be provided for lots less than 8,000m2 and greater than 1.6ha where they contain an existing dwelling.
- There may be site specific factors that create a unique situation that is conducive to the proposed lot size whilst remaining consistent with the objectives and policies and achieving the anticipated environmental results.
- For lots smaller than 8,000m2 it is only necessary to confirm the provision of services within the lot boundaries.
- Lots greater than 1.6ha may need an assessment with respect to the productive potential of the land.
- If the land comprises existing curtilage around the house then the lot will not result in any unreasonable effects with respect to the productive potential of the balance land.
- If the land comprises productive potential, then a Farm management report should be provided to demonstrate that the both the proposed lot and the balance lot are sized to ensure rural land uses continue to predominate. The creation of lots that accommodate existing and well-established rural activities where these are of a viable, sustainable and permanent nature and it is appropriate for these to be subdivided from other activities on the site should be provided for.

Point Number 364.7

Summary of Decision Requested: Delete Rule 22.4.1.2(a)(v) General Subdivision

AND

Add a new matter of discretion to Rule 22.4.1.2(b) General Subdivision, as follows:

(b)(vi) Effects on rural productivity and fragmentation of high class soils.

Decision Reasons:

- There is no analysis in the s32 report regarding the relevance or practicality of this rule.
- We agree with the intent of this rule, which is to design subdivision to avoid the fragmentation of the high class soils.
- The strict and arbitrary 80/20 requirement of this rule may not necessarily result in the best layout, design or farming outcome for the site.
- The objectives and policies (5.1.1, 5.2) give primacy to the protection of high class soils.
- In addition to the objectives and policies (5.2), would like to see matters relating to the retention of high class soils and the maintenance of productivity/farming systems addressed as a matter of discretion for the General Subdivision provisions.
- The strength of the objectives and policies together with expanded matters of discretion are sufficiently strong to ensure adverse outcomes on high class soils are avoided.
- The requirement to demonstrate the 80/20 split will result in the necessary inclusion of Landuse Capability Reporting with every subdivision application under the General Provisions to demonstrate that this exact figure is met.
- This becomes an additional compliance cost that does not necessarily result in a better environmental outcome.
- Consent planners should have the discretion of where these are required in accordance with the recommended matter of discretion.

Point Number 364.8

Summary of Decision Requested: Retain Rule 22.4.1.2(a)(iv) General subdivision.

Decision Reasons:

- Creation of a vacant lot between 8,000m2 and 1.6ha is supported as a Restricted Discretionary activity.

Point Number 364.9

Summary of Decision Requested: Retain Policy 5.3.8 Effects on rural character and amenity from rural subdivision, except for the amendments sought below

AND

Amend Policy 5.3.8 Effects on rural character and amenity from rural subdivision, as follows:

~~*(b) Ensure development does not compromise the predominant open space, character and amenity of rural areas.*~~

...

(d) Rural hamlet subdivision and boundary relocations ensure the following:

... *(ii) Maintenance of the localised rural character and amenity of the surrounding rural environment;*

...

(e) Subdivision, use and development opportunities ensure that localised rural character and amenity values are maintained.

Decision Reasons:

- Policy 5.3.8(b) duplicates (d)(ii) and (e) which both seek to ensure that rural character and amenity are maintained.
- Not all rural areas comprise open space character and amenity.

- It is recognised that the district's rural character is varied in nature and comprises landscapes, landforms and structures. These are also areas of active and dynamic primary production and associated activities rather than necessarily benign landscapes.
- It should be recognised that rural landscapes can be visually altered by structures and buildings such as greenhouses and packhouses. However these are recognised as important components of primary production activities, form part of the rural environment and are generally considered rural in appearance and value.

Point Number 364.10

Summary of Decision Requested: Amend the activity status for Rule 22.4.1.1 PR1, PR2, PR3 and PR4 Prohibited subdivision, from Prohibited to Non-Complying Activities.

Decision Reasons:

- There may be circumstances where the subdivision of high class soils has overall positive effects that can be supported by the objectives and policies.
- It is fanciful to think that every subdivision on high class soil would result in a significant adverse effect on the environment.
- Relocating consented lots within a holding (multiple Records of Title held in the same ownership) may produce a better outcome from a farming and landscape perspective.
- There are circumstances where it may be unavoidable to create an additional Record of Title, i.e. where a title is limited as to parcels and held together by covenant.
- The rule relies on a definition of High Class Soils. High class soils as defined in the Proposed Plan, (relying on soil classification only), may not be versatile due to a range of factors identified through case law.
- Unfair and unreasonable to prohibit the creation of lots that accommodate existing and well-established rural activities where these are of a viable, sustainable and permanent nature and it is appropriate for these to be subdivided from other rural activities on the site.
- Established rural activities include greenhouses, packhouses, packing sheds, intensive farming, poultry hatcheries or commercial orchard activities.
- Rural activities do not need to be held on the same certificate of title as other rural activities, and there may be circumstances where subdivision enables more significant opportunities for economic wellbeing and the efficient and effective operation of the activity.
- A number of commercial reasons could necessitate subdivision including the desire to sell or lease the business rather than having no other option but to dispose of the entire property, or the need to invest more capital in the operation.
- The prohibited activity status prevents opportunities for subdivision where there is a significant capital investment, particularly in buildings and the intensive rural activity will continue to be commercially viable and sustainable in the long-term following its separation from other rural activities on the site.
- PR4 states any subdivision of a lot previously amalgamated for the purpose of a transferable lot subdivision is prohibited.
- This rule may unreasonably restrict the subdivision potential over and above what is necessary to avoid undermining the intent of the rule under which these Records of Title were created.
- Under Rule 22B of the Franklin Section, the donor certificates of title had to meet a minimum area of 1ha each. However there is no maximum, with many donor Records of Title ranging upwards from 20ha prior to the amalgamation.
- We also note that under the Franklin Section of the District Plan there were no corresponding rules that limited any further subdivision of the donor lot.
- While subdividing lots amalgamated under Section 22B of the Franklin Section require closer scrutiny this should merit a Non-Complying status only. The land affected may contain qualifying Significant Natural Areas or may be able to relocate boundaries with a neighbour without creating an outcome that may compromise the prior transferable subdivision.
- The objectives and policies of the Proposed Plan should be sufficiently strong to ensure that the subdivision of land containing high class soils is protected in the Rural Zone from inappropriate subdivision and development and that subdivision in the Urban Expansion Area does not undermine the integrated and efficient development of this zone.

Point Number 364.11

Summary of Decision Requested: Amend Rule 22.4.1.1 Prohibited subdivision, to replace reference to "lot" with "Record of Title".

Decision Reasons:

- It may be necessary to create multiple lots and hold them in one Record of Title.
- This may occur where a stream or a public road bisects land held together in one Record of Title.

Submitter Number: 365 **Submitter:** Delta Property Group

Point Number 365.1

Summary of Decision Requested: Amend Rule 22.4.1.2 General Subdivision, to add a new restricted discretionary activity for records of title containing no high class soils and to allow a minimum lot area of 4ha on properties that do not contain high class soils as follows:

RD1 A1 - Record of Title containing High Class Soil:

(a)

RD2 A2 - Record of Title containing no High Class Soil:

(a) *Subdivision must comply with all of the follow conditions:*

(i) The Record of Title to be subdivided must not have previously been used to gain an additional subdivision entitlement under this Rule. (Note: A consent notice will be required on new Titles created under this Rule confirming no further subdivision under this Rule may be made);

(ii) The Record of Title to be subdivided must be at least 20 hectares in area;

(iii) The proposed subdivision must create no more than one additional lot, excluding an access allotment.

(iv) The additional lot must have a minimum lot area of 4ha;

(b) Council's discretion is restricted to the following matters:

...

Decision Reasons:

- There are many cases where there are rural sites that do not contain high class soils that could be potentially subdivided down to smaller sizes without compromising productivity or the character and amenity of the rural zone.
- This could be achieved by making a larger minimum lot size (with no maximum) and providing a one-time only provision to ensure subdivision retains rural character and amenity and ensures lot sizes are sufficiently sized for productive use.

Point Number 365.2

Summary of Decision Requested: Amend Rule 22.4.1.6 RD1 (a) Conservation Lot Subdivision, as follows:

(a)(i) The lots must contain an contiguous area of existing Significant Natural Area either as shown on the planning maps or as determined by an experienced and suitably qualified ecologist in accordance with the table below:

Contiguous area to be legally protected (hectares)	Maximum number of new Records of Title
Between 1ha and 2ha in area within the Hamilton Basin	4
Less than 2ha in all other areas	10

2ha to less than 5ha 2+

5ha or more to less than 10ha 3+

10ha or more 3

...

(vii) In cases where high class soils exist onsite, and exist within the parent title, all proposed lots...

AND

Add a new clause to Rule 22.4.1.6 RD1(a) Conservation Lot Subdivision as follows:

(viii) In cases where no high class soils exist onsite, or exist within the parent title, all proposed lots excluding the balance lot, there is no maximum lot size;

Decision Reasons:

- Current requirement for both contiguous areas of significance and the minimum lot area are too restrictive.
- These requirements provide no incentive for potential protection for future generations in cases where the current area is less than the minimums or segregated by some feature but still containing a Significant Natural Area.
- Council still maintain discretion for areas less than two hectares.
- By removing the requirements for the areas to be "contiguous", Council may find that proposals could be made to reinstate land between non-contiguous areas as part of possible future Significant Natural Areas.
- Where this rule is utilised, there should be different lot sizes for areas of land that do and do not contain high class soils.

Point Number

365.3

Summary of Decision Requested:

Consider introducing the ability to transfer development rights to other properties where an allotment is entirely covered by Significant Natural Area Overlay.

Decision Reasons:

- There are properties that are entirely covered by a Significant Natural Area overlay which makes subdivision a non-complying activity for splitting Significant Natural Areas through subdivision.

Submitter Number:

367

Submitter:

Liam McGrath

Organisation:

Mercer Residents and Ratepayers Committee

Point Number

367.1

Summary of Decision Requested:

Retain Section 4.2 Residential Zone.

Decision Reasons:

- No reasons provided.

Point Number

367.2

Summary of Decision Requested:

Retain Section 4.4 Residential and Village Zones - Noise, lighting, outdoor storage, signs and odour.

Decision Reasons:

- No reasons provided.

Point Number

367.3

Summary of Decision Requested:

Add policies for small towns, i.e. Mercer and Meremere to Section 4.5 Business and Business Town Centre Zones.

Decision Reasons:

- All small towns contribute to wider community, especially those close to main arterials and visible to the public.
- Small towns need policies to help keep their character and prevent loss of identity.

Point Number

367.4

Summary of Decision Requested:

Retain Section 5.2 Productive Versatility of Rural Resources.

Decision Reasons:

- No reasons provided.

Point Number

367.5

Summary of Decision Requested:

Retain Policy 5.3.7 Reverse sensitivity effects.

Decision Reasons:

- No reasons provided.

Point Number

367.6

Summary of Decision Requested:

Retain Policy 5.3.10 Temporary events.

Decision Reasons:

- No reasons provided.

Point Number 367.7
Summary of Decision Requested: Add a point to Policy 5.3.13 Waste management activities, to ensure no leeching into nearby waterways.
Decision Reasons:

- There is a need to monitor or be aware of what materials and waste are or have been deposited at quarries and land fills.
- There is a great risk for certain substances to leech back into soil and waterways, contaminating them and deeming them unusable.

Point Number 367.8
Summary of Decision Requested: Retain Policy 5.3.15 Noise and vibration.
Decision Reasons:

- No reasons provided.

Point Number 367.9
Summary of Decision Requested: Retain Section 5.6 Country Living Zone.
Decision Reasons:

- No reasons provided.

Point Number 367.10
Summary of Decision Requested: Retain Section 6.1 General Infrastructure.
Decision Reasons:

- No reasons provided.

Point Number 367.11
Summary of Decision Requested: Retain Section 6.4 Infrastructure, Subdivision and Development.
Decision Reasons:

- No reasons provided.

Point Number 367.12
Summary of Decision Requested: Retain Section 7.1 Protection of Historic Heritage and Notable Trees.
Decision Reasons:

- No reasons provided.

Point Number 367.13
Summary of Decision Requested: Retain Chapter 8 Reserves.
Decision Reasons:

- No reasons provided.

Point Number 367.14
Summary of Decision Requested: Retain Section 8.3 Commercial Activities and Temporary Events.
Decision Reasons:

- No reasons provided.

Point Number 367.15
Summary of Decision Requested: Add Mercer Airport to Chapter 9 Specific Zones, using Te Kowhai Airpark as the model.
Decision Reasons:

- Addition to capture Mercer airport development in its infancy to create adequate future proofing for all potential users and for future growth within the area.

Point Number 367.16
Summary of Decision Requested: Retain Section 10.2 Contaminated Land.
Decision Reasons:

- No reasons provided.

Point Number	367.17
Summary of Decision Requested:	Retain Chapter 13 Definition of "Maaori Sites of Significance."
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	367.18
Summary of Decision Requested:	Retain Chapter 13 Definition of "Marae Complex".
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	367.19
Summary of Decision Requested:	Add Koheroa Road as an Arterial Road to Transportation tables and figures 14.12.5.
Decision Reasons:	<ul style="list-style-type: none"> Koheroa Road was defined as a Collector Road in the Franklin District Plan in Part 9- Transportation, Para 9.4- Roading Hierarchy. Koheroa Road is well used by other activity organisers for day outings, main arterial for tourists, users of Mercer Airport and main access to Glass Road (used for Mercer School and Cemetery). Due to its significance and users, it needs to be incorporated in the Proposed District Plan. This is the major alternative road for detours as a result of accidents on State Highways 1 and 2.
Point Number	367.20
Summary of Decision Requested:	Amend Rule 16.1.2 P4 Permitted Activities, by increasing the number of non-permanent residents working for home occupations to 2x the number of bedrooms.
Decision Reasons:	<ul style="list-style-type: none"> Restrictions limits those running businesses from home as there are potentially more than 4 people working. Place a ratio of 2x number of bedrooms as long as ensuring sufficient car parking spaces available including toilet facilities will allow for greater growth for small businesses instead of leasing a small office/warehouse which increases overheads and extra costs.
Point Number	367.21
Summary of Decision Requested:	Amend Rule 16.1.2 P5 Permitted Activities, by increasing operating hours or allowing exemptions for temporary activities.
Decision Reasons:	<ul style="list-style-type: none"> Increasing/allowing exemptions to hours will allow events, e.g. weddings, to continue as they may run past 8.30pm.
Point Number	367.22
Summary of Decision Requested:	Amend Rule 16.1.2 P9 Permitted Activities, by increasing the homestay guests to 2x the number of bedrooms as long as there is sufficient and toilets.
Decision Reasons:	<ul style="list-style-type: none"> Place a ratio of 2x number of bedrooms as long as ensuring sufficient car parking spaces are available.
Point Number	367.23
Summary of Decision Requested:	Amend Rule 16.2.2 Servicing and hours of operation - Bankart Street and Wainui Road Business Overlay Area, to provide clarification that it relates to Raglan.
Decision Reasons:	<ul style="list-style-type: none"> Adds clarity.
Point Number	367.24
Summary of Decision Requested:	Amend Rule 16.2.6.2 Notable tree – Trimming, to provide clarification in terms of residents who have overhanging or growth of trees interfering with another residents notable tree.
Decision Reasons:	<ul style="list-style-type: none"> Are no rules/guidelines for residents around their rights and limitations for notable trees hanging/growth interfering with another resident's notable tree. Courses of action should be considered.
Point Number	367.25
Summary of Decision Requested:	Retain Rule 20.2.2 Landscape planting.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.

Point Number	367.26
Summary of Decision Requested:	Retain Rule 20.2.1 Servicing and hours of operation.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	367.27
Summary of Decision Requested:	Retain Rule 21.2.2 Landscape planting.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	367.28
Summary of Decision Requested:	Amend 22.8.2 P4(e) Permitted Activities, by reducing the length of operation time to an earlier time to be in line with other curfew times.
Decision Reasons:	<ul style="list-style-type: none"> Lakeside Te Kauwhata Precinct is a densely populated area thus consideration must be given to neighbours for the operating times of machinery, especially if it is marketed to families or retirees. 9pm is too late and impractical.
Point Number	367.29
Summary of Decision Requested:	Retain Rule 24.2.4.2 Earthworks for Maaori Sites and Maaori Areas of Significance
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	367.30
Summary of Decision Requested:	Add Mercer Airport as its own Appendix under Appendix I Acoustic Insulation.
Decision Reasons:	<ul style="list-style-type: none"> Mercer Airport is a fully operational business, including leisure activities and accommodation.
Point Number	367.31
Summary of Decision Requested:	Add Pukekohe Motorcycle Club, located in Mercer, to Appendix 12 Motorsport and Recreation.
Decision Reasons:	<ul style="list-style-type: none"> Such activities provide great opportunities to showcase small towns and what highly regarded, high class race tracks can be.
Point Number	367.32
Summary of Decision Requested:	Retain Section 1.4 Issues for Waikato District.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	367.33
Summary of Decision Requested:	Amend Section 1.5.4 Urban growth, to include Mercer Airport.
Decision Reasons:	<ul style="list-style-type: none"> Mercer airport is currently a tourist attraction used for skydiving and has backpackers accommodation. Currently undergoing construction to enlarge facilities and hangar availability.
Point Number	367.34
Summary of Decision Requested:	Retain Section 1.5.7.2 Landscape and natural character.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	367.35
Summary of Decision Requested:	Retain Section 1.5.7.8 Tourism.
Decision Reasons:	<ul style="list-style-type: none"> Supports as Mercer contributes to it.
Point Number	367.36

Summary of Decision Requested: Retain Section 1.7 Settlements Acts / Co-management/ Rivers – Vision and Strategies / Joint Management Agreement.

Decision Reasons:

- No reasons provided.

Point Number 367.37

Summary of Decision Requested: Retain Section 1.9 Statutory Context and Framework.

Decision Reasons:

- No reasons provided.

Point Number 367.38

Summary of Decision Requested: Retain Section 1.10.2.3 Waikato Region strategies and plans, particularly (iii) Regional Public Transport Plan 2015-2025, (iv) Regional Walking and Cycling Strategy 2009-2015 and (viii) Waikato Regional Pest Management Strategy 2014-2024.

Decision Reasons:

- No reasons provided.

Point Number 367.39

Summary of Decision Requested: Add Public Toilet Strategy to the list of Strategies and plans in Section 1.10 Integration of district plan with other plans and documents.

Decision Reasons:

- Mercer desperately needs public toilets.
- Will help council prioritise towns needing toilets and assign funding accordingly.

Point Number 367.40

Summary of Decision Requested: Retain Section 1.10.3.2 Local Government Act 2002, particularly in regard to working collaboratively with Tangata Whenua.

Decision Reasons:

- Support the need to work collaboratively with Tangata Whenua.

Point Number 367.41

Summary of Decision Requested: Add noise restrictions and guidelines to Section 1.12.5 Community well-being.

Decision Reasons:

- Plant trees in parks and reserves next to a main road/highway to dull/absorb noise.
- For events producing noise, have guidelines and hours of operations.

Point Number 367.42

Summary of Decision Requested: Retain Section 1.12.8(vi) Strategic objectives.

Decision Reasons:

- No reasons provided.

Point Number 367.43

Summary of Decision Requested: Retain Section 2.9 Examples of a Concept Management Plan.

Decision Reasons:

- An ideal example for Mercer Domain.

Point Number 367.44

Summary of Decision Requested: Retain Section 3.1 Indigenous Vegetation and Habitats.

Decision Reasons:

- No reasons provided.

Point Number 367.45

Summary of Decision Requested: Retain Section 3.2 Significant Natural Areas.

Decision Reasons:

- No reasons provided.

Point Number 367.46

Summary of Decision Requested: Retain Section 3.3 Outstanding Natural Features and Landscapes.

Decision Reasons:

- No reasons provided.

Point Number 367.47

Summary of Decision Requested: **Retain** Section 3.4 Significant Amenity Landscapes.

Decision Reasons:

- No reasons provided.

Point Number 367.48

Summary of Decision Requested: **Retain** Section 3.5 Natural Character.

Decision Reasons:

- No reasons provided.

Point Number 367.49

Summary of Decision Requested: **Retain** Section 4.1 Strategic Direction.

Decision Reasons:

- No reasons provided.

Point Number 367.50

Summary of Decision Requested: **Add** Meremere Dragway, located off SH1 to Appendix 12 Motorsport and Recreation.

Decision Reasons:

- Includes Jetsprints.
- Such activities provide great opportunities to showcase small towns and what highly regarded, high class race tracks can be.

Point Number 367.51

Summary of Decision Requested: **Add** the Kauri Tree located at 57 Koheroa Road, Mercer to Schedule 30.2 Notable Trees.

Decision Reasons:

- Has been identified by residents that the notable tree has not been recognised by the Proposed District Plan.

Point Number 367.52

Summary of Decision Requested: **Add** Te Paina Pa, Mercer Recreation Reserve, Riverbank Road, Mercer to Schedule 30.4 Maaori Areas of Significance.

Decision Reasons:

- Te Paina Pa is mentioned twice in Franklin District Plan, dated 11th February 2000 as follows:
Part 8 - Cultural Heritage, Schedule 8A: Historic Buildings, Structures, Trees and Areas, Group D: Areas.
D.19 Te Paina Pa Mercer Recreation Reserve, Riverbank Road, Mercer 7.7 03800/807.00
Appendices, Appendix 2 Inventory of Historic Buildings, Structures, Trees and Areas, Group D: Areas.
ITEM D.19 Name: Te Paina Paa
Type: Historic Area - Te Paina Paa
Location: Mercer Recreation Reserve, Riverbank Road, Mercer
Valuation Number: 03800 / 807.00
Legal Description: Pt Allot 280 Parish of Koheroa Parcel ID 6691146
Description: Historic Paa site managed by Department of Conservation

Point Number 367.53

Summary of Decision Requested: **Add** Mercer Cemetery to Section E Designations, M Waikato District Council.

Decision Reasons:

- All other cemeteries have been added that are around the district.

Point Number 367.54

Summary of Decision Requested: **Add** Mercer Reserve/Domain to Section E Designations, M Waikato District Council.

Decision Reasons:

- Addition of other reserves/domains have been made that are around the district.
- With request for addition of Te Paina Paa to Mercer Recreational Reserve, the reserve needs to be captured as well.

Point Number 367.55

Summary of Decision Requested: Add Waste Water treatment plant in Mercer Township to Section E Designations, M Waikato District Council.

Decision Reasons:

- The addition of other wastewater treatment plants have been added that are around the district.

Submitter Number: 368 **Submitter:** Ian McAlley

Point Number 368.1

Summary of Decision Requested: Amend the Proposed District Plan to ensure direction related to maximising the potential of the urban/residential land resource is maintained.

Decision Reasons:

- Maximising the potential of the urban land resource must extend beyond just limiting rural residential development and the use of rural land for residential/non rural purposes.
- By more efficiently developing the existing urban land resource enables economies of scale to be exercised to improve the affordability of land on a per section basis.
- Underutilising urban zoned land is a poor use of a physical resource
- It must include ensuring that residential land is developed in the most efficient manner possible to ensure that development costs are kept to a minimum and ongoing infrastructure costs are also minimised.
- Need to ensure the design and development of subdivisions enables future built development is cost effective and improves affordability.

Point Number 368.2

Summary of Decision Requested: Amend the Proposed District Plan to maintain the commitment to the Future Proof Outcomes, in particular the desire to achieve a more compact and concentrated urban form over time.

Decision Reasons:

- Delivery of quality urban environments is a relationship between the design of those environments and the ability to efficiently (in both time and cost) to deliver those outcomes.
- The type and density of development enabled is important to ensure that over time a development pattern evolves that will accommodate changes to composition of population and growth, balance growth inside and outside the existing urban area, provide for shifts in housing preferences, including location and typology, recognise constraints in key bulk infrastructure delivery and funding availability and recognise and provide for changes in strategic direction and/or priorities.

Point Number 368.3

Summary of Decision Requested: Amend Section 3.3 Outstanding Natural Features and Landscapes, to ensure that limitations on development only apply to Outstanding Natural Features and Landscapes that are specifically identified in the District Plan.

Decision Reasons:

- Policy 3.3.3 refers to 'features' without a capital 'F'. If there are to be limitations with respect to Outstanding Natural Features these must only be with regard to those 'Features' specifically identified in the District Plan.
- Unclear referencing of Outstanding Natural Features and Landscapes creates uncertainty in terms of being able to effectively assess the issues associated with a particular project.
- Clarity is required to ensure that relevant objectives and policies of the District Plan can be administered with both efficiency and certainty.

Point Number 368.4

Summary of Decision Requested: Amend Objective 3.4.1(a) Significant Amenity Landscapes, to clearly identify that the objective only relates to specifically identified Significant Amenity Landscapes.

Decision Reasons:

- Unclear referencing of Significant Amenity Landscapes creates uncertainty in terms of being able to effectively assess the issues associated with a particular project.
- Certainty is required to enable appropriate planning to occur, both for Council and for private landowners.
- Clarity is required to ensure that relevant objectives and policies of the District Plan can be administered with both efficiency and certainty.

Point Number 368.5

Summary of Decision Requested: Amend Section 3.5 Natural Character, to ensure that any limitations to development are only for those areas specifically identified in the District Plan as having High and Outstanding Natural Character.

Decision Reasons:

- Unclear referencing of Natural Character creates uncertainty in terms of being able to effectively assess the issues associated with a particular project.
- Certainty is required to enable appropriate planning to occur, both for Council and for private landowners.
- Clarity is required to ensure that relevant objectives and policies of the District Plan can be administered with both efficiency and certainty.

Point Number 368.6

Summary of Decision Requested: Amend Policy 4.1.9(a) maintaining Landscape Characteristics, to recognise that subdivision and development processes on land zoned for a particular purpose will change the shape, contour and landscape characteristics of this land.

Decision Reasons:

- Policy 4.1.9(a) needs to be amended to recognise that subdivision and development processes on land zoned for a particular purpose will change the shape, contour and landscape characteristics of this land and to 'maintain' these characteristics may not be possible when integrating the engineering requirements of the development such as roading and/or development platforms.
- Where land is not protected for its landscape or natural character attributes, it must be available for development in a manner that is efficient and achieves the desired urban form outcome.
- The term "fundamental" is subjective and open to wide interpretation.

Point Number 368.7

Summary of Decision Requested: **Amend** Objective 4.2.14 – Earthworks, to read as follows:
Earthworks facilitate efficient subdivision, use and development.

Decision Reasons:

- Every effort should be made to integrate the significant majority of the earthworks required for the development of individual house lots with the overall bulk subdivision earthworks. This significantly reduces the requirement for secondary earthworks and reduces both on-site and off-site effects related to erosion, sediment, dust and noise from machinery.
- Designing and undertaking of earthworks as a 'cut to fill balance' significantly limits on-site and/or off-site movement of material
- Earthworks, amendments proposed to recognise the focus of earthworks must be to enable the overall efficient development of the subdivision, as earthworks can be a significant component of the works. Furthermore the earthworks profile is often dictated by the engineering requirements of providing roads and services at appropriate gradients, in turn able to provide efficient and safe connection to individual lots.

Point Number 368.8

Summary of Decision Requested: **Amend** Policy 4.2.15(a)(iv) - Earthworks, to read as follows:
The importation and exportation of cleanfill is avoided in the Residential Zone.

Decision Reasons:

- Every effort should be made to integrate the significant majority of the earthworks required for the development of individual house lots with the overall bulk subdivision earthworks. This significantly reduces the requirement for secondary earthworks and reduces both on-site and off-site effects related to erosion, sediment, dust and noise from machinery.
- The amendment proposed is to promote a 'cut to fill balance' in earthworks design in order to reduce the earthworks period and avoid off site effects from earthworks resulting from the importation or exportation on or off a site of large volumes of material. The exception is the removal of unsuitable material, contaminated material or excess topsoil from development sites.
- Designing and undertaking of earthworks as a 'cut to fill balance' significantly limits on-site and/or off-site movement of material

Point Number 368.9

Summary of Decision Requested: **Delete** Policy 4.2.15(d) - Earthworks.

Decision Reasons:

- If land has been zoned for residential purposes than the shape, contour and landscape characteristics of the land will change, because it will be converted from open land, likely in horticultural or pastoral use, to urban development. Unless the land is specifically identified and protected for its landscape and/or character attributes the most important outcome is the efficient development of the land to achieve the use it is zoned for. Creating an attractive development will be a product of the design and construction of the subdivision, not the retention of existing land-form. Issues related to the change in the appearance of the land need to have been addressed at the time the zone was changed.

Point Number 368.10

Summary of Decision Requested: **Retain** Objective 4.2.16 Housing Options and
AND
Retain Policy 4.2.17 Housing Types
AND
Retain Policy 4.2.18 Multi-Unit Development
AND
Amend rules to ensure the directions in the objectives and policies and the associated rules align.

Decision Reasons:

- The diversity of housing sought will not enabled if rules do not enable flexibility in lot enable flexibility in lot and dwelling size and dwelling type within a development, particularly a large scale development where variation enables a cross section of the community to all be provided for.

Point Number 368.11

Summary of Decision Requested: **Delete** Policy 4.2.2 Character
OR
Amend the Proposed District Plan to identify the view points from public spaces and extent of views to be retained.

Decision Reasons:

- Character is vague as to its application, to require roads to follow natural contours could potentially be contradictory to the applicable engineering standards and therefore limit the safety and/or multi modal transport efficiency of a development. Further, requiring the promotion of views and vistas from public spaces to the hinterland beyond is uncertain unless the view points have been identified in the District Plan and the extent of views to be retained is also identified. Unless this certainty can be provided these Policies should be deleted.

Point Number 368.12

Summary of Decision Requested: **Amend** Objective 4.7.1 Subdivision and land use integration, to read as follows:
Subdivision layout and design facilitates the land use outcomes sought for the residential, business, industrial, reserve and specific purpose zones, ensuring development occurs in the most efficient means possible to achieve the defined purpose of the zone.

Decision Reasons:

- Objective 4.7.1 'Subdivision and Land Use Integration' should be amended to recognise that where land has been zoned for a particular purpose efficient and effective development of land for that purpose is the focus of the process after the land has been rezoned.

Point Number 368.13

Summary of Decision Requested: Delete Policy 4.7.2 (a)(i) Subdivision location and design.

Decision Reasons:

- Policy 4.7.2 (a)(i) should be deleted, consideration of these matters should have occurred at the time the land was being zoned.

Point Number 368.14

Summary of Decision Requested: Add to Policy 6.5.2 – Construction and operation of the land transport network the following:

(ix) Recognition that any adverse effects of the development of an integrated and effective land transport network can often be mitigated in a short term time-frame in comparison to the lifetime of the infrastructure

Decision Reasons:

- Provision of adequate and appropriate infrastructure is critical to land development. Infrastructure has particular design characteristics that are required to be adhered to and poor infrastructure provision will lead to medium to long term costs that are borne by the community either through lack of efficiency in terms of price paid per household unit, or greater than anticipated operational and maintenance costs. The design life of infrastructure is normally measured in the tens of years, therefore there is adequate scope for mitigation measures to be applied that enable adequate and appropriate infrastructure to be provided and for effects on landscape, character or ecological values to be remedied and/or mitigated and to enable social, economic, community and health and safety benefits to be enabled.

Point Number 368.15

Summary of Decision Requested: Amend Section 8.2, to clearly state it relates to existing Reserves.

Decision Reasons:

- Unclear referencing of outstanding natural landscapes, outstanding natural features, natural character areas and significant natural areas creates uncertainty in terms of being able to effectively assess the issues associated with a particular project.
- Certainty is required to enable appropriate planning to occur, both for Council and for private landowners/developers to ensure that relevant objectives and policies of the District Plan can be administered with both efficiency and certainty.

Point Number 368.16

Summary of Decision Requested: Amend Policy 8.2.2 - Natural Values, to relate to outstanding natural landscapes, outstanding natural features, natural character areas and significant natural areas that are identified on the District Plan Maps.

Decision Reasons:

- Unclear referencing of outstanding natural landscapes, outstanding natural features, natural character areas and significant natural areas creates uncertainty in terms of being able to effectively assess the issues associated with a particular project.
- Certainty is required to enable appropriate planning to occur, both for Council and for private landowners/developers to ensure that relevant objectives and policies of the District
- Consideration needs to be restricted to those identified items only.

Point Number 368.17

Summary of Decision Requested: Amend Rule 14.12.1. 1(6)(1)(f), to delete specific requirements for development within the Te Kauwhata Structure Plan area.

Decision Reasons:

- This area has not been defined in the Proposed Plan. In particular the existing site gradients have been found to be too steep for road side swales to be provided without scour occurring.
- Unclear referencing to other documents not notified with the Proposed Plan creates uncertainty in terms of being able to effectively assess the issues associated with a particular project.
- Certainty is required to enable appropriate planning to occur, both for Council and for private landowners/developers to ensure that the relevant requirements of the District Plan can be administered with both efficiency and certainty.

Point Number 368.18

Summary of Decision Requested: Delete figures 14.12.5.19, 14.12.5.20 and 14.12.5.21 from the Proposed District Plan.

Decision Reasons:

- The Te Kauwhata Structure Plan area has not been defined on the planning maps therefore it is uncertain as to the applicability of these cross section requirements. Instead the standard engineering provisions should apply.
- Unclear referencing to other documents or areas not notified with the Proposed Plan creates uncertainty in terms of being able to effectively assess the issues associated with a particular project. Certainty is required to enable appropriate planning to occur, both for Council and for private landowners/developers to ensure that the relevant requirements of the District Plan can be administered with both efficiency and certainty

Point Number 368.19

Summary of Decision Requested: Add Show homes as a permitted activity in the Residential Zone

AND

Add a carpark requirement for show homes over and above that which applies to a standard residential dwelling such that two additional car park spaces be provided

AND

Add controls on signage for show homes in keeping with Rule 16.2.7.1 Signs permitted activity for real estate signs.

Decision Reasons:

- Show homes are residential in character and in a residential subdivision a show home will be on-sold as a residential dwelling once the subdivision sales are completed (if not before).
- So long as additional car parking is provided for staff and customers, with signage controlled to an appropriate level there appears to be no reason that show homes should require specific land use consent.

Point Number 368.20

Summary of Decision Requested: Retain Rule 16.1.3 Restricted Discretionary Activities, as notified

AND

Add rules for multi unit development to enable it in all residential areas of the District where connection is available, or will be available to reticulated services.

Decision Reasons:

- The active provision of multi unit development assists in enabling different development densities, assists in providing a variety of housing types and achieving the required densities of development as per the Waikato Regional Policy Statement.

Point Number

368.21

Summary of Decision Requested:

Amend Rule 16.2.4.1 Earthworks, to enable the assessment of bulk earthworks as part of a subdivision to be assessed as permitted activity where consent has been received from the Waikato Regional Council for those earthworks.

Decision Reasons:

- Earthworks need to be accepted as part of the land development process.
- Large scale earthworks are undertaken by experienced contractors under the control of the Waikato Regional Council with appropriate monitoring and enforcement.
- For the District Council to double up on earthworks control when the Regional Council is already actively managing this process is not a good use of time and resource and such inefficiencies should be avoided.

Point Number

368.22

Summary of Decision Requested:

Delete Rule 16.2.4.1 NCI- Earthworks - General, the assessment of the importation of cleanfill to a site as a non-complying activity.

Decision Reasons:

- Assessment of the importation of cleanfill to a site as a non-complying activity is overly onerous as this maybe required to bring appropriate material onto a site where such material is required to meet engineering requirements.

Point Number

368.23

Summary of Decision Requested:

Amend Rule 16.2.4.1, to only require assessment of amenity and landscape effects related to earthworks where the earthworks are occurring in an area clearly defined in the Plan as being protected for its landscape and/or natural character values.

Decision Reasons:

- Assessment of amenity and landscape effects of earthworks should only occur where the earthworks are occurring in an area that is clearly defined as being protected for its landscape and/or natural character values.

Point Number

368.24

Summary of Decision Requested:

Amend Rule 16.3.4.P2 Fences or Walls - Road boundaries and reserve Zone boundaries, to read as follows:

Any Fences or walls between the erected within the applicable building setbacks under Rule 16.3.9 on a site and along on the northern common boundary of the Residential Zone between Wayside Road and Travers Road, Te Kauwhata, adjacent to the and Country Living Zones between Wayside Road and Travers Road, Te Kauwhata must be of a rural-type post and wire or post and rail construction.

Decision Reasons:

- The amended rule makes it clear that the requirement for a rural-type post and wire or post and rail fence is only required on the zone boundary between the Country Living and the Residential Zones.

Point Number

368.25

Summary of Decision Requested:

Amend Rule 16.3.5 Daylight Admission, to enable the height control plane to be measured from the top of a retaining wall where that retaining wall was included in the design of the subdivision and constructed as part of the subdivision prior to individual houses being built.

Decision Reasons:

- If retaining walls have been developed at the time of subdivision then prospective purchasers can see the completed building platforms and therefore can ascertain that a dwelling will be located on top of the wall. As such measuring the height control plane from the site boundary that could be at the bottom of the wall is overly restrictive and potentially leads to unnecessary land use consents being required.

Point Number

368.26

Summary of Decision Requested:

Amend Rule 16.3.6 P2 Building Coverage, to make the building coverage allowance in the Te Kauwhata Residential West Area the same as the Residential Zone 40%.

Decision Reasons:

- The Proposed Plan does not identify why the building coverage allowance in the Te Kauwhata Residential West Area should be any less than the rest of the Residential Zone. Reducing the permitted building coverage in the Te Kauwhata Residential West Area will lead to less efficient use of the land resource.

Point Number

368.27

Summary of Decision Requested:

Amend Rule 16.4.1(a)(4) Subdivision - General, to enable 25% of lots to be rear lots.

Decision Reasons:

- The amendment to Rule 16.4.1(a)(4) is proposed to enable more efficient and flexible subdivision design. As all subdivision is a restricted discretionary activity Council has the ability to have input into the subdivision design in the assessment process.

Point Number

368.28

Summary of Decision Requested:

Amend Rule 16.4.1 (b) Subdivision - General, to ensure it only relates to structure plans or master plans notified within the Proposed Plan.

Decision Reasons:

- The amendment to Rule 16.4.1(b)(ix) is proposed as referencing other documents such as structure plans or master plans not notified with the Proposed Plan creates uncertainty in terms of being able to effectively assess the issues associated with a particular project.
- Certainty is required to enable appropriate planning to occur, both for Council and for private landowners/developers to ensure that the relevant requirements of the District Plan can be administered with both efficiency and certainty.
- Not being able to submit on these other documents takes away the ability to assess the compatibility of the documents with the proposed rules and/or assessment criteria and vice versa.

Point Number 368.29

Summary of Decision Requested: **Delete** Rule 16.4.3 Subdivision - Te Kauwhata West Residential Area
AND

Amend the Proposed District Plan to apply the standard residential subdivision provisions to this area.

Decision Reasons:

- Where land has been zoned for residential development, the applicable rules should promote the efficient development of that land for that purpose. Efficiently developing residential zoned land for housing limits the potential that urban development will spread into surrounding rural areas.
- The Te Kauwhata West Residential Area proposed minimum and average lot size will not achieve the required outcomes defined for residential density under the Waikato Regional Policy Statement. As such the Proposed Plan will not be giving effect to the Regional Policy Statement, therefore the standard Residential Zone provisions are more appropriate.
- Policy 4.7.13 – Residential Zone – Te Kauwhata Ecological and West Residential Areas (b) only requires that 'Subdivision is designed and located in the Te Kauwhata West Residential Area to achieve the minimum lot size ...' therefore the proposed average lot size, being significantly larger than the minimum is not supported by the applicable policy.
- Notwithstanding, the outcomes identified in Future Proof and incorporated into the Waikato Regional Policy Statement of achieving a minimum residential density of 12-15 households per hectare in the Residential Zone, must be achieved in order to enable growth across the Region to be adequately managed and provided for. All other rules related to development must be aligned to this required outcome, thereby making development efficient in both the short and the long term. The minimum lot size of 650m² in the Te Kauwhata West Residential Area will not achieve the 12-15 households per hectare required under the Waikato Regional Policy Statement.

Point Number 368.30

Summary of Decision Requested: **Retain** Rule 16.4.4 A Multi-Unit development, except for the amendments sought below
AND

Amend rules for multi unit development to enable them in all residential areas of the District where connection is available, or will be available to reticulated services.

Decision Reasons:

- The active provision of multi unit development assists in enabling different development densities, assists in providing a variety of housing types and assists in achieving the required densities of development as per the Waikato Regional Policy Statement.

Point Number 368.31

Summary of Decision Requested: **Amend** the reference in Rule 16.4.4(b)(viii) Multi Unit development, to structure and master planning to clarify that it only refers to structure or master plans that are contained within the notified version of the Proposed Plan.

Decision Reasons:

- Reference in Rule 16.4.4(b)(viii) to structure and master planning needs to be amended to clarify that it only refers to structure or master plans that are contained within the notified version of the Proposed Plan, otherwise new provisions within the Proposed Plan could be referring to documents outside of the Plan that submitters have not had the chance to consider and submit on.

Point Number 368.32

Summary of Decision Requested: **Amend** Rule 16.4.13 Subdivision creating reserves, and the associated matters that Council has restricted its discretion to with regard to structure and master planning to clarify that these references only relate to structure or master plans that are contained within the notified version of the Proposed Plan.

Decision Reasons:

- Reference in Rule 16.4.13 to structure and master planning needs to be amended to clarify that it only refers to structure or master plans that are contained within the notified version of the Proposed Plan, otherwise new provisions within the Proposed Plan could be referring to documents outside of the Plan that submitters have not had the chance to consider and submit on.

Point Number 368.33

Summary of Decision Requested: **Amend** Section 3 of Appendix 3.1 Residential Subdivision Guidelines, to limit the consideration of the "site and contextual analysis" to how the subdivision/development will integrate with the immediately surrounding existing and/or proposed development.

Decision Reasons:

- Some of the matters proposed for assessment under section 3.3 "Landform and Vegetation" are more appropriately assessed at the time a zoning change is undertaken rather than in reaction to an individual development.
- Where land has been zoned for residential development the Plan and assessment process must promote the efficient development of that land for that purpose. Efficiently developing residential zoned land for housing limits the potential that urban development will spread into surrounding rural areas. Assessment by way of subjective elements not clearly defined in the Plan leads to uncertainty, delays and increased costs.
- Where landform elements are clearly assessed and defined and included in the Plan at the time (re)zoning takes place ensures that development can be appropriately undertaken across whole settlements, rather than being assessed on an ad-hoc, site by site basis. Also, where development is occurring within an environment set aside for larger scale change than the individual development being assessed, the larger scale change (the future state) must be considered. This ensures the context the proposal is assessed within is the end result, incorporating the change as enabled by the rezoning that has occurred. Use of subjective assessment methods can lead to re-litigation by way of assessment of outcomes considered to already be enabled by way of the underlying zoning. Such uncertain and potentially protracted assessment processes are counterproductive to development occurring efficiently where such assessment should have occurred at the time a piece of land was considered for rezoning for more intensive, or alternative forms of development.

Point Number 368.34

Summary of Decision Requested: **Amend** the Zoning of the property at 24 Wayside Road Te Kauwhata from Te Kauwhata West Residential Zone to Residential Zone.

Decision Reasons:

- The Te Kauwhata West Residential Area proposed minimum and average lot size will not achieve the applicable outcomes sought in terms of residential density under the Waikato Regional Policy Statement, as such the Proposed Plan will not give effect to the Regional Policy Statement, therefore the standard Residential Zone is more applicable as a means to achieve these higher order outcomes.

- The residential zoning provisions as notified will not achieve 12-15 households per hectare. Provisions that achieve a density less than the Future Proof/Waikato Regional Policy Statement outcomes will result in the Future Proof outcomes not being achieved. In particular in Te Kawhata there is ability to provide for growth in areas zoned for development other than Lakeside.
- There is potential that the outcomes of the 'Corridor Plan' being developed, which are understood to be considering enabling greater growth capacity on the Auckland/Hamilton Corridor, linked to transport initiatives, could seek even greater development capacity be provided for than envisaged under Future Proof and therefore the zoning applied must enable residential growth and be broad enough to accommodate such future change, given that the Plan is looking at a 25+ year horizon with a 30%+ variance in household numbers in the period.
- The Residential Zone as opposed to the Te Kawhata West Residential Zone will enable greater flexibility in the design and development of the site to accommodate future growth and changes in average household size.

Point Number 368.35

Summary of Decision Requested: Retain the extent of reserve proposed near 24 Wayside Road, Te Kawhata.

Decision Reasons:

- The reserve size as shown is considered to be appropriate (subject to final design) for the location and the type of development proposed.

Point Number 368.36

Summary of Decision Requested: Delete the Walkway/Cycleway on the Planning Maps located on near 24 Wayside Road, Te Kawhata.

Decision Reasons:

- The walkway/cycleway shown should be deleted as there is no apparent connection to the indicative roading pattern within 24 Wayside Road.

Point Number 368.37

Summary of Decision Requested: Retain the indicative roading pattern, for 24 Wayside Road, Te Kawhata

AND

Delete the proposed connection shown to 62 D Wayside Road (CTSA62B/833).

Decision Reasons:

- The indicative roading pattern will enable appropriate servicing of the site with connection to the surrounding established and proposed roading pattern.
- A connection to 62 D Wayside Road is not considered necessary as a segregation strip has been applied to the common boundary between 24 Wayside Road and the adjoining land zoned Country Living.

Point Number 368.38

Summary of Decision Requested: Amend the Objectives and Policies to promote the efficient development of Residential Zoned land for that purpose.

Decision Reasons:

- Efficiently developing residentially zoned land for housing limits the potential that urban development will spread into surrounding rural areas.

Point Number 368.39

Summary of Decision Requested: Delete Policy 4.7.2 (a)(iii) Subdivision location and design.

Decision Reasons:

- Policy 4.7.2 (a)(iii) should be deleted, "view sharing" appears to be an undefined term and therefore is difficult to provide for it.

Point Number 368.40

Summary of Decision Requested: Delete Policy 4.7.2 (a)(vii) Subdivision location and design.

Decision Reasons:

- Policy 4.7.2 (a)(vii) should be deleted, promotion of a grid layout is a design nicety which does not suit all sites because of shape and/or topography and/or existing road connections. Also some of the indicative roading layouts contained in the Proposed Plan are not shown in a grid pattern, therefore there is incongruence within the Proposed Plan.

Point Number 368.41

Summary of Decision Requested: Amend Policy 4.7.13 (b) Residential zone Te Kawhata Ecological and West Residential Areas, as follows:

~~(b) Subdivision is designed and located in the Te Kawhata West Residential Area to achieve the minimum lot size, and recognise the views of natural features and landscapes.~~

OR

Delete Policy 4.7.13 - Residential Zone - Te Kawhata Ecological and West Residential Areas and rely on the standard Residential Zone provisions.

Decision Reasons:

- Achieving the minimum lot size will still not achieve the applicable outcomes sought in terms of residential density under the Waikato Regional Policy Statement and therefore the standard Residential Zone provisions are more applicable. The recognition of "the views of natural features and landscapes" is a vague concept open to too much subjective interpretation to be applicable and therefore should be deleted from the Policy.
- The Te Kawhata West Residential Area proposed minimum and average lot size will not achieve the applicable outcomes sought in terms of residential density under the Waikato Regional Policy Statement. As such the Proposed Plan will not be giving effect to the Regional Policy Statement, therefore the standard Residential Zone provisions are more applicable.
- Policy 4.7.13 – Residential Zone – Te Kawhata Ecological and West Residential Areas (b) only requires that "Subdivision is designed and located in the Te Kawhata West Residential Area to achieve the minimum lot size ..." therefore the proposed average lot size, being significantly larger than the minimum is not supported by the applicable policy.

Point Number 368.42

Summary of Decision Requested: Amend Policy 4.7.14 Structure and Master Planning to clarify that it only refers to structure or master plans that are contained within the notified version of the Proposed Plan.

Decision Reasons:

- Policy 4.7.14 – Structure and master planning needs to be amended to clarify that it only refers to structure or master plans that are contained within the notified version of the Proposed Plan, otherwise new provisions within the Proposed Plan could be referring to documents outside of the Plan that submitters have not had the chance to consider and submit on.

Point Number 368.43

Summary of Decision Requested: Retain Chapter 6.4 - Objectives and Policies, as notified.

Decision Reasons:

- Provision of adequate and appropriate infrastructure is critical to land development. Infrastructure has particular design characteristics that are required to be adhered to and poor infrastructure provision will lead to medium to long term costs that are borne by the community either through lack of efficiency in terms of price paid per household unit, or greater than anticipated operational and maintenance costs.

Submitter Number: 369 **Submitter:** Linnet Watson

On behalf of: S W Ranby

Point Number 369.1

Summary of Decision Requested: No specific decision sought, but submission opposes Chapter 9.2 Te Kowhai Airpark.

Decision Reasons:

- The range of activities proposed within Precincts A and B of Te Kowhai Airpark will facilitate an increase in aircraft movements (projected to be in the vicinity of 57 aircraft movements per day, or 21,000 per annum).
- Aircraft arrivals and departures are not subject to District Plan Rules, and are therefore noted as being outside the scope of the Acoustic Assessment, which focuses on the noise from taxiing aircraft and other on-site activities. If increased aircraft movements are facilitated or supported by the Objectives and Policies of the Plan then there will be an increase in the frequency that neighbouring properties experience the noise of arrivals and departures. This has not been adequately considered in terms of the adverse effect on neighbouring properties, and is an effect that is impossible for the Airpark to internalise.
- The Summary Assessment of Environmental Effects for the Section 32 Report for Te Kowhai Airpark Zone compares future aircraft movements with earlier data of aircraft movements experienced in the early 2000's, however the Section 32 Report also acknowledges that the Operative District Plan (ODP) contains no objectives, rules, or other methods that are specifically applicable to airparks and that aircraft movements are currently unrestricted by the ODP (being controlled only by the existing air noise boundary). The inability of the Operative District Plan to manage air traffic using the Te Kowhai runway is being used as justification of the current proposal, when the noise effects of air traffic and the impact on amenity values in this area have not been fully considered.
- Proposed Policy 9.2.1.6 refers to airspace protection via an Increased Obstacle Limitation Surface (OLS). This would introduce a new height restriction on the Ranby property that is lower than the current permitted height in the Rural zone, including restrictions on vegetation / tree height that will result in obligations that do not currently exist, and resultant financial obligations on property owners within the OLS. In terms of buildings, the OLS intrudes 78.5m into the Ranby property before the District Plan height limit of 10m matches the restrictions of the OLS.
- The objectives and policies seem strongly aimed at supporting the social, economic and cultural wellbeing of the aviation sector without considering the short and long term effects outside the Airpark.

Point Number 369.2

Summary of Decision Requested: No specific decision sought, but submission opposes Chapter 27 Te Kowhai Airpark.

Decision Reasons:

- The range of activities proposed within Precincts A and B of Te Kowhai Airpark will facilitate an increase in aircraft movements (projected to be in the vicinity of 57 aircraft movements per day, or 21,000 per annum).
- Aircraft arrivals and departures are not subject to District Plan Rules, and are therefore noted as being outside the scope of the Acoustic Assessment, which focuses on the noise from taxiing aircraft and other on-site activities. If increased aircraft movements are facilitated or supported by the Objectives and Policies of the Plan then there will be an increase in the frequency that neighbouring properties experience the noise of arrivals and departures. This has not been adequately considered in terms of the adverse effect on neighbouring properties, and is an effect that is impossible for the Airpark to internalise.
- The Summary Assessment of Environmental Effects for the Section 32 Report for Te Kowhai Airpark Zone compares future aircraft movements with earlier data of aircraft movements experienced in the early 2000's, however the Section 32 Report also acknowledges that the Operative District Plan (ODP) contains no objectives, rules, or other methods that are specifically applicable to airparks and that aircraft movements are currently unrestricted by the ODP (being controlled only by the existing air noise boundary). The inability of the Operative District Plan to manage air traffic using the Te Kowhai runway is being used as justification of the current proposal, when the noise effects of air traffic and the impact on amenity values in this area have not been fully considered.
- Proposed Policy 9.2.1.6 refers to airspace protection via an Increased Obstacle Limitation Surface (OLS). This would introduce a new height restriction on the Ranby property that is lower than the current permitted height in the Rural zone, including restrictions on vegetation / tree height that will result in obligations that do not currently exist, and resultant financial obligations on property owners within the OLS. In terms of buildings, the OLS intrudes 78.5m into the Ranby property before the District Plan height limit of 10m matches the restrictions of the OLS.
- The objectives and policies seem strongly aimed at supporting the social, economic and cultural wellbeing of the aviation sector without considering the short and long term effects outside the Airpark.
- The land use activities provided for a range of activities that are not adequately controlled by the proposed rules.
- Aircraft arrivals and departures are already clearly heard from the existing residential dwelling on the Ranby property. Rule 27.1 serves to exacerbate that effect by allowing general aviation as an unfettered permitted activity, with no limits on aircraft numbers, and therefore no restriction on the noise emitted from aircraft arrival and departure, i.e. noise from overhead aircraft outside of the Airpark.
- The Acoustic Report notes that there is potential for a twin engine aircraft and/or small jets to be domiciled at Te Kowhai Airpark, and that if that was proposed, it should be specifically assessed. However the Proposed District Plan contains no rules that limit the type of aircraft that can use the Airpark, with 'General Aviation' being a permitted activity in Precincts A and B.
- Residential subdivision is proposed to be provided for as a restricted discretionary activity in Precincts B - D and residential development as a permitted activity in Precincts C and D upon high class soils (New Zealand Land Resource Inventory Land Use Capability Unit 2w2), which is at odds with other strategies for the District.

Point Number 369.3

Summary of Decision Requested: Delete Appendix 9 Te Kowhai Airfield Precincts Zoning.

Decision Reasons:

- The proposed Specific Zoning introduces new restrictions on private property in the form of an extended Obstacle Limitation Surface in the vicinity of the proposed Airpark while facilitating unlimited commercial and recreational aviation, which will result in adverse noise

- effects.
- The extended Obstacle Limitation Surface will allow aircraft to fly lower over affected properties, which will exacerbate adverse noise effects.

Point Number 369.4

Summary of Decision Requested: Amend Map 26.2 Te Kowhai, to change zoning from Te Kowhai Airpark Zone to Rural Zone.

Decision Reasons:

- Activities enabled by the proposed zoning are considered inappropriate for the area with insufficient regard for off-site effects. The position of the proposed Te Kowhai Airpark is inappropriate given its proximity to Te Kowhai village and its position on high class soils.
- Introducing an intensive commercial and residential activity in this area will degrade the amenity values of Te Kowhai village.
- Commercial aviation should be operated at Hamilton Airport.

Submitter Number: 370 **Submitter:** Catherine Shaw

Point Number 370.1

Summary of Decision Requested: No specific decision sought, but submission opposes any increase in setbacks required from the First Gas pipeline on Te Kowhai Road, Hamilton.

Decision Reasons:

- First Gas has informed the submitter that they are proposing to have the gas pipeline building set back changed from 6 mtrs to 'no less than 20 mtrs'.
- The submitter has two gas lines crossing their land and they already take up a large area.
- The submitter is not happy about the proposed changes.
- With a 20 mtr building set back the area within the set backs would be approximately 7,400 sq mtrs over two paddocks on the western boundary.
- The existing set back already prevents any building on the western boundary of the land but adding an extra 14 mtrs to the existing 6 mtr set back on the eastern side of the pipeline would have an unfavorable impact when the land is subdivided.
- The submitter understands what the gas company is trying to do but this proposal would have a negative financial impact on the submitter in the future and it doesn't seem right that a gas company could have more right to the land than what the owner does.
- The submitter knows the gas easement was on the property when it was purchased, but First Gas are wanting to make significant changes without consulting the legal owners of the land.

Submitter Number: 371 **Submitter:** Kitty Burton

Point Number 371.1

Summary of Decision Requested: Amend the zoning of the properties adjacent to the Matangi village, as identified in the Community Plan 2013 (see Community Plan attached to submission) from Rural Zone to Village Zone.

Decision Reasons:

- Rezoning will reflect growth of interest in living in village setting, provide diversity of living options, provide housing options to locally employed, reduce conversion of productive land to land hungry, low population density expensive subdivisions disconnected from any local community centre.
- See submission for full rationale.

Point Number 371.2

Summary of Decision Requested: Amend the Proposed District Plan to include a Council-driven structure plan for Matangi.

Decision Reasons:

- This is an opportunity for council to get on the front foot and take an optimistic growth focused step into the future.
- This is a key weakness to be resolved from the previous District Plan version.

Point Number 371.3

Summary of Decision Requested: Request that Matangi reticulated infrastructure issues are resolved or investigated further by council.

Decision Reasons:

Point Number 371.4

Summary of Decision Requested: Add a new restricted discretionary rule (RD1 (c)) for reticulated service lots of 1000m2 for Matangi within the Village Zone.

Decision Reasons:

Point Number 371.5

Summary of Decision Requested: Add within the Village Zone overlay in Matangi, the provision of reticulated infrastructure, footpaths, cycleways, other healthy exercise options and public transport links in Matangi.

Decision Reasons:

Point Number 371.6

Summary of Decision Requested: Retain the existing rail corridor in Matangi.

Decision Reasons:

Point Number	371.7
Summary of Decision Requested:	Add a density target of 8-10 households per hectare for Greenfield development in serviced Waikato District rural Villages and specifically Matangi.
Decision Reasons:	
Point Number	371.8
Summary of Decision Requested:	Amend the Proposed District Plan to reconsider the intent of Matangi and the indicative village limits.
Decision Reasons:	
Point Number	371.9
Summary of Decision Requested:	Amend the zoning of the ex-Matangi Dairy Factory to incorporate the intent of the Mowbray Group's submission.
Decision Reasons:	

Submitter Number:	372	Submitter:	Steve van Kampen
Organisation:	Auckland Council		
Point Number	372.1		
Summary of Decision Requested:	No specific decision sought, but submission seeks clarification over the exclusion of Chapter 11 from the Proposed Waikato District Plan.		
Decision Reasons:	<ul style="list-style-type: none"> The submission queries the value and process for a 'stage 2' plan change and how/when it will be included into the plan. The submission questions what impact a stage 2 plan change will have on provisions included in the proposed plan, particularly those relating to the implications of climate change such as developable areas, floor levels and restrictions on coastal development. 		
Point Number	372.2		
Summary of Decision Requested:	Amend the title to Section 1.5 to read as follows: <i>1.5 What does this mean for Waikato District strategic objectives and directions?</i>		
Decision Reasons:	<ul style="list-style-type: none"> Proposed amendments will explicitly identify that the matters listed in section 1.5 are the district strategic objectives and directions of the Plan. 		
Point Number	372.3		
Summary of Decision Requested:	Amend Section 1.5 to provide for outcomes identified in the Hamilton-Auckland Corridor Plan, Interim Rail Business Case and Future Proof Strategy Phase 2 review AND Amend maps to provide for outcomes identified in the Hamilton - Auckland Corridor Plan, Interim Rail Business Case and Future Proof Strategy Phase 2 review.		
Decision Reasons:	<ul style="list-style-type: none"> Section 1.5 -There is work underway producing the Hamilton-Auckland Corridor Plan and Interim Rail Business Case, and also carrying out the Phase 2 review of the Future Proof Growth Strategy. These processes will generate a vision for managing urban growth and development in significant parts of the Waikato District that may differ in some respects from that in the Proposed Plan as currently written. 		
Point Number	372.4		
Summary of Decision Requested:	Add to Section 1.5 - What does this mean for Waikato district strategic objectives and directions?, a new section for High Class soils as a matter of strategic direction.		
Decision Reasons:	<ul style="list-style-type: none"> The protection of high class soils is a significant issue and requires its own strategic direction and objective in section 1.5.1. 		
Point Number	372.5		
Summary of Decision Requested:	Retain Sections 1.5.1 Compact urban development and 1.5.1 and 1.5.1(a) Compact urban development.		
Decision Reasons:	<ul style="list-style-type: none"> Supports Identifying compact urban development as one of the strategic directions of the plan to ensure growth occurs around existing established centres. 		
Point Number	372.6		
Summary of Decision Requested:	Retain Section 1.5.2(a) Planning for urban growth and development.		
Decision Reasons:	<ul style="list-style-type: none"> Supports identifying compact urban development as one of the strategic directions of the plan to ensure growth occurs around existing centres. 		

Point Number 372.7

Summary of Decision Requested: **Retain** Section 1.5.3 Cross-boundary issues, except for the amendments sought below

AND

Amend Section 1.5.3 to seek that the Council liaise with Auckland Council and Waikato Regional Council and the relevant district councils on air quality issues as appropriate where there could be adverse effects across territorial boundaries.

Decision Reasons:

- Land-water interface and natural character have cross boundary implications are not confined to one geographical area.
- There are activities, which may have the potential to adversely affect air quality beyond the district boundary such as odour or dust. Support the recognition that although Councils may under s31 (b) of the Resource Management Act 'control ... any actual or potential effects of the use, development or protection of land ...', the primary control of air contaminants remains the role of the regional councils through their regional plans. Seek that the Council liaise with Auckland Council and Waikato Regional Council and the relevant district councils on air quality issues as appropriate where there could be adverse effects across territorial boundaries.
- Supports the strategic recognition of the significance of cross boundary issues for integrated decision making.

Point Number 372.8

Summary of Decision Requested: **Retain** Sections 1.5.4(b) and 1.5.4(c) Urban Growth.

Decision Reasons:

- Supports overall strategic direction relating to creating a compact urban growth development pattern in line with the outcomes of Future Proof. Services and general Infrastructure provisions and servicing deliver growth patterns identified in Future Proof.

Point Number 372.9

Summary of Decision Requested: **Retain** Section 1.5.5 (e) Services and general infrastructure.

Decision Reasons:

- Support the directive for consultation between the organisations responsible for the infrastructure, developers, adjoining landowners, and iwi and adjoining consent authorities.

Point Number 372.10

Summary of Decision Requested: **Retain** Sections 1.5.5 (f) and (g) Services and general infrastructure.

Decision Reasons:

- Supports the directive for consultation between the organisations responsible for the infrastructure, developers, adjoining landowners and iwi and adjoining consent outcomes.
- Support strategic recognition of reverse sensitivity.

Point Number 372.11

Summary of Decision Requested: **Retain** Section 1.5.7.3 (b) Water.

Decision Reasons:

- Supports provision of water supply to growth areas and links to the Sub-regional Three Waters Strategy (part of the Future Proof partnership).

Point Number 372.12

Summary of Decision Requested: **Amend** Section 1.5 What does this mean for Waikato district strategic objectives and directions? to include a strategic recognition regarding reverse sensitivity.

Decision Reasons:

- No reason provided.

Point Number 372.13

Summary of Decision Requested: **Retain** Objective 3.2.1 (a) Significant Natural Areas.

Decision Reasons:

- Supports the identification and protection of Significant Natural Areas.

Point Number 372.14

Summary of Decision Requested: **Retain** the definition of "Road network activities" in Chapter 13 Definitions.

Decision Reasons:

- General alignment of the definition of "road network activities" will make it more efficient for Auckland Transport to manage roading within Waikato District and across the common boundary.

Point Number 372.15

Summary of Decision Requested: **Retain** Transportation 14.12.1 (a) Permitted Activities.

Decision Reasons:

- General alignment of the definition of "road network activities" will make it more efficient for Auckland Transport to manage roading within Waikato District and across the common boundary.

Point Number 372.16

Summary of Decision Requested: **Amend** Rule 16.1.3 Restricted Discretionary activities, as it relates to Pokeno and Tuakau as follows:

A Multi-Unit development that meets all of the following conditions:

(a) *The Land Use – Effects rules in Rule 16.2;*

(b) *The Land Use – Building rules in Rule 16.3, except the following rules do not apply:*

(i) *Rule 16.3.1, Dwelling;*

(ii) *Rule 16.3.8 Building coverage;*

(iii) *Rule 16.3.9 Living court;*

(iv) *Rule 16.3.10 Service court;*

~~(e) *The minimum net site area per residential unit is 300m²;*~~

(d) *The Multi-Unit development is connected to public wastewater and water reticulation.....*

OR

Add an alternative residential zone for Pokeno and Tuakau which provides for terraced housing.

Decision Reasons:

- Growth can be accommodated within Pokeno and Tuakau through expanding the urban areas or through enabling greater densities within existing urban areas. The proposed plan seeks to accommodate growth within Tuakau and Pokeno through increasing the urban footprints of these towns.
- Within the proposed Residential zone there are provisions for multiunit development, however each unit must have a minimum net site area of 300m². The minimum site area for vacant lot subdivision is 450m². The proposed rules within the residential zone will not provide for intensification of the existing urban area nor will they result in a range of housing typologies that facilitate housing choice.
- The proposed rezoning of rural land for urban development and the zone rules will generate further urban sprawl on land and will result in a loss of prime soil. Furthermore, the lack of variety in housing typologies facilitated within the Residential and Village zones will result in a lack of housing choice to cater for a variety of incomes in and around Tuakau and Pokeno.
- Higher minimum densities than those proposed are more appropriate for established residential areas immediately adjacent to the Business Town Centre zones. Higher residential densities around this zone would better support public transport and other infrastructure, the commercial vitality of the town centre and promote people living, working and playing in their local town centres.
- The provision of other bulk and location requirements, site coverage and the assessment criteria included for this type of activity are sufficient enough to address the likely impacts on amenity and residential character, whilst encouraging alternative types of housing design and delivering on the typology enabled by these provisions.
- An alternative to the above is to enable a new zone to be included within established residential areas, such as within walking distance from existing Business Town Centre zoned areas. This could be a more dense residential zone, or one that enables slightly increased building envelopes to enable in-fill and additional residential development to occur close to town centres.

Point Number 372.17

Summary of Decision Requested: **Retain** Rule 22.3.7.1. Building setbacks - All boundaries.

Decision Reasons:

- Building setbacks create separation for sensitive activities based on zone and site size. Specific rules for sensitive activities are included.

Point Number 372.18

Summary of Decision Requested: **Retain** Rule 22.3.7.2. Building setback - sensitive land use.

Decision Reasons:

- Building setbacks create separation for sensitive activities based on zone and site size. Specific rules for sensitive activities are included.

Point Number 372.19

Summary of Decision Requested: **Retain** Rule 22.4.1.1 Prohibited subdivision.

Decision Reasons:

- Supports provisions that protect and retain high class soils, particularly for their value in food production.

Point Number 372.20

Summary of Decision Requested: **Amend** Rule 22.4.1.1 PR4 Prohibited subdivision PR4, to make it more absolute that no additional lots are able to be subdivided where a transferable rural lot subdivision has occurred in the past.

Decision Reasons:

- Waikato District Plan approach to rural subdivision does not include TTR mechanism which enables additional subdivision rights to be transferred to other sites where certain criteria are met.
- Suggest amendments to make it more absolute that no additional lots are to be subdivided where a transferable rural lot for subdivision has occurred in the past.

Point Number 372.21

Summary of Decision Requested: **Amend** Rule 22.4.1.5 Rural Hamlet Subdivision, to be limited and focused around existing towns and villages.

Decision Reasons:

- Rural Hamlets and the growth of new residential areas should be limited and focused around existing towns and villages. Strategic directions in the plan encourage growth around existing towns and centres, therefore enabling rural hamlets do not align with this. Rural hamlet developments have the potential to create small enclaves of residential activity, with potential effects on reverse sensitivity, transport management and on rural character.

Point Number 372.22

Summary of Decision Requested: No specific decision sought, but submission states support for further section 32 analysis to consider the potential costs and benefits of conservation lots in the rural area.

Decision Reasons:

Support further section 32 analysis to consider the potential costs and benefits of conservation lots in the rural area, in particular the impacts of potential yields on rural character where these provisions are utilised to create additional lots. Analysis to consider the potential impact on growth in the rural area would be beneficial.

Point Number 372.23

Summary of Decision Requested: **Amend** Chapter 4 Urban Environment, Chapter 16 residential Zone, the Planning Maps and any other provisions that are proposed for 'live' Residential zoning in unserviced urban residential areas in and around Pokeno and Tuakau where there is uncertainty about the funding, staging and timing for infrastructure provision.

Decision Reasons:

- The submitter opposes the application of 'live' urban residential zones in and around Pokeno and Tuakau.
- The provisions of Section 4.1 Strategic Direction do not adequately address how subdivision and development activities will be managed where a 'live' residential zoning is proposed for un-serviced land in and around Pokeno and Tuakau. The planning framework proposed for these areas is not promoting an integrated, staged approach to infrastructure and development. It is likely to enable development that undermines the ability to coordinate the adequate provision of network and community infrastructure to support growth.
- An alternative method to 'live' zoning of these areas should be considered, to more appropriately manage land where a live zone has been applied, but where there is no existing or planned supporting infrastructure.
- The introduction of the National Planning Standards may provide alternative methods to large areas of live zoned residential areas, whereby necessary infrastructure requirements (particularly water supply and the regional roading network) could be addressed through the use of development areas and framework planning tools in the new standards. We support consideration of alternative zoning methodologies to enable future growth in a planned way and the National Planning Standards may provide these.

Point Number 372.24

Summary of Decision Requested: **Amend** Policy 3.2.2 (a) Identify and Recognise as follows:
Identify significant indigenous vegetation and habitats of indigenous fauna in accordance with the Waikato Regional Policy Statement and include identified significant ecological areas in the Auckland Unitary Plan which cross the Waikato-Auckland territorial boundary, as Significant Natural Areas.

Decision Reasons:

- Submitter seeks alignment with the Auckland Unitary Plan – Operative in Part in relation to the identification and protection of Significant Natural Areas in close proximity to the common territorial authority boundary.
- Ensure areas identified in the Unitary Plan follow through into the Waikato District.

Point Number 372.25

Summary of Decision Requested: **Retain** Objective 5.1.1. The rural environment.

Decision Reasons:

- Submitter supports provisions that protect and retain high class soils, particularly for their value in food production.

Point Number 372.26

Summary of Decision Requested: **Retain** Policy 5.2.2. High class soils.

Decision Reasons:

- Supports provisions that protect and retain high class soils, particularly for their value in food production.

Point Number 372.27

Summary of Decision Requested: **Delete** Policy 5.3.8(d) Effects on rural character and amenity from rural subdivision.

Decision Reasons:

- The provisions enabling rural hamlet development do not cascade appropriately from the higher order strategic objectives of the plan and as the provisions enabling rural hamlets are sought for deletion, the associated policy is also sought for deletion.

Point Number 372.28

Summary of Decision Requested: **Retain** Policy 5.3.7. Reverse sensitivity effects.

Decision Reasons:

- Submitter supports policy that recognises types of rural environment activities and avoids and or mitigates the effects of these activities on other sensitive land uses.

Submitter Number: 373 **Submitter:** Andrew Hutchison

Organisation: The Church in Hamilton

Point Number 373.1

Summary of Decision Requested: **Amend** Rule 22.1.2 Permitted Activities, to include religious gatherings under 150 people with a maximum vehicle movement condition of 200 vehicles per day.

Decision Reasons:

- There are already religious gatherings occurring in the zone.
- Such gatherings do not cause any disturbance to traffic or cause any other disturbance.

Submitter Number:	374	Submitter:	Judy Garrick
Point Number	374.1		
Summary of Decision Requested:	<p>Delete the cycle-way through the property at 17 Scott Road, Te Kauwhata.</p> <p>AND</p> <p>Amend the District Plan Maps to include a cycleway in the Lakeside development exit road.</p>		
Decision Reasons:	<ul style="list-style-type: none"> • This is private land. • Health and Safety laws state that all persons using private land are the responsibility of the 'land owner'. (If an incident or injury occurred as a result of work being conducted on or near the public land, then there would be liability, under the <i>Health and Safety at Work Act 2015</i>.) • The proposed cycle-way through this land will cut off the end paddock and there will be no legal access for the submitter's stock, creating another health and safety issue when the submitter needs to move them. • The drain running along this land poses a serious health and safety issue to anyone using this cycle-way. • Creating a cycle-way through the property will jeopardise any future development plans for this land, basically splitting the title in two. 		

Submitter Number:	375	Submitter:	Paul Ivory
Point Number	375.1		
Summary of Decision Requested:	<p>Amend the zoning of the property at 93 Hakarimata Road, Ngaruawahia from being a split zone of Rural Zone and Country Living Zone to being only Country Living Zone.</p>		
Decision Reasons:	<ul style="list-style-type: none"> • The submitter does not want to be disadvantaged by double zoning for any further subdivision proposals under the Country Living zone. • The proposed split/double zoning would <ul style="list-style-type: none"> - Diminish the land value - The proposed Rural Zone is restrictive and would limit efficient management of this property - Any prospective subdivision opportunities would be flawed if part of the property was zoned Rural - None of the adjoining properties have the proposed Rural zoning - Seeks that the property remain as Country Living zone. 		

Submitter Number:	376	Submitter:	Jolene Francis
Point Number	376.1		
Summary of Decision Requested:	<p>Amend Rule 22.4.1.2 General Subdivision, by including additional provisions to permit additional subdivision to occur that does not have a detrimental impact on amenity and economic values on the rural environment.</p>		
Decision Reasons:	<ul style="list-style-type: none"> • Recognising that fragmentation of rural land and loss of productive and versatile land is not ideal, the rules as currently written encourage this by only permitting the subdivision of larger farms, rather than allowing smaller blocks of 10-20 acres the opportunity to subdivide one lot from their property allowing two titles. • These size blocks still provide low density housing, are most likely not of a size to be productive and are not likely to be amalgamated into a large more economically viable block. Yet they are also unable to subdivide. • In many circumstances, having the opportunity to create another title and subdivide results in income directed back into the property and further opportunities to diversify. 		
Point Number	376.2		
Summary of Decision Requested:	<p>Amend the District Plan Maps by expanding the Village Zone and Country Living Zone areas around Te Kowhai village.</p>		
Decision Reasons:	<ul style="list-style-type: none"> • The zoning of land as Country Living and village living and to expand the footprint of Te Kowhai village is a great initiative, however it should go further. • There are a number of reasonable sized lifestyle properties around this village i.e. Bedford, Te Kowhai and Horotiu Roads that potentially have land available for subdivision of a lot from their title. • With demand for housing high, particularly in this area, permitting blocks of 10-20 ha in size to have a second title would maintain the rural outlook and amenities while providing the district with further housing in a desirable location. This would add to the both the local and district economy and increase the rating base for the district. • Areas that have been identified within the proposed district plan for country and village living have or are already being developed with some sections already on the market for sale. Considering the plan should be allowing for growth within the district for the next 10 years, the proposed zones don't go far enough and should encompass a wider radius around the village. • In the next 10 years, at the current growth we are seeing, it is likely there will be increasing pressure from urban expansion out into the Waikato district, particularly in the northern part of the district plan. 		
Point Number	376.3		
Summary of Decision Requested:	<p>Amend Rule 23.4 Subdivision provisions to permit additional allotments where appropriate for larger lifestyle properties.</p>		
Decision Reasons:			

- In the next 10 years, at the current growth we are seeing, it is likely there will be increasing pressure from urban expansion out into the Waikato district, particularly in the northern part of the district.
- Provisions within the proposed plan should permit additional allotments where appropriate for larger lifestyle properties to allow fill in of current housing areas and ease the requirements for entirely new subdivisions to address a housing shortage.

Point Number 376.4

Summary of Decision Requested: Place the Proposed District Plan on hold pending the outcome of the other Strategic Planning currently underway, including Future Proof Phase 2 and the Hamilton to Auckland Corridor network plan.

Decision Reasons:

Submitter Number: 377 **Submitter:** Rangimonehu Kereopa

Organisation: Pareaute Kereopa Whanau Trust

Point Number 377.1

Summary of Decision Requested: Amend Section 2.2 (a) Background - to apply the Resource Management Act definitions, as follows:
Tangata whenua: In relation to a particular area, means the iwi, or hapu, that holds mana whenua over that area.
Mana whenua: Means customary authority exercised by an iwi or hapu in an identified area.
 AND
 Amend Section 2.2 (a) Background which states that Waikato-Tainui is Tangata Whenua of the Waikato district.

Decision Reasons:

- Waikato-Tainui is not: 'The Tangata Whenua of the Waikato District'.
- The terminology is quite important to get correct, as Waikato-Tainui do not have authority or Tangata whenua status in Raglan.
- Tainui iwi and hapu of the West Coast Harbour of Raglan have not ceded their sovereignty to Waikato-Tainui.
- Waikato-Tainui do not hold our mandate to speak on our behalf re: future developments, growth or progress of our rohe.
- Nor have we given up any type of relationship that us here as Tangata whenua are striving to build with Waikato District Council.
- Waikato-Tainui is not 'the' Tangata whenua, as if to proclaim that they are an entity that has a higher status than other iwi, hapu and marae in the Waikato district.
- Waikato-Tainui Iwi Authority was established to receive settlement funds from the Crown as a result of Raupatu. Waikato District Council must not confuse the identity and status of Tangata whenua and other hapu and or iwi with its obligation under the RMA to all Tangata whenua groups within the Waikato district.
- The submitter asserts that Tangata whenua in Whaingaroa are only those that can whakapapa to Whaingaroa.

Point Number 377.2

Summary of Decision Requested: No specific decision sought, but submission supports Whaingaroa Kite Whenua, Tihei Mauriora - a cultural theme park plan.

Decision Reasons:

- Aligns with the vision and aspirations of Tangata whenua and owners and beneficiaries of Te Kopua lands on Riria Kereopa Memorial Drive, Whaingaroa.

Point Number 377.3

Summary of Decision Requested: No specific decision sought, but submission states support for Iwi Management Plans for hapu, iwi groups and organisations
 AND
 No specific decision sought, but submission states, support for Council creating a Hapu/Iwi Management Plan budget/funding pool for the Waikato district.

Decision Reasons:

- This will improve consultation and engagement with tangata whenua and any future developments within our rohe.

Point Number 377.4

Summary of Decision Requested: No specific decision sought, but submission opposes the development of multi unit dwellings on the corner of Wainui and Stewart Street, Raglan.

Decision Reasons:

- It will change the natural characteristic of the landscape of Whaingaroa, especially the effect and impact it will have on current residences of that area. The beauty of Whaingaroa is the lifestyle by the sea which enhances our authenticity.
- The submitter feels we need to retain what we already have, without further developments of 2-storey multi-unit dwellings in the CBD.

Submitter Number: 378 **Submitter:** Fire and Emergency New Zealand

Point Number 378.1

Summary of Decision Requested: Retain Policy 5.6.9 Existing non-residential activities.

Decision Reasons:

- Fire and Emergency New Zealand supports the policy as a number of existing fire stations in the Waikato region are within the Rural environment therefore provision to enable fire service facilities to continue to function, re-development, or if necessary, expand, they can do so grounded on an effects based approach.

Point Number	378.2
Summary of Decision Requested:	Retain Policy 6.4.3 Infrastructure Location and Services.
Decision Reasons:	<ul style="list-style-type: none"> • Policy ensures subdivision, use and development are provided with infrastructure and services to a level that is appropriate to its location and intended use, including adequate water supply within urban areas for firefighting purposes.
Point Number	378.3
Summary of Decision Requested:	Retain Policy 6.5.2 Construction and operation of the land transport network.
Decision Reasons:	<ul style="list-style-type: none"> • Policy promotes the appropriate design and location of site accesses.
Point Number	378.4
Summary of Decision Requested:	Retain Policy 9.1.1.3 Management of adverse effects.
Decision Reasons:	<ul style="list-style-type: none"> • Policy requires the management of adverse traffic safety effects to ensure the safe and efficient operation and functioning of the adjacent transport network and efficient access to surrounding facilities is maintained at all times. This is important to maintain access to properties for emergency vehicles.
Point Number	378.5
Summary of Decision Requested:	<p>Retain Policy 9.2.1.2 Servicing, as it requires development to be adequately serviced for essential services, except for the amendments sought below</p> <p>AND</p> <p>Amend Policy 9.2.1.2 (a) Servicing, as follows:</p> <p><i>(a) Development is to be adequately serviced with respect to essential service, water supply (including for fire fighting purposes), wastewater treatment and disposal and stormwater treatment and disposal.</i></p> <p>AND</p> <p>Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> • Fire and Emergency New Zealand supports the policy in part as it requires that development is to be adequately serviced with respect to essential services such as water supply, however Fire and Emergency New Zealand seeks that the provision for water supply is adequate for firefighting purposes.
Point Number	378.6
Summary of Decision Requested:	<p>Retain Policy 9.3.2.2 Community facilities, except for the amendments sought below</p> <p>AND</p> <p>Amend Policy 9.3.2.2 (a)(ii) Community facilities, as follows:</p> <p><i>(ii) Provide a service or function <u>that provides for the health, safety and well-being to the local neighborhood</u>:</i></p> <p>AND</p> <p>Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> • Fire and Emergency New Zealand supports the policy in part, however seek the amendments to better emphasise the purpose of providing a service or function.
Point Number	378.7
Summary of Decision Requested:	<p>Retain Objective 9.4.2 Adverse effects of land use, to the extent that recognition is given to health and well-being of communities and they are protected from adverse effects of land use and development.</p> <p>AND</p> <p>Amend Objective 9.4.2(a) Adverse effects of land use, as follows:</p> <p><i>(a) The health, <u>safety</u> and well-being of people, communities and the environment are protected from the adverse effects of land use and development within the Business Zone Tamahere.</i></p> <p>AND</p> <p>Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> • Fire and Emergency New Zealand supports the objective to the extent that recognition is given to the health and well-being of communities and are protected from the adverse effects of land use and development. However, Fire and Emergency New Zealand recommends the wording better reflect section 5 of the RMA, which also refers to the safety of the community.
Point Number	378.8
Summary of Decision Requested:	Retain Objective 10.1.1 Effects of hazardous substances.
Decision Reasons:	<ul style="list-style-type: none"> • Fire and Emergency New Zealand supports the objective on the basis that residual risk associated with storage, use or disposal of hazardous substances is managed to ensure that the effects on people, property and the environment are acceptable.

Point Number	378.9
Summary of Decision Requested:	Retain Policy 10.1.2 Location of new hazardous facilities.
Decision Reasons:	<ul style="list-style-type: none"> • Fire and Emergency New Zealand supports the policy on the basis that residual risk associated with storage, use or disposal of hazardous substances is managed to ensure that the effects on people, property and the environment are acceptable.
Point Number	378.10
Summary of Decision Requested:	Retain Policy 10.1.3 Residual risks of hazardous substances.
Decision Reasons:	<ul style="list-style-type: none"> • Fire and Emergency New Zealand supports the policy on the basis that residual risk associated with storage, use or disposal of hazardous substances is managed to ensure that the effects on people, property and the environment are acceptable.
Point Number	378.11
Summary of Decision Requested:	<p>Retain the definition of "Commercial activity" in Chapter 13 Definitions on the assumption that it includes emergency services.</p> <p>AND</p> <p>Amend the definition of "Commercial Activity" in Chapter 13 Definitions, as follows:</p> <p><i>Means the use of land and buildings which provides social and cultural services and facilities for the general public in respect of <u>emergency services</u>, education, and religion. Community facilities and leisure, may be associated with health clinics, schools, churches, probation and periodic detention centres.</i></p> <p>AND</p> <p>Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> • Fire and Emergency New Zealand supports the definition on the assumption that the definition is intended to encompass emergency services. However, Fire and Emergency New Zealand considers that, in order to provide clarity, the definition should be expanded to make explicit mention of emergency services.
Point Number	378.12
Summary of Decision Requested:	<p>Add a new definition of "emergency services" to Chapter 13 Definitions as follows:</p> <p><u>Emergency Services</u></p> <p><i>Means the New Zealand Police, Fire and Emergency New Zealand, and hospital and health services.</i></p> <p>AND</p> <p>Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> • New definition will provide greater clarity to plan users and to support the relief sought elsewhere in the submission. • Proposed definition reflects the definition included in section 4 of the Civil Defence Emergency Management Act 2002.
Point Number	378.13
Summary of Decision Requested:	<p>Add a new definition for "Emergency services training and management activities" to Chapter 13: Definitions, as follows:</p> <p><u>Emergency services training and management activities</u></p> <p><i>Means the training activities, operational support and other non-emergency activities undertaken by the New Zealand Police, Fire and Emergency New Zealand, and hospital and health services.</i></p> <p>AND</p> <p>Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> • Inclusion of the definition will provide greater clarity to plan users and to support the relief sought elsewhere in this submission.
Point Number	378.14
Summary of Decision Requested:	<p>Add a new definition for "non-hazardous gas", to provide clarity with regard to thresholds specified in Appendix 5.</p> <p>AND</p> <p>Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> • Provides clarity as to whether the volumes proposed in Appendix 5 are the compressed or uncompressed, e.g. BA cylinder (9L) at 300 Bar has approximately 2.6m³ of air. • Definition is important to Fire and Emergency New Zealand as it will assist in determining whether the district plan provides for the storage of a sufficient amount of BA tanks at a station in a residential area. • Fire and Emergency New Zealand will work with the Waikato District Council to agree to a wording for the definition as needed.
Point Number	378.15
Summary of Decision Requested:	<p>Retain the standards for subdivision in Section 14.3 General infrastructure, particularly Rule 14.3.1.8 relating to service connections for subdivision.</p> <p>AND</p> <p>Amend Rule 14.3.1.8 relating to P12 Permitted Activities as follows:</p> <p><i>14.3.1.8 (3) Within all zones, except the Rural and Country Living Zones, the water supply required under Rule 14.3.1.8 (1)(b) must be adequate for firefighting purposes in accordance with New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008. Compliance with this Code of Practice can typically be achieved through connection to a Council reticulated water supply.</i></p>

14.3.1.8(4) Within the Rural and Country Living Zones, provision shall be made for an adequate supply of water and access to water supplies for firefighting purposes in accordance with New Zealand Fire Service Firefighting Water Services Code of Practice SNZ PAS 4509:2008.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand generally supports 14.3.1.8 as it requires all new lots created as part of a subdivision must be designed and located so that provision is made for access and service connections up to the boundary of the lot, including water supply and vehicle access.
- Amendments will require provision for water supply in the Rural and Country Living Zones that are adequate for firefighting purposes.
- Is consistent with the priority given to firefighting water supply in section 14(3) of the RMA.
- Better enables FENZ to achieve its statutory obligations under the FSA.
- Better gives effect to the RPS.
- Achieves the purpose of the RMA by enabling people and communities to provide for their health, safety and well-being by managing a potential adverse effect of relatively low probability but high consequence.

Point Number

378.16

Summary of Decision Requested:

Retain Rule 14.12.1.1 relating to PI Vehicle access, subject to the relief sought in relation to Tables 14.12.5.14 and 14.12.5.15

AND

Amend Rule 14.12.1.1 relating to PI Vehicle access for all activities, as follows:

14.12.1.1 Vehicle access for all activities

(1) All activities must comply with the following vehicle access conditions:

(a) The site has a vehicle access to a formed road that is maintained by a road controlling authority;

(b) The site has a vehicle access that is constructed to comply with the relevant requirements of Table 14.12.5.1, Figure 14.12.5.2, Table 14.12.5.3 and Figure 14.12.5., Table 14.12.5.14 and Table 14.12.5.15 except:

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Subject to relief sought in relation to Table 14.12.5.14 and Table 14.12.5.15, Fire and Emergency New Zealand generally supports the access provisions in 14.12.1.1 as it recognises the need for suitable vehicle access for all activities within the District.
- For fire appliances to access an emergency, adequate access width, height and gradient is necessary. A 95th percentile pumping appliance has a width of 2.5m, a height of 3.55m and a length of 8.72m. A clearance of greater than 4m is required for firefighters to work around the fire appliance to access hoses and pumps. The maximum negotiable gradient is 1:5, accompanied by a 4m long 1:15 transition grade. In order to provide for ability to access a fire/emergency, amendments must be made to ensure adequate clearance.
- Inclusion of these tables will ensure all activities comply with the relevant vehicle access requirements to ensure sufficient access for firefighting purposes.
- Vehicle access that does not comply with one or more of the conditions of Rule 14.12.1.1 is a Restricted Discretionary Activity.

Point Number

378.17

Summary of Decision Requested:

Retain the matters of discretion in Rule 14.12.2 Restricted Discretionary Activities, to the extent that discretion is required for vehicle access that does not comply with Rule 14.12.1.1

AND

Amend Rule 14.12.2 RD1 Restricted Discretionary Activities, as follows:

Discretion is restricted to:

(a) Traffic generation by the activities to be served by the access;

(b) Location, design, construction and materials of vehicle access;

(c) Safety for vehicles and pedestrians;

(d) Road network safety and efficiency; and

(e) Mitigation to address safety, including access clearance requirements for firefighting purposes.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand generally supports the matters of discretion to the extent that it recognises that discretion is required for vehicle access that does not comply with one or more of the conditions of Rule 14.12.1.1.
- While discretion addresses matters in relation to mitigation to address safety, Fire and Emergency New Zealand is concerned that access to a site for emergency purposes may be overlooked.
- Fire and Emergency New Zealand seek clarity around the discretion Council have for access infringements, specifically in relation to access widths.

Point Number

378.18

Summary of Decision Requested:

Retain Table 14.12.5.7 Required parking spaces and loading bays relating to emergency service facilities.

Decision Reasons:

- Fire and Emergency New Zealand supports the parking requirements in Standard 14.12.5.7 that requires emergency service facilities to provide 1 car space per on-duty staff person, plus sufficient space for all the emergency vehicles that use the site.
- This is considered an effective and practical standard for emergency facilities.

Point Number

378.19

Summary of Decision Requested:

Retain Table 14.12.5.14 Access and road conditions, as it requires an adequate minimum road/ROW width

AND

Add a note below Table 14.12.5.14 Access and road conditions (Residential, Village, Business, Business Towne Centre and Industrial Zones) relating to minimum road/ROW reserve width column as follows:

**Accesses shall have a minimum height clearance of 4.0m and a maximum gradient of 1 in 5 (with minimum 4.0m transition ramps of 1 in 8) except where the access terminates less than 13.5m from the nearest road that has reticulated water supply (included hydrants).*

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand generally supports the design requirements for vehicle access as it requires an adequate Minimum Road/ROW Reserve Width to allow for access to properties for firefighting purposes.
- Fire and Emergency New Zealand is concerned however that the requirements in Table 14.12.5.14 fail to prescribe height clearance and gradient requirements and therefore would not be able to accommodate a fire appliance.
- For fire appliances to access an emergency, adequate access width, height and gradient is necessary. A 95th percentile pumping appliance has a width of 2.5m, a height of 3.55m and a length of 8.72m. A clearance of greater than 4m is required for firefighters to work around the fire appliance to access hoses and pumps. The maximum negotiable gradient is 1:5, accompanied by a 4m long 1:15 transition grade. In order to provide for ability to access a fire/emergency, amendments must be made to ensure adequate clearance.

Point Number

378.20

Summary of Decision Requested:

Retain Table 14.12.5.15 Access and road conditions, as it contains minimum road/ROW reserve width requirements

AND

Add note below Table 14.12.5.15 Access and road conditions (Rural and Country Living Zones) relating to the Minimum Road/ROW Reserve Width column, as follows:

**Accesses shall have a minimum height clearance of 4.0m and a maximum gradient of 1 in 5 (with minimum 4.0 transition ramps of 1 in 8),*

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand generally supports the design requirements for vehicle access as it generally recognises Minimum Road/ROW Reserve Width requirements to allow for access to properties for firefighting purposes.
- Fire and Emergency New Zealand are concerned, however, that the requirements in Table 14.12.5.15 fail to prescribe height clearance and gradient requirements and therefore would not be able to accommodate a fire appliance and may give rise to situations where access for emergency vehicles is compromised in the Rural and Country Living Zones.
- There is also an absence of provisions to provide for height clearance and gradient requirements and therefore would not be able to accommodate a fire appliance.
- For fire appliances to access an emergency, adequate access width, height and gradient is necessary. A 95th percentile pumping appliance has a width of 2.5m, a height of 3.55m and a length of 8.72m. A clearance of greater than 4m is required for firefighters to work around the fire appliance to access hoses and pumps. The maximum negotiable gradient is 1:5, accompanied by a 4m long 1:15 transition grade. In order to provide for ability to access a fire/emergency, amendments must be made to ensure adequate clearance.
- This amendment will ensure sufficient clearance.

Point Number

378.21

Summary of Decision Requested:

Add a new activity to Rule 16.1.2 Permitted Activities as a permitted activity:

x. Emergency services training and management activities.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand opposes the range of activities listed in 16.1.2 as permitted activities as there is no provision made for emergency services training and management activities.
- Fire and Emergency New Zealand seek the rule be expanded to provide for emergency services training and management activities in order to better achieve the sustainable management purpose of the Act and better enable Fire and Emergency New Zealand to achieve its statutory function by facilitating firefighting and emergency response.

Point Number

378.22

Summary of Decision Requested:

Add a new activity to Rule 16.1.3 as a Restricted Discretionary Activity:

(j) Emergency service facilities.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand opposes Rule 16.1.3 to the extent that no provision is made for emergency services facilities. As provision is not made under this rule, emergency service facilities would instead default to non-complying activities under Rule 16.1.5.
- Fire and Emergency New Zealand considers the default non-complying activity status is overly restrictive and inappropriate and therefore seek the inclusion of emergency service facilities as a restricted discretionary activity to provide for emergency services in the Residential Zone for the following reasons:
 1. Fire stations must be strategically located within and throughout communities to maximize their coverage and response times so that they can efficiently and effectively provide for health and safety of people and communities by being able to respond to emergency call outs in a timely way, thus avoiding or mitigating the potential for adverse effects associate with fire hazard and other emergencies;
 2. The actual or potential effects of fire stations are minor and can be adequately predicted and subsequently managed by conditions of consent and subsequent matters for control;
 3. Restricted Discretionary activity status will better implement the Objectives and Policies of the Proposed District Plan.
 4. Restricted Discretionary activity status better achieves the purpose of the RMA and better enables the submitter to meet its statutory obligations.

Point Number

378.23

Summary of Decision Requested:

Retain Rule 16.2.1.1 Noise - General.

Decision Reasons:

- Fire and Emergency New Zealand supports Rule 16.2.1.1 as it permits noise generated by emergency sirens. This exemption appropriately provides for the operational requirements of Fire and Emergency New Zealand and enables them to meet its statutory obligations in a manner that provides for the on-going health and safety of people and communities.

Point Number

378.24

Summary of Decision Requested:

Add a clause to Rule 16.2.5 Hazardous substances, as follows:

16.2.5 Hazardous substances

(a) The use, storage or disposal of any hazardous substance where:

(i) the aggregate quantity of any hazardous substance of any hazard classification on a site is less than the quantity specified in the Residential zone in Table 5.1 contained within Appendix 5 (Hazardous Substances).

(ii) 16.2.5(g)(i) excludes the fire stations and associated fire service operations.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand opposes Rule 16.2.5 as while fire stations and associated firefighting activities involve the use and storage of hazardous substances at quantities that are considered minor, it is possible that the permitted provisions may not enable for this, and could affect Fire and Emergency New Zealand's ability to operate as effectively as needed.
- Fire and Emergency New Zealand's recent firefighting chemicals work has highlighted a number of challenges and limitations with the way the hazardous substances rules are written in district plans. Therefore, Fire and Emergency New Zealand requests that fire stations and associated firefighting activities are excluded from the permitted activity Rule 16.2.5 for the following reasons:
 1. The 8.3 Classification (Table 5.1 contained with Appendix 5-Hazardous substances) has only a 50L/kg limit in residential zones, and is quite low in other areas- lots of household products are eye corrosives from dishwashing powder to laundry powder. This would limit and potentially prevent Fire and Emergency New Zealand having a HAZMAT vehicle based in this zone because they carry neutralizing agents which are eye corrosives. A greater concern is that some of Fire and Emergency New Zealand's fire retardants and foams also have this classification and this limit could potentially require that Fire and Emergency New Zealand need a resource consent to hold a small amount or any of these chemicals on site, as a 50kg limit would be largely taken up by ordinary household chemicals used on site.
 2. The 8.3A classifications is for eye corrosion. A person is only affected by this hazard class if they come into direct contact with a product with this classification. This hazard is also managed under the health and safety at work and HSN0 legislation usually via labeling and PPE requirements. Fire and Emergency New Zealand considers that there is no logic in restricting the amount of these substances held as it relates to Fire and Emergency New Zealand operations, particularly if they are in enclosed for systems.
 3. Some of Fire and Emergency New Zealand's fire retardants are solids rather than liquids and the reasons for the limits specified in the plan do not make sense for solids. Fire and Emergency New Zealand current main fire retardant is a powder but Fire and Emergency New Zealand are also looking at new foams which come in bricks. As such, the higher restrictions for waterways do not make sense for these products as they do not leak or flow.
 4. Fire and Emergency New Zealand often requires the temporary storage of chemicals necessary for providing an emergency response, during an emergency and within a short period after the emergency, i.e. there is a small grace period for example is Fire and Emergency New Zealand need a truck to remove a container which has firefighting chemicals in it, Fire and Emergency New Zealand may need to wait for a few working days after the emergency has finished for a contractor to do that work. Not providing for this could restrict Fire and Emergency New Zealand's ability to respond to bush or other major events, e.g. large acid spills and other HAZMAT events. This could result in a breach of the RMA in order to bring in the necessary products to resolve the issue and prevent further harm.

Point Number 378.25

Summary of Decision Requested: **Amend** Rule 16.3.3.1 Height - Building general, as follows:

This standard does not apply to emergency service facilities and hose drying towers up to 15m associated with emergency service facilities.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand oppose the height requirements of Rule 16.3.3.
- The inclusion of a specific exemption for emergency service facilities and hose drying towers in order to appropriately provide for the operational requirements of Fire and Emergency New Zealand.
- Fire stations are single storied buildings of approximately 8-9m in height. Some fire stations also include a hose drying tower between 12-15m in height.
- The inclusion of an exemption would better provide for the health and safety of the community by enabling the efficient functioning of Fire and Emergency New Zealand.

Point Number 378.26

Summary of Decision Requested: **Retain** Rule 16.3.9.3- Building setback - Waterbodies.

Decision Reasons:

- Fire and Emergency New Zealand considers that the standard will safeguard the wellbeing of communities in accordance with the purpose of the RMA and the purpose of Fire and Emergency New Zealand in the effective protection of lives, property and the surrounding environment.

Point Number 378.27

Summary of Decision Requested: **Retain** Rule 16.4.1 Subdivision general, to the extent that subdivision is a restricted discretionary activity and proposed lots must connect to a public-reticulated water supply

AND

Amend Rule 16.4.1 Subdivision - General, as follows:

(x) Provision of infrastructure, including water supply for firefighting purposes.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand generally supports Rule 16.4.1 to the extent that subdivision is a Restricted Discretionary activity and requires that proposed lots in the Residential Zone must connect to public-reticulated water supply.
- Subdivision that does not comply is a Discretionary Activity.

Point Number 378.28

Summary of Decision Requested: **Retain** Rule 16.4.2 Subdivision - Te Kauwhata Ecological Residential Area, to the extent that subdivision is a restricted discretionary activity and proposed lots must connect to a public-reticulated water supply.

AND

Amend Rule 16.4.2(b)(x) Subdivision - Te Kauwhata Ecological Residential Area, as follows:

(x) Provision of infrastructure, including water supply for firefighting purposes.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand generally supports Rule 16.4.2 to the extent that subdivision in the Te Kawhata Ecological Residential Area is a Restricted Discretionary activity and requires that proposed lots in the Residential Zone must connect to a public-reticulated water supply.
- Subdivision that does not comply is a Discretionary Activity.

Point Number 378.29

Summary of Decision Requested: **Retain** Rule 16.4.3 Te Kawhata West Residential Area, to the extent that subdivision is a Restricted Discretionary Activity and requires proposed lots to connect to public-reticulated water supply

AND

Amend Rule 16.4.3 Te Kawhata West Residential Area, as follows:

(x) Provision of infrastructure, including water supply for firefighting purposes.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand generally supports Rule 16.4.3 to the extent that subdivision in the Te Kawhata West Residential Area is a Restricted Discretionary activity and requires that proposed lots in the Residential zone must connect to public-reticulated water supply.
- Subdivision that does not comply is a Discretionary Activity.

Point Number 378.30

Summary of Decision Requested: **Retain** Rule 16.4.4 Subdivision - Multi-unit development, to the extent that subdivision is a restricted discretionary activity and requires connections to water reticulation

AND

Amend Rule 16.4.4(b)(x) Subdivision - Multi-unit development, as follows:

(x) Provision of infrastructure to individual units; including water supply for firefighting purposes.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand generally supports Rule 16.4.1 to the extent that subdivision in the form of multi-unit development in the Residential Zone is a Restricted Discretionary activity and requires connection to water reticulation.
- Subdivision that does not comply is a Discretionary Activity.

Point Number 378.31

Summary of Decision Requested: **Add** a new activity to Rule 17.1.2 Permitted Activities, as follows:

(x) Emergency services training and management activities.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand opposes the range of activities listed in Rule 17.1.2 as permitted activities as there is no provision explicitly made for emergency services training and management activities.
- The rules should be expanded to provide for emergency services training and management activities in order to better achieve the sustainable management purpose of the Act and better enable Fire and Emergency New Zealand to achieve its statutory function by facilitating firefighting and emergency response.

Point Number 378.32

Summary of Decision Requested: **Retain** Rule 22.2.1.1 Noise - General, as notified.

Decision Reasons:

- Fire and Emergency New Zealand supports Rule 22.2.1.1 as it permits noise generated by emergency sirens. This exemption appropriately provides for the operational requirements of Fire and Emergency New Zealand and enables them to meet its statutory obligations in a manner that provides for the on-going health and safety of people and communities.

Point Number 378.33

Summary of Decision Requested: **Amend** Rule 22.2.4 Hazardous substances, as follows:

22.2.4 Hazardous substances

(a) The use, storage or disposal of any hazardous substances where:

(i) The aggregate quantity of hazardous substances of any hazard classification on a site less than the quantity specified for the Rural Zone in Table 6.1 contained within Appendix 5 (Hazardous Substances).

(ii) Rule 22.2.4.(a).(i) excludes fire stations and associated fire service operations.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand opposes Rule 22.2.4 as while fire stations and associated firefighting activities involve the use and storage of hazardous substances at quantities that are considered minor, it is possible that the permitted provisions may not enable for this, and could affect Fire and Emergency New Zealand's ability to operate as easily and smoothly as needed.
- Fire and Emergency New Zealand requests that fire stations and associated firefighting activities are excluded from Rule 22.2.4 for the following reasons:
 - I. The 8.3 classification (Table 5.1 contained within Appendix 5 (Hazardous Substances)) has a relatively low limit in the Business Town Centre Zone, and is quite low in other areas- lots of household products are eye corrosives from dishwashing to laundry powder. This would limit and potentially prevent Fire and Emergency New Zealand having a HAZMAT vehicle based in this zone because they carry neutralizing agents which are eye corrosives. A greater concern is that some of Fire and Emergency New Zealand's fire retardants and foams also have this classification and this limit could potentially require that Fire and Emergency New Zealand need a resource consent

to hold a small amount or and other these chemicals on site, as a lower limit would be largely taken up by ordinary household chemicals used on site.

2. The 8.3A classification is for eye corrosion. A person is only affected by this hazard class if they come into direct contact with a product with this classification. This hazard is also managed under the health and safety at work and HSNO legislation usually via labeling and PPE requirements. Fire and Emergency New Zealand considers that there is no logic in restricting the amount of these substances held as it relates to Fire and Emergency New Zealand operations, particularly if they are in enclosed containers for systems.
3. Some of Fire and Emergency New Zealand's fire retardants are solids rather than liquids and the reasons for the limits specified in the plan do not make sense for solids. Fire and Emergency New Zealand current main fire retardant is a powder but Fire and Emergency New Zealand are also looking at new foams which come in bricks. As such, higher restrictions for waterways do not make sense for these products as they do not leak or flow.
4. Fire and Emergency New Zealand often requires the temporary storage of chemicals necessary for providing an emergency response, during an emergency and within a short period after the emergency, i.e. there is a small grace period for example if Fire and Emergency New Zealand need a truck to remove a container which has firefighting chemicals in it, they may need to wait for a few working days after the emergency has finished for a contractor to do that work. Not providing for this could restrict Fire and Emergency New Zealand's ability to respond to bush or other major events, e.g. large acid spills and other HAZMAT events. This could also result in a breach of the RMA in order to bring in the necessary products to resolve the issue and prevent harm to people/the environment.

Point Number 378.34

Summary of Decision Requested: **Amend** Rule 22.3.4.1 Height - Building General, to include the following:

22.3.4.1 Height - Building General

The maximum height of any building must not exceed 10m, except hose drying towers up to 15m associated with emergency service facilities.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand supports the height standard in Rule 22.3.4.1, however an inclusion of a specific exemption will appropriately provide for the operational requirements of Fire and Emergency New Zealand.
- Fire stations are single storied buildings of approximately 8-9m in height and are typically able to achieve the height standards in a District Plan. Some fire stations also include a hose drying tower of between 12-15m in height.
- Fire and Emergency New Zealand considers that the inclusion of an exemption for associated structures better provides for the health and safety of the community by enabling the efficient functioning of Fire and Emergency New Zealand and is consistent with the typical height of similar network utility structures.

Point Number 378.35

Summary of Decision Requested: **Retain** Rule 22.3.7.5 Building setback - Waterbodies.

Decision Reasons:

- The standard will safeguard the wellbeing of communities in accordance with the purpose of the RMA and the purpose of Fire and Emergency New Zealand in the effective protection of lives, property and the surrounding environment.

Point Number 378.36

Summary of Decision Requested: **Retain** Rule 22.4.1.2 General subdivision, as subdivision is a restricted discretionary activity, except for the amendments sought below

AND

Amend Rule 22.4.1.2 General subdivision, as follows:

(a) Subdivision must comply with all of the following conditions...

x. Proposed lots must be connected to water supply sufficient for firefighting purposes.

(b) Council's discretion is restricted to the following matters...

x. Provision of infrastructure, including water supply, for firefighting purposes.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand generally supports Rule 22.4.1.2 as subdivision of land in the Rural Zone is a Restricted Discretionary activity, however, Fire and Emergency New Zealand requires that proposed lots shall be connected to public-reticulated water supply or water supply sufficient for firefighting purposes
- Subdivision that does not comply is a Non-Complying activity.
- The changes sought promotes consistency across all zones in the District Plan.

Point Number 378.37

Summary of Decision Requested: **Retain** Rule 22.4.1.5 Rural hamlet subdivision, as subdivision is a restricted discretionary activity, except for the amendments sought below

AND

Amend Rule 22.4.1.5 Rural Hamlet Subdivision, as follows:

(a) Subdivision must comply with all of the following conditions...

(xi) Proposed lots must be connected to water supply sufficient for firefighting purposes.

(b) Council's discretion is restricted to the following matters...

Provision of infrastructure, including water supply, for firefighting purposes.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand generally supports Rule 22.4.1.5 as subdivision of land in a Rural Hamlet is a Restricted Discretionary activity, however, Fire and Emergency New Zealand requires proposed lots shall be connected to public-reticulated water supply or water supply sufficient for firefighting purposes.
- Subdivision that does not comply is a Non-Complying activity.
- The changes sought promotes consistency across all zones in the District Plan.

Point Number	378.38
Summary of Decision Requested:	<p>Add a new activity to Rule 23.1.1 Permitted Activities as a permitted activity as follows:</p> <p><u>(x) Emergency services training and management activities.</u></p> <p>AND</p> <p>Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> • Fire and Emergency New Zealand opposes the range of activities listed in Rule 23.1.1 to the extent that no provision is explicitly made for emergency services training and management activities. • The rules should be expanded to provide for emergency services training and management activities in order to better achieve the sustainable management purpose of the Act and better enable Fire and Emergency New Zealand to achieve its statutory function by facilitating firefighting and emergency response.
Point Number	378.39
Summary of Decision Requested:	<p>Add a new discretionary activity to Rule 23.1.2 Discretionary Activities, as follows:</p> <p><u>(x) Emergency service facilities.</u></p> <p>AND</p> <p>Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> • Fire and Emergency New Zealand opposes Rule 23.1.2 as no provision is made for emergency service facilities. As no provision is made under this rule, emergency service facilities would instead default to non-complying activities under Rule 23.1.2. • The default non-complying activity is overly restrictive and inappropriate. • Fire and Emergency New Zealand therefore seeks the inclusion of emergency facilities as a discretionary activity in the Country Living Zone for the following reasons: <ol style="list-style-type: none"> 1. Fire stations must be strategically located within and throughout communities to maximise their coverage and response times so that they can efficiently and effectively provide for the health and safety of people and communities by being able respond to emergency call outs in a timely way, thus avoiding or mitigating the potential for adverse effects associated with fire hazard and other emergencies; 2. The actual or potential effects of fire stations are minor and can be adequately predicted and subsequently managed by conditions of consent and subsequent matters for control; 3. Restricted Discretionary activity status better implement the Objectives and Policies of the Proposed District Plan. 4. Restricted Discretionary activity status better achieves the purpose of the RMA and better enables Fire and Emergency New Zealand to meet its statutory obligations.
Point Number	378.40
Summary of Decision Requested:	Retain Rule 23.2.1.1 Noise - General.
Decision Reasons:	<ul style="list-style-type: none"> • The rule permits noise generated by emergency sirens and this exemption appropriately provides for the operational requirements of Fire and Emergency New Zealand and enables them to meet its statutory obligations in a manner that provides for the on-going health and safety of people and communities.
Point Number	378.41
Summary of Decision Requested:	<p>Amend Rule 23.2.4 Hazardous Substances, as follows:</p> <p><i>(a) The use, storage or disposal of any hazardous substance where:</i></p> <p><i>(i) The aggregate quantity of any hazardous substance of any hazard classification on a site is less than the quantity specified for the Country Living Zone in Table 5.1 contained within Appendix 5 (Hazardous Substances); and</i></p> <p><i>(ii) The storage or use of radioactive materials is in approved equipment for medical and diagnostic purposes, or specified as an exempt activity or article in the Radiation Safety Act and Regulations 2017.</i></p> <p><u><i>(iii) Rule 23.2.4 (a)(i) excludes fire stations and associated fire service operations.</i></u></p> <p>AND</p> <p>Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> • Fire and Emergency New Zealand oppose Rule 23.2.4 as while fire stations and associated firefighting activities involve the use and storage of hazardous substances at quantities that are considered minor, it is possible that the permitted provisions may not enable this, and could affect Fire and Emergency New Zealand's ability to operate as easily and smoothly as needed. • Fire and Emergency New Zealand request that fire stations and associated firefighting activities should be excluded from the Rule 23.2.4 for the following reasons: <ol style="list-style-type: none"> 1. The 8.3 classification (Table 5.1 contained within Appendix 5 (Hazardous Substances)) has a relatively low limit in the Business Town Centre Zone, and is quite low in other areas- lots of household products are eye corrosives from dishwashing to laundry powder. This would limit and potentially prevent Fire and Emergency New Zealand having a HAZMAT vehicle based in this zone because they carry neutralizing agents which are eye corrosives. A greater concern is that some of Fire and Emergency New Zealand's fire retardants and foams also have this classification and this limit could potentially require that Fire and Emergency New Zealand need a resource consent to hold a small amount or and other these chemicals on site, as a lower limit would be largely taken up by ordinary household chemicals used on site. 2. The 8.3A classification is for eye corrosion. A person is only affected by this hazard class if they come into direct contact with a product with this classification. This hazard is also managed under the health and safety at work and HSNO legislation usually via labeling and PPE requirements. Fire and Emergency New Zealand considers that there is no logic in restricting the amount of these substances held as it relates to Fire and Emergency New Zealand operations, particularly if they are in enclosed containers for systems. 3. Some of Fire and Emergency New Zealand's fire retardants are solids rather than liquids and the reasons for the limits specified in the plan do not make sense for solids. Fire and Emergency New Zealand current main fire retardant is a powder but Fire and Emergency New Zealand are also looking at new foams which come in bricks. As such, higher restrictions for waterways do not make sense for these products as they do not leak or flow. 4. Fire and Emergency New Zealand often requires the temporary storage of chemicals necessary for providing an emergency response, during an emergency and within a short period after the emergency, i.e. there is a small grace period for example if Fire and Emergency New Zealand need a truck to remove a container which has firefighting chemicals in it, they may need to wait for a few working days after the emergency has finished for a contractor to do that work. Not providing for this could restrict Fire and Emergency New Zealand's ability to respond to bush or other major events, e.g. large acid spills and other HAZMAT events. This could also result in a breach of the RMA in order to bring in the necessary products to resolve the issue and prevent harm to people/the environment.
Point Number	378.42

Summary of Decision Requested: Amend Rule 23.3.4.1 Height, to include the following:
This Standard does not apply to emergency service facilities and hose drying towers up to 15m associated with emergency service facilities.
AND
Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Inclusion of a specific exemption for emergency service facilities and hose drying towers will appropriately provide for the operational requirements of Fire and Emergency New Zealand.
- Fire stations are single storied buildings of approximately 8-9m in height and are typically able to achieve the height standards in a District Plan. Some fire stations also include a hose drying tower of between 12-15m in height.
- Fire and Emergency New Zealand considers that the inclusion of an exemption for associated structures better provides for the health and safety of the community by enabling the efficient functioning of Fire and Emergency New Zealand.

Point Number 378.43
Summary of Decision Requested: Retain Rule 23.3.7.5 Building setback - Waterbodies.

Decision Reasons:

- The Rule will safeguard the wellbeing of communities in accordance with the purpose of the RMA and purpose of Fire and Emergency New Zealand in the effective protection of lives, property and the surrounding environment.

Point Number 378.44
Summary of Decision Requested: Amend Rule 23.4.2 General Subdivision, as follows:

(a) Subdivision must comply with all of the following conditions:...

(x) Proposed lots must be connected to water supply sufficient for firefighting purposes.

(b) Council's discretion is limited to the following matters:...

(i) Provision of infrastructure, including water supply, for firefighting purposes.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand support Rule 23.4.2 as subdivision of land in the Country Living Zone is a Restricted Discretionary activity, however, Fire and Emergency New Zealand requires proposed lots to be connected to public-reticulated water supply or water supply sufficient for firefighting purposes. Subdivision that does not comply is a Non-complying activity.
- The changes sought promotes consistency across all zones in the District Plan.

Point Number 378.45
Summary of Decision Requested: Add a new activity to Rule 24.1.1 Permitted Activities, as follows:

(x) Emergency services training and management activities.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand opposes range of activities listed in Rule 24.1.1 as permitted activities to the extent no provision is made for emergency services training and management activities.
- The rules should be expanded to provide for emergency services training and management in order to better achieve the sustainable management purpose of the Act and better enable Fire and Emergency New Zealand to achieve its statutory function by facilitating firefighting and emergency response.

Point Number 378.46
Summary of Decision Requested: Add a new activity to Rule 24.1.2 Discretionary Activities, to include the following as a Discretionary activity:

(x) Emergency service facilities.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand opposes Rule 24.1.2 as no provision is made for emergency service facilities. As provision is not made under the rule, emergency service facilities would instead default to a non-complying activity under Rule 24.1.3.
- The non-complying activity status is restrictive and inappropriate.
- Fire and Emergency New Zealand seek the inclusion of emergency service facilities as a discretionary activity in the Village Zone for the following reasons:
 1. Fire stations must be strategically located within and throughout communities to maximise their coverage and response times so that they can efficiently and effectively provide for the health and safety of people and communities by being able respond to emergency call outs in a timely way, thus avoiding or mitigating the potential for adverse effects associated with fire hazard and other emergencies;
 2. The actual or potential effects of fire stations are minor and can be adequately predicted and subsequently managed by conditions of consent and subsequent matters for control;
 3. Restricted Discretionary activity status better implement the Objectives and Policies of the Proposed District Plan.
 4. Restricted Discretionary activity status better achieves the purpose of the RMA and better enables Fire and Emergency New Zealand to meet its statutory obligations.

Point Number 378.47
Summary of Decision Requested: Retain Rule 24.2.1 Noise - General.

Decision Reasons:

- Fire and Emergency New Zealand supports Rule 24.2.1 as it permits noise generated by emergency sirens. This exemption appropriately provides for the operational requirements of Fire and Emergency New Zealand and enables them to meet its statutory obligations in a manner that provides for on-going health and safety of people and communities.

Point Number 378.48

Summary of Decision Requested: **Amend** Rule 24.2.5 Hazardous Substances, as follows:

(a) *The use, storage or disposal of any hazardous substances where:*

(i) *The aggregate quantity of hazardous substances of any hazard classification on a site is less than the quantity specified for the Residential Zone in Table 5.1 contained within Appendix 5 (Hazardous Substances)*

(ii) *Rule 24.2.5.(a),(i) excludes fire stations and associated fire service operations.*

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand opposes Rule 24.2.5 as while fire stations and associated firefighting activities involve the use and storage of hazardous substances as quantities that are considered minor, it is possible that the permitted provisions may not enable for this, and could affect Fire and Emergency New Zealand's ability to operate as easily and smoothly as needed.
- Fire and Emergency New Zealand requests fire stations and associated firefighting activities are excluded from the permitted activity Rule 24.2.5 for the following reasons:
 1. The 8.3 classification (Table 5.1 contained within Appendix 5 (Hazardous Substances)) has a relatively low limit in the Business Town Centre Zone, and is quite low in other areas- lots of household products are eye corrosives from dishwashing to laundry powder. This would limit and potentially prevent Fire and Emergency New Zealand having a HAZMAT vehicle based in this zone because they carry neutralizing agents which are eye corrosives. A greater concern is that some of Fire and Emergency New Zealand's fire retardants and foams also have this classification and this limit could potentially require that Fire and Emergency New Zealand need a resource consent to hold a small amount or and other these chemicals on site, as a lower limit would be largely taken up by ordinary household chemicals used on site.
 2. The 8.3A classification is for eye corrosion. A person is only affected by this hazard class if they come into direct contact with a product with this classification. This hazard is also managed under the health and safety at work and HSN0 legislation usually via labeling and PPE requirements. Fire and Emergency New Zealand considers that there is no logic in restricting the amount of these substances held as it relates to Fire and Emergency New Zealand operations, particularly if they are in enclosed containers for systems.
 3. Some of Fire and Emergency New Zealand's fire retardants are solids rather than liquids and the reasons for the limits specified in the plan do not make sense for solids. Fire and Emergency New Zealand current main fire retardant is a powder but Fire and Emergency New Zealand are also looking at new foams which come in bricks. As such, higher restrictions for waterways do not make sense for these products as they do not leak or flow.
 4. Fire and Emergency New Zealand often requires the temporary storage of chemicals necessary for providing an emergency response, during an emergency and within a short period after the emergency, i.e. there is a small grace period for example if Fire and Emergency New Zealand need a truck to remove a container which has firefighting chemicals in it, they may need to wait for a few working days after the emergency has finished for a contractor to do that work. Not providing for this could restrict Fire and Emergency New Zealand's ability to respond to bush or other major events, e.g. large acid spills and other HAZMAT events. This could also result in a breach of the RMA in order to bring in the necessary products to resolve the issue and prevent harm to people/the environment.

Point Number 378.49

Summary of Decision Requested: **Amend** Rule 24.3.3.1 Height - Building general, to include the following:

This Standard does not apply to hose drying towers up to 15m associated with emergency service facilities.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- The inclusion of a specific exemption for emergency service facilities and hose drying towers in order to appropriately provide for the operational requirements of Fire and Emergency New Zealand.
- Fire stations are single storied buildings of approximately 8-9m in height and are typically able to achieve the height standards in a District Plan. Some fire stations also include a hose drying tower of between 12-15m in height.
- Fire and Emergency New Zealand considers that the inclusion of an exemption for associated structures better provides for the health and safety of the community by enabling the efficient functioning of Fire and Emergency New Zealand.

Point Number 378.50

Summary of Decision Requested: **Retain** Rule 24.3.6.3 Building setback - Waterbodies.

Decision Reasons:

- The Rule will safeguard the wellbeing of communities in accordance with the purpose of the RMA and the purpose of Fire and Emergency New Zealand in the effective protection of lives, property and the surrounding environment.

Point Number 378.51

Summary of Decision Requested: **Retain** Rule 24.4.1 Subdivision - General, as subdivision is a restricted discretionary activity, except for the amendments sought below

AND

Amend Rule 24.4.1 Subdivision - General, as follows:

(a) *Subdivision must comply with all of the following conditions...*

(x) *Proposed lots must be connected to water supply sufficient for firefighting purposes.*

(b) *Council's discretion is restricted to the following matters...*

(x) *Provisions of infrastructure, including water supply, for firefighting purposes.*

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand requires that proposed lots to be connected to public-reticulated water supply or water supply sufficient for firefighting purposes. Subdivision that does not comply is a Discretionary Activity.
- The changes sought promotes consistency across all zones in the District Plan.

Point Number 378.52

Summary of Decision Requested: **Retain** Rule 24.4.2 Subdivision - Te Kowhai and Tuakau, as subdivision is a restricted discretionary activity, except for the amendments sought below

AND

Amend Rule 24.4.2 Subdivision - Te Kowhai and Tuakau, as follows:

(a) Subdivision must comply with all of the following conditions:...

x. Proposed lots must be connected to public-reticulated water supply or water supply sufficient for firefighting purposes.

(b) Council's discretion is restricted to the following matters:...

(x) Provision of infrastructure, including water supply for firefighting purposes.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand requires proposed lots be connected to public-reticulated water supply or water supply sufficient for firefighting purposes. Subdivision that does not comply is a Discretionary Activity.
- The changes sought promotes consistency across all zones in the District Plan.

Point Number 378.53

Summary of Decision Requested: Retain Rule 26.2.7 Motor sport and Event Traffic Management - All precincts.

Decision Reasons:

- Fire and Emergency New Zealand supports provisions in Rule 26.2.7 as a Traffic Management Plan shall be prepared and provision shall be made for emergency service vehicles, e.g. fire, police, ambulance, military, Department of Corrections, vehicles needing emergency access to any site or dwelling located on, or with access from Hampton Downs Road.
- The operation of the Hampton Downs Motorsport Park for a motor sport and recreation event is a Controlled Activity if access provisions are complied with.

Point Number 378.54

Summary of Decision Requested: Amend Rule 26.2.9 Hazardous substances - All precincts, as follows:

(a) The use, storage or disposal of any hazardous substances where:

(i) The aggregate quantity of hazardous substances of any hazard classification on a site is less than the quantity specified for the Motorsport and Recreation Zone in Table 5.1 contained within Appendix 5 (Hazardous Substances);

(ii) The storage or use of radioactive materials is in approved equipment for medical and diagnostic purposes, or specified as an exempt activity or article in the Radiation Safety Act and Regulations 2017.

(iii) Rule 26.2.9 (a)(i) excludes fire service operations.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand opposes Rule 26.2.9 as while fire stations and associated firefighting activities involve the use and storage of hazardous substances at quantities that are considered minor; it is possible that the permitted provisions may not enable for this, and could affect Fire and Emergency New Zealand's ability to operate as easily and smoothly as needed.
- Fire and Emergency New Zealand requests that fire stations and associated firefighting activities are excluded for the following reasons:
 1. The 8.3 classification (Table 5.1 contained within Appendix 5 (Hazardous Substances)) has a relatively low limit in the Business Town Centre Zone, and is quite low in other areas- lots of household products are eye corrosives from dishwashing to laundry powder. This would limit and potentially prevent Fire and Emergency New Zealand having a HAZMAT vehicle based in this zone because they carry neutralizing agents which are eye corrosives. A greater concern is that some of Fire and Emergency New Zealand's fire retardants and foams also have this classification and this limit could potentially require that Fire and Emergency New Zealand need a resource consent to hold a small amount or and other these chemicals on site, as a lower limit would be largely taken up by ordinary household chemicals used on site.
 2. The 8.3A classification is for eye corrosion. A person is only affected by this hazard class if they come into direct contact with a product with this classification. This hazard is also managed under the health and safety at work and HSNO legislation usually via labeling and PPE requirements. Fire and Emergency New Zealand considers that there is no logic in restricting the amount of these substances held as it relates to Fire and Emergency New Zealand operations, particularly if they are in enclosed containers for systems.
 3. Some of Fire and Emergency New Zealand's fire retardants are solids rather than liquids and the reasons for the limits specified in the plan do not make sense for solids. Fire and Emergency New Zealand current main fire retardant is a powder but Fire and Emergency New Zealand are also looking at new foams which come in bricks. As such, higher restrictions for waterways do not make sense for these products as they do not leak or flow.
 4. Fire and Emergency New Zealand often requires the temporary storage of chemicals necessary for providing an emergency response, during an emergency and within a short period after the emergency, i.e. there is a small grace period for example if Fire and Emergency New Zealand need a truck to remove a container which has firefighting chemicals in it, they may need to wait for a few working days after the emergency has finished for a contractor to do that work. Not providing for this could restrict Fire and Emergency New Zealand's ability to respond to bush or other major events, e.g. large acid spills and other HAZMAT events. This could also result in a breach of the RMA in order to bring in the necessary products to resolve the issue and prevent harm to people/the environment.

Point Number 378.55

Summary of Decision Requested: Retain Rule 26.4 Subdivision, as subdivision is a discretionary activity, except for the amendments sought below

AND

Amend Rule 26.4 Subdivision, as follows:

(x) Every allotment is provided with water supply and complies with the requirements of Chapter 14: Infrastructure and Energy;

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand require proposed lots to be connected to public-reticulated water supply or water supply sufficient for firefighting purposes. Subdivision that does not comply is a Non-complying Activity.
- The changes sought promotes consistency across all zones in the District Plan.

Point Number 378.56

Summary of Decision Requested: Retain Rule 27.2.6 Noise - Other than Taxiways.

Decision Reasons:

- Fire and Emergency New Zealand supports Rule 27.2.6 as it permits noise generated by emergency sirens. This exemption appropriately provides for the operational requirements of Fire and Emergency New Zealand and enables them to meet its statutory obligations in a

manner that provides for the on-going health and safety of people and communities.

Point Number 378.57

Summary of Decision Requested: **Add** a new objective to Section 4.5 Business and Business Town Centre Zones, as follows:

Objective 4.5.x

To recognise and provide for non-commercial activities that contribute to the health, safety and wellbeing of the community while managing their potential adverse effects to ensure that the activities complement the amenity values of the District's Business Zone areas.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Amendments sought will better achieve the purpose of the RMA by providing for the health and safety of people and communities.

Point Number 378.58

Summary of Decision Requested: **Retain** Policy 4.5.4 Commercial purpose: Business Zone, except for the amendments sought below

AND

Add a new clause (iv) to Policy 4.5.4 Commercial purpose: Business Zone as follows:

(iv) Enabling non-commercial activities such as emergency service facilities that provide for the health, safety and well-being of the community and that service or support an identified local need.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand supports Policy 4.5.4 in part, however considers that the provisions focus on the management of effects, rather than an outcome that provides clear direction in relation to the appropriateness of some non-commercial activities in the Business Zones. For instance providing for emergency services that have a functional and operational need to be located in close proximity to the communities they serve.

Point Number 378.59

Summary of Decision Requested: **Retain** Policy 4.6.4 Maintain industrial land for industrial purposes, to the extent that it anticipates ancillary non-industrial activities in the Industrial Zone

AND

Add new clause (b) to Policy 4.6.4 Maintain industrial land for industrial purposes, as follows:

(b) Enable emergency services facilities that provide for the health, safety and well-being of the community and that service or support and identified local need.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand supports in part Policy 4.6.4 to the extent that the provision anticipates ancillary non-industrial activities in the Industrial Zone, but considers that the provisions focus on the management of effects, rather than an outcome that provides clear direction in relation to the appropriateness of some non-industrial activities in the Industrial Zones. For instance providing for emergency services that have a functional and operational need to be located in close proximity to the communities they serve.
- Amendments sought better achieve the purpose of the RMA by providing for the health and safety of people and communities.

Point Number 378.60

Summary of Decision Requested: **Retain** Policy 4.7.5 Servicing requirements.

Decision Reasons:

- Fire and Emergency New Zealand supports Policy 4.7.5 as it requires urban subdivision and development to be serviced to a level that will provide for the anticipated activities, including water provision for domestic and firefighting purposes, which is important to ensure the health, safety and well-being of the community.

Point Number 378.61

Summary of Decision Requested: **Add** new Objective to Section 5.3 Rural Character and Amenity as follows:

Objective 5.3.x

To recognise and provide for non-rural activities that contribute to the health, safety and wellbeing of the community while managing their potential adverse effects to ensure that the activities complement the amenity values of the District's rural areas.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Amendments sought better achieve the purpose of the RMA by providing for the health and safety of people and communities.

Point Number 378.62

Summary of Decision Requested: **Retain** Policy 5.3.9 Non-rural activities, to the extent that it anticipates non-rural activities in the Rural Zone

AND

Amend Policy 5.3.9 Non-rural activities, as follows:

(a) Manage any non-rural activities, including equestrian centres, horse training centres, emergency service facilities, forestry and rural industries, to achieve a character, scale, intensity and location that are in keeping with rural character and amenity values,

(b) Avoid buildings and structures dominating land on adjoining properties, public reserves, the coast or waterbodies; and

(c) Enable non-rural activities that provide for the health, safety and well-being of the community and that service or support an identified local need.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand supports Policy 5.3.9 to the extent that these provisions anticipate non-rural activities in the Rural Zone, but considers that the provisions focus on the management of effects, rather than an outcome that provides clear direction in relation to the appropriateness of some non-rural activities in the Rural Zone. For instance providing for emergency services that have a functional and operational need to be located in close proximity to the communities they serve.
- Amendments sought better achieve the purpose of the RMA by providing for the health and safety of people and communities.

Point Number

378.63

Summary of Decision Requested:

Add a new Objective to Section 5.6 Country Living Zone, as follows:

Objective 5.6.x

To recognise and provide for non-residential activities that contribute to the health, safety and wellbeing of the community while managing their potential adverse effects to ensure that the activities complement the amenity values of the District's Country Living areas.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- To better achieve the purpose of the RMA by providing for the health and safety of people and communities.

Point Number

378.64

Summary of Decision Requested:

Retain Policy 5.6.2 Country living character, as it requires activities to be self-sufficient for water supply, unless a reticulated system is available

AND

Amend Policy 5.6.2(e) Country Living character, as follows:

(e) Requires activities within the Country Living Zone to be self-sufficient in the provision of water supply (including for firefighting purposes), wastewater and stormwater disposal, unless a reticulated supply is available.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand supports in part Policy 5.6.2. However, Fire and Emergency New Zealand requests that it is made explicit that water supply in the Country Living Zone is sufficient for firefighting purposes and not just for drinking supply.

Point Number

378.65

Summary of Decision Requested:

Retain Policy 5.6.8 Non-residential activities, to the extent that it anticipates non-residential activities in the Country Living Zone

AND

Amend Policy 5.6.8 Non-residential activities, as follows:

(a) Limit the establishment of ~~commercial or industrial~~ non-residential activities within the Country Living Zone unless they:

(ii) Provide for the health, safety, and well-being of the community and that service or support an identified local need.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand supports in part Policy 5.6.8 to the extent that these provisions anticipate non-residential activities in the Country Living Zone, but considers that the provisions focus on the management of effects, rather than an outcome that provides clear direction in relation to the appropriateness of some non-residential activities in the Country Living Zone. For instance providing for emergency services that have a functional and operational need to be located in close proximity to the communities they serve.
- Amendments sought better achieve the purpose of the RMA by providing for the health and safety of people and communities.

Point Number

378.66

Summary of Decision Requested:

Add a new objective to Section 4.2 Residential Zone, as follows:

Objective 4.2.(g)

To recognise and provide for non-residential activities that contribute to the health, safety and wellbeing of the community while managing their potential adverse effects to ensure that the activities complement the amenity values of the District's residential areas.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- The provisions for non-residential activities in the Residential Zone focus on the management of effects rather than the opportunities of the activity.
- Emergency services have a functional and operational need to be located in close proximity to the communities they serve.
- This objective will better achieve the purpose of the RMA by providing for the health and safety of people and communities.

Point Number

378.67

Summary of Decision Requested:

Retain Policy 4.2.21 Maintain residential purpose, to the extent that the provision anticipates non-residential activities in the Residential Zone.

AND

Amend Policy 4.2.21 - Maintain residential purpose as follows:

Restrict the establishment of non-residential ~~commercial or industrial~~ activities, unless the activity has a strategic or operational need to locate within a residential zone, and the effects of such activities on the character or amenity of residential zones are insignificant.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand (FENZ) supports in part Policy 4.2.21 to the extent that the provision anticipate non-residential activities in the Residential Zone, but considers that the provisions focus on the management of effects, rather than an outcome that provides clear direction in relation to the appropriateness of some non-residential activities in the Residential Zone.
- For instance, providing for emergency services that have a functional and operational need to be located in close proximity to the communities they serve.
- Amendments sought better achieve the purpose of the RMA by providing for the health and safety of people and communities.

Point Number 378.68

Summary of Decision Requested: **Retain** Policy 4.2.23 Non-residential activities, to the extent that the provision anticipates non-residential activities in the Residential Zone
AND
Amend Policy 4.2.23(iii) Non-residential activities as follows:
(iii) Enabling non-residential activities that provide for the health, safety, and well-being of the community and that service or support an identified local need
AND
Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand (FENZ) supports in part Policy 4.2.23 to the extent that the provision anticipate non-residential activities in the Residential Zone, but considers that the provisions focus on the management of effects, rather than an outcome that provides clear direction in relation to the appropriateness of some non-residential activities in the Residential Zone.
- For instance, providing for emergency services that have a functional and operational need to be located in close proximity to the communities they serve.
- Amendments sought better achieve the purpose of the RMA by providing for the health and safety of people and communities.

Point Number 378.69

Summary of Decision Requested: **Retain** Policy 4.3.2 Character.

Decision Reasons:

- FENZ supports Policy 4.3.2 as it requires activities within the Village Zone to be self-sufficient in the provision of on-site water supply, unless a reticulated supply is available.

Point Number 378.70

Summary of Decision Requested: **Add** a new objective to Section 4.3 Village zoning, as follows:
To recognise and provide for non-residential activities that contribute to the health, safety and wellbeing of the community while managing their potential adverse effects to ensure that the activities complement the amenity values of the District's Village Zone areas.
AND
Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- The provisions focus on the management of effects, rather than an outcome that provides clear direction in relation to the appropriateness of some non-residential activities in the Village Zone.
- Emergency services have a functional and operational need to be located in close proximity to the communities they serve.
- These amendments better achieve the purpose of the RMA by providing for the health and safety of people and communities.

Point Number 378.71

Summary of Decision Requested: **Retain** Policy 4.3.8 Residential amenity and function, to the extent that the provision anticipates non-residential activities in the Village Zone
AND
Amend Policy 4.3.8(ii)- Residential amenity and function as follows:
(ii) Provide for the health, safety, and well-being of the community.
AND
Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- FENZ supports in part Policy 4.3.8 to the extent that these provisions anticipate non-residential activities in the Village Zone, but considers that the provisions focuses on the management of effects, rather than an outcome that provides clear direction in relation to the appropriateness of some non-residential activities in the Village Zone. For instance providing for emergency services that have a functional and operational need to be located in close proximity to the communities they serve.
- Amendments sought will better achieve the purpose of the RMA by providing for the health and safety of people and communities.

Point Number 378.72

Summary of Decision Requested: **Retain** Policy 4.3.11 Maintain residential function, to the extent that these provisions anticipate non-residential activities in the Village Zone
AND
Amend Policy 4.3.11 Maintain residential function as follows:
Restrict the establishment of non-residential commercial or industrial activities, unless the activity has a strategic or operational need to locate within the Village Zone, and the effects of such activities on the character and amenity are insignificant.
AND
Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand supports in part Policy 4.3.11 to the extent that these provisions anticipate non-residential activities in the Village Zone, but considers that the provisions focus on the management of effects, rather than an outcome that provides clear

- direction in relation to the appropriateness of some non-residential activities within the Village Zone. For instance providing for emergency services that have a functional and operational need to be located in close proximity to the communities they serve.
- The amendments sought will better achieve the purpose of the RMA by providing for the health and safety of people and communities.

Point Number 378.73

Summary of Decision Requested: **Retain** Objective 4.4.1 Adverse effects of land use and development, to the extent that recognition is given to the health and well-being of communities and are protected from the adverse effects of land use and development

AND

Amend Objective 4.4.1 (a) Adverse effects of land use and development as follows:

4.4.1 (a) *The health, safety and well-being of people, communities and the environment are protected from the adverse effects of land use and development.*

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand supports Objective 4.4.1 to the extent that recognition is given to the health and well-being of communities and are protected from the adverse effects of land use and development. However, Fire and Emergency New Zealand recommends the wording better reflect section 5 of the RMA, which also refers to the safety of the community.

Point Number 378.74

Summary of Decision Requested: **Retain** Policy 4.5.3 Commercial purpose: Business Town Centre Zone.

Decision Reasons:

- Fire and Emergency New Zealand supports Policy 4.5.3 as the provision anticipates non-commercial activities in the Business Town Centre Zone providing for a range of activities, including community activities and facilities.

Point Number 378.75

Summary of Decision Requested: **Amend** Rule 27.2.11 Hazardous Substances, as follows:

(a) *In ALL PRECINCTS, the use, storage or disposal of any hazardous substance where:*

(i) *The aggregate quantity of hazardous substance of any hazard classification on a site is less than the quantity specified for Te Kowhai Airpark Zone in Table 5.1 contained within Appendix 5 (Hazardous Substances);*

(ii) *The storage or use of radioactive materials is in approved equipment for medical and diagnostic purposes, or specified as an exempt activity or article in the Radiation Safety Act and Regulations 2017.*

(iii) Rule 27.2.11 (g),(i) excludes fire service operations.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand opposes Rule as while fire stations and associated firefighting activities involve the use and storage of hazardous substances at quantities that are considered minor, it is possible that the permitted provisions may not enable for this, and could affect Fire and Emergency New Zealand's ability to operate as easily and smoothly as needed.
- Therefore, Fire and Emergency New Zealand requests fire stations and associated firefighting activities are excluded from Rule 27.2.11 for the following reasons:
 1. The 8.3 classification (Table 5.1 contained within Appendix 5 (Hazardous Substances)) has a relatively low limit in the Business Town Centre Zone, and is quite low in other areas- lots of household products are eye corrosives from dishwashing to laundry powder. This would limit and potentially prevent Fire and Emergency New Zealand having a HAZMAT vehicle based in this zone because they carry neutralizing agents which are eye corrosives. A greater concern is that some of Fire and Emergency New Zealand's fire retardants and foams also have this classification and this limit could potentially require that Fire and Emergency New Zealand need a resource consent to hold a small amount or and other these chemicals on site, as a lower limit would be largely taken up by ordinary household chemicals used on site.
 2. The 8.3A classification is for eye corrosion. A person is only affected by this hazard class if they come into direct contact with a product with this classification. This hazard is also managed under the health and safety at work and HSNO legislation usually via labeling and PPE requirements. Fire and Emergency New Zealand considers that there is no logic in restricting the amount of these substances held as it relates to Fire and Emergency New Zealand operations, particularly if they are in enclosed containers for systems.
 3. Some of Fire and Emergency New Zealand's fire retardants are solids rather than liquids and the reasons for the limits specified in the plan do not make sense for solids. Fire and Emergency New Zealand current main fire retardant is a powder but Fire and Emergency New Zealand are also looking at new foams which come in bricks. As such, higher restrictions for waterways do not make sense for these products as they do not leak or flow.
 4. Fire and Emergency New Zealand often requires the temporary storage of chemicals necessary for providing an emergency response, during an emergency and within a short period after the emergency, i.e. there is a small grace period for example if Fire and Emergency New Zealand need a truck to remove a container which has firefighting chemicals in it, they may need to wait for a few working days after the emergency has finished for a contractor to do that work. Not providing for this could restrict Fire and Emergency New Zealand's ability to respond to bush or other major events, e.g. large acid spills and other HAZMAT events. This could also result in a breach of the RMA in order to bring in the necessary products to resolve the issue and prevent harm to people/the environment.

Point Number 378.76

Summary of Decision Requested: **Retain** Rule 27.4.2 Subdivision allotment size, as subdivision is a restricted discretionary activity, except for the amendments sought below

AND

Amend Rule 27.4.2 Subdivision allotment size, as follows:

(a) *Subdivision within PRECINCT B.*

(b) *Council's discretion is restricted to the following matters:...*

(x) Proposed lots must be connected to public-reticulated water supply or water supply sufficient for firefighting purposes.

(a) *Subdivision within PRECINCT C AND D where:...*

(x) Proposed lots must be connected to public-reticulated water supply or water supply sufficient for firefighting purposes.

Council's discretion is restricted to the following matters:...

(x) Provision of infrastructure, including water supply for firefighting purposes.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand requires proposed lots to be connected to public-reticulated water supply or water supply sufficient for firefighting purposes. Subdivision that does not comply is a Discretionary Activity.
- The changes sought promotes consistency across all zones in the District Plan.

Point Number 378.77

Summary of Decision Requested: Retain Rule 28.2.1.2 Noise General.

Decision Reasons:

- Fire and Emergency New Zealand supports Rule 28.1.2.1 as it permits noise generated by emergency sirens. This exemption appropriately provides for the operational requirements of Fire and Emergency New Zealand and enables them to meet its statutory obligations in a manner that provides for the on-going health and safety of people and communities.

Point Number 378.78

Summary of Decision Requested: Amend Rule 28.2.5 Hazardous substances, as follows:

(a) The use, storage or disposal of any hazardous substances where:

(i) The aggregate quantity of hazardous substances of any hazard classification on a site is less than the quantity specified for the Rangitahi Peninsula Zone in Table 5.1 contained within Appendix 5 (Hazardous Substances); and

(ii) The storage or use of radioactive materials is in approved equipment for medical and diagnostic purposes, or specified as an exempt activity or article in the Radiation Safety Act and Regulations 2017.

(iii) Rule 28.2.5 (g) (i) excludes fire service operations.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand opposes Rule 28.2.5 as while fire stations and associated firefighting activities involve the use and storage of hazardous substances at quantities that are considered minor, it is possible that the permitted provisions may not enable for this, and could affect Fire and Emergency New Zealand's ability to operate as easily and smoothly as needed.
- Therefore, Fire and Emergency New Zealand requests that the fire stations and associated firefighting activities are excluded from Rule 28.2.5 for the following reasons:
 1. The 8.3 classification (Table 5.1 contained within Appendix 5 (Hazardous Substances)) has a relatively low limit in the Business Town Centre Zone, and is quite low in other areas- lots of household products are eye corrosives from dishwashing to laundry powder. This would limit and potentially prevent Fire and Emergency New Zealand having a HAZMAT vehicle based in this zone because they carry neutralizing agents which are eye corrosives. A greater concern is that some of Fire and Emergency New Zealand's fire retardants and foams also have this classification and this limit could potentially require that Fire and Emergency New Zealand need a resource consent to hold a small amount or and other these chemicals on site, as a lower limit would be largely taken up by ordinary household chemicals used on site.
 2. The 8.3A classification is for eye corrosion. A person is only affected by this hazard class if they come into direct contact with a product with this classification. This hazard is also managed under the health and safety at work and HSNO legislation usually via labeling and PPE requirements. Fire and Emergency New Zealand considers that there is no logic in restricting the amount of these substances held as it relates to Fire and Emergency New Zealand operations, particularly if they are in enclosed containers for systems.
 3. Some of Fire and Emergency New Zealand's fire retardants are solids rather than liquids and the reasons for the limits specified in the plan do not make sense for solids. Fire and Emergency New Zealand current main fire retardant is a powder but Fire and Emergency New Zealand are also looking at new foams which come in bricks. As such, higher restrictions for waterways do not make sense for these products as they do not leak or flow.
 4. Fire and Emergency New Zealand often requires the temporary storage of chemicals necessary for providing an emergency response, during an emergency and within a short period after the emergency, i.e. there is a small grace period for example if Fire and Emergency New Zealand need a truck to remove a container which has firefighting chemicals in it, they may need to wait for a few working days after the emergency has finished for a contractor to do that work. Not providing for this could restrict Fire and Emergency New Zealand's ability to respond to bush or other major events, e.g. large acid spills and other HAZMAT events. This could also result in a breach of the RMA in order to bring in the necessary products to resolve the issue and prevent harm to people/the environment.

Point Number 378.79

Summary of Decision Requested: Retain Rule 28.3.9.3 Building setback - Waterbodies.

Decision Reasons:

- The standard will safeguard the wellbeing of communities in accordance with the purpose of the RMA and the purpose of Fire and Emergency New Zealand in the effective protection of lives, property and the surrounding environment.

Point Number 378.80

Summary of Decision Requested: Amend Rule 28.4.1 Subdivision - General, as follows:

(a) Subdivision must comply with the following conditions...

(x) Proposed lots must be able to connect to public-reticulated water supply;

(b) Council's discretion shall be restricted to the following matters...

(x) Provision of infrastructure, including water supply for firefighting purposes.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand opposes Rule 28.4.1 as there is no explicit requirement to connection to water reticulation. Subdivision that does not comply is a Discretionary Activity.

Point Number 378.81

Summary of Decision Requested: Amend the thresholds within Appendix 5 Hazardous Substances, as follows:

- More permissive levels for 8.3;
- More permissive levels for 8.3A;
- To better recognise that fire retardants come in different forms, including as solids rather than liquids, powders and foams, and this alters the applicable thresholds,
- To provide for the temporary storage of chemicals necessary for providing an emergency response.

AND/OR

Amend Appendix 5 Hazardous Substances in recognition that the provisions of the Hazardous Substances and New Organisms Act (HSNO) and Health and Safety at Work Act are adequate to manage risks in this regard, without an overlapping district plan framework.

OR

Delete Appendix 5 Hazardous Substances in recognition that the provisions of the Hazardous Substances and New Organisms Act (HSNO) and Health and Safety at Work Act are adequate to manage risks in this regard without an overlapping District Plan framework.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand supports in part Appendix 5 as while fire stations and associated firefighting activities involve the use and storage of hazardous substances at quantities that are considered minor, it is possible that thresholds within Appendix 5 for some zones will trigger the need for consent, which could affect Fire and Emergency New Zealand's ability to operate as easily and smoothly as needed.
- Therefore, Fire and Emergency New Zealand requests that the thresholds within Appendix 5 be amended as follows:
 1. The 8.3 classification (Table 5.1 contained within Appendix 5 (Hazardous Substances)) has a relatively low limit in the Business Town Centre Zone, and is quite low in other areas- lots of household products are eye corrosives from dishwashing to laundry powder. This would limit and potentially prevent Fire and Emergency New Zealand having a HAZMAT vehicle based in this zone because they carry neutralizing agents which are eye corrosives. A greater concern is that some of Fire and Emergency New Zealand's fire retardants and foams also have this classification and this limit could potentially require that Fire and Emergency New Zealand need a resource consent to hold a small amount or and other these chemicals on site, as a lower limit would be largely taken up by ordinary household chemicals used on site.
 2. The 8.3A classification is for eye corrosion. A person is only affected by this hazard class if they come into direct contact with a product with this classification. This hazard is also managed under the health and safety at work and HSNO legislation usually via labeling and PPE requirements. Fire and Emergency New Zealand considers that there is no logic in restricting the amount of these substances held as it relates to Fire and Emergency New Zealand operations, particularly if they are in enclosed containers for systems.
 3. Some of Fire and Emergency New Zealand's fire retardants are solids rather than liquids and the reasons for the limits specified in the plan do not make sense for solids. Fire and Emergency New Zealand current main fire retardant is a powder but Fire and Emergency New Zealand are also looking at new foams which come in bricks. As such, higher restrictions for waterways do not make sense for these products as they do not leak or flow.
 4. Fire and Emergency New Zealand often requires the temporary storage of chemicals necessary for providing an emergency response, during an emergency and within a short period after the emergency, i.e. there is a small grace period for example if Fire and Emergency New Zealand need a truck to remove a container which has firefighting chemicals in it, they may need to wait for a few working days after the emergency has finished for a contractor to do that work. Not providing for this could restrict Fire and Emergency New Zealand's ability to respond to bush or other major events, e.g. large acid spills and other HAZMAT events. This could also result in a breach of the RMA in order to bring in the necessary products to resolve the issue and prevent harm to people/the environment.
- 2018 amendments to sections 30 and 31 of the RMA removed control of hazardous substances as an explicit function of council as the provisions of HSNO and Health and Safety at Work are adequate to managed risks, for the most part.

Point Number

378.82

Summary of Decision Requested:

Add a new activity to Rule 17.1.3, to include the following as a Restricted Discretionary Activity:

(x) Emergency service facilities.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand opposes Rule 17.1.3 as no provision is made for emergency service facilities. As no provision is made under this rule, emergency service facilities would instead default to non-complying activities under Rule 17.1.5.
- The default non-complying activity status is overly restrictive and inappropriate.
- Fire and Emergency New Zealand consider that emergency service facilities should be included as a restricted discretionary activity to provide for emergency services in the Business Zone for the following reasons:
 1. Fire stations must be strategically located within and throughout communities to maximise their coverage and response times so that they can efficiently and effectively provide for the health and safety of people and communities by being able to respond to emergency call outs in a timely way, thus avoiding /mitigating the potential for adverse effects associated with fire hazard and other emergencies;
 2. The actual or potential effects of fire stations are minor and can be adequately predicted and subsequently managed by conditions of consent and subsequent matters for control;
 3. A Restricted Discretionary activity status better implements the Objectives and Policies of the Proposed District Plan.
 4. A Restricted Discretionary activity status better achieves the purpose of the RMA and better enables Fire and Emergency New Zealand to meet its statutory obligations.

Point Number

378.83

Summary of Decision Requested:

Retain Rule 17.2.1.1 Noise - General, as notified.

Decision Reasons:

- Fire and Emergency New Zealand supports Rule 17.2.1.1 as it permits noise-generated by emergency sirens. This exemption appropriately provides for the operational requirements of Fire and Emergency New Zealand and enables them to meet it statutory obligations.

Point Number

378.84

Summary of Decision Requested:

Amend Rule 17.2.5.4 PI Hazardous Substances, as follows:

17.2.5.4 PI Hazardous Substances

(a) The use, storage or disposal of any hazardous substances must meet the following conditions:

(i) The aggregate quantity of hazardous substances of any hazard classification on a site is less than the quantity specified for the Business Zone in Table 5.1 contained within Appendix 5 (Hazardous Substances).

(ii) The storage or use of radioactive materials is in approved equipment for medical and diagnostic purpose, or specified as an exempt activity or article in the Radiation Safety Act and Regulations 2017.

(iii) Rule 17.2.5.4 (a), (i), excludes fire stations and associated fire service operations.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand opposes Rule 17.2.5.4 as while fire stations and associated firefighting activities involve the use and storage of hazardous substances at quantities that are considered minor; it is possible that the permitted provisions may not enable for this, and could affect Fire and Emergency New Zealand's ability to operate as easily and smoothly as needed.

- As such, Fire and Emergency New Zealand requests that the fire stations and associated firefighting activities are excluded from the permitted activity Rule 17.2.5.4 for the following reasons:
 1. The 8.3 Classification (Table 5.1 contained within Appendix 5) (Hazardous Substances) has a relatively low limit in the Business Zone, and is quite low in other areas-lots of household products are eye corrosives from dishwashing powder to laundry powder. This would limit and potentially prevent Fire and Emergency New Zealand having a HAZMAT vehicle based in this zone because they carry neutralizing agents which are eye corrosives. A greater concern is that some of Fire and Emergency New Zealand's fire retardants and foams also have this classification and this limit could potentially require that Fire and Emergency New Zealand need a resource consent to hold a small amount or any of these chemicals on site, as a lower limit would be largely taken up by ordinary household chemicals used on site.
 2. The 8.3A Classification is for eye corrosion. A person is only affected by this hazard class if they come into direct contact with a product with this classification. This hazard is also managed under the health and safety at work and HSNO legislation usually via labeling and PPE requirements. Fire and Emergency New Zealand considers that there is no logic in restricting the amount of these substances held as it relates to Fire and Emergency New Zealand operations, particularly if they are in enclosed containers for systems.
 3. Some of Fire and Emergency New Zealand's fire retardants are solids rather than liquids and the reasons for the limits specified in the plan do not make sense for solids. Fire and Emergency New Zealand current main fire retardant is a powder but Fire and Emergency New Zealand are also looking at new foams which come in bricks. As such, the higher restrictions for waterways do not make sense for these products as they do not leak or flow.
 4. Fire and Emergency New Zealand often requires the temporary storage of chemicals necessary for providing an emergency response, during an emergency and within a short period after the emergency i.e. there is a small grace period for example if Fire and Emergency New Zealand need a truck to remove a container which has firefighting chemicals in it, Fire and Emergency New Zealand may need to wait for a few working days after the emergency has finished for a contractor to do that work. Not providing for this could restrict Fire and Emergency New Zealand's ability to respond to bush or other major events, e.g. large acid spills and other HAZMAT events. This could also result in a breach of the RMA in order to bring in the necessary products to resolve the issue and prevent harm to people or the environment.

Point Number 378.85

Summary of Decision Requested: **Amend** Rule 17.3.1 Height as follows:

17.3.1 Height - Building

The maximum height of any building must not exceed 10m, except hose drying towers up to 15m associated with emergency service facilities.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand supports the height standards of 17.3.1, but seeks the inclusion of a specific exemption for hose drying towers in order to appropriately provide for the operational requirements of Fire and Emergency New Zealand.
- Fire stations are single storied buildings of approximately 8-9m in height and are typically able to achieve the height standards in a District Plan. Some fire stations also include a hose drying tower of between 12-15m in height.
- Fire and Emergency New Zealand considers that the inclusion of an exemption for associated structures better provides for the health and safety of the community by enabling the efficient functioning of Fire and Emergency New Zealand.

Point Number 378.86

Summary of Decision Requested: **Retain** Rule 17.3.4.2 Building setbacks - Waterbodies.

Decision Reasons:

- Fire and Emergency New Zealand supports the building setback in 17.3.4.2 and considers that the Standard will safeguard the wellbeing of communities in accordance with the purpose of the RMA and the purpose of Fire and Emergency New Zealand in the effective protection of lives, property and surrounding environment.

Point Number 378.87

Summary of Decision Requested: **Retain** Rule 17.4.1 - General subdivision.

Decision Reasons:

- Fire and Emergency New Zealand supports Rule 17.4.1 as subdivision of land in the Business Zone is a Restricted Discretionary activity and requires that proposed lots must be connected to public-reticulated water supply.
- Subdivision that does not comply is a Discretionary Activity.

Point Number 378.88

Summary of Decision Requested: **Retain** Rule 17.4.1.1 Subdivision - Multi-unit development as notified.

Decision Reasons:

- Fire and Emergency New Zealand supports Rule 17.4.1.1 as any subdivision of land in the Business Zone in the form of multi-unit development is a Restricted Discretionary activity and requires that multi-unit developments are able to be connected to water reticulation.
- Subdivision that does not comply is a Discretionary Activity.

Point Number 378.89

Summary of Decision Requested: **Add** a new activity to Rule 18.1.2 Permitted Activities as a permitted activity, as follows:

(x) Emergency services training and management activities.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand opposes the range of activities listed in 18.1.2 as permitted activities to the extent that no provision is explicitly made for emergency services training and management activities.
- The rules should be expanded to provide for emergency services training and management activities in order to better achieve the sustainable management purpose of the Act and better enable Fire and Emergency New Zealand to achieve its statutory function by facilitating firefighting and emergency response.

Point Number 378.90

Summary of Decision Requested: **Add** a new activity to Rule 18.1.3 to include the following as a Restricted Discretionary activity:

(x) Emergency service facilities.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand opposes Rule 18.1.3 as no provision is made for emergency service facilities. As no provisions is not made under this rule, emergency service facilities would instead default to non-complying activities under Rule 18.1.5.
- The default non-complying activity status is overly restrictive and inappropriate.
- Fire and Emergency New Zealand therefore seeks the inclusion of emergency service facilities as a restricted discretionary activity to provide for emergency services in the Business Town Centre Zone for the following reasons:
 1. Fire stations must be strategically located within and throughout communities to maximise their coverage and response times so that they can efficiently and effectively provide for the health and safety of people and communities by being able to respond to emergency call outs in a timely way, thus avoiding or mitigating the potential for adverse effects associated with fire hazard and other emergencies;
 2. The actual or potential effects of fire stations are minor and can be adequately predicted and subsequently managed by conditions of consents and subsequent matter for control;
 3. Restricted Discretionary activity status better implement the Objectives and Policies of the Proposed District Plan;
 4. Restricted Discretionary activity status better achieves the purpose of the RMA and better enables Fire and Emergency New Zealand to meet its statutory obligations.

Point Number 378.91

Summary of Decision Requested: **Retain** Rule 18.2.1.1 Noise - General.

Decision Reasons:

- Fire and Emergency New Zealand supports Rule 18.2.1.1 as it permits noise generated by emergency sirens. This exemption appropriately provides for the operational requirements of Fire and Emergency New Zealand and enables them to meet its statutory obligations.

Point Number 378.92

Summary of Decision Requested: **Amend** Rule 18.2.5 Hazardous substances, as follows:

(a) The use, storage or disposal of any hazardous substances where:

(i) The aggregate quantity of hazardous substances of any hazard classification on a site is less than the quantity specified for the Business Town Centre Zone in Table 5.1 contained within Appendix 5 (Hazardous Substances).

(ii) Rule 18.2.5 (a) (i) does not apply to fire stations and associated fire service operations.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand opposes Rule 18.2.5 as while fire stations and associated firefighting activities involve the use and storage of hazardous substances at quantities that are considered minor, it is possible that the permitted provisions may not enable for this, and could affect Fire and Emergency New Zealand's ability to operate as easily and smoothly as needed.
- Fire and Emergency New Zealand therefore requests that fire stations and associated firefighting activities are excluded from the permitted activity Rule 18.2.5 for the following reasons:
 1. The 8.3 classification (Table 5.1 contained within Appendix 5 (Hazardous Substances)) has a relatively low limit in the Business Town Centre Zone, and is quite low in other areas: lots of household products are eye corrosives from dishwashing to laundry powder. This would limit and potentially prevent Fire and Emergency New Zealand having a HAZMAT vehicle based in this zone because they carry neutralizing agents which are eye corrosives. A greater concern is that some of Fire and Emergency New Zealand's fire retardants and foams also have this classification and this limit could potentially require that Fire and Emergency New Zealand need a resource consent to hold a small amount or other these chemicals on site, as a lower limit would be largely taken up by ordinary household chemicals used on site.
 2. The 8.3A classification is for eye corrosion. A person is only affected by this hazard class if they come into direct contact with a product with this classification. This hazard is also managed under the health and safety at work and HSNO legislation usually via labeling and PPE requirements. Fire and Emergency New Zealand considers that there is no logic in restricting the amount of these substances held as it relates to Fire and Emergency New Zealand operations, particularly if they are in enclosed containers for systems.
 3. Some of Fire and Emergency New Zealand's fire retardants are solids rather than liquids and the reasons for the limits specified in the plan do not make sense for solids. Fire and Emergency New Zealand current main fire retardant is a powder but Fire and Emergency New Zealand are also looking at new foams which come in bricks. As such, higher restrictions for waterways do not make sense for these products as they do not leak or flow.
 4. Fire and Emergency New Zealand often requires the temporary storage of chemicals necessary for providing an emergency response, during an emergency and within a short period after the emergency, i.e. there is a small grace period for example if Fire and Emergency New Zealand need a truck to remove a container which has firefighting chemicals in it, they may need to wait for a few working days after the emergency has finished for a contractor to do that work. Not providing for this could restrict Fire and Emergency New Zealand's ability to respond to bush or other major events, e.g. large acid spills and other HAZMAT events. This could also result in a breach of the RMA in order to bring in the necessary products to resolve the issue and prevent harm to people/the environment.

Point Number 378.93

Summary of Decision Requested: **Amend** Rule 18.3.1.1 Height - Building general, as follows:

18.3.1.1 Height - Building General

The maximum height of any building must not exceed 10m, except hose drying towers up to 15m associated with emergency service facilities.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand supports the height standard of 18.3.1, but an inclusion of a specific exemption for hose drying towers in order to appropriately provide for the operational requirements of Fire and Emergency New Zealand.
- Fire stations are single storied buildings of approximately 8-9m in height and are typically able to achieve the height standards in a District Plan. Some fire stations also include a hose drying tower of between 12-15m in height.
- Fire and Emergency New Zealand considers an exemption for associated structures better provides for the health and safety of the community by enabling the efficient functioning of Fire and Emergency New Zealand and is consistent with the typical height of similar network utility structures.

Point Number 378.94

Summary of Decision Requested: **Retain** Rule 18.3.7 Building setbacks - Waterbodies.

Decision Reasons:

- Fire and Emergency New Zealand supports the building setback in Rule 18.3.7 and considers that the Standard will safeguard the wellbeing of communities in accordance with the purpose of the RMA and the purpose of Fire and Emergency New Zealand in the effective protection of lives, property and surrounding environment.

Point Number 378.95

Summary of Decision Requested: Retain Rule 18.4.1 Subdivision - General.

Decision Reasons:

- Fire and Emergency New Zealand supports Rule 18.4.1 as subdivision of land in the Business Town Centre Zone is a Restricted Discretionary activity and requires that proposed lots shall be connected to public-reticulated water supply.
- Subdivision that does not comply is a Discretionary Activity.

Point Number 378.96

Summary of Decision Requested: Retain Rule 18.4.2 Subdivision - Multi-unit subdivision.

Decision Reasons:

- Fire and Emergency New Zealand supports Rule 18.4.2 as any subdivision of land in the Business Town Centre Zone in the form of multi-unit development is a Restricted Discretionary activity and requires that multi-unit developments be connected to water reticulation.
- Subdivision that does not comply is a Discretionary Activity.

Point Number 378.97

Summary of Decision Requested: Add a new activity to Rule 19.1.1 Permitted Activities as a permitted activity, as follows:
(x) Emergency services training and management activities.
AND
Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand opposes the range of activities listed in Rule 19.1.1 as no provision is explicitly made for emergency services training and management activities.
- The rules should be expanded to provide for emergency services and training and management activities in order to better achieve the sustainable management purpose of the Act and better enable Fire and Emergency New Zealand to achieve its statutory function.

Point Number 378.98

Summary of Decision Requested: Add a new activity to Rule 19.1.2 Restricted Discretionary Activities, as follows:
(x) Emergency service facilities.
AND
Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand opposes Rule 19.1.2 as no provision is made for emergency service facilities. As the provision is not made under the rule, emergency service facilities would instead default to non-complying status under Rule 19.1.4.
- The default non-complying activity status is overly restrictive and inappropriate.
- The inclusion of emergency service facilities as a restricted discretionary activity to provide for emergency services in the Tamahere Business Zone for the following reasons:
 1. Fire stations must be strategically located within and throughout communities to maximise their coverage and response times so that they can efficiently and effectively provide for the health and safety of people and communities by being able to respond to emergency call outs in a timely way, thus avoiding or mitigating the potential for adverse effects associated with fire hazard and other emergencies;
 2. The actual or potential effects of fire stations are minor and can be adequately predicted and subsequently managed by conditions of consent and subsequent matters for control;
 3. Restricted Discretionary activity status better implement the Objectives and Policies of the Proposed District Plan.
 4. Restricted Discretionary activity status better achieves the purpose of the RMA and better enables Fire and Emergency New Zealand to meet its statutory obligations.

Point Number 378.99

Summary of Decision Requested: Retain Rule 19.2.1.1 Noise - General.

Decision Reasons:

- Fire and Emergency New Zealand supports Rule 19.2.1.1 as it permits noise generated by emergency sirens. This exemption appropriately provides for the operational requirements of Fire and Emergency New Zealand and enables them to meet its statutory obligations in a manner that provides for the on-going health and safety of people and communities.

Point Number 378.100

Summary of Decision Requested: Amend Rule 19.2.5 Hazardous Substances, as follows:
(a) The use, storage or disposal of any hazardous substance where:
(i) The aggregate quantity of any hazardous substance of any hazard classification on a site is less than the quantity specified for the Business Zone Tamahere in Table 6.1 contained within Appendix 5 (Hazardous Substances);
(ii) The storage or use of radioactive materials is in approved equipment for medical and diagnostic purposes, or specified as an exempt activity or article in the Radiation Safety Act and Regulations 2017.
(iii) Rule 19.2.5(a)(i) excludes fire stations and associated fire service operations.
AND
Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand opposes Rule 19.2.5 as while fire stations and associated firefighting activities involve the use and storage of hazardous substances at quantities that are considered minor, it is possible that the permitted provisions may not enable for this, and could affect Fire and Emergency New Zealand's ability to operate as easily and smoothly as needed.
- Fire and Emergency New Zealand requests that fire stations and associated fire fighting activities are excluded from Rule 19.2.5 for the following reasons:

1. The 8.3 classification (Table 5.1 contained within Appendix 5 (Hazardous Substances)) has a relatively low limit in the Business Town Centre Zone, and is quite low in other areas- lots of household products are eye corrosives from dishwashing to laundry powder. This would limit and potentially prevent Fire and Emergency New Zealand having a HAZMAT vehicle based in this zone because they carry neutralizing agents which are eye corrosives. A greater concern is that some of Fire and Emergency New Zealand's fire retardants and foams also have this classification and this limit could potentially require that Fire and Emergency New Zealand need a resource consent to hold a small amount or and other these chemicals on site, as a lower limit would be largely taken up by ordinary household chemicals used on site.
2. The 8.3A classification is for eye corrosion. A person is only affected by this hazard class if they come into direct contact with a product with this classification. This hazard is also managed under the health and safety at work and HSNO legislation usually via labeling and PPE requirements. Fire and Emergency New Zealand considers that there is no logic in restricting the amount of these substances held as it relates to Fire and Emergency New Zealand operations, particularly if they are in enclosed containers for systems.
3. Some of Fire and Emergency New Zealand's fire retardants are solids rather than liquids and the reasons for the limits specified in the plan do not make sense for solids. Fire and Emergency New Zealand current main fire retardant is a powder but Fire and Emergency New Zealand are also looking at new foams which come in bricks. As such, higher restrictions for waterways do not make sense for these products as they do not leak or flow.
4. Fire and Emergency New Zealand often requires the temporary storage of chemicals necessary for providing an emergency response, during an emergency and within a short period after the emergency, i.e. there is a small grace period for example if Fire and Emergency New Zealand need a truck to remove a container which has firefighting chemicals in it, they may need to wait for a few working days after the emergency has finished for a contractor to do that work. Not providing for this could restrict Fire and Emergency New Zealand's ability to respond to bush or other major events, e.g. large acid spills and other HAZMAT events. This could also result in a breach of the RMA in order to bring in the necessary products to resolve the issue and prevent harm to people/the environment.

Point Number 378.101

Summary of Decision Requested: **Amend** Rule 19.3.1 Height - Building, to include the following:

19.3.1 Height- Building

The maximum height of any building must not exceed 10m, except hose drying towers up to 15m associated with emergency service facilities.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand supports the height standard of Rule 19.3.1, however the inclusion of a specific exemption for hose drying towers will appropriately provide for the operational requirements of Fire and Emergency New Zealand.
- Fire stations are single storied buildings of approximately 8-9m in height and are typically able to achieve the height standards in a District Plan. Some fire stations also include a hose drying tower of between 12-15m in height.
- Fire and Emergency New Zealand considers the inclusion of an exemption for associated structures better provides for the health and safety of the community by enabling the efficient functioning of Fire and Emergency New Zealand and is consistent with the typical height of similar network utility structures.

Point Number 378.102

Summary of Decision Requested: **Add** new activities to Rule 20.1.1 Permitted Activities, as follows:

(x) Emergency services training and management activities

(x) Emergency service facilities.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand opposes the range of activities listed in Rule 20.1.1 as no provision is explicitly made for emergency services training and management activities, or emergency service facilities.
- The rules should be expanded to provide for emergency services training and management activities and emergency service facilities in order to better achieve the sustainable management purpose of the Act and better enable Fire and Emergency New Zealand to achieve its statutory function.
- Such activities are strongly compatible with an industrial environment.

Point Number 378.103

Summary of Decision Requested: **Retain** Rule 20.2.3.1 Noise - General.

Decision Reasons:

- Fire and Emergency New Zealand supports Rule 20.2.3.1 as it permits noise generated by emergency sirens. This exemption appropriately provides for the operational requirements of Fire and Emergency New Zealand and enables them to meet its statutory obligations in a manner that provides for the on-going health and safety of people and communities.

Point Number 378.104

Summary of Decision Requested: **Amend** Rule 20.2.6 Hazardous Substances, as follows:

(a) The use, storage or disposal of any hazardous substance where:

(i) the aggregate quantity of a hazardous substance of any hazard classification on a site is less than the quantity specified for the Industrial Zone in Table 5.1 contained within Appendix 5 (Hazardous Substances).

(ii) Rule 20.2.6 (a), (i) excludes fire stations and associated fire service operations.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand opposes Rule 20.2.6 as while fire stations and associated firefighting activities involve the use and storage of hazardous substances at quantities that are considered minor, it is possible that the permitted provisions may not enable for this and could affect Fire and Emergency New Zealand's ability to operate as easily and smoothly as needed.
- Fire and Emergency New Zealand requests that fire stations and associated firefighting activities are excluded from the Rule 20.2.6 for the following reasons:
 1. The 8.3 classification (Table 5.1 contained within Appendix 5 (Hazardous Substances)) has a relatively low limit in the Business Town Centre Zone, and is quite low in other areas- lots of household products are eye corrosives from dishwashing to laundry powder. This would limit and potentially prevent Fire and Emergency New Zealand having a HAZMAT vehicle based in this zone because they carry neutralizing agents which are eye corrosives. A greater concern is that some of Fire and Emergency New Zealand's fire retardants and foams also have this classification and this limit could potentially require that Fire and Emergency New Zealand need a resource consent to hold a small amount or and other these chemicals on site, as a lower limit would be largely taken up by ordinary household chemicals used on site.

2. The 8.3A classification is for eye corrosion. A person is only affected by this hazard class if they come into direct contact with a product with this classification. This hazard is also managed under the health and safety at work and HSNO legislation usually via labeling and PPE requirements. Fire and Emergency New Zealand considers that there is no logic in restricting the amount of these substances held as it relates to Fire and Emergency New Zealand operations, particularly if they are in enclosed containers for systems.
3. Some of Fire and Emergency New Zealand's fire retardants are solids rather than liquids and the reasons for the limits specified in the plan do not make sense for solids. Fire and Emergency New Zealand current main fire retardant is a powder but Fire and Emergency New Zealand are also looking at new foams which come in bricks. As such, higher restrictions for waterways do not make sense for these products as they do not leak or flow.
4. Fire and Emergency New Zealand often requires the temporary storage of chemicals necessary for providing an emergency response, during an emergency and within a short period after the emergency, i.e. there is a small grace period for example if Fire and Emergency New Zealand need a truck to remove a container which has firefighting chemicals in it, they may need to wait for a few working days after the emergency has finished for a contractor to do that work. Not providing for this could restrict Fire and Emergency New Zealand's ability to respond to bush or other major events, e.g. large acid spills and other HAZMAT events. This could also result in a breach of the RMA in order to bring in the necessary products to resolve the issue and prevent harm to people/the environment.

Point Number 378.105

Summary of Decision Requested: Retain Rule 20.3.1 Building height.

Decision Reasons:

- Fire and Emergency New Zealand supports the height requirements of Rule 20.3.1 in that it provides for the operational requirements of Fire and Emergency New Zealand in relation to the height of buildings and structures associated with emergency service facilities.
- Fire stations are single storied buildings of approximately 8-9m in height. Some fire stations also include a hose drying tower of between 12-15m in height. Fire and Emergency New Zealand considers that the provision for fire station buildings and associated structures better provides for the health and safety of the community by enabling the efficient functioning of Fire and Emergency New Zealand.

Point Number 378.106

Summary of Decision Requested: Retain Rule 20.3.4.2 Building setbacks - Waterbodies.

Decision Reasons:

- Fire and Emergency New Zealand supports the building setback in Rule 20.3.4.2 and considers that it will safeguard the wellbeing of communities in accordance with the purpose of the RMA and the purpose of Fire and Emergency New Zealand in the effective protection of lives, property and the surrounding environment.

Point Number 378.107

Summary of Decision Requested: Retain Rule 20.4.1 Subdivision general, as subdivision of land is a restricted discretionary activity.

AND

Amend Rule 20.4.1 Subdivision- General as follows:

(a) Subdivision must comply with all of the following conditions:

(i) Proposed lots must have a minimum net site area of 1000m²;

(ii) Proposed lots must have an average area of at least 2000m²; and

(iii) No more than 20% rear lots are created.

(iv) Proposed lots must be connected to public-reticulated water supply or water supply sufficient for firefighting purposes.

(b) Council's discretion is restricted to the following matters:

(i) The extent to which a range of future individual activities can be accommodated; and

(ii) Amenity values.

(iii) Provision of infrastructure, including water supply, for firefighting purposes.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand supports Rule 20.4.1 as subdivision of land in the Industrial Zone is a Restricted Discretionary activity, however Fire and Emergency New Zealand requires that proposed lots shall be connected to public-reticulated water supply or water supply sufficient for firefighting purposes.
- Subdivision that does not comply is a Discretionary Activity.
- The changes sought promote consistency across all zones in the District Plan.

Point Number 378.108

Summary of Decision Requested: Add new activities to Rule 21.1.1 Permitted Activities to include the following:

(x) Emergency services training and management activities.

(x) Emergency service facilities.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand opposes the range of activities listed in Rule 21.1.1 as no provision is explicitly made for emergency services training and management activities, and emergency service facilities.
- The rules should be expanded to provide for emergency services training and management activities, and emergency service facilities in order to better achieve the sustainable management purpose of the Act and better enable Fire and Emergency New Zealand to achieve its statutory function by facilitating firefighting and emergency response.
- Such activities are strongly compatible with an industrial environment.

Point Number 378.109

Summary of Decision Requested: Retain Rule 21.2.3.1 Noise - General.

Decision Reasons:

- Fire and Emergency New Zealand supports Rule 21.2.3.1 as it permits noise generated by emergency sirens. This exemption appropriately provides for the operational requirements of Fire and Emergency New Zealand and enables them to meet its statutory obligations in a manner that provides for the on-going health and safety of people and communities.

Point Number 378.110

Summary of Decision Requested: Amend Rule 21.2.6 Hazardous Substances, as follows:

(a) *The use, storage or disposal of any hazardous substance where:*

(i) *the aggregate quantity of hazardous substance of any hazard classification on a site is less than the quantity specified for the Heavy Industrial Zone in Table 5.1 contained within Appendix 5 (Hazardous Substances).*

(ii) Rule 21.2.6 (g), (i) excludes fire stations and associated fire service operations.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand opposes Rule 21.2.6 as while fire stations and associated firefighting activities involve the use and storage of hazardous substances at quantities that are considered minor, it is possible that the permitted provisions may not enable for this, and could affect Fire and Emergency New Zealand's ability to operate as easily and smoothly as needed.
- Fire and Emergency New Zealand requests that fire stations and associated firefighting activities are excluded from the Rule 21.2.6 for the following reasons:
 1. The 8.3 classification (Table 5.1 contained within Appendix 5 (Hazardous Substances)) has a relatively low limit in the Business Town Centre Zone, and is quite low in other areas- lots of household products are eye corrosives from dishwashing to laundry powder. This would limit and potentially prevent Fire and Emergency New Zealand having a HAZMAT vehicle based in this zone because they carry neutralizing agents which are eye corrosives. A greater concern is that some of Fire and Emergency New Zealand's fire retardants and foams also have this classification and this limit could potentially require that Fire and Emergency New Zealand need a resource consent to hold a small amount or and other these chemicals on site, as a lower limit would be largely taken up by ordinary household chemicals used on site.
 2. The 8.3A classification is for eye corrosion. A person is only affected by this hazard class if they come into direct contact with a product with this classification. This hazard is also managed under the health and safety at work and HSNO legislation usually via labeling and PPE requirements. Fire and Emergency New Zealand considers that there is no logic in restricting the amount of these substances held as it relates to Fire and Emergency New Zealand operations, particularly if they are in enclosed containers for systems.
 3. Some of Fire and Emergency New Zealand's fire retardants are solids rather than liquids and the reasons for the limits specified in the plan do not make sense for solids. Fire and Emergency New Zealand current main fire retardant is a powder but Fire and Emergency New Zealand are also looking at new foams which come in bricks. As such, higher restrictions for waterways do not make sense for these products as they do not leak or flow.
 4. Fire and Emergency New Zealand often requires the temporary storage of chemicals necessary for providing an emergency response, during an emergency and within a short period after the emergency, i.e. there is a small grace period for example if Fire and Emergency New Zealand need a truck to remove a container which has firefighting chemicals in it, they may need to wait for a few working days after the emergency has finished for a contractor to do that work. Not providing for this could restrict Fire and Emergency New Zealand's ability to respond to bush or other major events, e.g. large acid spills and other HAZMAT events. This could also result in a breach of the RMA in order to bring in the necessary products to resolve the issue and prevent harm to people/the environment.

Point Number 378.111

Summary of Decision Requested: Retain Rule 21.3.1 Height - General.

Decision Reasons:

- Fire and Emergency New Zealand supports height requirements of Rule 21.3.1 in that it provides for the operational requirements of Fire and Emergency New Zealand in relation to the height of buildings and structures associated with emergency service facilities.
- Fire stations are single storied buildings of approximately 8-9m in height and are typically able to achieve the height standards in a District Plan. Some fire stations also include a hose drying tower of between 12-15m in height.
- Fire and Emergency New Zealand considers that the inclusion of an exemption for associated structures better provides for the health and safety of the community by enabling the efficient functioning of Fire and Emergency New Zealand and is consistent with the typical height of similar network utility structures.

Point Number 378.112

Summary of Decision Requested: Retain Rule 21.3.4.2 Building setback - Waterbodies.

Decision Reasons:

- Fire and Emergency New Zealand supports the building setback in Rule 21.3.4.2 and considers it will safeguard the wellbeing of communities in accordance with the purpose of the RMA and purpose of Fire and Emergency New Zealand in the effective protection of lives, property and the surrounding environment.

Point Number 378.113

Summary of Decision Requested: Retain Rule 21.4.1 Subdivision - General, as subdivision of land is a restricted discretionary activity.

AND

Amend Rule 21.4.1 Subdivision - General, as follows:

RD1

a) Subdivision must comply with all of the following conditions:

(i) proposed lots must have a minimum net site area of 1000m²;

(ii) proposed lots must have an average area of at least 2000m²; and

(iii) no more than 20% rear lots are created.

(iv) proposed lots must be connected to public-reticulated water supply or water supply sufficient for firefighting purposes.

RD2

(a) Council's discretion is restricted to the following matters:

(i) the extent to which a range of future industrial activities can be accommodated; and

(ii) Amenity values.

(iii) Provision of infrastructure, including water supply, for firefighting purposes.

AND

Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand support Rule 20.4.1 as subdivision of land in the Industrial Zone is a Restricted Discretionary activity, however, Fire and Emergency New Zealand requires that proposed lots shall be connected to public-reticulated water supply or water

- supply sufficient for firefighting purposes.
- Subdivision that does not comply is a Discretionary Activity.
- The changes sought promotes consistency across all zones in the District Plan.

Point Number 378.114

Summary of Decision Requested: **Add** a new activity to Rule 22.1.2 Permitted Activities, as follows:
(x) Emergency services training and management activities.
 AND
Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand opposes the range of activities listed in Rule 22.1.2 as no provision is explicitly made for emergency services training and management activities.
- The rules should be expanded to provide for emergency services training and management activities in order to better achieve sustainable management purpose of the Act and better enable Fire and Emergency New Zealand to achieve its statutory function by facilitating firefighter and emergency response.

Point Number 378.115

Summary of Decision Requested: **Add** a new activity to Rule 22.1.3 Restricted Discretionary Activities, as follows:
(x) Emergency service facilities
 AND
Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Fire and Emergency New Zealand opposes Rule 22.1.3 as no provision is made for emergency service facilities. As no provision is made under this rule, emergency service facilities would default to non-complying activities under Rule 22.1.5.
- The default non-complying activity status is overly restrictive and inappropriate.
- Fire and Emergency New Zealand seeks the inclusion of emergency service facilities as a restricted discretionary activity to provide for emergency services in the Rural Zone for the following reasons:
 - Fire stations must be strategically located within and throughout communities to maximise their coverage and response times so that they can efficiently and effectively provide for the health and safety of people and communities by being able respond to emergency call outs in a timely way, thus avoiding or mitigating the potential for adverse effects associated with fire hazard and other emergencies;
 - The actual or potential effects of fire stations are minor and can be adequately predicted and subsequently
 - managed by conditions of consent and subsequent matters for control;
 - Restricted Discretionary activity status better implement the Objectives and Policies of the Proposed District Plan.
 - Restricted Discretionary activity status better achieves the purpose of the RMA and better enables Fire and Emergency New Zealand to meet its statutory obligations.

Submitter Number: 379 **Submitter:** Lisa Gardiner

Organisation: Ngati Hau Iwi Trust

Point Number 379.1

Summary of Decision Requested: No specific decision sought, however the submitter supports the general direction that Waikato District Council has taken in the development of the Proposed Plan overall.

Decision Reasons:

- No reasons provided.

Point Number 379.2

Summary of Decision Requested: **Retain** Chapter 2 – Tangata Whenua, which specifically addresses tangata whenua concerns, issues, and opportunities.

Decision Reasons:

- This aligns to key principles of the Ngati Hau Environmental Management Plan.
- Chapter 2 of the Proposed Plan summarises the importance of Iwi Management Plans in terms of not only articulating the aspirations of tangata whenua, but also highlighting the requirements under the RMA for territorial authorities to take into account these documents when preparing or changing a district plan.

Point Number 379.3

Summary of Decision Requested: **Amend** the Proposed District Plan to ensure:
 (a) Ngati Hau Iwi Trust's role as kaitiaki within the Waikato District is recognised; and
 (b) The aspirations and priorities for Ngati Hau Iwi Trust, as set out in the Ngati Hau Environmental Management Plan, are taken into account within the provisions of the Proposed Plan.
 AND
Amend the Proposed District Plan, including Section C (Rules) to make consequential amendments to give effect to the matters raised in the submission and relief sought.

Decision Reasons:

- The submitter has developed a Ngati Hau Environmental Management Plan 'Te Rautaki Tamata Ao Turoa o Hau' in collaboration with our marae, who identified their aspirations and priorities in becoming fully functional, sustainable and fulfilling the principles of Tumaukitanga and Kingitanga.

2. The Environmental Management Plan documents the aspirations and priorities for Waimakariri Marae, Te Iti o Haua Marae, Rukumoana Marae, Kai-a-te-mata Marae and Raungaiti Marae.
3. The vision of the plan is to restore belief that 'We are a noble and self-sustaining people, from days past, today and forevermore'.
4. The Mission is to protect, manage and grow our Ngati Huau resources to support the Kingitanga through Te Tumuaki o Te Kingitanga and grow the overall well-being of Ngati Haua.
5. The Environmental Management Plan provides an opportunity for Ngati Haua Iwi Trust to align specific aspirations for collective impact across the Marae. It also provides an opportunity for local authorities, central government and other agencies to see how they can work with Ngati Haua to collaborate on projects and/or provide technical support, advice, funding or opportunities for capacity building.
6. The Environmental Management Plan is an expression of our values, frustrations, aspirations and position statements in relation to our taiao. Many of these are common for all people (e.g. clean air and water) and many are specific to us, as Ngati Haua (e.g. protection of our wahi tapu).
7. The Environmental Management Plan enables us to exercise our responsibilities as Kaitiaki, in particular ensuring that we can:
 - a. Restore the mauri of our taiao
 - b. Swim in, drink from and gather food from our rivers and streams
 - c. Provide for the cultural, social and economic wellbeing of our people.
 - d. Revitalize our traditional knowledge and practices.
 - e. Build the capability of our future kaitiaki.
8. The submitter wishes to ensure their responsibilities as kaitiaki within the Environmental Management Plan, are taken into account within the Proposed Waikato District Plan as required under section 74(2A) of the RMA.

Point Number	379.4
Summary of Decision Requested:	Amend Chapter 2 Tangata Whenua, to include specific reference to the Ngati Haua Environmental Management Plan. AND Amend the Proposed District Plan, including Section C (Rules) to make consequential amendments to give effect to the matters raised in the submission and relief sought.
Decision Reasons:	<ol style="list-style-type: none"> 1. The submitter has developed a Ngati Haua Environmental Management Plan 'Te Rautaki Tamata Ao Turoa o Haua' in collaboration with our marae, who identified their aspirations and priorities in becoming fully functional, sustainable and fulfilling the principles of Tumuakitanga and Kingitanga. 2. The Environmental Management Plan documents the aspirations and priorities for Waimakariri Marae, Te Iti o Haua Marae, Rukumoana Marae, Kai-a-te-mata Marae and Raungaiti Marae. 3. The vision of the plan is to restore belief that 'We are a noble and self-sustaining people, from days past, today and forevermore'. 4. The Mission is to protect, manage and grow our Ngati Haua resources to support the Kingitanga through Te Tumuaki o Te Kingitanga and grow the overall well-being of Ngati Haua. 5. The Environmental Management Plan provides an opportunity for Ngati Haua Iwi Trust to align specific aspirations for collective impact across the Marae. It also provides an opportunity for local authorities, central government and other agencies to see how they can work with Ngati Haua to collaborate on projects and/or provide technical support, advice, funding or opportunities for capacity building. 6. The Environmental Management Plan is an expression of our values, frustrations, aspirations and position statements in relation to our taiao. Many of these are common for all people (e.g. clean air and water) and many are specific to us, as Ngati Haua (e.g. protection of our wahi tapu). 7. The Environmental Management Plan enables us to exercise our responsibilities as Kaitiaki, in particular ensuring that we can: <ol style="list-style-type: none"> a. Restore the mauri of our taiao b. Swim in, drink from and gather food from our rivers and streams c. Provide for the cultural, social and economic wellbeing of our people. d. Revitalize our traditional knowledge and practices. e. Build the capability of our future kaitiaki. 8. The submitter wishes to ensure their responsibilities as kaitiaki within the Environmental Management Plan, are taken into account within the Proposed Waikato District Plan as required under section 74(2A) of the RMA.

Submitter Number:	380	Submitter:	Norman Hill
Organisation:	Waahi Whaanui Trust		
Point Number	380.1		
Summary of Decision Requested:	Amend the name Huntly to Raahui Pookeka in the Proposed District Plan.		
Decision Reasons:	<ul style="list-style-type: none"> • Whanui aims to reclaim the name Raahui Pookeka and to establish principles of beauty based on Huntly's original name. • The Waikato –Tainui leader, Te Putu, christened Raahui Pookeka, he embraced the need for sustainability of the scarce resources, fair and equitable distribution of eel stocks, practical leadership for Iwi, Hapu and Whanau backing and working together for their livelihoods. • Raahui Pookeka, the original name for Huntly, is more appropriate recognising the environment, people and history of the area. • The colonial name for Huntly stems from Scotland, the place of the first Postmaster who arrived in 1877 to make him feel "at home" while he lived in the community. 		
Point Number	380.2		
Summary of Decision Requested:	No specific decision sought, but the submitter seeks that the Waikato District Council communicate and engage directly with Whaanui in all discussions, planning and development of master plans, and blueprint scoping within and for Raahui Pookeka (Huntly).		
Decision Reasons:	<ul style="list-style-type: none"> • A key responsibility is to assist whanau and hapu in order to fulfil responsibilities as kaitiaki o nga taonga tuku iho, to exercise full guardianship and custodial protection and care of all-natural resources within the tribal boundaries. • Representing the whanau and hapu of the area, Whaanui has the responsibility to ensure that all environmental issues are addressed. 		

Point Number	380.3
Summary of Decision Requested:	No specific decision sought, but submission seeks that the Waikato District Council immediately commit resources to a programme of restoration and reconstruction of Raahu Pookeka (Huntly).
Decision Reasons:	<ul style="list-style-type: none"> • This is to achieve the collective aspirations and expectations for Maori in Raahui Pookeka. • Whanui is committed to uphold the cultural, environmental and historical integrity of our people by: <ul style="list-style-type: none"> i. Actively promoting our cultural, social, economic and educational development. ii. Sponsoring strategic partnership and alliances that contribute to the unity and diversity of our wider community. iii. Encouraging the health and well-being of all people.
Point Number	380.4
Summary of Decision Requested:	No specific decision sought, but submission states that the Tangata Whenua chapter discusses statutory responsibilities that are required of the Treaty of Waitangi, The Waikato River Settlement Act 2010, the Resource Management Act and the Waikato River Vision and Strategy, amongst others.
Decision Reasons:	<ul style="list-style-type: none"> • No reasons provided.
Point Number	380.5
Summary of Decision Requested:	Amend the rules to enable earthworks in Significant Natural Areas associated with Marae, papakainga and dwellings as a permitted activity.
Decision Reasons:	<ul style="list-style-type: none"> • No reasons provided.
Point Number	380.6
Summary of Decision Requested:	Amend the Proposed District Plan to ensure that Low Impact Design is utilised in all new developments and to ensure best practice low impact design is used for the management of stormwater is forced to reduce the demand and load on infrastructure.
Decision Reasons:	<ul style="list-style-type: none"> • No reasons provided.
Point Number	380.7
Summary of Decision Requested:	Add clear provisions to include precautionary policies to regulate the outdoor use of genetically modified organisms AND Add provisions to prohibit the release of GMOs on land and make field trials a discretionary activity with performance standards in regard to liability and the posting of bonds.
Decision Reasons:	<ul style="list-style-type: none"> • Whanui are concerned about the potential risks posed by releasing GMOs into the environment. • It considers that the science is unproven, and the risk of biological and ecosystem harm is too great not to include precautionary provisions for GMOs under local plans. • Equally important is the risk to social, economic, and cultural wellbeing, even if the Waikato District Council considers that GMOs pose no biological or ecosystem risks. • This is because GMO contamination could have significant adverse effects on the economic markets, and way of life, for both organic and non-GMO food producers, and the mauri and tikanga of tangata whenua. • The Waikato Tainui Environmental Plan takes a precautionary approach to GMOs. • It specifies that applications for new organisms and GMOs must demonstrate that there are no risks to humans, indigenous ecosystems, indigenous species, or primary production. • Whanui takes a precautionary approach to GMOs. • It specifies that any applications for the introduction of new or GMOs into the environment must ensure that there is no risk to indigenous flora and fauna, ecosystems, or to the health and wellbeing of Waikato Tainui Iwi. • A number of councils around New Zealand have been moving to protect their primary producers and communities by introducing precautionary or prohibitive policies. • Auckland Council, Far North District Council, Whangarei District Council and Hastings District Council have all included provisions in their planning documents to regulate the outdoor use of genetically modified organisms. • All four councils have prohibited the release of GMOs on land and made field trials a discretionary activity with performance standards in regard to liability and the posting of bonds.
Point Number	380.8
Summary of Decision Requested:	No specific decision sought, but submission seeks that Waikato District Council resource and support Whaanui to develop and undertake initiatives, activities and projects that improve the education, employment opportunities, health and well-being of the people and community of Whaanui.
Decision Reasons:	<ul style="list-style-type: none"> • No reasons provided.
Point Number	380.9
Summary of Decision Requested:	No specific decision sought, but the submission generally supports the direction that the Waikato District Council has taken in the development of the Proposed District Plan.
Decision Reasons:	<ul style="list-style-type: none"> • No reasons provided.
Point Number	380.10

Summary of Decision Requested:	No specific decision sought, but the submission supports the introduction of a specific chapter addressing Tangata Whenua concerns, issues and opportunities.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	380.11
Summary of Decision Requested:	No specific decision sought, but the submitter seeks to work together in partnership with Waikato District Council to enhance cultural relationships that Whaanui has with the Waikato River and including initiatives intended to address loss of erosion of mana, historical knowledge, tikanga, tribal identity and including identifying, preserving and where appropriate protecting waahi tapu.
Decision Reasons:	<ul style="list-style-type: none"> Whaanui reaffirm the passing of the legislation of the Waikato-Tainui Claims (Waikato River) Settlement Act 2010, which instigated the Vision and Strategy for the Waikato River which provides Waikato-Tainui co-management of the Waikato River from the Karapiro Dam to Te Puaha o Waikato (Port Waikato). The Vision and Strategy also forms part of the operative Waikato Regional Policy Statement. The discussion within the region now considers what "restore and protect" looks like in relation to activities and impacts on the Waikato River and its resources.
Point Number	380.12
Summary of Decision Requested:	Retain the restricted discretionary activity status for earthworks in Maaori Sites of Significance and Maaori Areas of Significance.
Decision Reasons:	<ul style="list-style-type: none"> Waikato-Tainui support this as early warning when such activities are being undertaken.

Submitter Number:	381	Submitter:	Rawiri Bidois
Point Number	381.1		
Summary of Decision Requested:	Council shall provide rates relief for the loss of use to the private landowner where an identified Significant Natural Area is located on private land.		
Decision Reasons:	<ul style="list-style-type: none"> The submitter considers the idea of applying restrictions to the Significant Natural Areas for environmental and aesthetic purposes is meritorious to the council community and its ratepayers. However in doing so ignores two important points: <ul style="list-style-type: none"> Firstly, by council applying the Significant Natural Area identifier, the private landowner is being robbed of the freehold and unfettered use of that land for ever, and for no compensation. The submitter considers this amounts to the same as was done to Maori in the 1800's (Eg: Raupatu, Public Works takings of the Tokanui land block for the Waikeria Prison at one end and Hospital at the other etc etc), with the flick of the pen. Additionally it is difficult to believe and trust the machinery of Local and Central government, that they won't change the rules in the future to accommodate new best practise thinking of the time, to the detriment of the current thinking. eg: Significant Natural Area today turned into a highway tomorrow, or tree planting for Carbon Credits the day after. Secondly, the council will be socialising the gains to the community, at the expense of the private landowner. 		

Submitter Number:	382	Submitter:	Brent Trail
Organisation:	Surveying Services Ltd		
Point Number	382.1		
Summary of Decision Requested:	No specific decision sought, but submission opposes Rule 24.4.1 Subdivision - General.		
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided. 		
Point Number	382.2		
Summary of Decision Requested:	Amend Rule 24.4.2 RD1 (a) (i) Subdivision -Te Kowhai and Tuakau, by reducing the net site area from 3000m2 to 2500m2.		
Decision Reasons:	<ul style="list-style-type: none"> For the reasons relating to sustainability and 2500m2 being adequate for wastewater disposal. 		
Point Number	382.3		
Summary of Decision Requested:	No specific decision sought, but submission states support for Rule 24.4.4 Subdivision - Amendments to cross lease and flats plans and conversions.		
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided. 		
Point Number	382.4		
Summary of Decision Requested:	Delete Rule 24.4.5 RD1 (a)(ii) Title boundaries.		
Decision Reasons:			

- Submission states explanation covered in rural section containing this rule.

Point Number 382.5

Summary of Decision Requested: Delete Rule 24.4.7 Title boundaries - Maaori sites and Maaori areas of significance to Maaori.

Decision Reasons:

- Submission states reasons given under rural rules.

Point Number 382.6

Summary of Decision Requested: No specific decision sought, but submission states support for Rule 24.4.10 Subdivision - Building Platform.

Decision Reasons:

- No reason provided.

Point Number 382.7

Summary of Decision Requested: Amend Rule 24.4.11 RD1 (a) Subdivision Creating Reserves, by replacing 50% with 20%.

Decision Reasons:

- This rule is not helpful to sustainable development and cost of housing unless Council is doing the development or reimbursing the developer for additional roading requirements due to this rule.
- 20% is reasonable.

Submitter Number: 383 **Submitter:** Paul Arnesen

Organisation: Planning Focus Limited

Point Number 383.1

Summary of Decision Requested: Amend the zoning of the following properties in Ohinewai from Rural Zone to Industrial Zone:

- 52 Lumsden Road (Lot 3 Deposited Plan 474347)
- 56 Lumsden Road (Lot 2 Deposited Plan 474347)
- 58 Lumsden Road (Lot 1 Deposited Plan 474347)
- 109 Tahuna Road (Part Allotment 436A Parish of Whangamarino)
- 147 Ohinewai South Road (Lot 1-3 Deposited Plan 15270)
- Ohinewai South Road; (Part Allotment 36 Parish of Taupiri)
- 159 Ohinewai South Road; (Lot 1 Deposited Plan 63073)
- 181 Ohinewai South Road; (Part Allotment 36 Parish of Taupiri)

AND

Amend the zoning the following properties from Country Living Zone to Industrial Zone:

- 123 Ohinewai South Road, Ohinewai
- 101 Ohinewai South Road, Ohinewai
- 117 Ohinewai South Road, Ohinewai
- 183 Ohinewai South Road; (Part Lot 1 Deposited Plan 90412 and Allotment 816 Taupiri Parish and Part Allotment 817 Taupiri Parish)

See the map attached to the submission.

Decision Reasons:

- There is insufficient industrial zoned land in Huntly to provide for employment growth, and the subject land is suitably located with regard to the residential neighbourhood of Huntly while being sufficiently distant to avoid adverse effects associated with industrial activities.
- Both areas have access to State Highway 1 via the existing Tahuna Road interchange.

Submitter Number: 384 **Submitter:** Te Kauwhata Community Committee

Point Number 384.1

Summary of Decision Requested: Amend Appendix 10.5 Character Statements for Te Kauwhata Town Centre 2017, as per but not limited to the suggestions in the document attached to the submission.

Some points for consideration are, but not limited to:

- Ensure that there are fluid connections to walkways/cycleways and also to include those trails etc that are envisaged in the future;
- Public transport options;
- Smaller/modern retail features with more options/opportunities eg: rental/lease opportunities for small business in Te Kauwhata to have a physical presence and to be able to contribute more fully to the local economy;
- Consideration of any effect (positive or negative) of mixed zoning options ie: Residential and Retail;
- Enhanced/improved cosmetic features whilst retaining the heritage features of the main street eg: better/brighter/modern appearance/features of the retail sector; town centre feature(s)/plantings, improved parking, more park bench setting, usage of the currently vacant land in town;
- Work with Mana Whenua regarding the development and promotion of cultural features in Te Kauwhata ie: Cultural Repatriation.

Decision Reasons:

- The town character statement should more accurately reflect the village community of Te Kauwhata as it is today, in order to better guide the future direction, yet maintaining links to the past.

Submitter Number:	385	Submitter:	Peter Ward
Organisation:	Ward Demolition		
Point Number	385.1		
Summary of Decision Requested:	Amend the zoning of the property at 25 Island Block Road, Meremere, and the property to the east of 25 Island Block Road, Meremere with Legal descriptions LOT 2 DPS 14402 SECS 8 12 14 SO 459323 SEC 6 SO 41728926 SO 383114 ALLOT 679 WHANGAMARINO PSH SO 41542 and PT ALLOT 427 WHANGAMARINO PSH DP 21294 from Rural Zone to Industrial Zone and Business Zone (see map attached to the submission).		
Decision Reasons:	<ul style="list-style-type: none"> • The change of zoning would support the following: <ul style="list-style-type: none"> - Employment land, sustainable communities and economic development. - Integrated infrastructure supply enabling sustainable economic development. - An integrated structure planned business precinct at a scale able to provide for an evolving range of business and industrial activities. - Sustainable environmental outcomes - Deals with land otherwise sterilised by overhead power line corridors. - Works in partnership with Council and iwi. • Refer to the supporting document: letter and maps for full rationale. 		

Submitter Number:	386	Submitter:	Pokeno Village Holdings Limited
Point Number	386.1		
Summary of Decision Requested:	Amend the Proposed Waikato District Plan to better reflect good plan drafting practice. AND Any further, other or consequential relief necessary		
Decision Reasons:	<ul style="list-style-type: none"> • The Proposed District Plan does not represent good practice. For example objectives and policies are separated from methods and it is therefore unclear which methods are intended to give effect to which objectives and policies. • The approach of cascading to a discretionary upon non-compliance with a standard is unnecessary and inappropriate. As a matter of good practice, the Proposed District Plan should only utilize full discretionary activity status where it is difficult to clearly identify and define the key effects to be managed and assessed. • The development of the Proposed District Plan does not appear to have taken account of the draft National Planning Standards in terms of format, structure and zones. 		
Point Number	386.2		
Summary of Decision Requested:	Amend the Proposed District Plan to remove ambiguities and avoid disputes over interpretation. AND Any further, other or consequential relief necessary.		
Decision Reasons:	<ul style="list-style-type: none"> • For example, permitted activities are noted as having "activity specific conditions" but it is unclear what is meant by the term "condition" as the conditions appear to be permitted standards. Permitted standards are listed elsewhere in addition to activity specific conditions. 		

Point Number	386.3		
Summary of Decision Requested:	Amend the Proposed District Plan to better give effect to the Regional Policy Statement. AND Any further, other or consequential relief necessary.		
Decision Reasons:	<ul style="list-style-type: none"> • The Proposed District Plan does not adequately give effect to the Waikato Regional Policy Statement. • A number of objectives and policies have been drafted in a manner that does not adequately give effect to the Regional Policy Statement, including but not limited to Policies 3.1.2, 3.2.2, 3.2.3, 4.1.8 and 4.5.18 		

Point Number	386.4		
Summary of Decision Requested:	Amend the Proposed Waikato District Plan to apply the provisions of Plan Change 24 and Plan Change 21 to the full extent of the Pokeno Structure Plan Area AND Any consequential amendments to other parts of the Proposed District Plan to address the concerns raised in the submission.		
Decision Reasons:	<ul style="list-style-type: none"> • The comprehensive planning approach to the development of Pokeno introduced through PC24 and PC21 and primarily implemented by Pokeno Village Holdings Limited (PVHL) has been ignored and dismissed through the review of the WDP:FS and preparation of the PVDP without: <ol style="list-style-type: none"> a) Any specific engagement with PVHL including any discussion of the workability of the provisions; and b) Adequate consideration of this decision through the Council's s32 analysis. • The Section 32 analysis relating to the development of Pokeno did not have regard to all relevant information such as the technical analysis supporting the rezoning of additional land areas in Pokeno was inadequate. • The Section 32 evaluation failed to properly analyse the efficiency and effectiveness of replacing the PC24 and PC21 provisions with an entirely new planning framework, notwithstanding the recent history of planning for Pokeno. • To disregard the planning framework introduced through PC24 and PC21 is inconsistent with the sustainable management principles of Part 2 of the RMA. 		

Point Number 386.5

Summary of Decision Requested: Amend the zoning of the property at Lot 19, Yashili Drive, Pokeno from a split Residential / Light Industrial Zoning to Light Industrial Zone

AND

Amend the zoning of the property at Lot 30 Yashili Drive, Pokeno from a split Residential / Light Industrial Zoning to Light Industrial Zone

Decision Reasons:

- The Proposed District Plan shows lot 19 and 30 as zoned partly Residential and partly Light Industrial Zone.
- There is no good reason for this split.
- Applying two different zones to a single land parcel is efficient.

Point Number 386.6

Summary of Decision Requested: Amend the Proposed District Plan to include an appropriate definition of the term "structure plan"

AND

Amend the Proposed District Plan to provide sufficient guidance (in line with recent good practice) for what is required for a structure plan process including (but not limited to) expectations of the development of new plan provisions to give effect to structure plans

AND

Amend the Proposed District Plan to include guidance for a structure plan approval process

AND

Amend the Proposed District Plan to include confirmation that the term "structure plan" applies to existing structure plan areas, including but not limited to the Pokeno Structure Plan Area

AND

Add a new section to the Proposed District Plan specifically for structure plans and associated plan provisions.

Decision Reasons:

- A number of provisions (including but not limited to Rule 16.4.1) refer to "structure plans" and "approved structure plans", however:
 - There is no definition of the term structure plan
 - There is no guidance as to Council's expectations as to what would be required for a structure plan
 - It is unclear whether the term "structure plan" applies to existing adopted structure plans (such as the Pokeno Structure Plan)
 - There is no guidance as to what the approval process is

Point Number 386.7

Summary of Decision Requested: Delete the density targets for Pokeno (as contained in Policy 4.1.5(b) Density).

OR

Amend Policy 4.1.5 Density to be "greater than 10 dwellings per hectare" in accordance with the Regional Policy Statement

Decision Reasons:

- The Proposed District Plan provides no guidance as to how density per hectare will be calculated. For example:
 - It is assumed that every hectare of residential zoned land will achieve 12-15 households per hectare;
 - It is unclear whether this includes or excludes areas of environmental protection, roads and reserves;
 - For structure plan areas, it is unclear whether density per hectare will be assessed as an average over the whole area
- Given the lack of guidance it is assumed that every hectare of residential land is required to achieve 12-15 households per hectare but this approach does not reflect the reality of environmental constraints within the residential zone or the policy direction to provide residential choice.
- The various residential blocks in Pokeno achieve densities between 10.5-13.8 lots per hectare which are consistent with the Regional Policy Statement requirements of greater than 10 dwellings per hectare.

Point Number 386.8

Summary of Decision Requested: Amend the Proposed District Plan's approach to achieving housing variety by:

- Providing for the full range of housing choice;
- Recognising the role of personal choice in housing provision;
- Recognising other constraints to achieving higher densities such as physical constraints and the provision of infrastructure; and
- Recognising that housing variety is unlikely to be achieved through a single residential zone and density targets.

Decision Reasons:

- The list of housing typologies in Policy 4.2.17 is not extensive and thus does not represent housing choice.
- The list of housing typologies does not recognize that constraints such as contour or personal choice may not always allow for higher densities.
- The physical characteristics of the remaining undeveloped land at Pokeno limits the achievable density of housing without the need for significant earthworks, with associated adverse environmental effects.
- While the objectives and policies seek to provide for higher residential densities and a variety of housing types, it is unclear how the methods in the Proposed District Plan will enable such variety to be delivered.
- Policies 4.2.17 and 4.1.5(b) are contradictory insofar as they seek to enable housing choice whilst requiring a fairly limited density range to be achieved.
- The scale of higher density housing types that would be required within the Pokeno Structure Plan Area to achieve the density targets of between 12-15 dwellings per hectare would be an inappropriate outcome for Pokeno and would likely significantly impact on the character of Pokeno and would be inconsistent with Proposed Objective 4.2.1 of the Proposed District Plan which requires the maintenance of the residential character of the Residential Zone.

Point Number 386.9

Summary of Decision Requested: Amend the Proposed Waikato District Plan's approach to management of the Pokeno Town Centre (including Policy 4.5.18 Pokeno Town Centre and associated implementation methods) to reflect the need for the Pokeno Town Centre to service the surrounding community.

Decision Reasons:

- While the land surrounding Pokeno has undergone significant change from rural to urban over the last decade, the town centre has hardly changed at all, meaning Pokeno residents need to travel to other urban areas such as Pukekohe for basic services.
- Policy 4.5.18 and associated implementation methods do not recognize the ongoing urbanisation of the Pokeno Structure Plan area and are thus inconsistent with Part 2 of the RMA, particularly with regards to enabling people to provide for the social and economic wellbeing.

Point Number 386.10

Summary of Decision Requested: Amend the Proposed District Plan to include additional residential zone types - consistent with those proposed through the Draft National Planning Standards - in particular a "Medium-density residential" zone

AND

Any further, other or consequential relief necessary

Decision Reasons:

The objectives and policies of the "Residential Zone" (as set out in Chapter 4.2 of the Proposed District Plan) in particular Proposed Objective 4.2.16 and associated Policies 4.2.17 and 4.2.18 all seek to enable a wide development of housing types, including high density residential development and "integrated residential development". Rather than trying to provide for multiple housing types with a range of varying residential densities with a single Residential Zone, the Proposed District Plan should be amended to include additional residential zone types.

Point Number 386.11

Summary of Decision Requested: Retain Rule 16.3.5 RD1 Daylight admission where non-compliance with the daylight admission standards is assessed as a restricted discretionary activity.

Decision Reasons:

Any non-compliance with Rule 16.3.5 should also be assessed as a restricted discretionary activity rather than a full discretionary activity.

Point Number 386.12

Summary of Decision Requested: Amend the zoning of 160ha west of Munro Road, Pokeno (known as Pokeno West) from Residential Zone to Rural Zone as it is in the Operative District Plan.

Decision Reasons:

- The land at Pokeno West was deliberately excluded from the Pokeno Structure Plan Area because of limitations including the steepness of the slope and associated erosion risk, the significant challenges associated with managing stormwater and flooding risk and the lack of defensible visual boundary.
- The Section 32 analysis is extremely limited, with notable omissions. These omissions are inconsistent with and thus do not give effect to the RPS.
- The submission identifies issues in terms of the following:
 - Consultation
 - Stormwater management
 - Water and wastewater
 - Transport
 - Consistency with relevant urban growth information requirements
 - National Policy Statement on Urban Development Capacity
- The proposed residential zoning of Pokeno West is problematic for a number of reasons and has the potential to result in adverse effects on the submitter's developments and the wider Pokeno area.

Point Number 386.13

Summary of Decision Requested: Amend Policy 4.5.18 (a) (iv) F Pokeno Town Centre as follows:

~~Ensuring Encourage~~ built form is consistent with Waikato District Council Pokeno Town Centre Architectural Form, Materials and Signage Design Guide, and in particular section 6 (Architectural Style, Materials and Appearance).

AND

Amend the matters of discretion in Rule 18.1.3 RD2(a)(ii) Restricted Discretionary Activities as follows:

~~Consistency~~ The extent to which the building is consistent with the relevant Town Centre Character Statement contained within Appendix 10.1-10.6 (Town Centre Character Statements).

Decision Reasons:

- The use of the word "ensuring" is inappropriate in this context, as it implies that a rule may follow in the Town Centre Zone provision which requires compliance with the 'Pokeno Town Centre Architectural Form, Materials and Signage Design Guide.'
- Such an amendment recognises there is no rule requirement in the Proposed District Plan which would ensure such consistency or compliance.
- The matter of discretion is requested to be consistent with the wording of the amendments sought to Policy 4.5.18.

Point Number 386.14

Summary of Decision Requested: Delete the proposed walkway/cycle way/bridleway that goes through 152 Hitchen Road, 201 Hitchen Road and Munro Road, Pokeno from the planning maps.

Decision Reasons:

- The proposal for a walkway/cycle way/bridleway through 152 Hitchen Road, 201 Hitchen Road and Munro Road has never been discussed with the landowner and it is unclear how this proposal will be achieved.

Point Number 386.15

Summary of Decision Requested: Amend Rule 14.12.1 Permitted Activities, so that the minimum parking requirement in the Residential Zone is for one car park per dwelling.

Decision Reasons:

- The requirement is unnecessary.
- Such a requirement also is likely to lead to the inefficient use of residentially zoned land, where for instance on-site space could better be utilized to provide for useable private outdoor space.
- Amendment will enable locational specifics and market demand to determine whether the provision of two car parks per dwelling is needed or desired for any given residential development proposal.

Point Number 386.16

Summary of Decision Requested: Amend Rule 16.3.3.1 PI Height - Building general, as follows:

PI The maximum height of any building must not exceed ~~7.5m~~ 8m.

AND

Any consequential amendments to Rule 16.3.5 Daylight Admission such as taking the recession plane angle measurement from an elevation of 3m (rather than the proposed 2.5m) above ground level.

Decision Reasons:

- The Operative District Plan provides for a permitted building height of 8m. There is no compelling basis for reducing the permitted building height by 0.5m.
- The submitter has been unable to find any section 32 analysis that provides justification for this approach.
- Consequential amendments may also be necessary to the daylight admission control Rule 16.3.5.

Point Number 386.17

Summary of Decision Requested: **Amend** the Proposed Waikato District Plan so that any non-compliance with the permitted building height is assessed as a restricted discretionary activity.

Decision Reasons:

- Rule 16.3.3.1 of the PWDP requires any non-compliance with the permitted building height rule to be assessed as a full discretionary activity. This is inappropriate because the environmental effects of any such non-compliance are easily identifiable (relating to residential amenity, privacy, overshadowing and dominance)

Submitter Number: 387 **Submitter:** Farm Limited Diamond Creek

Point Number 387.1

Summary of Decision Requested: **Amend** the zoning of the property on State Highway 23, Te Uku (Pt Lot 1 DP 23893, Lot 4 DP 437598 and Allot 218 Parish of Whaingaroa) from Rural Zone to Country Living Zone (see map included in the submission).

Decision Reasons:

- The Subject Property is 43 hectares in area and forms part of the settlement of Te Uku.
- The Surrounding properties within the settlement of Te Uku comprise a mixture of rural and rural-residential size allotments.
- The overall size of the subject property, along with the topography of the site and the location of streams and wetland areas restricts the use of the site as a separate and single farming unit.
- The subject property would be better suited to rural lifestyle living.
- Submitter requests that the site be rezoned to Country Living Zone to enable the property to be developed in a more efficient and appropriate manner in accordance with the purpose, objectives, policies and provisions of the Country Living Zone.
- The rezoning would enable a self-sufficient low density rural lifestyle development that adjoins the village of Te Uku to be developed on the site.
- Proposed allotment sizes would continue to reflect the character of the surrounding area.
- The outcome of changing the subject site from Rural Zone to Country Living Zone has a number of positives such as:
 - The subject property is not subject to any special character overlays and is adjacent to a modified environment that can be described as having a rural village character to it;
 - The topography of the site ensures that not all proposed buildings, and structures will be visible at the one time and therefore will maintain the open space character to it;
 - A rural lifestyle or low density residential development of the property would enable the wetland areas and adjoining stream to be protected and therefore environmental gain can be accommodated with any development of the site;
 - The subject property is of a sufficient size that will enable allotments to be created that will be self-sufficient in the provision of water, wastewater and storm water services;
 - A proposed subdivision of the subject property can be designed so that only entry point to the site will be required at a location that will have excellent sight lines along State Highway 23.
 - An efficient use of land that is unproductive, and protection of more productive rural lots.

Submitter Number: 388 **Submitter:** Sonny Karena

Organisation: Tangata Whenua Working Group

Point Number 388.1

Summary of Decision Requested: **Retain** the introduction of Chapter 2 Tangata Whenua addressing Tangata Whenua concerns, issues and opportunities.

Decision Reasons:

- TWWG provides a Cultural Values Based Position to the Proposed Waikato District Plan.
- TWWG has an interest in a number of aspects of the Proposed Plan and how its provisions as notified will provide for current and future interests and operations in Horotiu West.
- The TWWG support the introduction of a specific chapter addressing Tangata Whenua concerns, issues and opportunities in the proposed District Plan

Point Number 388.2

Summary of Decision Requested: **Retain** the discussion of statutory responsibilities that are required of the Treaty of Waitangi, the Waikato River Settlement Act 2010, and the Resource Management Act, among others.

Decision Reasons:

- No reasons provided.

Point Number 388.3

Summary of Decision Requested: **Retain** the Proposed Residential zoning of the site with legal description of part Allotment 105 Horotiu Parish, Lot 6 DP 12221 and part Allotment 106, Horotiu Parish.

Decision Reasons:

- The TWWG have been working with Perry Group Ltd on their development proposal for this land and consider that the proposed development will support the wider Tangata Whenua values outlined in this submission.
- The site has frontage to the Waikato River and Perry Group development proposals include sensitive development adjacent to the River, improvements of access to the River and the Te Awa Walkway/cycleway and river edge landscaping.
- The development fits well with the local community, particularly the Horotiu School and the nearby Te Awa Lakes Development.
- Through the relationship of TWWG with Perry Group there will be opportunities to work together to achieve enhanced cultural outcomes consistent with the Cultural Impact Assessment prepared for Te Awa Lakes.

Point Number 388.4

Summary of Decision Requested: No specific decision sought, but the submission generally supports the direction that the Waikato District Council has taken in the development

of the Proposed District Plan.

Decision Reasons:

- No reasons provided.

Point Number

388.5

Summary of Decision Requested:

No specific decision sought, but the submission reaffirms the passing of the legislation the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 which instigated the Vision and Strategy for the Waikato River and provides for Waikato-Tainui co-management.

Decision Reasons:

- No reasons provided.

Point Number

388.6

Summary of Decision Requested:

Retain policies that require that the overall quality of freshwater is to be maintained or improved, while protecting the significant values of outstanding freshwater bodies and wetlands, and improving water quality in waterbodies that have been degraded to the point of being over-allocated.

Decision Reasons:

- The innate relationship between te hauora o te wai (the health and mauri of water) and te hauora o te taio (the health and wellbeing of the environment) and their ability to sustain te hauora o te tangata (the health and mauri of people).

Point Number

388.7

Summary of Decision Requested:

No specific decision sought, but the submission outlined the responsibility to protect waahi tapu/waahi tupuna and other taonga, and avoiding inappropriate activities that have adverse effects on Paptuaanuku.

Decision Reasons:

- The relationship with the whenua is of utmost importance to all hapu, especially maintaining customs and traditions.
- Kaitiaki have responsibilities to look after and futureproof whenua, even if mana whenua are not the 'owners' of the land.

Submitter Number:

389

Submitter:

Jonathan Quigley

Organisation:

J and T Quigley Ltd

Point Number

389.1

Summary of Decision Requested:

Amend the zoning of the property at 25 Tamahere Drive, Tamahere from Rural Zone to Countryside Living Zone

OR

Amend the zoning of the property at 25 Tamahere Drive, Tamahere from Rural Zone to Tamahere Village Zone.

AND

Amend the Proposed District Plan to include all necessary, consequential or further relief required to give effect to the submission.

Decision Reasons:

- Given, the location of the submitters site it is considered appropriate that the site be included within the Country Side Living Zone, as opposed to the Rural Zone.
- Given, the location of the submitter's site, it is considered appropriate that the site is included within the Tamahere Village Living Zone, as opposed to the Rural Zone.
- Given the size of the lot, now just under 2 hectares, the proximity to the Waikato Expressway and the adjacent properties across Tamahere Drive, the site is no longer considered rural in nature.
- The properties closest to the site are Countryside Living Zone or Residential Zone (being the new retirement area) and the Tamahere Village Green is at the end roundabout and under 800m walking distance from this property.
- Note that in the Countryside Living Zone a Retirement Village is a Non-Complying Activity yet the site (25 Tamahere Drive) has a consented retirement village (zoned residential) across the road, identified as 650 Airport Road.
- Given the location of the site and the previous reference points if the site is not to be zoned Countryside Living due to proximity of the new retirement village at 650 Airport Road then the site should be zoned Tamahere Village Zone, given its proximity to the Tamahere Market, church, Tamahere Country School and Tamahere Village Green.
- This will allow for appropriate subdivision of the site, where there is demand, yet retain the rural character.

Point Number

389.2

Summary of Decision Requested:

Retain the current extent of Countryside Living Zone and Residential Zone located to the west of the submitters' site on Tamahere Drive, Tamahere.

Decision Reasons:

- Support the current extent of the area of Residential Zone located to the west of its site on Tamahere Drive.
- To ensure that the notified zones are consistent with the direction given in the objectives and policies in the proposed Waikato District Plan relating to reverse sensitivity, it is considered appropriate for the JTQL site to become Country Side Living or Tamahere Village Zone so the adjacent Country Side Living and Residential Zone does not cause reverse sensitivity issues.

Point Number

389.3

Summary of Decision Requested:

Amend Policy 5.6.2 Country Living Character, to include early childcare activities

OR

Amend related Objectives and Policies to refer to early childhood activities.

OR

Amend the definition of "Rural Activity" in Chapter 13 Definitions, to include early childhood activities.

AND

Amend the Proposed District Plan to include all necessary, consequential or further relief required to give effect to the submission.

Decision Reasons:

- It is considered that the policy for Country Living character at it is currently written, would not clearly include JTQL activities that occur on the site. Day-care facility with spaces for up to 114 Children
- It is considered that the definition of "Rural Activity" as it is currently written, would not clearly include JTQL activities that occur on the site.
- Accordingly, it is requested that either the definition of "rural activities" is amended to clearly include JTQL's activities or the related objectives and policies need to refer to early childhood activities.

Point Number

389.4

Summary of Decision Requested:

Add a clause to Policy 5.6.3 Subdivision within the Country Living Zone, as follows:

(vi) where sites are in close to a village Zone, subdivision can be between 5,000m² and 3000m² unreticulated.

AND

Amend the Proposed District Plan to include all necessary, consequential or further relief required to give effect to the submission.

Decision Reasons:

- Some activities are appropriate in the rural environment and the effects are to be accepted.
- To specifically include urban activities in the list of features in the rural environment where a site is in close proximity to an urban village is appropriate.
- It is important to ensure consistent direction in the objectives and policies in the Proposed Waikato District Plan relating to reverse sensitivity.
- Whilst JTQL is located in the Rural Zone, it is surrounded by the Country Living Zone, Residential Zone and adjacent to the Waikato Expressway.
- The Tamahere Village Zone is within 800m of the site and is therefore no longer appropriately zoned as Rural.
- It is important to also provide a policy basis to ensure that when considering applications to subdivide and develop in the Rural Zone and Country Side Living Zone, that the location of the subdivision itself needs to be considered in terms of reverse sensitivity mitigation.
- This will assist in reducing the adverse effects of reverse sensitivity instead of only mitigating them.

Point Number

389.5

Summary of Decision Requested:

No specific decision sought, but the submission supports in part Rule 23.1.3 Non-Complying Activities.

Decision Reasons:

- Notes that in the Countryside Living Zone a Retirement Village is a non-complying activity yet the JTQL site has a consented retirement village (zoned Residential) across the road at 650 Airport Road. Therefore, the current zoning of Rural does not suit the JTQL site anymore.

Point Number

389.6

Summary of Decision Requested:

No specific decision sought, but submission supports in part Rule 24.4.1 Subdivision - General.

Decision Reasons:

- If the JTQL site is not zoned Countryside Living Zone then it should be zoned Village Zone which will allow for appropriate subdivision of the site where there is demand, yet retain the rural character.

Point Number

389.7

Summary of Decision Requested:

Add a new clause (iii) to Policy 5.6.8 Non-residential activities, as follows:

(iii) Are in close proximity (within 1km) to a Village Living Zone and include early childhood education.

AND

Amend the Proposed District Plan to include all necessary, consequential or further relief required to give effect to the submission.

Decision Reasons:

- Childcare facilities should be considered as providing for the health and well being of the community.

Point Number

389.8

Summary of Decision Requested:

Add a new activity for childcare facility to Rule 23.1.1 Permitted Activities, as follows:

P5 Child Care Facility A child care facility established prior to notification of the District Plan and within 1km of a Village Zone

AND

Amend the Proposed District Plan to include all necessary, consequential or further relief required to give effect to the submission.

Decision Reasons:

- JTQL is concerned that JTQLs activities may not fit within the definition of Rural Activity.
- There is no confirmation in the plan, that a child care facility fits within activity.
- Therefore, the child care facility that has been legally established potentially is not considered as a permitted activity in the Rural Zone or Country Side Living.
- Village Living Zone appears to be the best zone for the JTQL site (25 Tamahere Drive).

Point Number

389.9

Summary of Decision Requested:

Amend Rule 23.1.2(1) and D5 Discretionary Activities, as follows:

(1) The activities listed below are discretionary activities, *unless in close proximity 1km to a Village Zone*

D5 An education facility, excluding a child care facility for up to 10 children and P5 above

AND

Amend the Proposed District Plan to include all necessary, consequential or further relief required to give effect to the submission.

Decision Reasons:

- Consideration for some of these activities given the proximity to the Tamahere Village Green, specifically D3, D4, D5, D7 and D9.

Point Number 389.10

Summary of Decision Requested: **Amend** the definition of "Rural Activities" in Chapter 13: Definitions to confirm that childcare is included or provide more examples of what rural industry activities would be.

AND

Amend the Proposed District Plan to include all necessary, consequential or further relief required to give effect to the submission.

Decision Reasons:

- This is necessary to recognise JTQL activities.

Submitter Number: 390 **Submitter:** C.H.S. Enterprises Limited

Point Number 390.1

Summary of Decision Requested: **Amend** the zoning of the property at 219B Dominion Road, Tuakau from Rural Zone to Village Zone, as identified in Appendix A of the submission.

Decision Reasons:

- The additional Village Zoned land will help contribute to satisfying the current demand and strategic projected growth of Tuakau
- The current size of the site does not provide many options or capacity to undertake viable rural activities
- The site is accessed off an access lot which is zoned Village under the Proposed Plan, and is held together with the site (zoned Rural) in the same CFR. Neighbouring land that accesses Lot 7 DP 116403 is zoned Village.
- Potential future road connection may provide more connectivity and accessibility within the Village Zone and other Village Zone properties which are restricted by access solely off Dominion Road (see sheet 3 within Appendix A).
- The site is not located within any Outstanding Landscape or Natural Feature.
- Connectivity and links can be provided between other properties located in the Village Zone.
- See attachment to the submission for full details.

Submitter Number: 391 **Submitter:** Lachie Cameron and Donna Watts

Point Number 391.1

Summary of Decision Requested: **Add** new Rule 22.4.10 Subdivision - Country Living Hamlet, as follows (or similar wording and alternative activity status as necessary):

22.4.10 Subdivision- Country Living Hamlet

RDI *(a) Subdivision to create a Country Living Hamlet within the Rural Zone must comply with the following conditions:*

(i) The Record of Title to be subdivided must be at least 104.5ha in area;

(ii) The Record of Title must contain lots which are not contiguous;

(iii) The lot to be developed must have a maximum area of 4.5 ha;

A. This lot must be subdivided in accordance with Chapter 23 Country Living Zone and is not subject to Chapter 22 Rural Zone.

(b) Council's discretion is restricted to the following matters:

(i) Subdivision layout and design including dimension, shape and orientation of the proposed lots;

(ii) Effects on rural character and amenity values;

(iii) Effects on landscape values;

(iv) Potential for reverse sensitivity effects.

NCL *(a) Subdivision that does not comply with Rule 22.4.10 RDI.*

Decision Reasons:

- Addition of new rule will allow small land holdings physically separated from larger land holdings (held in the same title) to be better utilised as Country Living Hamlets.
- There are already areas within the Rural Zone which feature small pockets of Country Living type development, therefore a Country Living Hamlet will not look unfitting within the Rural Zone.
- Developments under the proposed rule will be developed in accordance with the Country Living Rules, Objectives and Policies which will allow for components of rural living to be maintained.
- The restrictive nature of proposed Rule 22.4.10 will mean only a very limited amount of properties will be entitled to subdivide under this rule.
- Lot 2 DPS 2534 can no longer be used in the dairy operation due to the increase in traffic on Te Ohaki Road as it is too small to undertake its own rural based operation.
- Further development can be supplied onsite which meets requirements of Country Living Zone and sufficient space has been provided to all proposed lots to support onsite waste water and storm water disposal.
- The site at 821 Ohaki Road, Huntly is capable of providing high levels of amenity being adjacent to the Waikato River with views out across the river to the Waikato-Tainui Whenua Raahui Wildlife Refuge Reserve Islands help to provide favorable conditions for Country Living developments.
- An esplanade reserve has been proposed along the boundary adjoining the river, and a public walkway is also proposed to allow access to the reserve and river.
- There is only a small amount of Country Living land around Huntly.
- The location of the submission site provides suitable connection to Hamilton and Auckland, which provides an opportunity to work in larger towns whilst living in a rural setting.

Submitter Number: 392 **Submitter:** Hugh Green Limited

Point Number 392.1

Summary of Decision Requested: **Amend** the zoning of the following properties at Saleyard Road, Te Kauwhata from Business Town Centre to Business:

Legal Description	Certificate(s) of Title
Section 59 Town of Te Kauwhata	SA63B/35 and SA63B/36
Part Allotment 544, 546 Parish of Whangamarino and	SA31D/969, SA31D/970 and SA31D/971

Defined On Deposited Plan 25060	
Lot 5 Deposited Plan South Auckland 18623	SA57C/113, SA31D/972 and SA31D/973
Lot 1 Deposited Plan South Auckland 17707	SA31D/318, SA31D/319 and SA31D/320
Allotment 548 Parish of Whangamarino	SA49D/648
Lot 1 Deposited Plan South Auckland 58730	SA50D/460
Lot 2 Deposited Plan South Auckland 58730	SA50D/503
Lot 2 Deposited Plan South Auckland 17707	SA16C/1076

AND

Amend the Proposed District Plan to provide alternative, additional or consequential amendments/relief as necessary to achieve consistency with the other submission points and to satisfy submitter's concerns or such alternative relief to satisfy the concerns of the submitter.

Decision Reasons:

- Business Town Centre zone provisions are not considered appropriate for the subject sites.
- No clear justification within PDP's supporting documentation as to why the Business Town Centre Zone was chosen for the subject site and adjacent vacant land over the Business Zone.
- Business Zone is a more appropriate zone for development in providing a supporting role to an established town centre, rather than extending the Business Town Centre zone.
- There is only a small amount of Business Zoned land in Te Kauwhata and none of it is currently vacant and proposed plan does not enable larger scale retail that may support the town centre.
- Amending the zoning of subject sites to Business Zone will provide for a greater variety of activities.

Point Number

392.2

Summary of Decision Requested:

Amend the activity-specific conditions for Rule 17.1.2 P4 Permitted activities, as follows:

Located above ground floor level nil.

AND

Amend the Proposed District Plan to provide alternative, additional or consequential amendments/relief as necessary to achieve consistency with the other submission points and to satisfy submitter's concerns or such alternative relief to satisfy the concerns of the submitter.

Decision Reasons:

- Imposition of controls around Activities at Ground Floor Level for buildings facing the front Main Road are accepted, however for all sites within the Business Zone the rule is unduly restrictive.

Point Number

392.3

Summary of Decision Requested:

Add "Retail activity" to Rule 17.1.2 Permitted activities, as a separate activity to the wider-defined "Commercial activity" (already a permitted activity).

AND

Amend the Proposed District Plan to provide alternative, additional or consequential amendments/relief as necessary to achieve consistency with the other submission points and to satisfy submitter's concerns or such alternative relief to satisfy the concerns of the submitter.

Decision Reasons:

- To be consistent with approach taken in Rule 18.1.2 (for the Business Town Centre) and avoid confusion.

Point Number

392.4

Summary of Decision Requested:

Delete Rule 17.1.3 RD1 condition (a)(iii) Restricted Discretionary Activities.

AND

Amend the Proposed District Plan to provide alternative, additional or consequential amendments/relief as necessary to achieve consistency with the other submission points and to satisfy submitter's concerns or such alternative relief to satisfy the concerns of the submitter.

Decision Reasons:

- Imposition of controls around Activities at Ground floor level for buildings facing the front Main Road are accepted however for all sites within the Business Zone the rule is unduly restrictive.

Point Number

392.5

Summary of Decision Requested:

Delete Rule 17.1.5 NC1 Non-Complying Activities.

AND

Amend the Proposed District Plan to provide alternative, additional or consequential amendments/relief as necessary to achieve consistency with the other submission points and to satisfy submitter's concerns or such alternative relief to satisfy the concerns of the submitter.

Decision Reasons:

- This requirement is unduly restrictive for the Business Zone.

Point Number

392.6

Summary of Decision Requested:

Delete Rule 17.1.5 NC2 Non-Complying Activities.

AND

Amend the Proposed District Plan to provide alternative, additional or consequential amendments/relief as necessary to achieve consistency with the other submission points and to satisfy submitter's concerns or such alternative relief to satisfy the concerns of the submitter.

Decision Reasons:

- This requirement is unduly restrictive for the Business Zone.

Point Number

392.7

Summary of Decision Requested:

Delete Rule 17.3.6 PI Condition (a)(i) Dwelling.

AND

Amend the Proposed District Plan to provide alternative, additional or consequential amendments/relief as necessary to achieve consistency with the other submission points and to satisfy submitter's concerns or such alternative relief to satisfy the concerns of the submitter.

Decision Reasons:

- Restrictions are accepted for buildings that front Main Road, however the imposition of this control for all sites within the Business Zone is considered unduly restrictive.
- Restrictions on residential activities in the Business Zone should be removed.

Point Number 392.8

Summary of Decision Requested: Delete Rule 17.3.6 NC1 Dwelling
AND

Amend Rule 17.3.6 D1 Dwelling, to apply to buildings not complying with Rule 17.3.6 P1.

AND

Amend the Proposed District Plan to provide alternative, additional or consequential amendments/relief as necessary to achieve consistency with the other submission points and to satisfy submitter's concerns or such alternative relief to satisfy the concerns of the submitter.

Decision Reasons:

- Restrictions on residential activities in the Business Zone should be removed.
- Dwellings not complying with Rule 17.3.6 P1 subject instead to Rule 17.3.6 D1.

Point Number 392.9

Summary of Decision Requested: **Amend** the specific conditions for Rule 18.1.2 P2 Permitted activities, as follows:

Located above floor ground floor level if the site is subject to a verandah line identified on the planning maps.

AND

Amend the Proposed District Plan to provide alternative, additional or consequential amendments/relief as necessary to achieve consistency with the other submission points and to satisfy submitter's concerns or such alternative relief to satisfy the concerns of the submitter.

Decision Reasons:

- Restrictions are accepted for buildings that front Main Road, however the imposition of this control for all sites within the Business Town Centre Zone is considered unduly restrictive.
- Restrictions on residential activities in the Business Town Centre Zone should only apply to sites that are subject to a verandah line identified on the planning maps.

Point Number 392.10

Summary of Decision Requested: Delete Rule 18.3.3 NC1 Gross leasable floor area.

AND

Amend the Proposed District Plan to provide alternative, additional or consequential amendments/relief as necessary to achieve consistency with the other submission points and to satisfy submitter's concerns or such alternative relief to satisfy the concerns of the submitter.

Decision Reasons:

- No reasons provided

Point Number 392.11

Summary of Decision Requested: **Amend** Rule 18.3.8 (a)(i) Dwelling, as follows:

The dwelling must not be located at ground floor if the site is subject to a verandah line identified on the planning maps.

AND

Amend the Proposed District Plan to provide alternative, additional or consequential amendments/relief as necessary to achieve consistency with the other submission points and to satisfy submitter's concerns or such alternative relief to satisfy the concerns of the submitter.

Decision Reasons:

- Restrictions are accepted for buildings that front Main Road, however the imposition of this control for all sites within the Business Town Centre Zone is considered unduly restrictive.
- Restrictions on residential activities in the Business Town Centre Zone should only apply to sites that are subject to a verandah line identified on the planning maps.

Point Number 392.12

Summary of Decision Requested: **Amend** the specific condition for Rule 18.1.2 P8 as follows:

Located above ground floor level if the site is subject to a verandah line identified on the planning maps.

AND

Amend the Proposed District Plan to provide alternative, additional or consequential amendments/relief as necessary to achieve consistency with the other submission points and to satisfy submitter's concerns or such alternative relief to satisfy the concerns of the submitter.

Decision Reasons:

- Restrictions are accepted for buildings that front Main Road, however the imposition of this control for all sites within the Business Town Centre Zone is considered unduly restrictive.
- Restrictions on the ground floor in the Business Town Centre Zone should only apply to sites that are subject to a verandah line identified on the planning maps.

Point Number 392.13

Summary of Decision Requested: **Amend** Rule 18.1.3 RD1 condition (b), as follows:

The multi-unit development must be located above the ground floor level if the site is subject to a verandah line identified on the planning maps.

AND

Amend the Proposed District Plan to provide alternative, additional or consequential amendments/relief as necessary to achieve consistency with the other submission points and to satisfy submitter's concerns or such alternative relief to satisfy the concerns of the submitter.

Decision Reasons:

- Restrictions are accepted for buildings that front Main Road, however the imposition of this control for all sites within the Business Town Centre Zone is considered unduly restrictive.
- Restrictions on residential activities in the Business Town Centre Zone should only apply to sites that are subject to a verandah line identified on the planning maps.

Point Number 392.14

Summary of Decision Requested: **Amend** Rule 18.1.5 NC2 Non-Complying Activities, as follows:
Residential activity on the ground floor if the site is subject to a verandah line identified on the planning maps.
 AND
Amend the Proposed District Plan to provide alternative, additional or consequential amendments/relief as necessary to achieve consistency with the other submission points and to satisfy submitter's concerns or such alternative relief to satisfy the concerns of the submitter.

Decision Reasons:

- Restrictions are accepted for buildings that front Main Road, however the imposition of this control for all sites within the Business Town Centre Zone is considered unduly restrictive.
- Restrictions on residential activities in the Business Town Centre Zone should only apply to sites that are subject to a verandah line identified on the planning maps.

Point Number 392.15

Summary of Decision Requested: **Amend** Rule 18.1.5 NC3 Non-Complying Activities, as follows:
A multi-unit development located on the ground floor if the site is subject to a verandah line identified on the planning maps.
 AND
Amend the Proposed District Plan to provide alternative, additional or consequential amendments/relief as necessary to achieve consistency with the other submission points and to satisfy submitter's concerns or such alternative relief to satisfy the concerns of the submitter.

Decision Reasons:

- Restrictions are accepted for buildings that front Main Road, however the imposition of this control for all sites within the Business Town Centre Zone is considered unduly restrictive.
- Restrictions on activities in the Business Town Centre Zone should only apply to sites that are subject to a verandah line identified on the planning maps.

Point Number 392.16

Summary of Decision Requested: **Amend** Rule 18.3.3 D1 Gross leasable floor area, to remove the reference to "and no greater than 500m2."
 AND
Amend the Proposed District Plan to provide alternative, additional or consequential amendments/relief as necessary to achieve consistency with the other submission points and to satisfy submitter's concerns or such alternative relief to satisfy the concerns of the submitter.

Decision Reasons:

- No reasons provided.

Submitter Number: 393 **Submitter:** Bowrock Properties Limited
Organisation: PAUA Architects

Point Number 393.1

Summary of Decision Requested: **Amend** the zoning of Lot 3 DP 325499 and Lot 32 DP 81580, Tauwhare Road, Tauwhare from Rural Zone to Country Living Zone or Village Zone.

Decision Reasons:

- Subject site is located to south east of Tauwhare Village, which is designated Country Living Zone in both the Operative and Proposed Plan, comprised of standalone dwellings on large sized residential lots.
- To the west of the subject site there is a mix of smaller sized residential and larger agricultural properties, a number of which are of similar size to those in Tauwhare village.
- It is an opportunity to develop the site for residential use.
- Residential development could be undertaken in a manner currently provided for by Country Living Zone.
- Subject site could provide for 25-35 residential properties and account for its natural features.
- Development of subject site would effectively increase size of current Country Living Zone allowing to extend to the west along Tauwhare Road.
- Development would be consistent with existing context and feel of both Tauwhare Village to the east and Tauwhare Road to the west.
- If Village Zone was to be adopted, submitter would appreciate the opportunity to liaise with Council regarding suitability of the zoning for the subject site.
- Higher density zoning could enable a comprehensive residential development that provides for varying property types and subdivision patterns whilst allowing productive use of land.
- Such development would require master planning to ensure good outcomes.

Submitter Number: 394 **Submitter:** Gwenth Sophie Francis

Point Number 394.1

Summary of Decision Requested: **Delete** Section 1.4.3.1 (c) Rural activities.
 AND
Amend the Proposed District Plan to make consequential or further additional relief, as is appropriate to give effect to the intent of the submission.

Decision Reasons:

- There is no evidence of the vulnerability of rural areas in the manner suggested.

Point Number 394.2

Summary of Decision Requested: **Amend** Section 1.4.3.2 Protecting the rural environment, so that it acknowledges that the direction to protect rural activities is not absolute and where there are limits on the potential use of high class soils due to limited land areas, lack of available water and/or nutrient controls, then new and innovative approaches to managing and utilising rural land should be enabled.
 AND

Amend the Proposed District Plan to make consequential or further additional relief, as is appropriate to give effect to the intent of the submission.

Decision Reasons:

- Fails to appropriately identify the issues and challenges facing Waikato District;
- Fails to have appropriate regard to relevant National Policy Statements including the National Policy Statement for Freshwater Management and the National Policy Statement on Urban Development Capacity
- Fails to have appropriate regard to the Regional Policy Statement and/or misapplies the strategic direction of that document; and
- Fails to provide practical solutions to the challenges facing farming in the northern part of Waikato District and places undue emphasis on the protection of versatile soils without acknowledging other limitations for farming such soils.
- Fails to provide for and enable alternative and/or innovative approaches to better utilise rural land.

Point Number 394.3

Summary of Decision Requested: **Amend** Section 1.5.4 Urban growth, so that it focuses on urban issues, not rural issues, and the utilisation of urban land.

AND

Amend the Proposed District Plan to make consequential or further additional relief, as is appropriate to give effect to the intent of the submission.

Decision Reasons:

- The Proposed Waikato District Plan fails to appropriately identify the issues and challenges facing Waikato District;
- The Proposed Waikato District Plan fails to have appropriate regard to relevant National Policy Statements including those for Freshwater Management and on Urban Development Capacity
- The Proposed Waikato District Plan fails to have appropriate regard to the Regional Policy Statement and/or misapplies the strategic direction of that document; and
- Council has failed to undertake an adequate section 32 analysis, particular with respect to the extent and location of potential countryside living.

Point Number 394.4

Summary of Decision Requested: **Amend** Section 1.5.5 Services and general infrastructure, to signal that land close to urban infrastructure (main roads, and water or wastewater services) will be prioritised for urbanisation.

AND

Amend the Proposed District Plan to make consequential or further additional relief, as is appropriate to give effect to the intent of the submission.

Decision Reasons:

- The Proposed Waikato District Plan fails to appropriately identify the issues and challenges facing Waikato District;
- The Proposed Waikato District Plan fails to have appropriate regard to relevant National Policy Statements including that on Urban Development Capacity;
- The Proposed Waikato District Plan fails to have appropriate regard to the Regional Policy Statement and/or misapplies the strategic direction of that document; and
- Council has failed to undertake an adequate section 32 analysis, particular with respect to the extent and location of potential countryside living;
- The Proposed Waikato District Plan fails to identify sufficient and appropriately located areas for countryside living - particularly where there is good access to appropriate infrastructure.

Point Number 394.5

Summary of Decision Requested: **Amend** Section 1.5.7.3 Water, to recognise the cumulative effect of the "Vision and Strategy" on the potential for high class soils to be utilised other than dry stock farming - particularly the direction to use less water and fewer nutrients.

AND

Amend the Proposed District Plan to make consequential or further additional relief, as is appropriate to give effect to the intent of the submission.

Decision Reasons:

- The Proposed Waikato District Plan fails to appropriate identify the issues and challenges facing Waikato District;
- The Proposed Waikato District Plan fails to have appropriate regard to relevant National Policy Statements including the National Policy Statement for Freshwater Management and the National Policy Statement on Urban Development Capacity;
- The Proposed Waikato District Plan fails to have appropriate regard to the Regional Policy Statement and/or misapplies the strategic direction of that document; and
- The Proposed Waikato District Plan fails to provide practical solutions to the challenges facing farming in the northern part of the Waikato District and places undue emphasis on the protection of versatile soils without acknowledging other limitations for farming such soils.
- The Proposed Waikato District Plan fails to recognise that farms need large water reservoirs to make irrigation feasible. Irrigation is unlikely to occur without access to such reservoirs.

Point Number 394.6

Summary of Decision Requested: **Add** a new objective to Chapter 3 Natural Environment, to encourage the restoration and/or rehabilitation of indigenous ecosystems to encourage new significant ecological areas to be established to replace, in part, what has been lost.

AND

Amend the Proposed District Plan to make consequential or further additional relief, as is appropriate to give effect to the intent of the submission.

Decision Reasons:

- The Proposed Waikato District Plan fails to set realistic and achievable goals for subdivision reliant on the protection, enhancement or establishment of significant ecological areas and therefore set the bar too high which then creates a disincentive for achieving good biodiversity outcomes.
- The Proposed Waikato District Plan fails to appropriately identify the issues and challenges facing Waikato District;
- The Proposed Waikato District Plan fails to have appropriate regard to the Regional Policy Statement and/or misapplies the strategic direction of that document; and
- Council has failed to undertake an adequate section 32 analysis with respect to subdivision opportunities for ecological enhancement or protection.

Point Number 394.7

Summary of Decision Requested: **Add** new policies to Chapter 3 Natural Environment to implement the additional objective requested (in submission point 394.6) which provide, inter alia, subdivision incentives for creating areas with significant indigenous biodiversity value, including the encouragement, establishment or protection of:

- (i) Significant linkages between large (significant) areas of native bush, wetland, scrubland and dunelands;
- (ii) Significant enhancement of an area which is already significant in terms of bush or natural values;
- (iii) Significant restoration or enhancement of areas which are largely depleted, highly modified or destroyed in terms of native biodiversity within the district;
- (iv) Compensation, mitigation or remediation to offset the adverse effects of subdivision or development.

AND

Amend the Proposed District Plan to make consequential or further additional relief, as is appropriate to give effect to the intent of the submission.

Decision Reasons:

- The Proposed Waikato District Plan fails to set realistic and achievable goals for subdivision reliant on the protection, enhancement or establishment of significant ecological areas. The lack of uptake of such enhancement subdivision means that the biodiversity outcomes envisaged are unlikely to be achieved;
- The Proposed Waikato District Plan fails to appropriately identify the issues and challenges facing Waikato District;
- The Proposed Waikato District Plan fails to have appropriate regard to the Regional Policy Statement and/or misapplies the strategic direction of that document; and
- Council has failed to undertake an adequate section 32 analysis with respect to subdivision opportunities for ecological enhancement or protection.

Point Number 394.8

Summary of Decision Requested: **Amend** Policy 3.2.8 Incentivise subdivision, as follows:

(a) *Incentivise subdivision in the Rural Zone when there is the legal and physical protection of Significant Natural Areas, provided the areas are of a suitable size and quality to achieve a ~~functioning ecosystem~~ material ecological benefit.*

AND

Amend the Proposed District Plan to make consequential or further additional relief, as is appropriate to give effect to the intent of the submission.

Decision Reasons:

- The submitter states that the Proposed Waikato District Plan fails to set realistic and achievable goals for subdivision reliant on the protection, enhancement or establishment of significant ecological areas.

Point Number 394.9

Summary of Decision Requested: **Add** an objective to Chapter 5 Rural Environment, to encourage and enable innovative development opportunities which both provide additional living opportunities and enhance the sustainable utilisation of the rural environment through facilitating farm parks.

AND

Amend the Proposed District Plan to make consequential or further additional relief, as is appropriate to give effect to the intent of the submission.

Decision Reasons:

- The Proposed Waikato District Plan and the section 32 analysis fail to recognise the ability for innovative uses of countryside living and farm parks to provide housing choice, better ecological outcomes and appropriate use of high value soils, given the constraints relating to water abstraction and nutrient control.

Point Number 394.10

Summary of Decision Requested: **Add** new policies to Chapter 5 Rural Environment, to facilitate farm parks and ensure good quality outcomes by:

- (i) Allowing up to 1 new site per 4 ha, provided that the parent title is 20 ha or larger;
- (ii) New sites being clustered, less than 5000m² and the development to be lined with a Farm Management Plan to ensure long term environmentally sustainable farming practices;
- (iii) Ecological restoration of permanent watercourses and wetlands;
- (iv) Reverse sensitivity covenants for farming activities;
- (v) Clustering of houses where topography allows it; and
- (vi) Facilitating changes of use in farming operations to land uses which are compatible and give effect to the "Vision and Strategy" and are more sustainable through reduced water and nutrient needs.

AND

Amend the Proposed District Plan to make consequential or further additional relief, as is appropriate to give effect to the intent of the submission.

Decision Reasons:

- The Proposed Waikato District Plan fails to appropriately identify the issues and challenges facing Waikato District;
- The Proposed Waikato District Plan fails to have appropriate regard to relevant National Policy Statements including the National Policy Statement for Freshwater management and the National Policy Statement on Urban Development Capacity;
- The Proposed Waikato District Plan fails to have appropriate regard to the Regional Policy Statement and/or misapplies the strategic direction of that document;
- The Proposed Waikato District Plan fails to provide practical solutions to the challenges facing farming in the northern part of the Waikato District and places undue emphasis on the protection of versatile soils without acknowledging other limitations for farming such soils;
- Council has failed to undertake an adequate section 32 analysis, particularly with respect to the extent and location of a countryside living zone, subdivision opportunity for ecological enhancement or protection and provision of innovative subdivision developments such as farm parks; and
- The Proposed Waikato District Plan fails to identify sufficiently and appropriately located areas for countryside living - particularly where there is good access to appropriate infrastructure.

Point Number 394.11

Summary of Decision Requested: **Amend** Section 5.2 Productive Versatility of Rural Resources by rewriting, so that:

- (i) increased and efficient utilisation of the rural land resource is enabled;

(ii) the capacity and versatility of high class soils is maintained and enhanced where those soils are (or are likely to be) part of a farming unit that has sufficient critical area and where the soils are located in areas which have available allocable water and nutrient capacity; and

(iii) Delete or rewrite Policy 5.2.2 - High class soils to give effect to the above and/or the protection of high class soils is limited to tracts of land which are large enough to be commercially viable and with available water and nutrient budgets; and

(iv) Delete or rewrite Policy 5.2.3 Effects of subdivision and development on soils to give effect to the above and/or the protection of high class soils is limited to tracts of land which are large enough to be commercially viable and with available water and nutrient budgets.

AND

Amend the Proposed District Plan to make consequential or further additional relief, as is appropriate to give effect to the intent of the submission.

Decision Reasons:

- The Proposed Waikato District Plan fails to appropriately identify the issues and challenges facing Waikato District;
- The Proposed Waikato District Plan fails to have appropriate regard to relevant National Policy Statements including the National Policy Statement for Freshwater Management and the National Policy Statement on Urban Development Capacity;
- The Proposed Waikato District Plan fails to have appropriate regard to the Regional Policy Statement and/or misapplies the strategic direction of that document; and
- The Proposed Waikato District Plan fails to provide practical solutions to the challenges facing farming in the northern part of the Waikato District and places undue emphasis on the protection of versatile soils without acknowledging other limitations for farming such soils.
- The Proposed Waikato District Plan fails to recognise that farms need large water reservoirs to make irrigation feasible. Irrigation is unlikely to occur without access to such reservoirs.

Point Number

394.12

Summary of Decision Requested:

Delete Objective 5.3.1 Rural character and amenity, and replace with a new objective that enables rural activities in rural zones.

AND

Amend the Proposed District Plan to make consequential or further additional relief, as is appropriate to give effect to the intent of the submission.

Decision Reasons:

- The Proposed Waikato District Plan fails to appropriately identify the issues and challenges facing Waikato District;
- The Proposed Waikato District Plan fails to have appropriate regard to relevant National Policy Statements including the National Policy Statement for Freshwater management and the National Policy Statement on Urban Development Capacity;
- The Proposed Waikato District Plan fails to have appropriate regard to the Regional Policy Statement and/or misapplies the strategic direction of that document;
- The Proposed Waikato District Plan fails to provide practical solutions to the challenges facing farming in the northern part of the Waikato District and places undue emphasis on the protection of versatile soils without acknowledging other limitations for farming such soils;
- Council has failed to undertake an adequate section 32 analysis, particularly with respect to the extent and location of a countryside living zone, subdivision opportunity for ecological enhancement or protection and provision of innovative subdivision developments such as farm parks; and
- The Proposed Waikato District Plan fails to identify sufficiently and appropriately located areas for countryside living - particularly where there is good access to appropriate infrastructure.

Point Number

394.13

Summary of Decision Requested:

Delete Policy 5.3.4 (a) Density of dwellings and buildings within the rural environment

OR

Amend Policy 5.3.4 (a) Density of dwellings and buildings within the rural environment to encourage clustering

AND/OR

Amend the Proposed District Plan to make consequential or further additional relief, as is appropriate to give effect to the intent of the submission.

Decision Reasons:

- The Proposed Waikato District Plan fails to appropriately identify the issues and challenges facing Waikato District;
- The Proposed Waikato District Plan fails to have appropriate regard to relevant National Policy Statements including the National Policy Statement for Freshwater Management and the National Policy Statement on Urban Development Capacity;
- The Proposed Waikato District Plan fails to have appropriate regard to the Regional Policy Statement and/or misapplies the strategic direction of that document;
- The Proposed Waikato District Plan fails to provide practical solutions to the challenges facing farming in the northern part of Waikato District and places undue emphasis on the protection of versatile soils without acknowledging limitations for farming such soils;
- Council has failed to undertake an adequate section 32 analysis, particularly with respect to the extent and location of countryside living zone, subdivision opportunity for ecological enhancement or protection and provision of innovative subdivision developments such as farm parks; and
- The Proposed Waikato District Plan fails to identify sufficient and appropriately located areas for countryside living - particularly where there is good access to appropriate infrastructure.

Point Number

394.14

Summary of Decision Requested:

Amend Rule 22.3.2 P1 (a) Minor dwelling, as follows:

PI (a) One minor dwelling not exceeding 70m² ~~gross floor area in~~ footprint, (excluding decks and carports), within a lot.

(b) Where there is an existing dwelling located within a lot:

(i) The minor dwelling must be located within ~~20m~~ 200m of the dwelling;

AND

Amend the Proposed District Plan to make consequential or further additional relief, as is appropriate to give effect to the intent of the submission.

Decision Reasons:

- No reasons provided.

Point Number

394.15

Summary of Decision Requested:

Delete Rule 22.2.8 Indigenous vegetation clearance - outside a Significant Natural Area, and make indigenous vegetation clearance outside a Significant Natural Area permitted in all circumstances.

AND

Amend the Proposed District Plan to make consequential or further additional relief, as is appropriate to give effect to the intent of the submission.

Decision Reasons:

- No reasons provided.

Point Number 394.16

Summary of Decision Requested: **Delete** Rule 22.4.1.1 Prohibited subdivision.
OR
Amend Rule 22.4.1.1 Prohibited Subdivision if retained, so that it only applies to the Rural Zone and does not apply to the Country Living Zone.
AND
Amend the Proposed District Plan to make consequential or further additional relief, as is appropriate to give effect to the intent of the submission.

Decision Reasons:

- The submitter states that subdivision should not be prohibited in any circumstance.

Point Number 394.17

Summary of Decision Requested: **Amend** Rule 22.4.1.2 General subdivision, so that this rule only applies to the Rural Zone and does not apply to the Country Living Zone.
AND
Amend the Proposed District Plan to make consequential or further additional relief, as is appropriate to give effect to the intent of the submission.

Decision Reasons:

- No reasons provided.

Point Number 394.18

Summary of Decision Requested: **Amend** Rule 22.4.1.1 Prohibited subdivision, to acknowledge other allowable forms of subdivision such as Conservation Lot Subdivision and farm parks.
AND
Amend the Proposed District Plan to make consequential or further additional relief, as is appropriate to give effect to the intent of the submission.

Decision Reasons:

- No reasons provided.

Point Number 394.19

Summary of Decision Requested: **Amend** Rule 22.4.1.2 General subdivision, to acknowledge other allowable forms of subdivision such as Conservation Lot Subdivision and farm parks.
AND
Amend the Proposed District Plan to make consequential or further additional relief, as is appropriate to give effect to the intent of the submission.

Decision Reasons:

- No reasons provided.

Point Number 394.20

Summary of Decision Requested: **Amend** Rule 22.4.1.6 Conservation lot subdivision, by incorporating the provisions from the Auckland Council District Plan (Rodney Section) 2011 and any directly linked assessment criteria and appendices referred to in those provisions to enable subdivision for protection of Significant Natural Areas. Refer to the submission which sets out these Rodney Section provisions in full.
AND
Amend the Proposed District Plan to make consequential or further additional relief, as is appropriate to give effect to the intent of the submission.

Decision Reasons:

- The Proposed Waikato District Plan fails to set realistic and achievable goals for subdivision reliant on the protection, enhancement or establishment of significant ecological areas;
- Allowing greater lot yields would provide an incentive for this type of subdivision; and
- Council has failed to undertake an adequate section 32 analysis with respect to subdivision opportunities for ecological enhancement.

Point Number 394.21

Summary of Decision Requested: **Amend** the number of lots to be created per area of ecological enhancement, restoration or protection to be calculated from the date that the Proposed District Plan was notified.
AND
Amend the Proposed District Plan to make consequential or further additional relief, as is appropriate to give effect to the intent of the submission.

Decision Reasons:

- No reasons provided.

Point Number 394.22

Summary of Decision Requested: **Add** a new rule to Section 22.4 Subdivision for farm park subdivision, that provides for:

(i) 1 new site per 4 ha from a parent title that is at least 20 ha, provided that the new sites are clustered, less than 5000m2 and;

(ii) Development is lined with a farm management plan to ensure long term environmentally sustainable farming practices.

AND

Amend the Proposed District Plan to make consequential or further additional relief, as is appropriate to give effect to the intent of the submission.

Decision Reasons:

- The Proposed Waikato District Plan fails to appropriately identify the issues and challenges facing Waikato District;
- The Proposed Waikato District Plan fails to have appropriate regard to the Regional Policy Statement and/or misapplies the strategic direction of that document;
- The Proposed Waikato District Plan fails to provide practical solutions to the challenges facing farming in the northern part of Waikato District and places undue emphasis on the protection of versatile soils without acknowledging other limitations for farming such soils;
- Council has failed to undertake an adequate section 32 analysis with respect to innovative subdivision developments such as farm parks.

Point Number 394.23

Summary of Decision Requested: **Delete** Rule 23.2.9 Indigenous vegetation clearance - outside a Significant Natural Area, to make indigenous vegetation clearance outside of a Significant Natural Area permitted in all circumstances.

AND

Amend the Proposed District Plan to make consequential or further additional relief, as is appropriate to give effect to the intent of the submission.

Decision Reasons:

- Indigenous vegetation clearance outside of Significant Natural Area should be permitted in all circumstances but no reasons have been provided.

Point Number 394.24

Summary of Decision Requested: **Amend** Rule 22.3.2 P1 Minor dwelling, as follows:

PI (a) One minor dwelling not exceeding 70m2 ~~gfa~~ in footprint (excluding decks and carports), per site.

(b) Where there is an existing dwelling located within a site:

(i) The minor dwelling must be located within ~~20m~~ 200m of the dwelling;

AND

Amend the Proposed District Plan to make consequential or further additional relief, as is appropriate to give effect to the intent of the submission.

Decision Reasons:

- No reasons provided.

Point Number 394.25

Summary of Decision Requested: **Amend** the zoning of various properties in the vicinity of Parker Lane and Cameron Town Road, Buckland, so that they are zoned in a Country Living Zone. Refer to maps in submission for details of the extent of this requested. The submission states that the requested zone boundaries follow roads or streams as far as reasonably practicable.

OR

Amend the planning maps by applying an overlay to properties on Parker Lane, Buckland that provides for farm park subdivisions in this location on the basis of 1 additional lot per 4 ha of parent title, unless farm park subdivisions are enabled across the Waikato District.

AND

Amend the Proposed District Plan to make consequential or further additional relief, as is appropriate to give effect to the intent of the submission.

Decision Reasons:

- Recognise the existence of areas of land such as (but not limited to) the land around Parker Land and Cameron Town Road which have reasonable access to main roads (such as Buckland Road), have convenient potential access to wastewater infrastructure and are conveniently located near Pukekohe, Pokeno and Tuakau.
- The Proposed Waikato District Plan fails to appropriately identify the issues and challenges facing Waikato District;
- The Proposed Waikato District Plan fails to have appropriate regard to relevant National Policy Statements including those for Freshwater Management and on Urban Development Capacity;
- The Proposed Waikato District Plan fails to have appropriate regard to the Regional Policy Statement and/or misapplies the strategic direction of that document; and
- Council has failed to undertake an adequate section 32 analysis, particular with respect to the extent and location of potential countryside living.

Point Number 394.26

Summary of Decision Requested: **Delete** the Significant Natural Area from the property located at 312 Parker Lane, Buckland, except for those parts which have already been protected by covenant.

AND

Amend the Proposed District Plan to make consequential or further additional relief, as is appropriate to give effect to the intent of the submission.

Decision Reasons:

- No reasons provided.

Point Number 394.27

Summary of Decision Requested: No specific decision sought, but submission seeks the addition of new definitions and to amend definitions in Chapter 13 Definitions to give effect to the submission.

Decision Reasons:

- No reasons provided.

Point Number 394.28

Summary of Decision Requested: **Amend** Policy 5.3.7 Reverse sensitivity effects, to recognise the appropriateness of reverse sensitivity covenants
AND/OR
Amend other plan provisions as consequential or additional amendments as necessary to give effect to the relief sought.
AND
Amend the Proposed District Plan to make consequential or further additional relief, as is appropriate to give effect to the intent of the submission.

Decision Reasons:

- No reasons provided.

Point Number 394.29

Summary of Decision Requested: **Add** objectives and policies to Section 5.6 Country Living Zone, that:

(i) Require sufficient areas within the northern part of the district are zoned countryside living to provide additional housing choices, particularly where there is reasonable access to Pukekohe and Tuakau;

(ii) Identify opportunities for countryside living zones to be reticulated with wastewater where it is located close to wastewater infrastructure; and

(iii) Zone land around Parker Lane and Cameron Town Road as countryside living

AND/OR

Amend other plan provisions as consequential or additional amendments as necessary to give effect to the relief sought.
AND
Amend the Proposed District Plan to make consequential or further additional relief, as is appropriate to give effect to the intent of the submission.

Decision Reasons:

- The Proposed Waikato District Plan fails to appropriately identify the issues and challenges facing Waikato District;
- The Proposed Waikato District Plan fails to have appropriate regard to the Regional Policy Statement and/or misapplies the strategic direction of that document;
- Council has failed to undertake an adequate section 32 analysis, particularly with respect to the extent and location of countryside living zone.
- The Proposed Waikato District Plan fails to identify sufficient and appropriately located areas for countryside living - particularly where there is good access to appropriate infrastructure.

Point Number 394.30

Summary of Decision Requested: **Delete** the definition of "High class soils" in Chapter 13 Definitions, and replace with the following:

(i) Elite soils (Class I); and
(ii) Prime Soils (Class II), and

AND

Amend the Proposed District Plan to make consequential or further additional relief, as is appropriate to give effect to the intent of the submission.

Decision Reasons:

- Recognise that not all high quality soils are the same and that there is a difference between 'elite soils' (Class I) and prime soils (Class II and some III).

Point Number 394.31

Summary of Decision Requested: **Add** a definition of "Farm Park" in Chapter 13 Definitions.
AND
Amend the Proposed District Plan to make consequential or further additional relief, as is appropriate to give effect to the intent of the submission.

Decision Reasons:

- No reasons provided.

Point Number 394.32

Summary of Decision Requested: **Add** a definition of "Restoration or enhancement planting subdivision" in Chapter 13 Definitions.
AND
Amend the Proposed District Plan to make consequential or further additional relief, as is appropriate to give effect to the intent of the submission.

Decision Reasons:

- No reasons provided.

Submitter Number: 395 **Submitter:** Ministry of Business, Innovation and Employment
Organisation: New Zealand Petroleum and Minerals

Point Number 395.1
Summary of Decision Requested: **Amend** Policy 3.3.3 (a) (iv) Protection from inappropriate subdivision, use and development as follows (or similar wording):

(iv) Avoiding, remedying, mitigating, offsetting or compensating the adverse effects of extractive industries and earthworks.

AND

Amend the Proposed District Plan to make consequential or similar amendments as necessary to address the matters raised in submission.

Decision Reasons:

- NZPM recognises that Outstanding Natural Features and Outstanding Natural Landscapes are valued areas for a range of reasons and agrees that the attributes of these areas should be protected from inappropriate subdivision, use and development.
- NZPM does not oppose a more stringent management regime however a requirement to avoid absolutely all adverse effects of extractive industries effectively equates to a prohibition of mining activities in these areas.
- A requirement to avoid, remedy and mitigate adverse effects is consistent with Part 2 of the RMA whilst ensuring inappropriate mining activities are avoided in Outstanding Natural Features and Outstanding Natural Landscapes.
- Offsetting and compensation is consistent with 2017 amendments to the RMA which inserted section 104(ab).
- Relief sought is consistent with mitigation hierarchy promoted by the Business and Biodiversity Offsets Programme.
- Amendment will ensure Policy 3.3.3 is better aligned with Objective 5.4.1 and assist therefore in plan integration.

Point Number 395.2

Summary of Decision Requested: **Retain** Objective 5.4.1 Minerals and extractive industries, as notified.

Decision Reasons:

- NZPM supports the intent of this objective to ensure that mining resource use can provide economic, social and environmental benefits to the Waikato District.

Point Number 395.3

Summary of Decision Requested: **Retain** Policy 5.4.2 Access to minerals and extractive industries, which enables mineral use and extractive industries, except for the amendment sought below.

AND

Amend Policy 5.4.2- Access to minerals and extractive industries as follows (or similar wording):

Protecting and enabling Access to minerals use and extractive industries

(a) Enable extractive industries provided that adverse effects are appropriately avoided, remedied, ~~or~~ mitigated, offset or compensated.

(b) Protect access to, and extraction of, mineral resources by:

(i) Identifying ~~lawfully established~~ existing extractive industries in Aggregate Extraction Areas and Coal mining Areas on planning maps;

(ii) Identifying the site of a potential extractive industry within an Aggregate Resource Area on planning maps;

(c) Ensure that ~~lawfully established~~ extractive industries are not compromised by new subdivision, use or development;

(d) Avoid the location of any sensitive land use within specified buffer areas which otherwise risks the effective operation of an existing ~~lawfully established~~ extractive industry.

AND

Amend the Proposed District Plan to make consequential or similar amendments as necessary to address the matters raised in submission.

Decision Reasons:

- NZPM generally supports the intent of this policy to protect and enable mineral use and extractive industries.
- Amendments make the title more aligned with the intent and focus of the policy.
- Ensures that offsetting and compensation are options available to manage residual adverse effects of mining activities that cannot be avoided, remedied and mitigated.
- Removes unnecessary references to 'lawfully established' extractive industries.

Point Number 395.4

Summary of Decision Requested: **Amend** Rule 22.1.5(l) (D8) (a)- Extractive activities within Rural Zones so that prospecting and exploration activities are classed as a more lenient activity status, for example Restricted Discretionary.

AND

Amend the Proposed District Plan to make consequential or similar amendments as necessary to address the matters raised in submission.

Decision Reasons:

- NZPM does not oppose discretionary activity status for extractive activities in the Rural Zone to allow all potential effects and relevant matters to be assessed through the resource consent process.
- Consideration however should be given to a more lenient status for prospecting and exploration activities given these activities are of a smaller scale and have less adverse effects than extraction.
- NZPM notes prospecting and exploration are a permitted activity in the Rural Zone in Thames-Coromandel District Plan and there is no reason why these activities should have a much more stringent activity status under the Proposed Waikato District Plan.

Point Number 395.5

Summary of Decision Requested: **Retain** Rule 22.1.5 (NC2) Non-Complying activities, as notified.

Decision Reasons:

- NZPM considers that non-complying activity status is appropriate for extractive activities in identified outstanding areas, which still allowed such activities to be assessed on its merits.
- NZPM's support for this rule is subject to the relief sought to Policy 3.3.3 as a non-complying status coupled with policy direction to avoid all adverse effects of extractive industries would effectively prohibit these activities in these areas.

Submitter Number: 396

Submitter: Alan Bekhuis

Point Number 396.1

Summary of Decision Requested: **Amend** the zoning of the rear portion of the property at 25 Rangimarie Road, Ngaruawahia to Country/Rural living.

Decision Reasons:

- Land is hilly and more appropriate to a lifestyle section.
- Much of the land cannot be built on due to its steepness.

- There is an issue with the access road being built to the back half of the farm as it will be used as access to a large amount of Residential Zoned land at the rear of the property and the excessive traffic that will result through Rangimarie Road.
- The whole area back to the start of Jackson Street only has one access/egress point leading to further traffic increases.
- Fire service has highlighted the amount of residential area accessed by only one small street is a concern.

Submitter Number:	397	Submitter:	Horotiu Properties Limited
Point Number	397.1		
Summary of Decision Requested:	<p>Amend the zoning of the property at 27 Sullivan Road, Horotiu (Lot 5 DP 513666) from Rural Zone to Village Zone</p> <p>OR</p> <p>Amend the zoning of the property at 27 Sullivan Road, Horotiu (Lot 5 DP 513666) from Rural Zone to Residential Zone</p> <p>OR</p> <p>Amend the zoning of the property at 27 Sullivan Road, Horotiu (Lot 5 DP 513666) from Rural Zone to Country Living Zone.</p> <p>AND</p> <p>Amend the Proposed District Plan to make any consequential amendments necessary to address the matters raised in the submission.</p>		
Decision Reasons:	<ul style="list-style-type: none"> • Zoning of the property for large lot residential development, which would be enabled under the Village Zone, is consistent with the Future Proof settlement pattern which identifies Horotiu as a growth centre. • The submitter's land is bounded by roads on three sides, two of which are arterial routes in the Operative and Proposed District Plans. These roads place significant constraints on property access and the ability for the landholding to expand, therefore further ruling out the ability to enable productive rural activities. • The submitter's land has a unique topography comprised of approximately 60% flat land with the remaining land being moderately sloping (gradients of 1:3-1:4) down to an artificial watercourse lake). Approximately 40% of their 7.5364 ha site is therefore already restricted for productive rural uses. • The Waikato River is beyond the adjoining rural-residential properties and the property simply cannot be expanded as a rural productive property. • See submission text for further detailed assessment. 		
Point Number	397.2		
Summary of Decision Requested:	<p>Amend Policy 4.1.5 (c) Density, as follows:</p> <p><i>(c) Achieve a minimum density of 8-10 households per hectare in the Village Zone where public reticulated services can be provided.</i></p> <p>AND</p> <p>Amend the Proposed District Plan to make any consequential amendments necessary to address the matters raised in the submission.</p>		
Decision Reasons:	<ul style="list-style-type: none"> • It is feasible that the development in the Village Zone could be serviced by reticulated services that are privately owned and managed. • The policy should not be limited to only publicly owned infrastructure networks. 		
Point Number	397.3		
Summary of Decision Requested:	<p>Amend Policy 4.3.3 Future Development - Tuakau and Te Kowhai, as follows:</p> <p><i>4.3.3 Policy - Future Development - Tuakau and Te Kowhai Village Zone</i></p> <p>AND</p> <p>Amend the Proposed District Plan to make any consequential amendments necessary to address the matters raised in the submission.</p>		
Decision Reasons:	<ul style="list-style-type: none"> • Policy wording should be relevant to the Village Zone direction, not area specific. • The Village Zone could apply in areas beyond Tuakau and Te Kowhai where this policy should be relevant. 		
Point Number	397.4		
Summary of Decision Requested:	<p>Amend Rule 14.3.1.8 relating to P12 Service connections for subdivision, as follows:</p> <p><i>(2) Rule 14.3.1.8 (1)(a) does not apply to any allotment that is serviced by a site-contained wastewater system in accordance with Rule 14.1.1.3; and Rule 14.3.1.8(1)(b) does not apply where reticulated water supply is unavailable.</i></p> <p><i>(3) Within all zones, except the Rural, Village and Country Living Zones, the water supply required under Rule 14.3.1.8(1)(b) must be adequate for fire fighting purposes.</i></p> <p>AND</p> <p>Amend the Proposed District Plan to make any consequential amendments necessary to address the matters raised in the submission.</p>		
Decision Reasons:	<ul style="list-style-type: none"> • In some situations, water supply for an allotment will be from roof water harvesting or bore and will not be provided by a service connection at the boundary. • Like the Rural and Country Living Zones, water supply in the Village Zone may not be pressurised. 		
Point Number	397.5		
Summary of Decision Requested:	<p>Retain Rule 14.1.1.3 (a)(ii) relating to P3 Wastewater servicing for new development or subdivision, as notified.</p>		
Decision Reasons:	<ul style="list-style-type: none"> • Allows for a range of waste water solutions to be considered at the time of subdivision or development. 		
Point Number	397.6		
Summary of Decision Requested:	<p>Amend Table 14.12.5.14 Access and road conditions (Residential, Village, Business, Business Town Centre and Industrial Zones), by amending the minimum access width for the Village and Residential Zones as follows:</p>		

- 1 to 4 lots= 3.6m
- 5 to 8 lots= 4.5m

AND

Amend carriageway and pavement widths as a consequential amendment.

AND

Amend the Proposed District Plan to make any consequential amendments necessary to address the matters raised in the submission.

Decision Reasons:

- Proposed access widths are excessive and will result in inefficient use of land.

Point Number 397.7

Summary of Decision Requested: Delete Rule 24.2.4.1 P1 (a)(f) Earthworks - General.

AND

Amend the Proposed District Plan to make any consequential amendments necessary to address the matters raised in the submission.

Decision Reasons:

- Earthworks within 1.5m of a boundary are inevitable and even the most minor activities such as digging a posthole would trigger a requirement for resource consent.

Point Number 397.8

Summary of Decision Requested: Delete Rule 24.2.4.1 P3 (a)(iv) Earthworks - General.

AND

Amend the Proposed District Plan to make any consequential amendments necessary to address the matters raised in the submission.

Decision Reasons:

- Earthworks within 1.5m of a boundary are inevitable and even the most minor activities such as digging a posthole would trigger a requirement for resource consent.

Point Number 397.9

Summary of Decision Requested: **Amend** Rule 24.3.5 Building coverage, as follows:

P1 On a lot connected to ~~public reticulated~~ waste water ~~and a water supply~~, the total building coverage must not exceed 40%.

P2 On a lot connected to ~~public reticulated~~ waste water ~~and a water supply~~, the total building coverage must not exceed 20%.

AND

Amend the Proposed District Plan to make any consequential amendments necessary to address the matters raised in the submission.

Decision Reasons:

- It is feasible that the development in the Village Zone could be serviced by reticulated services that are privately owned, and shouldn't be limited to only publicly owned infrastructure networks.
- The Village Zone anticipates lots at 3,000m² which can be self-sufficient or 1,000m² if urban infrastructure is provided.

Point Number 397.10

Summary of Decision Requested: **Amend** Rule 24.4.10 RD1 Subdivision - Building Platform, as follows:

(a) Every proposed lot, other than ~~a new lot specifically for access, utility allotment & access allotment~~ an access allotment, utility allotment or reserve allotment, must be capable of containing a building platform.

AND

Amend the Proposed District Plan to make any consequential amendments necessary to address the matters raised in the submission.

Decision Reasons:

- Improves wording and includes reserve allotments.

Point Number 397.11

Summary of Decision Requested: **Amend** the Proposed District Plan to make any consequential amendments necessary to address the matters raised in the submission.

Decision Reasons:

- Various, as outlined in the submission.

Point Number 397.12

Summary of Decision Requested: Delete Rule 24.3.6.1 P3 Building Setbacks - All boundaries.

AND

Amend the Proposed District Plan to make any consequential amendments necessary to address the matters raised in the submission.

Decision Reasons:

- There are instances when it is appropriate to locate the garage forward of the front façade of the dwelling.

Point Number 397.13

Summary of Decision Requested: **Amend** Rule 24.3.6.3 P1 (a) Building setback - Waterbodies, as follows:

P1 (a) A building must be setback a minimum of 30m;

(i) From the margin of any;

A. Lake with a bed area of 8ha or more

B. Wetland with an area greater than 1ha; and

C. River bank other than the Waikato River and Waipa River whose bed has an average width 3m or more.

AND

Amend the Proposed District Plan to make any consequential amendments necessary to address the matters raised in the submission.

Decision Reasons:

- Building setbacks from lakes should be to protect buildings from flood risk (covered by other rules) or alternatively large lakes which could potentially one day require space for esplanade purposes.
- Current wording places unjust setback requirement from private, onsite and often artificial ponds/Waterbodies.

Point Number 397.14

Summary of Decision Requested: **Amend** Rule 24.4.2 Subdivision - Te Kowhai and Tuakau, as follows:

~~Rule 24.4.2 Subdivision - Te Kowhai and Tuakau - Village Zone~~

AND

Amend Rule 24.4.2 RD1 Subdivision - Te Kowhai and Tuakau, as follows:

~~Rule 24.4.2 RD1 Subdivision - Te Kowhai and Tuakau - Village Zone~~

AND

Amend Rule 24.4.2 RD2 Subdivision - Te Kowhai and Tuakau, as follows:

~~Rule 24.4.2 RD2 D2 Subdivision - Te Kowhai and Tuakau - Village Zone~~

AND

Amend the Proposed District Plan to make any consequential amendments necessary to address the matters raised in the submission.

Decision Reasons:

- Current rule wording is exclusive to the notified village zone areas only which is subject to change.

Point Number 397.15

Summary of Decision Requested: **Amend** Rule 24.4.4 C2 Subdivision - Amendments to cross lease and flats plans and conversions, as follows:

~~(a) Amendment or update to a cross lease flats plan including additions or alterations to any buildings and any areas for exclusive by an owner or owners.~~

AND

Amend the Proposed District Plan to make any consequential amendments necessary to address the matters raised in the submission.

Decision Reasons:

- A change to an exclusive use area is not deemed to be a subdivision under s218 of the RMA and is not able to be controlled by Council as it is a private covenant.

Point Number 397.16

Summary of Decision Requested: **Amend** Rule 24.4.9 RD1 Road Frontage, by replacing with the following wording:

(a) Every proposed lot must have at least 20m frontage to a road boundary, except where the proposed lot is an access allotment, utility allotment or a right of way or access leg is provided.

AND

Amend the Proposed District Plan to make any consequential amendments necessary to address the matters raised in the submission.

Decision Reasons:

- Improves wording.

Submitter Number: 398

Submitter: Ian Thomas

Point Number 398.1

Summary of Decision Requested: **Amend** the zoning of the property at 647 Marychurch Road, Matangi (Lot 1 DP 454288) from Rural to Country Living Zone.

AND

Amend the Proposed District Plan to make consequential amendments to enable subdivision and development in accordance with the Country Living Zone provisions for the property at 647 Marychurch Road, Matangi, and surrounding properties.

Decision Reasons:

- Subject property is small and unproductive in a rural sense and cannot make money if used for farming purposes.
- Subject site is completely surrounded by lifestyle blocks with only a couple of neighbours having any animals in addition to the submitters.
- Property is a 'hobby farm' and does not make a profit and thus farmed at a loss and not providing an economic gain.
- Property can only support low numbers of stock rates of approx. 3.0 animals per hectare and stocking rate is not financially viable for any productive economic gain.
- Subject site's access is safe and convenient and will be improved once vehicle movements along Marychurch Road reduce as a result of the road transferring to the council.
- Proposed rezoning would enable additional housing development and growth within the existing Matangi village area with no domination by rural activities.
- Submission supports premise of growth within existing village environments.
- One dwelling can be established as of the right of the property, not enabling any additional productive potential of the land.
- The site's existing vehicle crossing, meter water connection, transport and water reticulation supports proposed rezoning to Country Living Zone whereby storm and waste water can be accommodated on site and infrastructure is self-sufficient.
- Rezoning enables a logical and acceptable level of development from a currently underutilized block restricted by its Rural zoning.

Point Number 398.2

Summary of Decision Requested: **Amend** the zoning of properties on the corner of Marychurch Road and Tauwhare Road, Matangi from Rural Zone to Country Living Zone (see

submission for extent of re-zoning sought).

AND

Amend the Proposed District Plan to make consequential amendments to enable subdivision and development in accordance with the Country Living Zone provisions for the property at 647 Marychurch Road, Matangi, and surrounding properties.

Decision Reasons:

- Subject property is small, unproductive in a rural sense and can't make money if used for farming purposes.
- Subject site is completely surrounded by lifestyle blocks with only a couple of neighbours having any animals in addition to the submitters.
- Property is a 'hobby farm' and does not make a profit and thus farmed at a loss and not providing an economic gain.
- Property can only support low numbers of stock rates of approx. 3.0 animals per hectare and stocking rate is not financially viable for any productive economic gain.
- Subject site's access is safe and convenient and will be improved once vehicle movements along Marychurch Road reduce as a result of the road transferring to the council.
- Proposed rezoning would enable additional housing development and growth within the existing Matangi village area with no domination by rural activities.
- Submission supports premise of growth within existing village environments.
- One dwelling can be established as of the right of the property, not enabling any additional productive potential of the land.
- The site's existing vehicle crossing, meter water connection, transport and water reticulation supports proposed rezoning to Country Living Zone whereby storm and waste water can be accommodated on site and infrastructure is self-sufficient.
- Rezoning enables a logical and acceptable level of development from a currently underutilized block restricted by its rural zoning.
- This is a logical line between Rural Zone and Country Living Zone.
- Housing development is the most appropriate for this area of Matangi.
- Consider it appropriate if a broader area around the property be rezoned as it would be planned and logical, for example area bounded by railway to the southwest, Tauwhare Road to the northwest, Marychurch Road to the northwest, and the southern boundary of Lot 3 DP 365743 would be appropriate and a logical line to rezone from Rural to Country Living.

Point Number

398.3

Summary of Decision Requested:

If the rezoning sought in submission points 398.1, 398.2 and 398.5 is not supported, **Delete** Rural Zone Prohibited Subdivision (PR3) Rule 22.4.1.1.

OR

Amend Rule 22.4 Subdivision, to enable subdivision of Rural Zoned land at an appropriate scale in appropriate locations, i.e. such as 647 Marychurch Road, Matangi.

Decision Reasons:

- Opposes Prohibited subdivision Rule PR3.

Point Number

398.4

Summary of Decision Requested:

Amend the Proposed District Plan to make consequential amendments to enable subdivision and development in accordance with the Country Living Zone provisions for the property at 647 Marychurch Road, Matangi, and surrounding properties.

Decision Reasons:

Point Number

398.5

Summary of Decision Requested:

If the rezoning sought in submission points 398.1 and 398.2 is not supported, **Amend** the zoning of 647 Marychurch Road, Matangi and the properties at the intersection of Marychurch Road and Tauwhare Road, Matangi from Rural zone to Village zone or Residential zone to enable appropriate subdivision and development (see map attached to submission for extent of rezoning sought).

Decision Reasons:

- Subject property is small, unproductive in a rural sense and can't make money if used for farming purposes.
- Subject site is completely surrounded by lifestyle blocks with only a couple of neighbours having any animals in addition to the submitters.
- Property is a 'hobby farm' and does not make a profit and thus farmed at a loss and not provide an economic gain.
- Property can only support low numbers of stock rates of approx. 3.0 animals per hectare and stocking rate is not financially viable for any productive economic gain.
- Subject site's access is safe and convenient and will be improved once vehicle movements along Marychurch Road reduce as a result of the road transferring to the council.
- Proposed rezoning would enable additional housing development and growth within the existing Matangi village area with no domination by rural activities.
- Submissions supports premise of growth within existing village environments.
- One dwelling can be established as of the right of the property, not enabling any additional productive potential of the land.
- Site's existing vehicle crossing, meter water connection, transport and water reticulation supports proposed rezoning to Country Living Zone whereby storm and waste water can be accommodated on site and infrastructure is self-sufficient.
- Rezoning enables a logical and acceptable level of development from a currently underutilized block restricted by its rural zoning.
- Consider it appropriate if a broader area around the property be rezoned as it would be planned and logical, for example area bounded by railway to the southwest, Tauwhare Road to the northwest, Marychurch Road to the northwest, and the southern boundary of Lot 3 DP 365743 would be appropriate and a logical line to rezone from Rural to Country Living.

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Submitter Number:

399

Submitter:

Delys Tansley

Point Number

399.1

Summary of Decision Requested:

Amend the zoning of the property at 42 Geraghtys Road, Tuakau, from Rural Zone to Residential Zone.

Decision Reasons:

- Does not consider the Residential Zone boundary has been appropriately selected.
- No detailed reasoning is available for the decision made.
- Do not see any adverse effects from extending Residential zoning to the property at 42 Geraghtys Road.

Submitter Number:

400

Submitter:

Andrew Kerr

Point Number

400.1

Summary of Decision Requested:

Amend the Significant Natural Areas maps so that these are agreed with land owners before Rule 22.2.7 Indigenous vegetation clearance inside a Significant Natural Area, is approved.

Decision Reasons:

- The mapping used to identify Significant Natural Areas is very out of date. The submitter has images from 1947 when their property was cleared and the submitter has to be able to maintain that state of land clearance as the submitter depends on it for their livelihood.
- As the submitter develops the farm they need to be able to maintain fence lines and build new ones. This requires clearing of vegetation to maintain them.
- The farm suffers from lots of wind damage to the trees and these need to be cleared each year over 50m³ per annum in windfall alone.
- The identification of Significant Natural Areas has been done without consultation with the submitter and was not identified in the LIM report when the property was purchased.
- Also 5m³ is an insignificant amount of firewood per annum.

Point Number 400.2

Summary of Decision Requested: Delete the Significant Natural Area from the property at 862B Waikare Road, Waeranga.

Decision Reasons:

- The area that has been assigned is based on old images and a lot of the area has been cleared already.
- The maps used are from 2012.
- The submitter already has a large Covenant block on the property which was established 21st November 1999.
- The submitter prides themselves on keeping this area locked up with stock exclusion and pest management plans in place.
- The area of land identified by council in the Proposed District Plan very close to half of the entire property.
- The submitter grazes the property in its entirety excluding the covenant block and the waterways. The submitter farms beef and sheep which do not eat Kanuka. The submitter also produces honey from the property. Locking these areas up as Significant Natural Areas will significantly impact the livelihood of the submitter.
- The property is mainly kanuka and the submitter has planted some manuka this year to enhance waterways.
- The submitter has identified 3 areas on the property which they would be happy to change to Significant Natural Areas, 2 of these contain good regenerating native bush and the other is a wetland area the submitter would like to protect. The long term plan is to fence them off and improve them further.

Point Number 400.3

Summary of Decision Requested: Amend Rule 22.2.7 Indigenous vegetation clearance inside a Significant Natural Area, to enable clearance of vegetation for maintenance of fence lines, new fence lines, clearing of wind damage and increased amount of firewood.

Decision Reasons:

- The mapping used to identify Significant Natural Areas is very out of date. The submitter has images from 1947 when their property was cleared and the submitter has to be able to maintain that state of land clearance as the submitter depends on it for their livelihood.
- As the submitter develops the farm they need to be able to maintain fence lines and build new ones. This requires clearing of vegetation to maintain them.
- The farm suffers from lots of wind damage to the trees and these need to be cleared each year over 50m³ per annum in windfall alone.
- The identification of Significant Natural Areas has been done without consultation with the submitter and was not identified in the LIM report when the property was purchased.
- Also 5m³ is an insignificant amount of firewood per annum.

Submitter Number: 401

Submitter: Robert Hugh Maclennan

Point Number 401.1

Summary of Decision Requested: Amend Rule 23.3.7 Building Setbacks, to reduce the required boundary setback from 12m to 1.5m.

Decision Reasons:

- The current required boundary setback is now too restrictive on the current and proposed site sizes.

Submitter Number: 402

Submitter: Tuakau Proteins Limited

Point Number 402.1

Summary of Decision Requested: Retain the Industrial zoning of the Tuakau Proteins Limited site including 22, 24 and 26 Lapwood Road, Tuakau as notified.

Decision Reasons:

- It is considered appropriate that the Tuakau Protein Limited site is included within the Industrial Zone, as opposed to the Business Zone (the current zoning).

Point Number 402.2

Summary of Decision Requested: Retain the current extent of Residential Zoning in Tuakau, as notified.

Decision Reasons:

- Tuakau Protein Limited support the current extent of the area of Residential Zone located to the north of its site in Tuakau.
- To ensure notified zones are consistent with the direction given in the objectives and policies in the Proposed District Plan relating to reverse sensitivity, it is considered necessary for the Residential Zone to not encroach within the 1000m buffer from the Tuakau Protein Limited site, which was recommended in the Tonkin and Taylor Assessment Report (2015).

Point Number 402.3

Summary of Decision Requested: Amend Policy 4.1.10 (a) (ii) Tuakau, as follows (or words to similar effect):

(ii) Existing intensive farming, rural industry and industrial activities are protected from the effects of reverse sensitivity by considering the location of new residential development.

OR

Amend the definition of "Industrial Activity" in Chapter 13 Definitions to ensure that Tuakau Proteins Limited would fit within that definition.

AND

Any consequential amendment and/or further amendments to give effect to the concerns raised in the submission.

Decision Reasons:

- Tuakau Proteins Limited's activities or the related objectives and policies need to refer to rural industry as well as industrial activities, which is considered necessary particularly due to proposed rezoning of Tuakau Proteins Limited's site from Business to Industrial.
- The definition of "industrial activity" as it is currently written would not clearly include Tuakau Proteins Limited's activities on the site.

Point Number

402.4

Summary of Decision Requested:

Amend Policy 5.3.7 Reverse sensitivity effects, as follows (or words to similar effect):

- (a) Recognise the following features are typical of the rural environment and the effects are accepted and able to be managed:
- (i) Large numbers of animals being farmed, extensive areas of plants, vines or fruit crops, plantation forests and farm forests;
- (ii) Noise, odour, dust, traffic and visual effects associated with the use of land for farming, horticulture, forestry, farm quarries;
- (iii) Existing mineral extraction and processing activities;
- (iv) Minor dwellings;
- (v) Papakainga housing developments within Maori freehold land;
- (vi) Rural industry.
- (b) Avoid adverse effects outside the site and where those effects cannot be avoided, they are to be mitigated.
- (c) Reduce and/or mitigate the adverse effects of reverse sensitivity through the use of setbacks and the design and location of subdivisions and development.
- (d) The scale, intensity and timing and duration of activities are managed to ensure compatibility with the amenity and character of the rural environment.
- (e) Enable the use of artificial outdoor lighting for night time work.
- (f) Ensure glare and light spill from artificial lighting in the rural environment does not:
- (i) Compromise the safe operation of the road transport network; and
- (ii) Distract from the amenity of other sites within the surrounding environment.
- (g) Frost fans are located and operated to ensure adverse effects on the surrounding environment are minimised.
- (h) Provide for intensive farming activities and rural industry, recognising the potential adverse effects that need to be managed, including noise, visual amenity, rural character or landscape effects, and odour.

AND

Any consequential amendments and/or additional relief to give effect to the concerns raised in the submission.

Decision Reasons:

- With regard to reverse sensitivity in the rural environment, rural industry should be recognised as being typical in the rural environment and the effects are to be accepted.
- To specifically include rural industry in the list of features in the rural environment is important to ensure consistent direction in the objectives and policies in the Proposed District Plan relating to reverse sensitivity.
- Whilst Tuakau Protein Limited is located now in the Industrial zone, it is surrounded by the Rural Zone, and as a rural industry this should be accepted as an appropriate land use.
- It is also noted that the existing policy direction in the Franklin section of the Waikato District Plan in Objective 17C.2.1.4 refers to rural industry specifically.
- It is considered important to also provide a policy basis to ensure that when considering applications to subdivide and develop in the Rural Zone, that the location of subdivision itself needs to be considered in terms of reverse sensitivity mitigation, assisting in reducing rather than mitigating adverse effects.

Point Number

402.5

Summary of Decision Requested:

Amend the definition of "Industrial Activity" in Chapter 13 Definitions to specifically include "rural industry activities" (or words to similar effect).

OR

Add "Rural Industry" to Rule 20.1.1 Permitted Activities as a permitted activity in the Industrial Zone (or words to similar effect).

AND

Any consequential amendments and/or additional relief to give effect to the concerns raised in the submission.

Decision Reasons:

- Tuakau Proteins Limited is concerned that their activities may not fit within the definition of Industrial activity.
- Tuakau Proteins Limited is confident that they would fit within definition of rural industry however, there is no confirmation in the plan as it written that rural industry fits within Industrial activity. Therefore, rural industry potentially is not considered as a permitted activity in the Industrial Zone.

Point Number

402.6

Summary of Decision Requested:

Retain the permitted noise levels in Rule 20.2.3 Noise, except for the amendments sought below

AND

Add new noise level standards to Rule 20.2.3.1 P2 - General, as follows (or words to similar effect):

P2

(a) Noise measured within any other site:

- (i) In an Industrial Zone must not exceed:
A. 75dBA (LAeq) 7am to 10pm; and
B. 55dB (LAeq) and 85dB (LAmax) 10pm to 7am the following day.

(ii) At the Rural Zone interface, noise levels must not exceed the below noise levels when measured within the notional boundary of property in a rural zone:
A. 55dB (LAeq) 7am to 10pm; and
B. 45dB (LAeq) and 75dB (LAmax) 10pm to 7am the following day.

AND

Add new noise level standards to Rule 20.2.3.1 P3 Noise General as follows (or words to similar effect):

P3

(a) Noise measured within any site in any zone other, than the Industrial Zone and the Heavy Industrial Zone, must meet the permitted noise levels for that zone, with the exception of the interface with the Rural Zone.

AND

Any consequential amendments and/or additional relief to give effect to the concerns raised in the submission.

Decision Reasons:

- Tuakau Proteins Limited supports the permitted noise levels in the Industrial Zone, but considers that is necessary to include 'interface' permitted noise levels in the Industrial zone.
- As Tuakau Proteins Limited is located within the Industrial Zone but is the only industrial activity, the zoning changes at the site boundary to the adjacent Rural Zone. Therefore, although noisy activities are accepted in the Industrial Zone and higher permitted noise levels are provided, Industrial activities still need to fit within the Rural Zone's permitted noise levels, since the noise measured within any site in any zone other than the Industrial Zone and Heavy Industrial Zone, must meet the permitted noise levels for that zone.
- Tuakau Protein Limited must meet the Rural Zone permitted noise levels, which are much lower than the Industrial Zone's, which creates an issue when considering future growth of the site.
- Tuakau Protein Limited notes that other councils have included interface noise levels to manage such situations where noise levels need to be considered on sites which are located on the boundary of another zone. It is considered that this is appropriate to ensure the District Plan does not unreasonably restrict future growth of rural industry located on the boundary of the Rural Zone.

Point Number

402.7

Summary of Decision Requested:

Delete Rule 20.2.6 Hazardous Substances.

AND

Any consequential amendments and/or additional relief to give effect to the concerns raised in the submission.

Decision Reasons:

- Tuakau Proteins Limited considers that hazardous substances should not be regulated under the District Plan.
- Sections 30 and 31 of the Resource Management Act have been amended to remove control of hazardous substances as an explicit function of councils.
- Consequential changes have also been made to the Hazardous Substances and New Organisms Act 1996 (HSNO) and Health and Safety at Work Act 2015 in light of this change.
- Tuakau Proteins Limited considers HSNO or Worksafe controls are adequate to address the environmental effects of hazardous substances in any particular case (including managing the risk of potential effects on the local environment).

Point Number

402.8

Summary of Decision Requested:

Delete Rural Industry from Rule 22.1.3 RD2 Restricted Discretionary activities

AND

Add Rural Industry to Rule 22.1.2 Permitted Activities.

AND

Any consequential amendments and/or additional relief to give effect to the concerns raised in the submission.

Decision Reasons:

- Tuakau Proteins Limited does not consider the rural industry should be classed as Restricted Discretionary Activity in the Rural Zone.
- Waikato District Council has listed other 'non-rural' activities as Permitted Activities in the Rural Zone, such as forestry, equestrian centres and horse training centres.
- Is considered that including rural industry as Restricted Discretionary is inconsistent with Policy 5.3.2.

Point Number

402.9

Summary of Decision Requested:

Amend Policy 5.3.9 (a) Non-rural activities, as follows (or words to similar effect):

(a) manage any non-rural activities, including equestrian centres, horse training centres and forestry ~~and rural industries~~, to achieve a character, scale, intensity and location that are in keeping with rural character and amenity values.

AND

Any consequential amendments and/or additional relief to give effect to the concerns raised in the submission.

Decision Reasons:

- Tuakau Protein Limited considers that rural industries are rural activities and should not be included in a list of activities which are considered to be 'non-rural.'
- Tuakau Protein Limited also wish to highlight that the Waikato District Council have included all the non-rural activities listed in Policy 5.3.9 as Permitted Activities under 22.1.2 with the exception of rural industry which is listed as a Restricted Discretionary Activity 22.1.3.

Point Number

402.10

Summary of Decision Requested:

Amend the definition of "Industrial Activity" in Chapter 13 Definitions, as follows (or words to similar effect):

Industrial Activity

Means the production, processing, bulk moving or storage in bulk of any materials, goods or products:

Production includes:

(a) manufacturing; and

(b) assembly from components.

Processing includes:

(a) repair;

(b) servicing;

(c) maintenance; and

(d) assembly of materials, goods or product.

Bulk storage includes:

(a) warehousing.

Rural industry activities are included within the definition of industrial activity.

OR

Amend policies such as Policy 4.1.10 Tuakau that only mention "industrial activity" to also refer to "rural industry" (or words to similar effect).

AND

Any consequential amendments and/or additional relief to give effect to the concerns raised in the submission.

Decision Reasons:

- Tuakau Protein Limited does not consider that the definition of Industrial activity is adequately described.
- Being an activity that has been changed from located in the Business to Industrial Zone, it is interpreted that Tuakau Protein Limited would therefore fit within the Rural Industry and subsequently the Industrial Activity definitions to ensure consistency.

Point Number 402.11

Summary of Decision Requested: **Confirm** the inclusion of rendering in the definition of "Rural Industry" in Chapter 13 Definitions.

OR

Amend the definition of "Rural Industry" in Chapter 13 Definitions to provide more clarity or examples of what rural industry activities would be.

AND

Any consequential amendments and/or additional relief to give effect to the concerns raised in the submission.

Decision Reasons:

- It is considered that Tuakau Proteins Limited's operation does fit within the definition of Rural Industry as it written.
- However, it is requested that Waikato District Council confirm this interpretation.
- It is acknowledged that the definition is more succinct than the existing definition in the Franklin Section of the plan. Therefore, it is important to ensure that the definition has not become more ambiguous in application.

Submitter Number: 403 **Submitter:** Doug Nicholson

Point Number 403.1

Summary of Decision Requested: No specific decision sought, but submitter seeks that Rule 18.2.1 be amended.

Decision Reasons:

- No reasons provided.

Point Number 403.2

Summary of Decision Requested: **Amend** Rule 18.2.4.1 Earthworks - General, to suit 10 Baird Avenue, Te Kauwhata.

Decision Reasons:

- No one has visited the site to the knowledge of the submitter.
- No consideration as to what the land looks like and what runs through it, such as the council easement for wastewater being an open drain right through the middle of the property to a small lake, which then drains to the wetlands via a large open culvert.
- Any planned development would have to do earthworks outside these rules to achieve the District Plan vision.

Point Number 403.3

Summary of Decision Requested: **Amend** Rule 18.2.8 PI (iii) Outdoor Storage, so activities on 10 Baird Ave, Te Kauwhata are a discretionary activity.

Decision Reasons:

- 10 Baird Avenue is in a gully from adjacent zones and properties. This rule is unlikely to be achieved, and would need compromise of sorts at consent stage.

Point Number 403.4

Summary of Decision Requested: **Amend** Rule 18.3.1.1 PI Height – Building General, from 10m to 15m.

Decision Reasons:

- 10m does not lend itself to current successful/optimum shopping precincts developments, which consist of anchor tenants, such as The Warehouse Ltd
- It is necessary for a 15m peak for buildings (perhaps not on street frontage) which are these anchor tenants
- Example: <http://www.colliers.co.nz/209211/>

Point Number 403.5

Summary of Decision Requested: **Amend** Rule 18.1.3 Restricted Discretionary Activities and review the rules in consultation with 10 Baird Avenue, Te Kauwhata.

Decision Reasons:

- There are rules which contradict each other
- The new rules do not lend themselves to current trends in developments the Town Centre is looking for.
- 10 Baird Avenue is the submitters' residential home, and they would not be able to do anything that they regard as 'lifestyle block' ownership improvements (such as a barn for a tractor).
- The Plan restricts development to business with residential only allowed above ground floor, but cannot be done unless the indicative road is made into a permanent road. This may not happen for a long time, as the submitter does not own the road, only have right of use.
- The only choice under these new rules would be to sell now to someone who is happy as it is, or wants to land bank, or sit 'in limbo' waiting for someone to come and want to buy the block plus the neighbours block to develop into shops etc., which could be 7-20 years away.
- The rules devalue the land.

Point Number 403.6

Summary of Decision Requested: **Amend** the zoning for the property at 10 Baird Avenue, Te Kauwhata from Business Town Centre to Business Zone.

Decision Reasons:

- 10 Baird Avenue may not be best suited to a Town Centre Zone as it does not have main street frontage.
- The property would be better as a Business Zone to reach full potential of development as Business Zone permissible activities.

Point Number 403.7

Summary of Decision Requested: **Amend** Rule 18.1.2 P8 Permitted Activities, to allow offices at the rear of tenancies on the ground floor

OR

Amend Rule 18.1.2 P8 Permitted Activities, to have no restrictions on offices.

Decision Reasons:

- A typical shop or retail development does not have a second floor and offices are generally at the rear of the tenancy on the ground floor.
- Some businesses require offices to be on the ground floor and at the street front
- Campbell Tyson, as an example, is on the ground floor and on a main street frontage.

Point Number 403.8

Summary of Decision Requested: **Amend** Rule 18.1.2 P2 Permitted Activities, to allow for existing ground floor dwellings and new ground floor dwellings as permitted activities as per the existing mixed use area rules, for the duration of the existing legal owners.

Decision Reasons:

- The home is on the ground floor, and the submitter may want to build another home on the site should the existing home become uninhabitable for whatever reason.
- The Proposed District Plan removes their existing rights or use they had when they purchased.
- The Proposed District Plan should allow current landowners to use existing zone rules until sale.

Point Number 403.9

Summary of Decision Requested: **Amend** Rule 18.1.5 Non-Complying Activities, to allow for rules under mixed-use area policy currently in place

AND

Amend Rule 18.1.5 Non-Complying Activities, to enable development on an indicative road.

Decision Reasons:

- 10 Baird Avenue is on an indicative road (not owned by submitter).
- NC1, NC2 and NC4 do not allow the submitter to do anything unless neighbours land turns into permanent road, which may never happen.
- The submitter does not want to develop the land themselves, just to be able to build lifestyle improvements while they are there, until they sell to a developer, if one is interested in next 10 years or more.
- This rule effectively devalues the land from the current rules.

Point Number 403.10

Summary of Decision Requested: **Amend** Rule 18.3.3 D1 Gross leasable floor area, as follows (or similar):

Any individual tenancy with a gross leasable floor area over 350m² and no greater than ~~500m²~~ 1000m², and no greater than 5000m² for no more than two tenancies

Decision Reasons:

- Anchor tenants are key to shopping or business area developments
- With small tenancy restrictions, no anchor tenant will be allowed so developments will not get off the ground due to no interest for other smaller tenants
- Retailers and business need to be around anchor tenants for many reasons
- A developer will not spend money if there is no tenancy interest, or ongoing success in a development
- Examples of typical shopping development of size suitable for Te Kauwhata: <http://www.colliers.co.nz/209211/>

Point Number 403.11

Summary of Decision Requested: **Amend** Rule 18.3.4 Display windows and building facades, to reflect Business Zone rule for 10 Baird Avenue, Te Kauwhata.

Decision Reasons:

- This rule will restrict optimum developments at 10 Baird Ave, Te Kauwhata.

Point Number 403.12

Summary of Decision Requested: **Amend** Rule 18.3.7 P1 (a)(i)A Building setbacks - Waterbodies, to define what qualifies as a lake.

Decision Reasons:

- It is unclear to the submitter whether the water at 10 Baird Avenue is a lake or if the site is a flood zone area. It is noted that the site includes a flood line limit and no identified waterbodies.

Point Number 403.13

Summary of Decision Requested: **Amend** Rule 18.3.8 Dwelling, to allow for current owners at 10 Baird Ave, Te Kauwhata to have the same rules as mixed policy area rules in place currently.

Decision Reasons:

- 10 Baird Ave, Te Kauwhata is the submitters residential home, and they would not be able to do anything they regard as 'lifestyle block' ownership improvements (such as a barn for a tractor), or a replacement home on the land.
- The Proposed District Plan restricts development to business with residential only allowed above ground floor, but cannot be done unless indicative road is made into a permanent road. This may not happen for a long time, as they do not own the road, only have right of use.
- The only choice under these new rules would be to sell now to someone who is happy as it is, or wants to land bank, or sit 'in limbo' waiting for someone to come and want to buy the block
- The neighbours block is to develop into shops etc., which could be 7-20 years away. The rules devalue the land.

Submitter Number:	404	Submitter:	Harry Mowbray
Organisation:	Mowbray Group		
Point Number	404.1		
Summary of Decision Requested:	Add provision for historic railway cottages to be shifted to the property at 452B Tauwhare Road, Matangi.		
Decision Reasons:	<ul style="list-style-type: none"> • Will compliment the Matangi History. • Will help create a destination. • Cottages to be classical exterior; modern interior for Air BnB letting. • The land used to have the Matangi Railway Station on it and railway houses. • Wishes to put railway houses on this land, with possibly a railway station and early historic cottages. 		
Point Number	404.2		
Summary of Decision Requested:	Retain the zoning to be Industrial Zone but work towards Business Town Centre zoning at the following properties: <ul style="list-style-type: none"> • Lot 1 DPS 61203 • IBII DPS 61203 • ITXVI DPS 37920 • ISII DPS 72565 • Lot 2 DPS 72565 		
Decision Reasons:	<ul style="list-style-type: none"> • Recently purchased some of this land from Railways and created 2 new titles. • Would like the zone to be Industrial with a view to going to Business Town Centre zoning. 		
Point Number	404.3		
Summary of Decision Requested:	Retain the zoning to be Industrial Zone but to be developed to Business Town Centre at the property at 456 Tauwhare Road, Matangi.		
Decision Reasons:	<ul style="list-style-type: none"> • The submitter owns this site as well as the Matangi Dairy Factory. 		
Point Number	404.4		
Summary of Decision Requested:	Amend Rule 20.3.1 Building height to provide dispensation for existing buildings located at 452B Tauwhare Road, Matangi (Matangi Dairy Factory) to ensure the boiler house (22m), dryer tower (26m) and boiler flues (33m) remain at these heights when a change of use occurs.		
Decision Reasons:	<ul style="list-style-type: none"> • Supports increase in building height to 15m from 10m for Rule 20.3.1. • Matangi Dairy Factory is a site of significant history. • Council records show that when a previous change of use for these buildings was requested, Council wanted the buildings reduced in height to 10m. • The submitter does not want this to be a condition in future development. 		
Point Number	404.5		
Summary of Decision Requested:	Retain the Industrial Zone for the property located at 452B Tauwhare Road, Matangi (Matangi Dairy Factory), but seeks special and flexible zoning to allow development of a historic business town centre.		
Decision Reasons:	<ul style="list-style-type: none"> • Allow a special and flexible zoning for this site. • Matangi site is historic and needs to be preserved and become an historic destination. • Matangi needs to continue to grow into an up-market village. • Having an industrial site in the middle of the village does not fit well. 		

Submitter Number:	405	Submitter:	Counties Power Limited
Point Number	405.1		
Summary of Decision Requested:	Retain Policy 6.3.4 (a) Future renewable electricity as notified.		
Decision Reasons:	<ul style="list-style-type: none"> • Counties Power supports the use of renewable energy resources. 		
Point Number	405.2		
Summary of Decision Requested:	Add the following to Objective 6.4.1 (a) Integration of infrastructure with subdivision, land use and development : <u>Protection of existing infrastructure assets.</u>		
Decision Reasons:	<ul style="list-style-type: none"> • Protect access to existing Counties Power assets during development, use and subdivision. 		
Point Number	405.3		
Summary of Decision Requested:	Retain Policy 6.4.3(a)(iii) Infrastructure Location and Services as notified.		
Decision Reasons:			

- Counties Power recognises the need to support new development and needs to be able to respond quickly to increased demand for electricity.

Point Number 405.4

Summary of Decision Requested: **Add** the following to Policy 6.4.5 (a) Roading infrastructure:
Design, alignment and dimension of new roads to accommodate installation of network infrastructure in accordance with technical and safety specification.

Decision Reasons:

- Counties Power supports good design and connectivity of roads.
- Road corridors are utilised for installation of distribution network for the connection of new subdivisions and development.

Point Number 405.5

Summary of Decision Requested: **Amend** Policy 6.5.2 (a) (vi) Construction and operation of the land transport network, by including the following:
Encourage collaborative working to enable sustainable transport and electricity networks in transport corridors and the protection of existing assets.

Decision Reasons:

- Encourage collaborative working to achieve safe, integrated, resilient and sustainable transport and electricity networks in the transport corridors, through good design and protection of existing Counties Powers assets.

Point Number 405.6

Summary of Decision Requested: **Retain** Policy 6.5.5 (a) Road safety.

Decision Reasons:

- Ensure structures, lighting, signage and vegetation do not compromise the safe and efficient operation of the transport network or the electricity network located in the transport corridors.

Point Number 405.7

Summary of Decision Requested: **Amend** Policy 6.5.6 (a) Network utility location, to give protection to existing network utility assets.

Decision Reasons:

- Enables Counties Power to install and maintain new and existing Counties Power network utility assets.

Point Number 405.8

Summary of Decision Requested: **Amend** the definition of "Building" in Chapter 13 Definitions, to exclude power poles, support structures and mast poles, as per section 9 (a), (ab) and (ac) of the Building Act 2004.

Decision Reasons:

- Power poles, support structures and mast poles are not buildings.

Point Number 405.9

Summary of Decision Requested: **Amend** definition of "Cabinet" in Chapter 13 Definitions, to clarify whether cabinets ancillary to the operations of communications equipment for the connectivity of the electricity network should be regarded as a cabinet or minor infrastructure. If regarded as a cabinet, the submitter questions whether it would be excluded because it houses ancillary equipment, or whether this is subject to assessment of dimensions.

Decision Reasons:

- Counties Power uses cabinets which are ancillary to the operation of communications equipment which is required for connectivity of the electricity network. These cabinets are generally attached to the lower part of the pole, or on the ground at the base of the pole.

Point Number 405.10

Summary of Decision Requested: **Amend** the definition of "earthworks" in Chapter 13 Definitions, to clarify as to whether all forms are included in the definition e.g. thrusting/drilling. Thrusting and drilling should not be included in the definition of "earthworks".

Decision Reasons:

- To ensure the definition is clear and whether all forms of earthworks that can occur with infrastructure activities are included.

Point Number 405.11

Summary of Decision Requested: **Amend** the definition of "Infrastructure" in Chapter 13 Definitions to include lines and fittings used or designed or intended for use, in or in connection with the generation, conversion, transformation, conveyance or use of electricity.

Decision Reasons:

- This definition and that of minor Infrastructure Structures does not cover everything utilised on the electricity for its safe and efficient operation.
- Allow some scope for those items not specifically defined by expanding on the definition.
- The alternative is to list every item of equipment on the network, but this does not necessarily allow for new equipment which will perform the same function.

Point Number 405.12

Summary of Decision Requested: **Amend** the definition of "Minor infrastructure structure" in Chapter 13 Definitions, to include the following relating to boxlike structures (dimensions can be provided for ground and pole mounted equipment in order to decide whether to adopt extensive list or refer to utility and dimension of infrastructure):

- service pillars;
- switch gear;
- voltage generator;
- autotransformer;
- cabinetry, for electricity network connectivity;

AND

Amend the definition of "Minor infrastructure structure" in Chapter 13 Definitions, to include the following equipment mounted on power poles (dimensions can be provided for ground and pole mounted equipment in order to decide whether to adopt extensive list or refer to utility and dimension of infrastructure).

- transformer;
- switch gear;
- voltage regulator;
- autotransformer;
- cabinetry, for electricity network connectivity;
- control boxes;
- capacitor.

Dimensions can be provided for ground and pole mounted equipment in order to decide whether to adopt extensive list or refer to utility and dimension of infrastructure.

AND

Add plinths to the definition of "Minor infrastructure structure" in Chapter 13 Definitions, and state that conditions which quote a height for ground/pad mounted infrastructure should not include height of plinth in overall height.

OR

Amend definition of "Minor infrastructure structure" definition in Chapter 13 Definitions, to allow box-like structures to be defined by use, e.g. electricity, telecommunications etc., and by maximum dimensions (m2/m3).

Decision Reasons:

- The current wording suggests this definition applies to box-like structures installed at ground level in which case, the list needs to include other structures.
- The electricity industry has equipment which is mounted on power poles which performs the same function as the ground/pad mounted equipment. This definition does not appear to include these items.

Point Number 405.13

Summary of Decision Requested: **Retain** the definition of "Minor upgrading of existing infrastructure" in Chapter 13 Definitions, as notified.

Decision Reasons:

- No reasons provided.

Point Number 405.14

Summary of Decision Requested: **Retain** the definition of "Network utility operator" in Chapter 13 Definitions, as notified.

Decision Reasons:

- No reasons provided.

Point Number 405.15

Summary of Decision Requested: **Retain** the definition of "Temporary infrastructure" in Chapter 13 Definitions, as notified.

Decision Reasons:

- No reasons provided.

Point Number 405.16

Summary of Decision Requested: **Retain** the definition of "Utility allotment" in Chapter 13 Definitions, as notified.

Decision Reasons:

- No reasons provided.

Point Number 405.17

Summary of Decision Requested: **Amend** Rule 14.2.1.1 (1) (b) Permitted Activities relating to P1 New infrastructure, to allow for new poles and support structures in other zones or roads adjacent to a zone other than Rural.

Decision Reasons:

- These height restrictions do not allow for new poles and support structures in any zone (or roads adjacent to a zone) other than Rural.

Point Number 405.18

Summary of Decision Requested: **Delete** Rule 14.2.1.1 (1) (c) and (d) Permitted Activities relating to P1 New infrastructure.

Decision Reasons:

- It does not make sense to have a rule that requires compliance with height in relation to boundary when the height limit is 2.5m.
- Will cause confusion in interpretation.

Point Number 405.19

Summary of Decision Requested: **Amend** Rule 14.2.1.1 (2) (a) Permitted Activities relating to P1 New infrastructure, by including the following:
except where the actual or % increase in height or area for minor upgrading would be less than allowed for in 14.2.1.1(1)(a-b), in which case 14.2.1.1 (1) (a) & (b) would apply.

Decision Reasons:

- The proposed percentage increase in area (and height) of above ground infrastructure under minor upgrading may be less than the limits proposed for new infrastructure of the same type; in which case it would make sense for the greater of the two measurements to apply.

Point Number 405.20

Summary of Decision Requested: **Amend** Rule 14.2.1.2 Permitted Activities relating to P2 Construction Noise, based on clarifying where the noise limits are measured.

AND

Amend Rule 14.2.1.2 Permitted Activities relating to P2 Construction Noise, to clarify which noise standards would apply when a transformer is in the road.

Decision Reasons:

- The proposed percentage increase in areas and height of above ground infrastructure under minor upgrading may be less than the limits proposed for new infrastructure of the same type; in which case it would make sense for the greater of the two measurements to apply.

Point Number 405.21

Summary of Decision Requested: **Retain** Rule 14.2.1.3 Permitted Activities relating to P3 Any activity emitting electric and magnetic fields, as notified.

Decision Reasons:

- Counties Power supports the management of electric and magnetic fields via the International Commission on Non-ionising Radiation Protection Guidelines.

Point Number 405.22

Summary of Decision Requested: No specific decision sought, but submission states Rule 14.2.2 RD1 (a) Restricted Discretionary Activities enables new infrastructure/technology.

Decision Reasons:

- The objectives and policies list new technological advancements as an important part of infrastructure.

Point Number 405.23

Summary of Decision Requested: **Add** the following clauses to Rule 14.3.1 PI The operation, maintenance, repair and removal of existing infrastructure:

(1) The maintenance and repair of existing infrastructure that meet the following condition:

(a) Does not increase the capacity, efficiency or security of existing infrastructure.

Decision Reasons:

- Clarification between repair of existing and minor upgrade of existing to make it easier to read the plan.

Point Number 405.24

Summary of Decision Requested: **Amend** Rule 14.3.1.1 Permitted Activities relating to P2 Minor upgrading of existing infrastructure, as follows:

(1) The realignment, configuration, relocation or replacement of infrastructure and associated structures that meet all of the following conditions:

(a) Are within 5.10m of the existing alignment or location;

(b) Do not increase the height of any existing pole or support structure by more than ~~45~~40% to a maximum height of 15m in all zones except the Rural Zone;

(c) Do not increase the diameter (width) of any existing pole or support structure by more than ~~150~~ or 100% increase in the case of a double pole in ALL zones;

(d) Do not increase the diameter of any existing aboveground pipe by more than ~~15~~20%;

(e) Do not increase the area of any existing aboveground structure by more than ~~15~~25% to a maximum of 10m² as per Rule 14.2.1.1 (1) (a)

(f) Do not increase the height of cabinet or box-like structures to more than 2.5m as per Rule 14.2.1.1 (1) (b).

Decision Reasons:

- Need to allow for up to 40% increase in pole height to a maximum of 15m in ALL zones except the Rural Zone where Rule 14.5.1.1 (a) (ii) & (iii) should apply as this will allow for the use of modern equipment.
- The height restrictions apply to poles and should be a similar permitted percentage increase in height for the upgrade of pad/ground mounted equipment.
- percentage increase in area should not apply to ground/pad mounted equipment. The area of autotransformer is for the footprint of the pad, not the autotransformer itself, which is smaller.

Point Number 405.25

Summary of Decision Requested: **Retain** Rule 14.3.1.1 (2) (a-k) Permitted Activities relating to P2 Minor upgrading of existing infrastructure (particularly clauses (f) and (j)), except for the amendments outlined below.

AND

Amend Rule 14.3.1.1 (2)(f) Permitted Activities as follows:

(f) The addition, replacement or relocation of transformers or visually similar fixtures;

Decision Reasons:

- Submitter particularly supports (f)-the addition and relocation of transformers and fittings on existing poles or support structures and (j)-increase in voltage to 110kV.
- Amendment to 14.3.1.1 (2) (f) relates to comments made regarding what should be covered under the definition of Infrastructure and Minor Infrastructure structures.

Point Number 405.26

Summary of Decision Requested: **Amend** Rule 14.3.1.2 (1) (c) Permitted Activities relating to P3 Temporary infrastructure as follows:

(c) The activity, including the requirements of Rule 14.3.1.2 (1) (a) and (b), must not exceed ~~24~~22 months in total.

Decision Reasons:

- Infrastructure as opposed to other land uses is generally in place for a much longer period of time and a temporary solution for infrastructure may be required for longer than anticipated.
- In many cases temporary infrastructure is required before a long-term solution is put in place or projects such as road widening which may require a temporary diversion of an overhead line, can be delayed meaning that the infrastructure is in place for longer than anticipated.

Point Number 405.27

Summary of Decision Requested: **Retain** Rule 14.3.1.3 (1) (a) and (b) Permitted Activities relating to P4 Earthworks activities associated with infrastructure, except for the amendments outlined below.

AND

Amend Rule 14.3.1.3 (g) Permitted Activities relating to P4 Earthworks activities associated with infrastructure as follows:

(g) Earthworks shall not obstruct or divert any stormwater overland flow path ~~or~~ in such a way as to result in changed stormwater drainage patterns on another site.

AND

Amend Rule 14.3.1.3 (1) (h) Permitted Activities relating to P4 Earthworks activities associated with infrastructure to confirm earthworks does not include drilling, therefore allowing trenchless construction within a Historic Heritage site.

Decision Reasons:

- The submitter supports this rule with the exception of (g) as they believe that where there is no other alternative it should be permitted to install equipment (at their own risk), within a stormwater overland flow path so long as it does not result in flooding or altered drainage patterns on any other sites.

Point Number 405.28

Summary of Decision Requested: **Retain** Rule 14.3.1.4 (1) Permitted Activities relating to P5 Trimming, maintenance or removal of vegetation or trees associated with infrastructure as notified.

Decision Reasons:

- No reasons provided.

Point Number 405.29

Summary of Decision Requested: **Amend** Rule 14.3.1.6 (1) (a) Permitted Activities relating to P7 Electric vehicle chargers, to increase the height of EV chargers to 2m (total height allowed not to include concrete pad).

Decision Reasons:

- Allows for a 0.2m concrete pad which is the average height of EV chargers.
- Counties Power have a number of EV chargers which are 2m in height, installed in car parks with dedicated parking bays.

Point Number 405.30

Summary of Decision Requested: **Retain** Rule 14.3.1.8 Permitted Activities relating to P12 Service connections for subdivision as notified.

Decision Reasons:

- Submission notes that while provision is made for connection to the network, in private ROW and private subdivisions where there is no vested road, the submitter may not own the service cables or lines from the network connection point to the boundary of each lot.

Point Number 405.31

Summary of Decision Requested: **Retain** Rule 14.3.2 CI Controlled Activities as notified.

Decision Reasons:

- No reasons provided.

Point Number 405.32

Summary of Decision Requested: **Retain** Objective 6.1.1 (a) Development, operation and maintenance of infrastructure as notified.

Decision Reasons:

- Counties Power supports the development, operation and maintenance of infrastructure across the Waikato.

Point Number 405.33

Summary of Decision Requested: **Retain** Policy 6.1.2 (a) (i-vi) Development, operation and maintenance, as notified.

Decision Reasons:

- Policy provides for all services that Counties Power carries out.

Point Number 405.34

Summary of Decision Requested: **Retain** Policy 6.1.3 (a) (i-iii) Technological advancements as notified.

Decision Reasons:

- Counties Power supports the use of new technology and the reuse of redundant infrastructure and structures.

Point Number	405.35
Summary of Decision Requested:	Retain Policy 6.1.4 (a) (i-vii) Infrastructure benefits as notified.
Decision Reasons:	<ul style="list-style-type: none"> Counties Power supports the recognition of the benefits and the importance of infrastructure.
Point Number	405.36
Summary of Decision Requested:	Retain Policy 6.1.5 (a) Natural hazards and climate change as notified.
Decision Reasons:	<ul style="list-style-type: none"> Ensures that infrastructure does not exacerbate any hazards. Counties Power seeks to provide connections for wherever people choose to live/set up business (i.e. where consent has been given).
Point Number	405.37
Summary of Decision Requested:	Retain Objective 6.1.6 (a) Reverse sensitivity as notified.
Decision Reasons:	<ul style="list-style-type: none"> Counties Power wants to ensure that infrastructure is protected from any new activities.
Point Number	405.38
Summary of Decision Requested:	Retain Policy 6.1.7(a) Reverse sensitivity and infrastructure as notified.
Decision Reasons:	<ul style="list-style-type: none"> Counties Power wants to ensure that infrastructure is protected from subdivision, use and development. It is important that Counties Power infrastructure and suitable access is maintained to it so that, the efficient operation and resilience of the network is not compromised.
Point Number	405.39
Summary of Decision Requested:	Retain Objective 6.1.8 (a) Infrastructure in the community and identified areas as notified.
Decision Reasons:	<ul style="list-style-type: none"> Counties Power supports community well-being across the District.
Point Number	405.40
Summary of Decision Requested:	Retain Policy 6.1.9 (a) Environmental effects, community health, safety and amenity as notified.
Decision Reasons:	<ul style="list-style-type: none"> Counties Power supports the development and maintenance of infrastructure while taking in account environment effects where practicable.
Point Number	405.41
Summary of Decision Requested:	Retain Policy 6.1.10 (a) Infrastructure in identified areas as notified.
Decision Reasons:	<ul style="list-style-type: none"> Counties Power supports the consideration of Significant Natural Areas, Landscape and Natural Character Areas when it comes to proposing new infrastructure and undergoing maintenance or upgrades of existing infrastructure where practicable.
Point Number	405.42
Summary of Decision Requested:	Amend Policy 6.1.11 (a) (i-iii) Undergrounding new infrastructure, to emphasise the economic limitations of undergrounding especially with 110kV lines. Subject to satisfaction of technical requirements. 110kV lines will only be undergrounded where the party requesting the undergrounding pays. Lines within rural environments to continue to be overhead regardless of voltage.
Decision Reasons:	<ul style="list-style-type: none"> Counties Power owns an electricity distribution network with a current system length of 3200km. 60% of the area covered by Counties Power falls within the Waikato District and is predominantly Rural. The cost of undergrounding all new infrastructure would be prohibitive. Undergrounding is very expensive.
Point Number	405.43
Summary of Decision Requested:	Retain Policy 6.1.12 (a) Co-location of compatible facilities as notified.
Decision Reasons:	<ul style="list-style-type: none"> This policy can reduce the sprawl of infrastructure.
Point Number	405.44
Summary of Decision Requested:	Retain Policy 6.1.13 (a) Future growth areas as notified.
Decision Reasons:	

- Counties Power wants to be able to easily develop infrastructure in new future growth areas and expand their existing network with ease.

Point Number 405.45

Summary of Decision Requested: **Retain** Policy 6.1.14 (a) Electromagnetic and radio frequency fields as notified.

Decision Reasons:

- No reasons provided.

Point Number 405.46

Summary of Decision Requested: **Retain** Objective 6.2.1 (a) National grid as notified.

Decision Reasons:

- Protect access to existing Transpower assets during development, use and subdivision.

Point Number 405.47

Summary of Decision Requested: **Retain** Policy 6.2.6 (a) (i-iv) Reverse sensitivity and the National Grid as notified.

Decision Reasons:

- Protect access to existing Transpower assets during development, use and subdivision.

Point Number 405.48

Summary of Decision Requested: **Retain** Objective 6.3.1 (a) Renewable energy as notified.

Decision Reasons:

- Counties Power supports the use of renewable energy resources.

Point Number 405.49

Summary of Decision Requested: **Retain** Policy 6.3.3 (a) Enabling renewable electricity generation as notified.

Decision Reasons:

- Counties Power supports the use of renewable energy resources.

Point Number 405.50

Summary of Decision Requested: **Amend** Rule 14.3.4 D1 Discretionary Activities, to make provision for overhead lines in Industrial areas and to pass through pockets of non-Rural Zone where the line is built predominantly in a Rural Zone/road adjacent to the Rural Zone.

Decision Reasons:

- Rule does not allow for new poles in roads and unformed roads other than through Rural zones.

Point Number 405.51

Summary of Decision Requested: **Add** wording to Rule 14.4.2.1 RD4 (a)-(d) Subdivision of land within the National Grid Corridor that is similar to the subdivision rules within the zones.

Decision Reasons:

- The need may arise for Counties Power to construct new lines or amend the alignment of its existing lines which cross the Transpower corridor.

Point Number 405.52

Summary of Decision Requested: **Amend** Rule 14.5.1.1 Permitted Activities relating to P2 and P3 Overhead distribution lines to allow for new overhead lines to be constructed in the road corridor adjacent to industrial and open space zones.

AND

Amend Rule 14.5.1.1 Permitted Activities relating to P2 and P3 Overhead distribution lines to allow for new overhead lines to be constructed in the road corridor adjacent to pockets of residential zoning in an otherwise predominantly rural or industrial zone.

Decision Reasons:

- P2 and P3 only allow for new overhead lines in Rural Zone and roads adjacent to the Rural Zone. This needs to allow new overhead lines in Industrial/Heavy Industrial zones at least.
- Substations are allowed as a Permitted Activity in Heavy Industrial Zones but not overhead lines.

Point Number 405.53

Summary of Decision Requested: **Amend** Rule 14.5.1.2 Permitted Activities relating to P4 Substations and associated transformers and switching stations to allow for construction of substations in the Rural Zone.

Decision Reasons:

- Many of the sites Counties Power utilities are located are in the Rural Zone.

Point Number	405.54
Summary of Decision Requested:	Add conditions of compliance contained in Rule 14.5.1.3 (a)(ii) Permitted Activities relating to P5 Construction of building for sensitive land use for construction or alteration of ANY building to each of the relevant Zone chapters.
Decision Reasons:	<ul style="list-style-type: none"> Construction or alteration of ANY building within the vicinity of overhead lines must comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZCEP34:2001).
Point Number	405.55
Summary of Decision Requested:	Amend Rule 14.5.2 RD1 (a) (i) Overhead distribution lines and support structures not exceeding a voltage up to and including 110kV: Not located within the Rural Zone, to allow for new overhead lines to be constructed in the Road corridor adjacent to industrial and open space zones as a Permitted activity. AND Amend Rule 14.5.2 RD1 (a) (i) Overhead distribution lines and support structures not exceeding a voltage up to and including 110kV: Not located within the Rural Zone, to allow new overhead lines to be constructed in the road corridor adjacent to pockets of Residential zoning in an otherwise predominantly rural or industrial zone, as a Permitted Activity.
Decision Reasons:	<ul style="list-style-type: none"> Overhead lines should be permitted in Heavy Industrial zones and roads adjacent to Heavy Industrial Zones and in roads adjacent to pockets of Residential zoning in a predominantly Rural Zone.
Point Number	405.56
Summary of Decision Requested:	Retain Rule 14.6.1.1(a) Permitted Activities relating to P1, P2, P3 and P4 as notified.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	405.57
Summary of Decision Requested:	Retain Rule 14.10.1.1 (a) Permitted Activities relating to P1 Ancillary equipment as notified.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	405.58
Summary of Decision Requested:	Amend Rule 14.10.1.2(a) Permitted Activities relating to P3 Cabinets to provide dimensions for permitted cabinets.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	405.59
Summary of Decision Requested:	Retain Rule 14.10.1.4 (a)(i)-(vi) Permitted Activities relating to P5 Antennas attached to a building/structure as notified.
Decision Reasons:	<ul style="list-style-type: none"> Counties Power use Yagi antenna (UHF450/500MHZ) for automation on the Counties Power network and have a similar appearance to TV aerial-boom length (1.6m and 38mm diameter). These are not referred to but should be a Permitted Activity on an existing pole.
Point Number	405.60
Summary of Decision Requested:	Amend Rule 14.10.1.6(c) Permitted Activities relating to P9 Poles, antennas and head frames to make the rule clear.
Decision Reasons:	<ul style="list-style-type: none"> Under (c) it says "Rule 14.10.1.7 (l) does not apply to lighting rods and GPS antenna...." Therefore, does not seem to be a 14.10.1.7 (l) and therefore the rule is not clear.
Point Number	405.61
Summary of Decision Requested:	Add matters of discretion to Rule 16.4.1 RD1 (b) Subdivision - General as follows: <i>The subdivision layout and design in regard to how this may impact on the operation, maintenance, upgrading and development of existing infrastructure assets;</i> <i>The consideration of the nature and location of any vegetation to be planted in the vicinity of existing infrastructure assets.</i>
Decision Reasons:	<ul style="list-style-type: none"> To prevent assets becoming landlocked. Similar to Transpower rules.
Point Number	405.62
Summary of Decision Requested:	Add a matter of discretion to Rule 17.4.1 RD1 (b) General Subdivision as follows: <i>The subdivision layout and design in regard to how this may impact on the operation, maintenance, upgrading and development of existing infrastructure assets;</i>
Decision Reasons:	<ul style="list-style-type: none"> To prevent assets becoming landlocked. Similar to Transpower rules.

Point Number 405.63

Summary of Decision Requested: **Add** a matter of discretion to Rule 18.4.1 RD1(b) Subdivision - General as follows:
The subdivision layout and design in regard to how this may impact on the operation, maintenance, upgrading and development of existing infrastructure assets;

Decision Reasons:

- To prevent assets becoming landlocked.
- Similar to Transpower rules.

Point Number 405.64

Summary of Decision Requested: **Add** a matter of discretion to Rule 20.4.1 RD1(b) Subdivision - General as follows:
The subdivision layout and design in regard to how this may impact on the operation, maintenance, upgrading and development of existing infrastructure assets;

Decision Reasons:

- To prevent assets becoming landlocked.
- Similar to Transpower rules.

Point Number 405.65

Summary of Decision Requested: **Add** a matter of discretion to Rule 21.4.1 RD1(b) Subdivision - General as follows:
The subdivision layout and design in regard to how this may impact on the operation, maintenance, upgrading and development of existing infrastructure assets;

Decision Reasons:

- To prevent assets becoming landlocked.
- Similar to Transpower rules.

Point Number 405.66

Summary of Decision Requested: **Add** a matter of discretion to Rule 22.4.1.2 RD1(b) General subdivision as follows:
The subdivision layout and design in regard to how this may impact on the operation, maintenance, upgrading and development of existing infrastructure assets;

Decision Reasons:

- To prevent assets becoming landlocked.
- Similar to Transpower rules.

Point Number 405.67

Summary of Decision Requested: **Add** a matter of discretion to Rule 22.4.1.3 Subdivision of Maori Freehold Land as follows:
The subdivision layout and design in regard to how this may impact on the operation, maintenance, upgrading and development of existing infrastructure assets;

Decision Reasons:

- To prevent assets becoming landlocked.
- Similar to Transpower rules.

Point Number 405.68

Summary of Decision Requested: **Add** a matter of discretion to Rule 22.4.1.4 RD1(b) Boundary relocation as follows:
The subdivision layout and design in regard to how this may impact on the operation, maintenance, upgrading and development of existing infrastructure assets;

Decision Reasons:

- To prevent assets becoming landlocked.
- Similar to Transpower rules.

Point Number 405.69

Summary of Decision Requested: **Add** a matter of discretion to Rule 22.4.1.5 RD1(b) Rural Hamlet Subdivision as follows:
The subdivision layout and design in regard to how this may impact on the operation, maintenance, upgrading and development of existing infrastructure assets;

Decision Reasons:

- To prevent assets becoming landlocked.
- Similar to Transpower rules.

Point Number 405.70

Summary of Decision Requested: **Add** a matter of discretion to Rule 22.4.1.6 RD1(b) Conservation lot subdivision as follows:
The subdivision layout and design in regard to how this may impact on the operation, maintenance, upgrading and development of existing infrastructure assets;

Decision Reasons:

- To prevent assets becoming landlocked.

- Similar to Transpower rules.

Point Number 405.71

Summary of Decision Requested: **Add** a matter of discretion to Rule 22.4.1.7 RD1 (b) Subdivision to create a reserve as follows:

The subdivision layout and design in regard to how this may impact on the operation, maintenance, upgrading and development of existing infrastructure assets:

Decision Reasons:

- To prevent assets becoming landlocked.
- Similar to Transpower rules.

Point Number 405.72

Summary of Decision Requested: **Add** a clause to Rule 23.3.1 PI(b) Dwelling so that where there are existing overhead lines, the location of the dwelling must comply with the requirements of NZECP34:2001.

Decision Reasons:

- Works must comply with NZECP34:2001.

Point Number 405.73

Summary of Decision Requested: **Add** a clause to Rule 23.3.2 PI(b) Minor Dwelling so that where there are existing overhead lines, the location of the dwelling must comply with the requirements of NZECP34:2001.

Decision Reasons:

- Works must comply with NZECP34:2001.

Point Number 405.74

Summary of Decision Requested: **Add** a clause to Rule 23.3.3 D1 Buildings and structures in Landscape and Natural Character Areas so that where there are existing overhead lines, the location of the dwelling must comply with the requirements of NZECP34:2001.

Decision Reasons:

- Works must comply with NZECP34:2001.

Point Number 405.75

Summary of Decision Requested: **Add** a matter of discretion to Rule 23.4.2 RD1 (a) General Subdivision as follows:

The subdivision layout and design in regard to how this may impact on the operation, maintenance, upgrading and development of existing infrastructure assets:

Decision Reasons:

- To prevent assets becoming landlocked.
- Similar to Transpower rules.

Point Number 405.76

Summary of Decision Requested: **Add** the following to Rule 23.4.3 D1 (a) (i-viii) Subdivision within identified areas as follows:

The subdivision layout and design in regard to how this may impact on the operation, maintenance, upgrading and development of existing infrastructure assets:

Decision Reasons:

- To prevent assets becoming landlocked.
- Similar to Transpower rules.

Point Number 405.77

Summary of Decision Requested: **Add** a matter of discretion to Rule 23.4.9 RD1 (b) Subdivision creating Reserves as follows:

The subdivision layout and design in regard to how this may impact on the operation, maintenance, upgrading and development of existing infrastructure assets:

Decision Reasons:

- To prevent assets becoming landlocked.
- Similar to Transpower rules.

Point Number 405.78

Summary of Decision Requested: **Add** a matter of discretion to Rule 23.4.12 RD1 (b) Esplanade reserves and esplanade strips as follows:

The subdivision layout and design in regard to how this may impact on the operation, maintenance, upgrading and development of existing infrastructure assets:

Decision Reasons:

- To prevent assets becoming landlocked.
- Similar to Transpower rules.

Point Number 405.79

Summary of Decision Requested:	Add a clause to Rule 24.3.1 PI Dwelling so that where there are existing overhead lines, the location of the dwelling must comply with requirements of NZECP34:2001.
Decision Reasons:	<ul style="list-style-type: none"> • Works must comply with NZECP34:2001.
Point Number	405.80
Summary of Decision Requested:	Add a clause to Rule 24.3.2 PI Minor dwelling by adding another clause so that where there are existing overhead lines, the location of the dwelling must comply with the requirements of NZECP34:2001.
Decision Reasons:	<ul style="list-style-type: none"> • Works to comply with NZECP34:2001.
Point Number	405.81
Summary of Decision Requested:	Add a matter of discretion to Rule 24.4.1 RD1 (b) Subdivision - General, as follows: <u>The subdivision layout and design in regard to how this may impact on the operation, maintenance, upgrading and development of existing infrastructure assets;</u>
Decision Reasons:	<ul style="list-style-type: none"> • To prevent assets becoming landlocked. • Similar to Transpower rules.
Point Number	405.82
Summary of Decision Requested:	Amend Rule 24.4.3 C1 (b) Subdivision - Boundary adjustments so adjustments do not prevent access to existing electricity infrastructure.
Decision Reasons:	<ul style="list-style-type: none"> • Adjustments must not prevent access to existing electricity infrastructure.
Point Number	405.83
Summary of Decision Requested:	Add a matter of discretion to Rule 24.4.11 RD1 (b) Subdivision Creating Reserves as follows: <u>The subdivision layout and design in regard to how this may impact on the operation, maintenance, upgrading and development of existing infrastructure assets;</u>
Decision Reasons:	<ul style="list-style-type: none"> • To prevent assets becoming landlocked. • Similar to Transpower rules.
Point Number	405.84
Summary of Decision Requested:	Add a matter of discretion to Rule 24.4.12 RD1 (b) Subdivision of Esplanade Reserves and Esplanade Strips, as follows: <u>The subdivision layout and design in regard to how this may impact on the operation, maintenance, upgrading and development of existing infrastructure assets;</u>
Decision Reasons:	<ul style="list-style-type: none"> • To prevent assets becoming landlocked. • Similar to Transpower rules.
Point Number	405.85
Summary of Decision Requested:	Add the following to Rule 25.4 (a) D1 Subdivision: <u>The subdivision layout and design in regard to how this may impact on the operation, maintenance, upgrading and development of existing infrastructure assets;</u>
Decision Reasons:	<ul style="list-style-type: none"> • To prevent assets becoming landlocked. • Similar to Transpower rules
Point Number	405.86
Summary of Decision Requested:	Amend Designation II- Electricity Substation at Lot 1 DP 53555 McKenzie Road, Mangatawhiri by realigning the designation boundary with the property boundary.
Decision Reasons:	<ul style="list-style-type: none"> • Incorrect alignment of designation boundary.
Point Number	405.87
Summary of Decision Requested:	Amend Designation I5- Electricity Substation at the property at 217 Whangarata Road, Tuakau to cover the entire area owned by Counties Power.
Decision Reasons:	<ul style="list-style-type: none"> • Incorrect designation boundary.
Point Number	405.88

Summary of Decision Requested: Add rules to limit the height of amenity planting in the front yard in Rural and Industrial zones to prevent potential interference with installation of overhead lines.

Decision Reasons:

- There are landscaping conditions that have been part of the consent process that may interfere with the construction or maintenance of infrastructure.
- Any front yard landscaping conditions should need to consider existing and future infrastructure that is in the road reserve.

Point Number 405.89

Summary of Decision Requested: Amend the planning maps as the Outstanding Natural Character and High Natural Character do not appear in the drop-down lists on the Planning Maps, as stated in the Definitions section.

Decision Reasons:

- No reasons provided.

Point Number 405.90

Summary of Decision Requested: Amend Rule 14.2.2 RD2(a) Restricted Discretionary Activities based on clarifying where the noise limits are measured.

Decision Reasons:

- Where a transformer is in the road, it needs to be clarified as to which noise standard would apply.

Point Number 405.91

Summary of Decision Requested: Amend Rule 14.3.4 D2 Discretionary Activities by increasing the temporary period to 24 months or allow for a 12 month extension.

Decision Reasons:

- It may not be possible to limit temporary activities to 12 months due to delays caused by a third party.

Point Number 405.92

Summary of Decision Requested: Amend Rule 14.5.1.2 (a) (iii) Permitted Activities relating to P4 Substations and associated transformers and switching stations to increase the floor area to 250m² per ancillary building.

Decision Reasons:

- A typical switch room (submitter presumes this is what is meant by "ancillary building") have a floor area up to 250m².

Point Number 405.93

Summary of Decision Requested: Amend Rule 14.5.2 RD2 (a) (iv) Construction or alteration of a building for a sensitive land use that does not comply with Rule 14.5.1.3, so construction of ANY building within the vicinity of overhead electricity lines must comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001).

Decision Reasons:

- Construction or alteration of ANY building within the vicinity of overhead electricity lines should comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001).

Point Number 405.94

Summary of Decision Requested: Amend Rule 14.5.3 D3 Discretionary Activities to increase the floor area of ancillary buildings to 250m² as a permitted activity.

Decision Reasons:

- Switch rooms cannot be accommodated in a gross floor area of 100m².

Point Number 405.95

Summary of Decision Requested: Retain Rule 14.6.1 Permitted Activities relating to P1 Small scale electricity generation as notified.

Decision Reasons:

- No reasons provided.

Point Number 405.96

Summary of Decision Requested: Retain Rule 14.6.1.1 Permitted Activities relating to P2 Community-scale electricity generation as notified.

Decision Reasons:

- No reasons provided.

Point Number 405.97

Summary of Decision Requested: Retain Rule 14.6.1.1 Permitted Activities relating to P4 Temporary diesel-fueled electricity generation activities as notified.

Decision Reasons:

- No reasons provided.

Submitter Number:	406	Submitter:	Barry Green
Organisation:	Rushala Farm Ltd		
Point Number	406.1		
Summary of Decision Requested:	No specific decision sought, but the submission indicates opposition to Section 5.1 The Rural Environment, and states: "Been told what and how we can subdivide our land".		
Decision Reasons:	<ul style="list-style-type: none"> • Consider it should be the right of the landowner who pays rates to have input into subdivision • Land use is the only way a farmer can survive. • Council does not understand the costs involved in compliance and restraints mean that farming is becoming less viable. • Subdivision is a way that some farmers can survive and reduce their debt. 		

Submitter Number:	407	Submitter:	Mel Libre
Point Number	407.1		
Summary of Decision Requested:	Amend the proposed zoning of the land between the Waikato Expressway and the Tamahere Country Living Zone (including Yumelody Lane) from Rural Zone to Country Living Zone.		
Decision Reasons:	<ul style="list-style-type: none"> • This land around Yumelody Lane is already subdivided into small lots and is not suitable as economic farming. It is suitable for Country Living because it is adjacent to the Tamahere Country Living and separated from the rural areas by the Expressway. 		
Point Number	407.2		
Summary of Decision Requested:	Retain Rule 22.3.2 PI Minor dwelling and do not include reference to dependent persons in the rule.		
Decision Reasons:	<ul style="list-style-type: none"> • There is no need to stipulate that dependent persons live in a minor dwelling. 		
Point Number	407.3		
Summary of Decision Requested:	Delete Rule 22.3.2 PI (b)(i) Minor dwelling, requiring a minor dwelling to be within 20m of the main dwelling.		
Decision Reasons:	<ul style="list-style-type: none"> • The requirement for the minor dwelling to be within 20m of the main dwelling is unnecessary • It takes no account of the topography and other features of the land. • There might be a better site on the land which is further away. 		
Point Number	407.4		
Summary of Decision Requested:	Amend the extent of the Significant Natural Area to extend further along the gully past 60 Yumelody Lane, Tamahere.		
Decision Reasons:	<ul style="list-style-type: none"> • There is significant bird life and large trees in the gully adjacent to 60 Yumelody Lane, Tamahere that justify assessment of the gully as a Significant Natural Area. 		

Submitter Number:	408	Submitter:	Godfrey Bridger
Point Number	408.1		
Summary of Decision Requested:	Amend Rule 23.4.2 General subdivision, by reducing the minimum lot size from 5000m ² to 4000m ² .		
Decision Reasons:	<ul style="list-style-type: none"> • The operative minimum lot size requirement of 5000m² has existed for quite a while and needs to take account of change. • Changing this to 4000m² would enable the supply of sections in the Country Living Zone to transition to a slightly higher density housing. • Reduces the likelihood of a pressure point. 		

Submitter Number:	409	Submitter:	Riki Manarangi
Point Number	409.1		
Summary of Decision Requested:	Amend Rule 23.4.2 RD1 (a)(i) General Subdivision, as follows: <i>(a) Subdivision must comply with all of the following conditions:</i>		

(i) All proposed lots must have a net site area of at least ~~5000m²~~ 3000m².

Decision Reasons:

- No reasons provided.

Point Number

409.2

Summary of Decision Requested:

Amend the zoning of the properties located from 22 Hakarimata Road to 963 Hakarimata Road (i.e. from the residential portion of Hakiramata Road to Riverview Road) from Country Living Zone to Village Zone.

Decision Reasons:

- Will ensure consistency with other parts of the district which are proposed to be zoned Village where the absence of reticulated infrastructure requires a minimum lot size of 3000m²;
- Will not require further commitments from Council in terms of infrastructure/services;
- Will ensure consistency with other parts of the district which are proposed to be zoned Village given their proximity to residential properties and infrastructure on Hakarimata Road;
- Will enable Council to respond to central government's messaging on affordable housing and an increase in housing supply to meet an increasing demand;
- Will enable development to be drawn away from high class soils; and
- Will enable more people to choose the Waikato District as a place to live and play rather than Auckland and Hamilton.

Submitter Number:

410

Submitter:

Trevor Weaver

Point Number

410.1

Summary of Decision Requested:

Amend Planning Map 14.5 for Rangiriri so that it indicates the canal/drain running from Lake Kopuera to Rangiriri Stream and the weir located beside this lake.

Decision Reasons:

- Notified planning map 14.5 for Rangiriri does not show a canal/drain that runs from Lake Kopuera to the Rangiriri Stream or the weir located beside this lake.

Point Number

410.2

Summary of Decision Requested:

Delete the Significant Natural Area (B7) from the submitter's property located at Te Onetea Road, Rangiriri, east of Lake Kopuera.

Decision Reasons:

- The mapped Significant Natural Area on their property does not contain bush as it is affected from flooding from Lake Kopuera when there are overflows of the normal lake margins. This area is used as a pastoral runoff for drystock and dairy replacements.
- Considers this is a sneak attack to turn private land into wetland.

Point Number

410.3

Summary of Decision Requested:

Lower the weir height in winter to stop water overflowing the normal margins of Lake Kopuera and causing flooding on private land.

Decision Reasons:

- The flood-prone areas on the submitter's property are required to support the submitter's farming operation which includes the raising of drystock and dairy replacements (as well as for hay and cropping).

Point Number

410.4

Summary of Decision Requested:

Amend Planning Map 14.5 Rangiriri to correct the boundaries of the submitter's property at Te Onetea Road so the farm boundaries align with the main trunk railway line and Lake Kopuera and include the swamp/bush from the lake to the railway line.

Decision Reasons:

- The planning maps showing the location of the farm are wrong.

Submitter Number:

411

Submitter:

Kelvin Norgrove

Point Number

411.1

Summary of Decision Requested:

Retain the definition of "commercial activity" in Chapter 13 Definitions, as notified.

Decision Reasons:

- The definition provides flexibility for a range of activities (such as restaurants, cafes, shops and offices) within both the Business Zone and Town Centre Business Zone, thus enabling mixed use developments in town centres.

Point Number

411.2

Summary of Decision Requested:

Amend the planning maps for Pokeno, by extending the verandah annotation to corner sites (including the property at 26 Market Street) that are within the Town Centre Business Zone at the western end (Market Square).

Decision Reasons:

- Extending the map annotation for verandahs in this location would be consistent with the approach for other road intersections to the east. A stronger built form, pedestrian shelter and amenity are required at the western entrance to the main street to achieve the design guidelines for the Pokeno Town Centre.

Submitter Number:	412	Submitter:	David Saxton
Point Number	412.1		
Summary of Decision Requested:	<p>Require the Department of Corrections to maintain all mitigation plantings associated with Springhill Prison for as long as the prison exists.</p> <p>AND</p> <p>Amend the Proposed District Plan to apply a "Significant Natural Area" map annotation to the native plantings at Springhill Prison.</p>		
Decision Reasons:	<ul style="list-style-type: none"> The Department of Corrections was directed by the consenting authorities to mitigate the impact of the prison on the landscape by extensive planting that is maintained for as long as the prison exists. 		
Point Number	412.2		
Summary of Decision Requested:	<p>Amend the planning maps by only mapping Significant Natural Areas after direct and meaningful consultation with an affected landowner and a site visit by a suitably experienced council officer which is authorised by that landowner.</p>		
Decision Reasons:	<ul style="list-style-type: none"> Council's mapping of Significant Natural Areas so far has been crude and has likely alienated landowners. It has involved a desk top exercise using dated satellite imagery and best guess decision making which has resulted in anomalies and landowner frustrations. This mapping will mean the loss of property rights, despite on-going costs of land ownership. There needs to be additional incentives to affected landowners such as rates relief and/or increased subdivision potential. The submitter supports the principle of protecting Significant Natural Areas. 		
Point Number	412.3		
Summary of Decision Requested:	<p>Amend Rule 26.2.1 Noise - Motor sport and recreation activity, by specifying that no excessive noise associated with the motor sport park is permitted between 7pm and 7am on any day.</p>		
Decision Reasons:	<ul style="list-style-type: none"> Through the development of this motor sport park, locals largely accepted that the activities would exceed noise levels allowed in the District Plan for the Rural Zone but were reassured that no night-time racing would occur. The park has recently run a very noisy event that had a 24 hour duration which is intolerable for adjacent neighbours and it is considered that this breaches the existing resource consents. 		

Submitter Number:	413	Submitter:	Danielle Hart
Point Number	413.1		
Summary of Decision Requested:	<p>Add a special character area to Chapter 9 Specific Zones for the main township of Raglan.</p>		
Decision Reasons:	<ul style="list-style-type: none"> Raglan has a special character that needs to be acknowledged and protected from drastic change. A successful Raglan brand is not based on multi-storey buildings, modern architecture, apartments or a commercial, sterile feel. Raglan will change but it has an undeniably special character. 		
Point Number	413.2		
Summary of Decision Requested:	<p>Amend the Proposed District Plan to require building activity in Raglan which does not comply with the Proposed District Plan to be publicly notified.</p>		
Decision Reasons:	<ul style="list-style-type: none"> Discretionary activities mean that the discretion to publicly notify is available. It is not fair to give this power to a planner. The high engagement in Raglan Naturally shows how strongly the community feels, how diverse it is, how it wishes to protect what makes Raglan unique. Buildings are a huge part of Raglan's environment and the feel of a town. Raglan has a special character that deserves a community voice in its protection. 		

Submitter Number:	414	Submitter:	Chris Rayner
Point Number	414.1		
Summary of Decision Requested:	<p>Amend the Proposed District Plan to give consideration and guidelines to alternative collective living arrangement within the Living Zone. For instance, a large site of more than 1 acre with multiple dwellings on the site in a form of communal living.</p>		
Decision Reasons:	<ul style="list-style-type: none"> As land becomes more and more expensive, especially in Raglan. The simple aim of infill and further subdivision of land is not suited to everyone and the Council should be encouraging and enabling other forms of sustainable communal living that provide accommodation and community for people. Perhaps some of the rules that apply for papakainga could be used as a guide for more groups of people to create alternative communal living on private land. 		
Point Number	414.2		
Summary of Decision Requested:	<p>Amend the Raglan Business Zone to include all of Bankart Street and 8, 10 and 12 Wainui Road, with possible consideration given to 4 Stewart Street.</p>		

Decision Reasons:

- 12 Wainui Rd and 4 Stewart St are both very large sections very close to the town centre and are perfect for future commercial development as they are also close to parking and walking.
- These properties are also very close to the fire and ambulance service and the submitter considers that intensive residential development is not suited due to the noise of the emergency services siren.
- Questions why the business zone in the Raglan town centre has not been continued along Wainui Road towards the museum and information center, and specifically why the sections at 8, 10 and 12 Wainui Road and 4 Stewart Street have not been rezoned to Business Zone.

Point Number 414.3

Summary of Decision Requested: Retain Section 4.7 Urban Subdivision and development.

Decision Reasons:

- No reasons given.

Point Number 414.4

Summary of Decision Requested: The submitter seeks a number of roading changes in Raglan; including:
- State Highway 23 to end just before Greenslade Road;
- A proper turning bay for traffic turning into Greenslade Road with enough room for traffic going straight;
- Reducing speed limits;
- Standards of roading, drainage, lighting and footpaths; and
- Roundabout between Hills Road and Lorezen Bay Road and State Highway 23.
- Turning bays on State Highway 23 at Lorenzen Bay Road/Hills Road.

Decision Reasons:

- Roads can be extremely dangerous.
- Posted speeds are too high.
- Waikato District Council and Transit NZ need to work together.

Point Number 414.5

Summary of Decision Requested: Amend the Proposed District Plan by lifting noise limits within the town centre of Raglan to enable more live music and events.

Decision Reasons:

- Socialising and getting out to events, with music and dancing is an important part of a happy healthy community.
- The submitter would like to see Council help those who want to create events as music is a big part of why people come to Raglan.
- The submitter believes the noise limits in the the town centre should be raised and the restrictions around temporary events should be reduced.

Point Number 414.6

Summary of Decision Requested: No specific decision is sought, but the submitter questions why there is a large area of land on State Highway 23 just after Lorenzen Bay Road that is now marked to be rezoned Business.

Decision Reasons:

- This new Business Zone is larger than any newly zoned business land in the town centre. By creating a satellite strip of shops out of town, Council is going against its own objectives such as 4.5.12 (b) The Business Town Centre Zone is promoted as a community focal point.
- The new Business Zone on State Highway 23 will have a negative impact on business in the town centre.
- More land should be rezoned Business within the town centre and wharf area rather than creating new strips of shops out of town on an already very busy and dangerous section of road.

Point Number 414.7

Summary of Decision Requested: No specific decision sought, but submitter questions why there are 6 new cul-de-sacs in the Greenslade Road infill development, which is contrary to Policy 4.7.3(a)(iv). The submission seeks a detailed design with public consultation for the development between State Highway 23 and Greenslade Road.

Decision Reasons:

- No reasons provided.

Submitter Number: 416 **Submitter:** Barry Green

Point Number 416.1

Summary of Decision Requested: No specific decision sought, but submission opposes Section 5.2 Productive Versatility of Rural Resources, and effects of subdivision and development on soils.

Decision Reasons:

- It should be the right of the landowner who pays the rates to have input into subdivision and land use as this is the only way a farmer can survive. Farming is become a less viable option because of costs of compliance and subdivision is a way that some farmers can reduce their debt.

Point Number 416.2

Summary of Decision Requested: No specific decision sought, but the submission opposes Policy 5.3.14(b) Signs and mentions signs on Kaiaua Road and Waikato District Council area double yellow lines.

Decision Reasons:

- The double lines on Kaiaua Road have made this road very dangerous (people not passing slow vehicles and passing in dangerous spots where there are no yellow lines but where there should be).
- They are a waste of money and ratepayers should have been consulted.

Submitter Number:	417	Submitter:	Glenys McConnell
Point Number	417.1		
Summary of Decision Requested:	<p>Add a new clause to Objective 5.1.1 The rural environment, as follows:</p> <p><i>(iv) existing titles created prior to 6 December 1997 may be aggregated to produce a compliant small sized block and a larger block by boundary adjustment.</i></p> <p>AND</p> <p>Add a new clause to Policy 5.2.3 Effects of subdivision and development on soils, as follows:</p> <p><i>(c) Subdivision by way of aggregation of titles created prior to 6 December 1997 to produce a compliant small sized block and a larger block by boundary adjustment.</i></p> <p>AND</p> <p>Consequential amendments to Rule 22.4.1.2 (as outlined in submission point 417.2).</p>		
Decision Reasons:	<ul style="list-style-type: none"> • It is desirable to have a policy that encourages older titles to be amalgamated to create larger usable lots. 		
Point Number	417.2		
Summary of Decision Requested:	<p>Delete Rule 22.4.1.2(a)(ii) General subdivision</p> <p>AND</p> <p>Amend Rule 22.4.1.2 (a)(iv) General subdivision, as follows:</p> <p><i>(a) Subdivision must comply with all of the following conditions:</i></p> <p>...</p> <p><i>(iv) The additional lot must have a proposed area of between 8,000m² <u>2,500m²</u> and 1.6 ha;</i></p> <p>AND</p> <p>Amend Rule 22.4.1.2 (v) General subdivision, to allow the smaller lot to contain up to 100% of high class soils if this results in the aggregation of older titles.</p>		
Decision Reasons:	<ul style="list-style-type: none"> • The submitter considers that this amendment is a consequence of their requested policy changes to Section 5.1.1 The Rural Environment and Policy 5.2.3. • The amendment supports the amalgamation of smaller older titles by way of boundary alteration or subdivision to create larger titles that are usable and enables smaller titles to be sold separately. • The amendment encourages the use of high class land as a trade-off. 		

Submitter Number:	418	Submitter:	Ethan Findlay
Point Number	418.1		
Summary of Decision Requested:	<p>Retain the approach to relocatable or second-hand buildings by not having any separate rules for them and therefore that these are a permitted activity.</p>		
Decision Reasons:	<ul style="list-style-type: none"> • The submitter supports relocatable or second-hand buildings being permitted activities. 		
Point Number	418.2		
Summary of Decision Requested:	<p>Amend the definition of "earthworks" in Chapter 13 so that it excludes common farming practices such as cropping, paddock contouring, drainage improvement and planting.</p> <p>OR</p> <p>Amend Rule 22.2.3.1 P2(i) Earthworks general to increase the area and volumes permitted.</p> <p>AND</p> <p>Amend other parts of the district plan as necessary to give effect to the relief sought.</p>		
Decision Reasons:	<ul style="list-style-type: none"> • The rule renders typical farming activities unsustainable, given the need to carry out many of the farming activities listed above on areas greater than 2000m² per annum. • This rule does not appear to allow common rural activities or other effects of areas over 2000m² per annum. 		
Point Number	418.3		
Summary of Decision Requested:	<p>Amend the definition of "earthworks" to exclude common farming practices</p> <p>OR</p> <p>Amend Rule 22.2.3.1 P2(a)(iii) Earthworks - General to not apply to earthworks commonly carried out within 1.5m of boundaries such as planting, fencing, digging drains, tracks etc.</p> <p>AND</p> <p>Amend other parts of the district plan as necessary to give effect to the relief sought.</p>		
Decision Reasons:			

- The submitter considers that P2(a)(iii) contradicts P1(a)(iii), the latter of which permits earthworks for tracks, fences or drains. It is therefore unclear what earthwork activities are permitted within a 1.5m boundary setback.

Point Number 418.4

Summary of Decision Requested: **Delete** Rule 22.3.2 P1(a) Minor dwelling, which limits the gross floor area of a minor dwelling.

AND

Amend other parts of the district plan as necessary to give effect to the relief sought.

Decision Reasons:

- The size of the minor dwelling is best determined by the owner or end user and the building coverage rule for the Rural Zone already manages the size of this type of building.
- A gross floor area limit of 70m² will not enable optimum building design for the intended use as it does not provide for sufficient storage room or flexibility to cater for the needs of different occupants.
- The maximum gross floor area of 70m² is overly restrictive and makes no allowance for garaging within this rule.

Point Number 418.5

Summary of Decision Requested: **Delete** Rule 22.3.2 P1(b)(i) Minor dwelling, which requires minor dwellings to be 20m from the main dwelling.

AND

Amend other parts of the district plan as necessary to give effect to the relief sought.

Decision Reasons:

- The positioning of a minor dwelling relative to a dwelling should only be governed by the rules that address boundary setbacks and building coverage.
- This would allow landowners to optimise the permitted use of their land as they see fit.
- A 20 metre separation distance would also unlikely result in the best positioning of the minor dwelling in terms of solar performance, and accessibility, etc.

Point Number 418.6

Summary of Decision Requested: **Amend** Rule 22.3.6 P1(a)(i) and (ii) - Building coverage, so that the permitted building coverage is increased to 850m².

AND

Amend other parts of the district plan as necessary to give effect to the relief sought.

Decision Reasons:

- A building coverage of 850m² would provide for a dwelling, minor dwelling and sufficient ancillary buildings (such as implement sheds, storage sheds, workshops and farm buildings) on the submitter's property.
- The notified limits (the larger of 2% of the site area or 500m²) are not logical and have been carried over from previous district plan reviews.
- The rules for boundary setbacks and building height are sufficient to manage adverse effects for smaller properties where a large building coverage is not achievable.

Point Number 418.7

Summary of Decision Requested: **Amend** Rule 22.3.7.1 Building Setbacks - All boundaries, so that the setbacks of the 1.6ha or smaller neighbouring lots apply to both sides of a boundary to optimise land use where the larger neighbouring lot is 4ha or less.

AND

Amend other parts of the district plan as necessary to give effect to the relief sought.

Decision Reasons:

- A 25m setback from boundaries, other than a road boundary, is unreasonable and would adversely impact on the ability for the submitter to use their land.
- Two boundaries for the submitter's property adjoin properties that are less than 1.6ha. These neighbouring properties are permitted to have 12 metre setbacks.
- Building setbacks should promote a more efficient use of land without prejudicing more intensive subdivision of non-productive land in the future.

Point Number 418.8

Summary of Decision Requested: **Amend** Rule 22.4.1.1 Prohibited subdivision to allow subdivision of Rural-zoned lots less than 4ha to allow better use of fragmented high class soils, regardless of when the certificate of title was issued.

OR

Amend the zoning of properties of Rural-zoned lots less than 4ha to Country Living zone, including the property at 7B Llennoc Lane, Tamahere.

AND

Amend the Proposed District Plan to enable subdivision of 7B Llennoc Lane, Tamahere into lots approximately 4500m² if non-serviced.

AND

Amend other parts of the district plan as necessary to give effect to the relief sought.

Decision Reasons:

- The requested amendments would promote the better use of already fragmented high class soil. For example, the area described by the submitter that is bordered by the high tension power lines, Tauwhare Road, Matangi settlement and the Hautapu rail link (and illustrated by the submitter's map) already contains fragmented high class soils.
- It is not possible to farm land areas less than 4ha without impacting on the surrounding lifestyle community.
- The creation of 4500m² lots from the submitter's property at 7B Llennoc Lane would have minimal impact on neighbouring landowners as their properties are already closely aligned to a Country Living Zone.

Point Number 418.9

Summary of Decision Requested: **Amend** the zoning of 7B Llennoc Lane, Tamahere and the surrounding properties (bordered by the high tension power lines, Tauwhare Road, Matangi settlement and the Hautapu rail link as illustrated by the submitter's map) from Rural Zone to a more enabling zone that allows intensification.

OR

Amend the Proposed District Plan to allow intensification of rural lot sizes smaller than 4ha through subdivision of fragmented high class soil land.

AND

Amend other provisions of the district plan as necessary to give effect to the relief sought.

Decision Reasons:

- Appropriate zoning would better reflect current land uses, allow intensification near Matangi settlement so as to provide critical mass to schooling and further support local businesses without the demand for additional wastewater and other infrastructure typically required in an urban environment.

Point Number 418.10

Summary of Decision Requested: No specific decision sought, however submission opposes Rule 22.3.2 Minor dwelling.

Decision Reasons:

- No reasons provided.

Point Number 418.11

Summary of Decision Requested: No specific decision sought, but submission opposes Rule 22.3.6 Building coverage.

Decision Reasons:

- No reasons provided.

Point Number 418.12

Summary of Decision Requested: No specific decision sought, but submission opposes Rule 22.3.7.1 Building Setbacks- All boundaries.

Decision Reasons:

- No reasons provided.

Point Number 418.13

Summary of Decision Requested: No specific decision sought, but submission opposes Rule 22.4.1.1 Prohibited subdivision.

Decision Reasons:

- No reasons provided.

Point Number 418.14

Summary of Decision Requested: **Amend** Rule 22.3.7.1 Building setbacks, to promote a more efficient use of land and not prejudice future (more intensive) subdivision of non-productive rural land, including setbacks of 12m for lot sizes 4ha or smaller with boundaries that neighbour 1.6ha or smaller lots.

Decision Reasons:

- A 25m setback from boundaries, other than a road boundary, is unreasonable and would adversely impact on the ability for the submitter to use their land.
- Two boundaries for the submitter's property adjoin properties that are less than 1.6ha. These neighbouring properties are permitted to have 12 metre setbacks.
- Building setbacks should promote a more efficient use of land without prejudicing more intensive subdivision of non-productive land in the future.

Point Number 418.15

Summary of Decision Requested: No specific decision sought, but submission opposes Chapter 22 Rural Zone.

Decision Reasons:

- No reasons provided.

Point Number 418.16

Summary of Decision Requested: No specific decision sought, but submission opposes Chapter 23 Country Living Zone.

Decision Reasons:

- No reasons provided.

Point Number 418.17

Summary of Decision Requested: No specific decision sought, but submission opposes Rule 22.4.1 Subdivision.

Decision Reasons:

- No reasons provided.

Point Number 418.18

Summary of Decision Requested: No specific decision sought, but submission opposes Rule 22.2.3.1 Earthworks- General.

Decision Reasons:

- No reasons provided.

Submitter Number: 419 **Submitter:** Lucy Deverall
Organisation: Horticulture New Zealand

Point Number 419.1
Summary of Decision Requested: **Retain** Rule 16.1.2 P10 Agricultural, horticultural and viticultural activities, except for the amendments sought below
AND
Add the following activity specific condition to Rule 16.1.2 P10 Agricultural, horticultural and viticultural activities:
(a) Must be within the Residential West Te Kawhata Area; or
(b) Must be in the area around Tuakau being north of the Waikato River, west of State Highway One and east of the Tutaenui Stream.
AND
Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The submitter supports the provision of horticultural activities within the Te Kawhata Area.
- The provision of horticultural activities as permitted activities should be extended to include all existing horticultural activities.
- There is a significant amount of land in the Tuakau area that has been rezoned from Rural to Residential Zone and which is actively being cultivated. As outlined in Schedule One, these horticultural areas play a significant role in New Zealand's domestic food supply and it is critical they be protected and that cultivation they be protected and allowed to continue.
- The submitter strongly opposes the rezoning of these areas.

Point Number 419.2
Summary of Decision Requested: **Retain** Rule 16.2.1.1 P1 Noise - General, as notified.

Decision Reasons:

- There are a number of residential zones immediately adjoining Rural Zones, particularly around Tuakau and Pokeno.
- The submitter supports recognising, and providing for, the legitimate farming noises that will impact on these new and existing residential zones.

Point Number 419.3
Summary of Decision Requested: **Add** a new permitted activity rule in Rule 16.2.4.1 Earthworks, as follows:
Ancillary rural earthworks
AND
Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- Ancillary rural earthworks should be a permitted activity to allow for existing operations to continue where land is rezoned from rural to residential.

Point Number 419.4
Summary of Decision Requested: **Add** a new matter of discretion to Rule 16.2.4.1 RD1 (b) Earthworks - General, as follows:
(xii) Measures to avoid reverse sensitivity effects on any adjoining Rural zoned land.
AND
Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The potential impacts of earthworks on adjoining rural production activities is relevant given the expansion of the rural-urban boundary.
- Recognition of this as a matter to which discretion is restricted will assist in managing the new urban-rural interface.

Point Number 419.5
Summary of Decision Requested: **Add** a new clause (v) to Rule 16.3.9.1 P1 (a) Building setbacks - All boundaries , as follows:
(a) A building must be set back a minimum of:
...
(v) 5m from every boundary adjoining the Rural Zone.
AND
Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- An additional standard is sought to ensure adequate management of any new rural-urban interface.
- A 1.5m setback from all boundaries as proposed is not sufficient to avoid or mitigate potential reverse sensitivity effects that will arise a result of the extended residential areas, particularly around Tuakau.
- The Rural Zone permits farming activities which includes spraying of agrichemicals for horticultural operations.
- Greater setbacks for those buildings in Residential Zones which adjoining Rural Zones will assist in mitigating reverse sensitivity effects.

Point Number 419.6
Summary of Decision Requested: **Add** a new clause (vi) to Rule 16.3.9.2 P1 (a) Building setback - Sensitive land use, as follows:
(a) Any new building or alteration to an existing building for a sensitive land use must be set back a minimum of:
...

(vi) 100m from any boundary adjoining a Rural Zone.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The submitter seeks that additional clauses be provided to better manage the new rural-urban interface.
- There are many sensitive land uses that are incompatible with horticulture, such as schools/childcare facilities, health facilities and hospitals, retirement villages and rest homes.
- Greater setbacks should be provided to avoid or mitigate reverse sensitivity effects.

Point Number

419.7

Summary of Decision Requested:

Add a new clause (vi) to Rule 16.4.1RD1 (a) Subdivision - General, as follows:

(a) Subdivision must comply with all of the following conditions:

...

(vi) Where the subdivision adjoins a Rural Zone, a buffer strip no less than 10m wide is to be provided along the boundary adjoining the Rural Zone.

AND

Add a new matter of discretion to Rule 16.4.1 RD1 (b) as follows:

(b) Council's discretion shall be restricted to the following matters:

...

(xi) measures to minimise and avoid reverse sensitivity effects on high class soils and any adjoining Rural Zone.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- Given the significant rezoning of prominent horticultural land from Rural to Residential Zone, it is appropriate to include provisions which will assist in managing reverse sensitivity on high class soils and adjoining Rural zones.
- This could include requiring provision of buffer strips on Residential zoned land at the time of subdivision as an activity condition, and including reverse sensitivity as a matter to which discretion is restricted.
- This aligns with the proposed objectives and policies which seek to protect high class soils.

Point Number

419.8

Summary of Decision Requested:

Retain Rule 22.1.2 P7 Farming, as notified.

Decision Reasons:

- The submitter supports the provision for farming activities as a permitted activity with no additional specific conditions.

Point Number

419.9

Summary of Decision Requested:

Add a new permitted activity to Rule 22.1.2 Permitted Activities, as follows:

Workers' accommodation that comply with Rule 22.3 X Workers' accommodation.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The submitter seeks a suite of provisions to provide for workers' accommodation as a permitted activity in the Rural Zone.

Point Number

419.10

Summary of Decision Requested:

Add a new permitted activity to Rule 22.1.2 Permitted Activities, as follows:

Artificial crop protection structures that meet the following conditions:

(a) Green or black cloth shall be used on vertical faces within 30m of the site boundary.

(b) Green, black or white cloth shall be used on horizontal surfaces.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- If the exclusions sought to the definition of "building" are rejected, the submitter seeks the insertion of a suite of rules to address effects specific to these structures.
- The standards proposed in this submission have been adopted in the Proposed Opotiki District Plan and are similar to controls in Western Bay of Plenty District Plan.
- Restricting colours to green and black along the vertical surfaces will assist in reducing glare and minimising potential amenity effects.

Point Number

419.11

Summary of Decision Requested:

Retain the restricted discretionary activity status for Rule 22.1.3 RD2 Rural Industry

AND

Delete matter of discretion (a)(iii) waste disposal in Rule 22.1.3 RD2 Rural Industry

OR

Amend matter of discretion (a)(iii) waste disposal in Rule 22.1.3 RD2 Rural Industry to provide more clarity around what waste disposal effects Council is attempting to manage.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The submitter supports the restricted discretionary activity status for a Rural Industry.
- The submitter is unsure of the use of the term "waste disposal" as it is not defined in the Proposed District Plan.
- The Proposed District Plan defines "waste management", which includes waste disposal.
- The outcomes sought are not clear.

Point Number

419.12

Summary of Decision Requested:

Add a new restricted discretionary activity provision to Rule 22.1.3 Restricted Discretionary Activities, as follows:

Workers' accommodation that does not comply with Rule 22.3 X

Council's discretion is restricted to the following matters:

1. Those matters in Rule 22.3.X that are not able to be met.

2. Methods to avoid, remedy or mitigate the effects on existing activities, including the provision of screening, landscaping and methods for noise control.

3. The extent to which the application complies with the Code of Practice for Able Bodied Seasonal Workers, published by the Department of Building and Housing 2008.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The submitter seeks that a restricted discretionary standard be applied where workers' accommodation does not meet the permitted activity standards, although no reasons have been provided.

Point Number

419.13

Summary of Decision Requested:

Add a new restricted discretionary activity to Rule 22.1.3 Restricted Discretionary Activities, as follows:

Artificial crop protection structures that do not comply with Rule 22.3.X

Council's discretion is restricted to the following matters:

i) Amenity values;

ii) Effects of glare on traffic

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The submitter seeks the insertion of a suite of rules to address effects specific to these structures, although no reasons have been provided.

Point Number

419.14

Summary of Decision Requested:

Delete Appendix 5 Hazardous Substances and Table 5.1 Activity Status Table - Permitted activity thresholds.

AND

Delete references to Appendix 6 and Table 6.1 Activity Status Table in Rule 22.2.4 Hazardous Substances.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The submitter does not agree with the use of Activity Status Tables and seeks that Appendix 5 be deleted.
- Rule 22.2.4 references Table 6.1 in Appendix 6 which is assumed to be Table 5.1 in Appendix 5.

Point Number

419.15

Summary of Decision Requested:

Delete Rule 22.2.4 P1 Hazardous Substances

AND

Add a replacement Rule 22.2.4 P1 Hazardous Substances, as follows:

The use, storage or disposal of any hazardous substance is permitted.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The use, storage or disposal of hazardous substances should be permitted unless there are specific resource management reasons why specific rules and controls should be included.

Point Number

419.16

Summary of Decision Requested:

Amend Rule 22.2.4 D1 Hazardous substances to become a restricted discretionary activity rather than a discretionary activity.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The default rule if Rule 22.2.4P1 is not met is a discretionary activity.
- The submitter considers that a discretionary activity is inappropriate if the thresholds in Table 5.1 are not met. There should be a restricted discretionary rule with clear matters of discretion to be assessed specifically related to meeting the policies in the plan for activities where there is a clear resource management reasons for specific controls.

Point Number	419.17
Summary of Decision Requested:	Retain Rule 22.2.1.1PI Noise - General, as notified.
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports the provision of farming noise as a permitted activity, although no reasons have been provided.
Point Number	419.18
Summary of Decision Requested:	<p>Amend Rule 22.2.1.2 P1 Noise - Frost Fans, as follows:</p> <p><i>Noise generated by a frost fan must not exceed 55 60dB (LAeq) when measured at the notional boundary on any site in the Rural Zone and within any site in the Country Living Zone, Village Zone or Residential Zone.</i></p> <p>AND</p> <p>Any consequential or additional amendments as a result of changes sought in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> The 55dB (LAeq) limit is too restrictive and unrealistic. Frost fans are a key means to protect crops and ensure high quality produce that meets strict market standards. The Proposed Opotiki District Plan permits a 60dB (LAeq) limit. This limit has not been opposed by submitters, is more realistic and allows for effective and efficient use of frost fans.
Point Number	419.19
Summary of Decision Requested:	<p>Amend Rule 22.2.1.2 D1 Noise- Frost Fans to become restricted discretionary activity rather than a discretionary activity</p> <p>AND</p> <p>Add the following matters of discretion to Rule 22.2.1.2 Noise- Frost Fans:</p> <p><u>Council's discretion is restricted to the following matters:</u></p> <p><u>1. Location of frost fan</u></p> <p><u>2. Noise sound levels at any point within at the national boundary of any dwelling on another site</u></p> <p>AND</p> <p>Any consequential or additional amendments as a result of changes sought in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> The jump from a permitted activity to a discretionary activity is too onerous and there is limited guidance in the objectives and policies on how noise effects might be assessed. The submitter seeks that this be amended to a restricted discretionary activity. This approach has been adopted in the Proposed Opotiki District Plan following submissions from Horticulture New Zealand and in Hurunui and Western Bay of Plenty. The submitter recommends that discretion be restricted to the same matters as proposed in the Opotiki District Plan.
Point Number	419.20
Summary of Decision Requested:	<p>Amend Rule 22.2.3.1 P1 (a)(iv) Earthworks - General, as follows:</p> <p>(a) Earthworks for:</p> <p>...</p> <p>(iv) A building platform for a <u>permitted</u> residential activity, including accessory buildings.</p> <p>AND</p> <p>Any consequential or additional amendments as a result of changes sought in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports the permitted activity status of ancillary farming earthworks noting the submission point seeks changes to the definition of "Ancillary Farming Earthworks". Creation of a building platform modifies the existing environment from which a resource consent will be assessed. It is likely to result in the land being stripped of its productive or high class soil. This is inconsistent with the objectives and policies of the Rural Zone which seek to protect High Class Soils. The submitter seeks that the rule specify that earthworks are permitted only for a building platform for a residential building and accessory buildings that could be undertaken as a permitted activity. This would prevent earthworks being undertaken for development that would otherwise require consent. This also provide greater protection of High Class Soils and land with productive potential.
Point Number	419.21
Summary of Decision Requested:	<p>Amend Rule 22.2.3.1 P3 (a) Earthworks - General , as follows:</p> <p>(a) Earthworks for the purpose of creating a building platform for a <u>permitted residential activity purposes</u> within a site, using imported fill material must meet the following condition:</p> <p>...</p> <p>AND</p> <p>Any consequential or additional amendments as a result of changes sought in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> Creation of a building platform modifies the existing environment from which a resource consent will be assessed. The submitter seeks that the rule specify that earthworks are permitted only for a building platform for a residential building and accessory buildings that could be undertaken as permitted activities. This would prevent earthworks for inappropriate development, or development that would otherwise require consent. This would also provide greater protection of High Class Soils.
Point Number	419.22
Summary of Decision Requested:	<p>Add a new permitted activity to Rule 22.2.3.1 Earthworks - General, as follows:</p> <p><u>(a) Earthworks for purposes associated with horticultural activities using imported fill material or cleanfill must meet all of the following conditions:</u></p> <p><u>(i) sediment resulting from the filling is retained on the site through implementation and maintenance of erosion and sediment controls; and</u></p>

(ii) does not divert or change the nature of water bodies.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The submitter supports the provision of cleanfill as a permitted activity and notes that the use of cleanfill can be managed through good management practice.
- The northern portion of the Waikato District typically has an undulating topography. It is also a significant location for horticultural activities. In order to maximise the productive potential of land in this area, it is common for fill to be imported to help contour the land to a slope appropriate for horticultural activities.
- Cleanfill is also used for other land management purposes such as drainage or track creation and maintenance.

Point Number

419.23

Summary of Decision Requested:

Retain Rule 22.2.7PI Indigenous vegetation clearance inside a Significant Natural Area, as notified

OR

Add a new clause (vi) to Rule 22.2.7 PI (a) Indigenous vegetation clearance inside a Significant Natural Area, as follows:

(a) Indigenous vegetation clearance in a Significant Natural Area identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas) for the following purposes:

...

(vi) removal of vegetation for pest management and biosecurity works

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The submitter supports the provision of indigenous vegetation clearance inside Significant Natural Areas for maintaining existing tracks, fences, farm drains and conservation fencing.
- It is sought that an additional standard be included here to allow for that response. This is appropriate in the context as there are a number of horticultural cropping sites containing, or adjoining, Significant Natural Areas.
- It is feasible that should those Significant Natural Areas become infected, then this would pose a risk to the production of fruit and vegetables for human consumption.

Point Number

419.24

Summary of Decision Requested:

Amend the definition of 'Vegetation Clearance' in Chapter 13 Definitions, to exclude clearance related to a rapid biosecurity response. Specific amendments are outlined elsewhere in the submission.

OR

Add a new clause (viii) to Rule 22.2.8 PI Indigenous vegetation clearance outside a Significant Natural Area, as follows:

(a) Indigenous vegetation clearance outside a Significant Natural Area identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas) must be for the following purposes:

...

(viii) removal of vegetation for pest management and biosecurity works.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The submitter has sought an amendment to the definition of "vegetation clearance" to exclude clearance related to a rapid biosecurity response. The submitter requests this additional clause (viii) if the requested amendment to this definition is rejected.

Point Number

419.25

Summary of Decision Requested:

Add a new provision to Rule 22.3 Land Use - Building, as follows:

Workers' accommodation is a permitted activity where it meets the following standards:

(a) The relevant zone standards for yards, height, daylight protection and parking are complied with

(b) Access - No additional formed accesses are to be created to any State Highway

(c) Is associated with the horticultural activity

(d) Comprises of a combination of communal kitchen and eating areas and sleeping and ablution facilities

(e) Accommodates up to 12 workers

(f) Complies with Code of Practice for Able Bodies Seasonal Workers, published by Department of Building and Housing 2008.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The submitter seeks specific provision for workers' accommodation.
- The submitter seeks the insertion of a new rule to set the standards for workers' accommodation as a permitted activity, similar to those that have been adopted in the Proposed Opotiki District Plan.

Point Number

419.26

Summary of Decision Requested:

Amend Rule 22.3.4.1 PI Height - Building General, as follows:

~~*The maximum height of any building must not exceed 10m.*~~

The maximum height of any building associated with

(a) A residential activity must not exceed 10m

(b) A farming or rural industrial or services activity must not exceed 15m.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- A 10m height limit is not sufficient for horticultural sheds.
- Horticultural sheds require additional height for bin storage and air flow for drying produce such as onions.
- The Auckland Unitary Plan appropriately provides a 15m height threshold for buildings other than dwellings.

Point Number 419.27

Summary of Decision Requested: **Retain** Rule 22.3.4.2 Height - Frost Fans, as notified.

Decision Reasons:

- The submitter supports the proposed height and blade height thresholds.

Point Number 419.28

Summary of Decision Requested: **Amend** the definition of "Building" in Chapter 13: Definitions, in terms of artificial crop protection structures (specific amendments sought are addressed elsewhere in the submission)

OR

Amend Rule 22.3.5 P1 Daylight admission to specifically exclude artificial crop protection structures as follows:

A building (excluding artificial crop protection structures) must not protrude through a height control plane rising at an angle of 37 degrees commencing at an elevation of 2.5m above ground level at every point of the site boundary.

AND

Add a new permitted activity to Rule 22.3.5 Daylight admission, as follows:

PX Artificial crop protection structures that comply with Rule 22.1.2 PX Artificial crop protection structures.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The submitter has made a submission on the definition of building as it relates to artificial crop protection structures.
- The submitter seeks that artificial crop protection structures be excluded from Rule 22.3.5.
- In order to be economically viable, cultivation and planting often occur right up to the site boundary.
- To ensure high quality production, it is necessary that these structures cover the entire crop. As such, it would be impossible for these structures to meet the permitted standards.
- The submitter seeks that a new rule be inserted to address effects specific to artificial crop protection structures.
- The permitted standards proposed in this submission have been adopted in the Proposed Opoitiki District Plan.

Point Number 419.29

Summary of Decision Requested: **Amend** the definition of 'Building' in Chapter 13 Definitions, to exclude artificial crop protection structures (the specific amendments sought are addressed elsewhere in the submission)

AND

Add a new clause (iii) to Rule 22.3.6 P1 Building Coverage, as follows:

(a) The total building coverage must not exceed the larger of:

...

(iii) except that this rule shall not apply to buildings associated with rural production activities or rural industries and services and shall not apply to artificial crop protection structures.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The submitter has sought that artificial crop protection structures be excluded from the definition of building.
- Should this be rejected, the submitter seeks that artificial crop protection structures be excluded from the building coverage rule.
- Artificial crop protection structures are open structures - any materials used are necessarily permeable to allow water through and to control temperature. As such, these structures do not impact on stormwater run-off.
- It is considered that the proposed limits are too restrictive for the rural environment. A number of large scale buildings are required to support ordinary farming activities. This is particularly relevant for rural industry activities such as pack houses and cool stores.
- The submitter purports that the presence of large scale buildings in the rural environment forms part of the rural character and amenity.
- The section 32 report comments that controls of height, setbacks and daylight admission are necessary to control the dominance of buildings on the landscape. However the report does not provide sufficient explanation for why a 500m2 limit is applicable in this instance.
- The submitter contends that large scale buildings, such as storage sheds, cool sheds and packhouses are activities that are anticipated in the rural landscape.

Point Number 419.30

Summary of Decision Requested: **Amend** Rule 22.3.6D1 Building coverage, from a discretionary activity to a restricted discretionary activity

AND

Add the following matters of discretion to Rule 22.3.6 Building coverage:

Matters of discretion:

a) Effects on character and amenity.

b) Management of effects of stormwater run-off.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- A discretionary activity status is a further disincentive for rural production activities to locate and expand in the Waikato District.

Point Number 419.31

Summary of Decision Requested: **Amend** the definition of 'Building' in Chapter 13 Definitions (the specific amendments sought are addressed elsewhere in the submission)

OR

Amend Rule 22.3.7.1 P2 (a) Building Setbacks - All boundaries, as follows:

(a) A non-habitable building (excluding artificial crop protection structures) located on a Record of Title less than 1.6ha must be set back a minimum of:

...

AND

Amend Rule 22.3.7.1 P4 (a) Building Setbacks - All boundaries, as follows:

(a) A non-habitable building (excluding artificial crop protection structures), located on a Record of Title 1.6ha or more must be set back a minimum of:

...

AND

Add a new permitted activity to Rule 22.3.7.1 Building Setbacks - All boundaries, as follows:

PX Artificial crop protection structures that comply with Rule 22.1.2 PX Artificial crop protection structures

AND

Amend Rule 22.3.7.1 RD1 (a) Building Setbacks - All boundaries, as follows:

(a) A building that does not comply with Rule 22.3.7.1 P1, P2, P3 ~~or~~ P4 or PX

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The submitter supports the distinction between habitable and non-habitable buildings and particularly supports the proposed setbacks for habitable buildings in the Rural Zone.
- To maximise viability, cultivation and planting often occur within 1m of the site boundary.
- The proposed setback would not be achievable for any existing or many future horticultural operations.
- The submitter seeks that artificial crop protection structures be excluded from this rule and that a new rule be inserted to address effects specific to these structures.

Point Number

419.32

Summary of Decision Requested:

Retain Rule 22.3.7.2 Building setback sensitive land use, except for the amendments sought below

AND

Add two new clauses (x) and (xi) to Rule 22.3.7.2 P1 (a) Building setback sensitive land use, as follows:

(a) Any building for a sensitive land use must be set back a minimum of:

...

(x) 100m from the boundary of another site containing a rural industry or services activity,

(xi) 100m from the boundary of another site containing a farming activity where the sensitive land use is not a residential activity,

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The submitter supports the proposed rule which places the onus on the sensitive activity to be set back from existing activities. This is an effective means of managing reverse sensitivity effects.
- However, this should be extended to ensure setbacks from all existing farming activities, including rural industry activities, which generate legitimate farm noise and spraying effects that are often hampered by reverse sensitivity effects.
- Care must be taken in differentiating between residential activities and other sensitive activities such as education facilities and hospitals.
- The submitter purports that many of these sensitive activities are not appropriate for the Rural Zone at all. The potential for reverse sensitivity effects is amplified and the ability to manage or mitigate reverse sensitivity effects becomes more difficult.
- Managing notification requirements to sensitive activities that are not residential activities becomes even more complicated as those facilities then have to notify all individuals who may be present at the time.

Point Number

419.33

Summary of Decision Requested:

Amend Rule 22.3.7.5 P1 (a) Building setback - water bodies, as follows:

(a) Any building must be set back a minimum of:

(i) ~~22~~ 30m from the margin of any:

A. Lake; and

B. Wetland

(ii) ~~22~~ 20m from the bank of any river (other than the Waikato River and Waipa River);

(iii) ~~28~~ 20m from the banks of the Waikato River and Waipa River; and

...

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The submitter has sought an exclusion of artificial crop protection structures from the definition of "building". Should this be rejected, the submitter seeks that artificial crop protection structures be excluded from this rule. These are permeable structures with materials consisting of fabric and poles. Minimal works are required so there would be minimal land disturbance and minimal risk of sediment in water bodies.
- Should the land be subdivided, the structures are easily removable such that the ability to take esplanade is not impeded.
- The section 32 reports do not seem to provide any explanation for the proposed setbacks from waterbodies. The Auckland Unitary Plan provides a setback of 30m from any lake and a 20m riparian setback and this is considered appropriate to incorporate in the Waikato District Plan.

Point Number

419.34

Summary of Decision Requested:

Amend Rule 22.3.7.5P2 Building setback - water bodies as follows:

(a) A public amenity of up to 25m², ~~and a pump shed~~ within any building setback identified in Rule 22.3.7.5P1 and

(b) a pump shed must be setback a minimum of 5m from any waterbody,

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- It is necessary and more efficient for pump stations to locate in close proximity to water bodies.

Point Number 419.35

Summary of Decision Requested: No specific decision sought, but submission seeks clarification on how Rule 22.3.7.6 Building setback- Environmental Protection Area applies to the Environmental Protection Areas and the Hamilton Basin Ecological Management Area. If the Hamilton Basin Ecological Area is an Environmental Protection Area, then the submitter opposes this rule.

Decision Reasons:

- It is not clear on the planning maps where the Environmental Protection Areas are located.
- The submitter has been advised that the Hamilton Basin Ecological Management Area is an Environmental Protection Area, but this has a separate key notation on the planning maps.
- If the Hamilton Basin Ecological Management Area is an Environmental Protection Areas, the submitter opposes this rule as no building would be permitted.

Point Number 419.36

Summary of Decision Requested: Delete Rule 22.4.1.1 PR2 Prohibited subdivision.

AND

Add a replacement non-complying activity to Rule 22.4 Subdivision, as follows:

NCX

(a) Subdivision which results in any additional lot being located on high class soil

(b) Exceptions to NCX are where an additional lot is created by either of the following:

(i) Access allotment or utility allotment

(ii) Subdivision of Maaori Freehold Land

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The submitter commends the intention to protect high class soil.
- A prohibited activity status is overly restrictive.
- The submitter does not generally support subdivision of high class soils, although it is recognised that there are instances when growers may need to subdivide a portion of land in order to remain economically viable.
- Under a prohibited planning framework, many growers would be unduly limited in their options.
- It is considered that a non-complying activity status may be more appropriate as it would provide a possible pathway while still applying a high level of protection for high class soils.
- The ability to undertake subdivisions for conservation lots and reserve lots on high class soils will result in the creation of sporadic 8000m² lots around the district. It is inappropriate to provide an exemption for this type of subdivision on high class soils and is inconsistent with the proposed objectives and policies.
- Location of new lots as a result of reserve lot or conservation lot subdivisions should not be encouraged on high class soils.

Point Number 419.37

Summary of Decision Requested: Delete Rule 22.4.1.1 PR3 Prohibited subdivision

AND

Add a replacement new non-complying activity to Rule 22.4 Subdivision, as follows:

NCX

(a) Subdivision which results in any additional lot being located on high class soil

(b) Exceptions to NCX are where an additional lot is created by either of the following:

(i) Access allotment or utility allotment

(ii) Subdivision of Maaori freehold land

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- It is appropriate to provide for subdivision on high class soil as a non complying activity as it will provide a possible pathway, which still applying a high level of protection for high class soils.
- It is inappropriate and inconsistent with the objectives and policies to allow exemptions for conservation lot or reserve lot subdivisions as this ill result in sporadic or unplanned development on high class soils.

Point Number 419.38

Summary of Decision Requested: Delete Rule 22.4.1.2 RD1 General Subdivision.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The method provides a voucher lot subdivision based on title date and parent lot size.
- The minimum parent lot size of 20 hectares appears to have little resource management reasoning.
- The outcome is scattered countryside living elements between 8000m² and 1.6ha.
- There is no resource management reasoning based on sustainable management or a positive environmental outcome.
- Notably the same method was previously available in the former Franklin District Plan and removed during a plan review of rural subdivision methods.
- The outcome is still fragmentation of high class soil that conflicts with the objective and policy framework of the plan.

Point Number 419.39

Summary of Decision Requested: Add a new clause (vii) to Rule 22.4.1.5 RD1 (a) Rural Hamlet Subdivision, as follows:

(a) Subdivision to create a Rural Hamlet must comply with the following conditions:

...

(vii) the proposed lots must not be located on high class soils

AND

Add a new matter of discretion to Rule 22.4.1.5 RD1 (b) Rural Hamlet Subdivision as follows:

(vi) the extent to which water conservation measures and, where appropriate, low impact stormwater design and facilities have been applied.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The submitter supports the inclusion of reverse sensitivity and effects on rural character and amenity as matters to which discretion is restricted.
- Urban and semi-urban development creates additional pressure on natural resources and impacts the ability of legitimate rural activities from accessing those resources which are essential to rural operation.
- It is appropriate that measures to address water conservation and stormwater design should be encouraged.
- To remain consistent with the proposed objectives and policies the submitter seeks that the avoidance of high class soil should be included as a condition of Rural Hamlet Subdivision.

Point Number

419.40

Summary of Decision Requested:

Add a new clause (ix) to Rule 22.4.1.6 RD1 (a) Conservation lot subdivision, as follows:

(a) The subdivision must comply with all of the following conditions:

...

(ix) the proposed lots must not be located on high class soils.

AND

Add two new matters of discretion to Rule 22.4.1.6 RD1 (b) Conservation lot subdivision, as follows:

(v) potential for reverse sensitivity effects;

(vi) the extent to which water conservation measures and, where appropriate, low impact stormwater design and facilities have been applied.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The submitter opposes the lack of matter of discretion considering reverse sensitivity effects for this restricted discretionary subdivision activity when all others retain this discretion.
- With the limited range of subdivision methods, this is likely to be an active method and this is a critical assessment matter.
- Consistent with the policy framework, the matters of discretion should also address water conservation.
- The avoidance of high class soil should be included as a condition of this activity. This would be consistent with the proposed objectives and policies which seek to protect high class soils.

Point Number

419.41

Summary of Decision Requested:

Add a new matter of discretion to Rule 22.4.9 RD1 (b) Subdivision - Building platform, as follows:

(vii) The relationship of the building platform and residential activity with surrounding current and future rural production activities and measures to avoid or mitigate reverse sensitivity effects.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The requirement for a specific building platform for a proposed lot is a common subdivision standard.
- This enables an assessment of the platform and the residential activity it will support, relative to a number of matters.
- This should include the relationship of the platform, its residential use and the surrounding current or future rural production activities.
- The matters of discretion should be expanded for this purpose.

Point Number

419.42

Summary of Decision Requested:

Add a new permitted activity to Rule 23.1 Land use - Activities, that provides for rural production that is existing at the time the Proposed Plan is made operative.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The submitter considers that existing rural production activities should be provided for as a permitted activity, although no reasons have been provided.

Point Number

419.43

Summary of Decision Requested:

Add a new discretionary activity to Rule 23.1 Land use - Activities, that provides for rural production activities within the Country Living Zone.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- Under the proposed planning framework, farming would be a non-complying activity.
- This is inconsistent with Policy 5.6.9 Existing non-residential activities, which supports expansion and operation of existing non-residential activities within the Country Living Zone.

Point Number

419.44

Summary of Decision Requested:

Retain Rule 23.3.7 P1 Building setbacks - All boundaries, as notified.

Decision Reasons:

- The submitter supports the 12m setback from boundaries, other than a road boundary.
- Requiring an adequate buffer between new urban/residential development from existing, legitimate rural production activities will assist in avoiding or mitigating the potential for reverse sensitivity to arise.
- Although farming noise is permitted within the zone, there are a number of other effects associated with legitimate farming activities which are part of rural character and amenity.
- Rural character and amenity is often not clearly understood by new residents and providing adequate buffers can assist in minimising complaints.

Point Number

419.45

Summary of Decision Requested:

Add a new clause (iv) to Rule 23.3.7.1 P2 (a) Building setbacks - All boundaries, as follows:

(a) Any building located on a lot containing 1000m² or less must be set back a minimum of:

...

(iv) 10m from every boundary adjoining a Rural Zone.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- A 1.5m setback from all boundaries as proposed is not sufficient to avoid or mitigate potential reverse sensitivity effects that arise between residential activities and rural activities.
- When compared with the 12m setback proposed in Rule 23.3.7 for lots greater than 1000m², the 1.5m setback incentives creation of smaller lots which results in a high density of residential development in close proximity to the rural environment.
- This has the potential for greater reverse sensitivity issues.

Point Number

419.46

Summary of Decision Requested:

Add a new clause (v) to Rule 23.3.7.1 RD1 (b) Building setbacks - All boundaries as follows:

(v) reverse sensitivity effects.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- An additional matter is sought to enable the potential for reverse sensitivity effects to be included as a matter to which discretion is restricted in determining the location of buildings within the relevant setbacks from Rural zoned land.
- This is a matter of restricted discretion in Rule 26.3.6.1 of the Village Zone and is also relevant to the Country Living Zone.

Point Number

419.47

Summary of Decision Requested:

Add a new clause (vii) to Rule 23.3.7.2 P1 (a) Building setbacks - Sensitive land use, as follows:

(a) Any new building or alteration to an existing building for a sensitive land use must be set back a minimum of:

...

(vii) 100m from any boundary adjoining a Rural Zone where the sensitive activity is not a residential activity.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- An additional standard is sought to ensure adequate management of the rural-urban interface and to avoid and mitigate the potential for reverse sensitivity effects between sensitive land uses and legitimate farming activities.
- Greater setbacks should be provided to avoid or mitigate reverse sensitivity effects.

Point Number

419.48

Summary of Decision Requested:

Retain Rule 23.3.7.2 D1 Building setback - Sensitive land use, as notified.

Decision Reasons:

- The discretionary activity status is supported.

Point Number

419.49

Summary of Decision Requested:

Add a new matter of discretion to Rule 23.4.2 RD1 (b) General Subdivision as follows:

(b) Council's discretion is restricted to the following matters:

...

(iii) measures to mitigate and minimise reverse sensitivity effects on adjoining Rural Zone land.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The submitter seeks that an additional clause to the matters to which discretion is restricted.
- Measure taken to minimise potential reverse sensitivity effects is appropriate to consider given the significance of horticultural land in the Waikato District.
- This aligns with the objectives and policies which seek to protect high class soil and support ongoing operation and development of existing farming activities.

Point Number

419.50

Summary of Decision Requested:

Add a new clause (v) to Rule 24.3.6.1 P1 (a) Building setbacks - All boundaries, as follows:

(a) Any building must be setback a minimum of:

...

(v) 8m from any boundary adjoining a Rural Zone

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- A 1.5m setback from all boundaries as proposed is not sufficient to avoid or mitigate potential reverse sensitivity effects that arise between residential activities and rural activities.
- There are pockets of land that have been rezoned from Rural to Village around the Tuakau area and the potential for reverse sensitivity from a new rural-urban boundary should be avoided.

Point Number 419.51

Summary of Decision Requested: Retain Rule 24.3.6.1 RD1 Building setbacks - All boundaries, as notified.

Decision Reasons:

- The submitter supports the inclusion of reverse sensitivity effects as a matter to which discretion is restricted for buildings that do not meet the permitted boundary setbacks.

Point Number 419.52

Summary of Decision Requested: Add a new clause (vi) to Rule 24.3.6.2PI Building setback - Sensitive land use, as follows:

(a) Any new building or alteration to an existing building for a sensitive land use must be set back a minimum of:

....

(vi) 100m from any boundary adjoining a Rural Zone where the sensitive activity is not a residential activity.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- Additional standards are sought to ensure adequate management of the rural-urban interface and to avoid and mitigate the potential for reverse sensitivity effects between habitable residential buildings and legitimate farming activities.
- There are many sensitive land uses that are incompatible with horticulture and greater setbacks should be provided to avoid or mitigate reverse sensitivity effects.

Point Number 419.53

Summary of Decision Requested: Retain Rule 24.3.6.2 D Building setback - Sensitive land use, as notified.

Decision Reasons:

- The discretionary activity status is supported.

Point Number 419.54

Summary of Decision Requested: Retain Policy 5.2.2 High class soils, as notified.

Decision Reasons:

- The submitter supports the provision on productive versatility of rural resources.

Point Number 419.55

Summary of Decision Requested: Retain Policy 5.2.3 Effects of subdivision and development on soils, as notified.

Decision Reasons:

- The submitter supports the provision on productive versatility of rural resources.

Point Number 419.56

Summary of Decision Requested: Retain Objective 5.3.1 Rural character and amenity, as notified.

Decision Reasons:

- An objective seeking to maintain rural character and amenity is supported.
- It is important that the policy framework clearly establishes the rural character and amenity and expectations for the Waikato District.

Point Number 419.57

Summary of Decision Requested: Add a new policy within Section 5.3 Rural Character and Amenity, as follows:

Rural character and amenity includes the following elements:

(a) A rural working environment

(b) Some activities are seasonal in nature

(c) Intensity of development reflecting the rural production environment, such as buildings and structures for rural production and domestic purposes

(d) Varying levels of noise associated with seasonal and intermittent rural production activities.

(e) Relatively open space and low density of development.

(f) Odours, noise and dust typical of rural activities.

(g) Generally low levels of vehicle traffic with seasonal fluctuations.

(h) The presence of large numbers of farmed animals and extensive areas of plant vine or fruit crops and areas of forestry.

(i) Accessory buildings and structures (including crop support and artificial crop, protection structures) across the landscape.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The submitter seeks a new policy to clearly identify and recognise the rural character and amenity.
- This is important to ensure the appropriate and effective implementation of the proposed planning framework which seeks to avoid or minimise adverse effects on rural character and amenity.

Point Number

419.58

Summary of Decision Requested:

Retain Policy 5.3.2 Productive rural activities, as notified.

Decision Reasons:

- The policy recognises and protects the continued operation of the rural environment as a productive working environment is supported.
- Recognising that buildings and structures associated with farming and forestry and other operational structures for productive rural activities contribute to rural character and amenity values, is supported.
- The plan proposes limitations on building coverage that conflicts with this policy.
- Those establishing rural production activities look at the regulatory regime before making decisions on location choice. The methods proposed in this plan will discourage rural production activity from locating and investing in the Waikato district.

Point Number

419.59

Summary of Decision Requested:

Amend Policy 5.3.3 Industrial and commercial activities, to further clarify and refine the policy

OR

Amend Policy 5.3.3 Industrial and commercial activities by combining it with Policy 5.3.9 Non-rural activities.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The submitter supports avoiding locating industrial and commercial activities in rural areas that do not have a genuine functional connection with the rural land or soil resource.
- There is some confusion between this policy and Policy 5.3.9 Non-rural activities, which appears to cover the same activities and could potentially be combined.
- Rural industry is defined but it is not clear what "services" or "commercial activities" are anticipated or accommodated in the rural areas by this policy.

Point Number

419.60

Summary of Decision Requested:

Retain Policy 5.3.4 Density of dwellings and buildings within the rural environment, as notified.

Decision Reasons:

- Dwellings to support workers accommodation are a critical requirement of many rural production activities.
- The policy is supported, however the method limits the accommodation unit size to be too small to support a farm worker family situation or seasonal workers accommodation that might require a shared living arrangement.

Point Number

419.61

Summary of Decision Requested:

Retain Policy 5.3.5 Earthworks activities, as notified.

Decision Reasons:

- The submitter supports the policy and methods proposed for ancillary rural earthworks, although no reasons have been provided.

Point Number

419.62

Summary of Decision Requested:

Amend Policy 5.3.7 Reverse sensitivity effects, as follows:

(a) Recognise the following features are typical of the rural environment and the effects are accepted and able to be managed:

(i) Large numbers of animals being farmed, extensive areas of commercial vegetable production, plants, vines or fruit crops, plantation forests and farm forests;

...

(c) Avoid or mitigate the adverse effects of reverse sensitivity through the use of setbacks and the design of subdivisions and development.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The submitter supports the recognition that extensive areas of plants, vines or fruit crops are typical features of the rural environment.
- Commercial vegetable production is defined term in Waikato Regional Plan Change 1.
- The design of subdivisions and development should, in the first instance, seek to avoid reverse sensitivity through the use of setbacks and design.

Point Number

419.63

Summary of Decision Requested:

Retain Policy 5.3.8 Effects on rural character and amenity from rural subdivision, as notified.

Decision Reasons:

- The policy provides clear direction for managing effects on rural character and amenity from rural subdivision.

Point Number

419.64

Summary of Decision Requested:	<p>Amend the title of Policy 5.3.9 Non-rural activities, as follows:</p> <p>Policy 5.3.9 Other Non- rural activities</p> <p>AND</p> <p>Amend Policy 5.3.9 Non-rural activities, to further clarify and refine the policy</p> <p>OR</p> <p>Amend Policy 5.3.9 Non-rural activities by combining it with Policy 5.3.3 Industrial and commercial activities.</p> <p>AND</p> <p>Any consequential or additional amendments as a result of changes sought in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> The policy describes the listed activities as non-rural activities but, by their nature, these are rural activities that require a rural location to exist and operate. This is particularly the case for packing sheds and post harvest facilities.
Point Number	419.65
Summary of Decision Requested:	Retain Policy 5.3.15 Noise and vibration, as notified.
Decision Reasons:	<ul style="list-style-type: none"> A policy framework for methods for managing the location of sensitive land uses, particularly in relation to lawfully-established activities is supported.
Point Number	419.66
Summary of Decision Requested:	<p>Amend Objective 5.6.1 Country Living Zone, as follows:</p> <p><i>(a) Subdivision, use and development in the Country Living Zone maintains or enhances the character and amenity values of the zone <u>and avoids compromising rural production land or activities.</u></i></p> <p>AND</p> <p>Any consequential or additional amendments as a result of changes sought in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> The objective is inward focused. It fails to address the rural interface that is apparent with all Countryside Living Zones and often an area of rural production.
Point Number	419.67
Summary of Decision Requested:	Retain Policy 5.6.3 Subdivision within the Country Living Zone, as notified.
Decision Reasons:	<ul style="list-style-type: none"> The policy requires that subdivision, building and development within the Country Living Zone ensures existing lawfully-established activities are protected from reverse sensitivity effects.
Point Number	419.68
Summary of Decision Requested:	<p>Add Clause (vii) to Policy 6.1.2 (a) Development, operation and maintenance, as follows:</p> <p><i>(a) Provide for the development, operation, maintenance, repair, replacement, upgrading and removal of infrastructure throughout the district by recognising:</i></p> <p>...</p> <p><i><u>(vii), potential for impacts on affected landowners and property on which infrastructure is located.</u></i></p> <p>AND</p> <p>Amend Chapter 14 Infrastructure and Energy, to ensure that minor upgrading is clearly defined and does not include development or increase voltage of electricity lines.</p> <p>AND</p> <p>Any consequential or additional amendments as a result of changes sought in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> The submitter recognises the need to provide for infrastructure but considers that impacts on affected landowners should be recognised. In addition, the extent of "upgrading" needs to be defined so that it does not include development in terms of scale and effects.
Point Number	419.69
Summary of Decision Requested:	Delete Policy 6.1.4(a)(iv) Infrastructure benefits.
Decision Reasons:	<p>AND</p> <p>Any consequential or additional amendments as a result of changes sought in the submission.</p> <ul style="list-style-type: none"> Policy 6.1.4 includes managing adverse effects on the environment as an infrastructure benefit. It is unclear how adverse effects on the environment are considered a benefit.
Point Number	419.70
Summary of Decision Requested:	<p>Amend Objective 6.1.6 (a) Reverse sensitivity, as follows:</p> <p><i>(a) <u>Infrastructure is protected from reverse sensitivity effects, and infrastructure (including the National Grid) is not compromised. Manage activities to the extent reasonably possible to reduce the potential for reverse sensitivity effects on infrastructure.</u></i></p> <p>AND</p>

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The objective seeks an outcome to protect. Even the National Policy Statement for Electricity Transmission does not have an objective to 'protect', however it seeks to manage activities to the extent reasonably possible.
- The important matter is that activities are managed to reduce the potential for reverse sensitivity effects on infrastructure.
- In essence the objective is seeking to apply an objective for the National Grid, which is recognised as nationally significant on all infrastructure, therefore the general objective for infrastructure should be differentiated from specific Objective 6.2.1 National Grid.

Point Number 419.71

Summary of Decision Requested: Delete Policy 6.1.7 Reverse sensitivity and infrastructure

AND

Add a new replacement Policy 6.1.7 Reverse sensitivity and infrastructure, as follows:

Manage the potential adverse effects of activities adjacent to infrastructure, including to reduce the potential for reverse sensitivity effects, by ensuring sensitive activities, and inappropriate subdivision, use and development do not occur in a location or form that significantly constrains the safe, effective and efficient operation, maintenance, upgrade and development of the infrastructure.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- A policy of 'avoid' is absolute, which will severely limit activities adjacent to infrastructure.
- The policy should be to manage the potential is reduced.

Point Number 419.72

Summary of Decision Requested: Amend Objective 6.1.8 (a) Infrastructure in the community and identified areas, as follows:

(a) Infrastructure takes into account the qualities, land use and characteristics of surrounding environments and community well-being.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- Infrastructure should also take into account the land use of the surrounding environment.

Point Number 419.73

Summary of Decision Requested: Retain Policy 6.1.16 Water conservation, as notified.

Decision Reasons:

- The submitter supports policy that encourages water conservation. This is important in urban and rural situations.
- Notably, the scattered countryside living lots will all have a permitted activity allocation of water; a resource also in demand for rural production.
- Water conservation should be encouraged through subdivision and land use design requirements and assessment criteria.

Point Number 419.74

Summary of Decision Requested: Amend Objective 6.2.1 National Grid, as follows:

(a) The national significance of the National Grid is recognised and ~~protected~~ provided for.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The objective seeks an outcome of 'protect'.
- The National Policy Statement for Electricity Transmission does not have an objective to 'protect', however it seeks to manage activities to the extent reasonably possible.
- The important matter is that activities are managed to reduce the potential for reverse sensitivity effects on infrastructure.

Point Number 419.75

Summary of Decision Requested: Delete Policy 6.2.6 (a) Reverse sensitivity and the National Grid, and replace with the following policy:

Provide for the National Grid by:

(a) Managing subdivision, use and development to the extent reasonably possible to avoid reverse sensitivity effects on the National Grid and ensure that the functional needs of the National Grid are not compromised by;

(i) Identifying the existing National Grid on Planning Maps; and

(ii) Establish the National Grid Yard where sensitive land uses and intensive farming activities, commercial greenhouses and milking/dairy sheds will generally be avoided;

(iii) Establish the National Grid Subdivision Corridor for managing subdivision and subsequent land use near the National Grid; and

(iv) Not allowing existing activities in the identified corridors to intensify in a way that increases their incompatibility with existing National Grid infrastructure.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- This policy is absolute in its direction.
- Policy 10 of the National Policy Statement for Electricity Transmission (NPSET) includes 'to the extent reasonably possible' so the direction in the NPSET is not as absolute as the proposed policy.

Point Number 419.76

Summary of Decision Requested:	<p>Add a new clause (viii) to Policy 6.4.7 Stormwater, as follows:</p> <p>(a) <i>Ensure that stormwater and drainage infrastructure for subdivision, land use and development:</i></p> <p>...</p> <p><u>(viii) Avoid the generation and discharge of contaminants from urban development, particularly from high contaminant generating car parks and high use roads and into sensitive receiving environments.</u></p> <p>AND</p> <p>Any consequential or additional amendments as a result of changes sought in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> The development of land from rural to urban land use results in a degradation of water quality. Degradation of water quality should be avoided where possible to ensure no adverse effects on the downstream users of freshwater for rural production.
Point Number	419.77
Summary of Decision Requested:	Retain Objective 10.1.1 Effects of hazardous substances, as notified.
Decision Reasons:	<ul style="list-style-type: none"> The objective is very similar to the objective in the Christchurch decision.
Point Number	419.78
Summary of Decision Requested:	<p>Amend Policy 10.1.2 Location of new hazardous facilities, as follows:</p> <p>(a) <i>New hazardous facilities <u>to store hazardous substances</u> minimise the risk to the environment (including people and property) to acceptable levels by:</i></p> <p>...</p> <p>AND</p> <p>Any consequential or additional amendments as a result of changes sought in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> The submitter opposes the approach in Policy 10.1.2 because of the definition of hazardous facility that includes vehicles for the transport of hazardous substances located at a facility for more than short periods of time. It is uncertain what a short period of time is and would make a whole farm of rural property a hazardous facility as a vehicle may be used to transport agrichemicals or fertiliser for application. The application of the policy to such use of hazardous substances is inappropriate. The policy should only apply to new facilities to store hazardous substances, excluding vehicles.
Point Number	419.79
Summary of Decision Requested:	<p>Amend Policy 10.1.3 (a) Residual risks of hazardous substances, as follows:</p> <p>(a) Facilities for the <i>The use, storage or disposal of hazardous substances shall identify and assess potential adverse effects (including cumulative risks and potential effects of identified natural hazards) to prevent unacceptable levels of risk to human health, safety, property and the natural environment.</i></p> <p>AND</p> <p>Any consequential or additional amendments as a result of changes sought in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> The policy sets out considerations that are required for use, storage or disposal of hazardous substances that are required under other regulations. However, it should apply to the use, storage or disposal of hazardous substances and not be limited to 'facilities'.
Point Number	419.80
Summary of Decision Requested:	<p>Amend Policy 10.1.4(a) Reverse sensitivity effects, as follows:</p> <p>(a) <i>Separate sensitive land use activities from <u>areas where use and storage of hazardous substances is lawfully established</u> hazardous facilities;</i></p> <p>AND</p> <p>Any consequential or additional amendments as a result of changes sought in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> The policy relating to reverse sensitivity effects is supported to the extent that sensitive land use activities be separated from areas where hazardous substances are used. However, the policy is contingent on the definition of "hazardous facility" which the submitter considers to be inappropriate.
Point Number	419.81
Summary of Decision Requested:	<p>Amend activity specific conditions 14.3.1.1 (2) in Rule 14.3.1 Permitted Activities, relating to P2 Minor upgrading of existing infrastructure, as follows:</p> <p>(2) <i>Alterations and additions to overhead electricity and telecommunication lines on existing poles or support structures involving any of the following:</i></p> <p>...</p> <p>(b) <i>The reconductoring of the line with higher capacity conductors <u>if the line was previously designed to operate at the higher capacity</u>;</i></p> <p>...</p> <p>(j) <i>The increase in voltage of electric lines up to 110kV <u>if the line was previously designed to operate at the higher capacity</u>; or</i></p> <p>AND</p> <p>Any consequential or additional amendments as a result of changes sought in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> The submitter seeks to ensure that reconductoring of lines at higher capacity do not affect landowners. The rules permit minor upgrading of existing infrastructure which includes reconductoring lines at a higher capacity and any increase in voltage up to 110kV. If the lines are on private property the distances in the New Zealand Code of Practice for Electrical Safe Distances will apply, meaning that the greater the voltage, the greater the clearance distance required for buildings and structures below the lines. The increase in voltage can affect landowners and should not be able to done as a permitted activity.

Point Number 419.82

Summary of Decision Requested: **Amend** activity specific conditions 14.3.1.4 in Rule 14.3.1 Permitted Activities, relating to P5 Trimming, maintenance or removal of vegetation or trees associated with infrastructure, by adding "or" at the end of 2) (ii).

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- No specific reasons have been provided for the request to add the word "or".

Point Number 419.83

Summary of Decision Requested: **Add** a new matter of discretion to Rule 14.3.3 RD1 Restricted Discretionary Activities, as follows:

x. effects on affected landowners.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- It is important that the effects on owners of land, where infrastructure is to be located, is a matter of discretion for restricted discretionary activities.

Point Number 419.84

Summary of Decision Requested: **Amend** activity specific condition 14.4.1.2 (1) in Rule 14.4.1 Permitted Activities, relating to P2 Buildings, structures and sensitive land use within the National Grid Yard in all other zones as of 18 July 2018, as follows:

1) Within the National Grid Yard in the Business, Industrial, Country Living, Heavy Industrial, Rural, Town Centre Business, Te Kowhai Airpark, or Reserves Zone:

...

(b) Infrastructure ~~other than for the reticulation and storage of water for irrigation purposes~~ undertaken by a network utility operator as defined in the Resource Management Act 1991; or

(c) Non-habitable buildings or structures for ~~farming~~ primary production activities in rural zones (but not including any intensive farming buildings, commercial greenhouses and milking/dairy sheds); or

...

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The rule sets out the activities that are permitted within the National Grid Yard.

Point Number 419.85

Summary of Decision Requested: **Amend** Policy 4.1.3 Location of development, by expanding the policy to avoid the location of development on high class soils.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The submitter opposes the policy direction for the location of development. This should be expanded to avoid high class soils even if this conflicts with the Future Proof Strategy Planning for Growth 2017 which was deficient in not considering this matter.

Point Number 419.86

Summary of Decision Requested: **Amend** Policy 4.3.3 Future development - Tuakau and Te Kowhai, by expanding the policy to recognise the unique situation of Tuakau to the Pukekohe 'hub' of nationally significant rural production land.

AND

Amend Policy 4.3.3 Future development - Tuakau and Te Kowhai, to address the actual and potential effects of reverse sensitivity for rural production activities at the rural/urban interface.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The submitter opposes the lack of recognition of the unique situation of Tuakau to the Pukekohe 'hub' of nationally significant rural production land.

Point Number 419.87

Summary of Decision Requested: **Add** a new clause (viii) to Policy 4.7.2 (a) Subdivision location and design, as follows:

(a) Ensure subdivision, is located and designed to:

...

(viii) recognises and addresses issues at the rural/urban interface.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- While reverse sensitivity is addressed in Policy 4.7.11 as an urban outcome, Policy 4.7.2 Subdivision location and design, would also be improved by putting this at the forefront of subdivision location and design consideration.

Point Number 419.88

Summary of Decision Requested: Add a new clause (c) to Policy 4.7.4 Lot sizes, as follows:

(c) encourage a density of development that supports intensification of existing urban areas rather than urban sprawl on to rural production land.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- Achieving sufficient density is an outcome to support infrastructure provision and is important to encourage intensification and avoid urban sprawl onto rural production land.

Point Number 419.89

Summary of Decision Requested: Add a new clause (c) to Policy 4.7.7 Achieving sufficient development density to support the provision of infrastructure services, as follows:

(c) encourage a density of development that supports intensification of existing urban areas rather than urban sprawl on to rural production land.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- Achieving sufficient density is not only an outcome to support infrastructure provision but is also important to encourage intensification and avoid urban sprawl onto rural production land.

Point Number 419.90

Summary of Decision Requested: Amend Policy 4.7.11 (b) Reverse sensitivity, as follows:

(b) Avoid potential reverse sensitivity effects of locating new dwellings in the vicinity of farming including horticulture, an intensive farming, extraction industry or industrial activity.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- A policy of avoidance of potential reverse sensitivity effects should not be limited to existing intensive farming and industrial activities in Tuakau.

Point Number 419.91

Summary of Decision Requested: Amend Policy 4.7.14 (a) Structure and master planning, as follows:

(a) Ensure that development and subdivision within approved structure or master plan areas is integrated with the development pattern and infrastructure requirements specified in an approved structure or master plan and addresses issues at the rural/urban interface.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- Structure or master plans in other areas of the Pukekohe 'hub' have failed to account for the relationship of rural production activities at the rural/urban interface.

Point Number 419.92

Summary of Decision Requested: Add a new clause (iv) to Objective 5.1.1 The rural environment, as follows:

(a) Subdivision, use and development within the rural environment where:

...

(iv) Countryside living is directed to defined locations and the effects of scattered countryside living and rural production is avoided.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The submitter supports an objective to protect high class soils for rural production.
- The submitter supports an objective protecting productive rural activities.
- Rural production is not limited to high class soils only.
- The objective seeking to avoid urban subdivision, use and development is also supported while noting this could be improved by also avoiding scattered countryside living that compromises rural production.

Point Number 419.93

Summary of Decision Requested: Retain Objective 5.2.1 Rural resources, as notified.

Decision Reasons:

- The submitter supports the provision on productive versatility of rural resources.

Point Number 419.94

Summary of Decision Requested: Amend the zoning of approximately 181ha of land on the northern and western side of Tuakau township from Residential Zone to Rural Zone. Refer to Figure 2 in the submission for details.

AND

Amend the zoning of land at the eastern end of Dominion Road to the west of Ridge Road, Tuakau from Rural Zone to Residential Zone (See Figure 2 in the submission for details).

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- There are locational reasons why the rural sector is so productive in Tuakau related to the quality of soil, freshwater, transport linkages, post-harvest facilities, access to labour, the proximity to the market and a diverse land parcel structure.
- There is a need to preserve areas of rural production for rural production and provide for growth and sustained access to land and water.
- There is a need to ensure land owners have flexibility to change rural production land use activities and that the regulatory regime is practical and supportive.
- There are areas in Figure 1 identified as having high class soil and therefore the rezoning of these sites from Rural to Residential Zone does not protect or manage adverse effects on high class soils.
- Objectives 5.1.1 and 5.2.1 seek to protect, maintain and enhance high class soils.
- Policies 5.2.2 and 5.2.3 seek to protect high class soils by retaining their primary productive values and minimising fragmentation.
- The policy framework and section 32 reports seem to recognise the finite nature of high class soils. This is not reflected in the proposed planning framework.
- These areas of land contribute significantly to New Zealand's domestic food supply.
- It is critical that the land is protected and that cultivation be allowed to continue.
- The Growth Areas topic in the section 32 report comments that there will be a loss of high class soil if used for urban development, there is a low to moderate probability of high class soils being retained for primary value and avoidance of adverse effects from proposed objectives and policies, and there is a low probability that the productive value of farming will be encouraged to be protected from new residential growth in Tuakau.
- The areas have a classification of Land Use Capability (LUC) 2 High Class Soils and rezoning is inconsistent with the intent of the Proposed Plan to protect and manage adverse effects on high class soils.
- The section 32 report acknowledges there will be reverse sensitivity effects on rural production as a result of the new urban boundary. Yet the analysis deems this acceptable, as it considers those most impacted are likely to be smaller operations and lifestyle properties. However, the submitter does not agree with this.
- The section 32 report notes that rural landowners will benefit from the sale of rezoned land. What this fails to take into account is that many horticultural operations are located on leased land.
- The financial costs to growers who are leasing land as a result of loss of production and having to find new land to lease for cropping.
- Under Waikato Regional Council Proposed Plan Change 1, growers are unable to undertake a land use change for commercial vegetable production. This would be a non-complying activity and require a grower to identify a nitrogen reference point. Neither the Waikato Regional Council or wider horticultural industry have the means to calculate the nitrogen reference point.
- Relocation to another site would likely be outside of the Waikato Region as a result of Proposed Plan Change 1, resulting in loss of employment and economic value to the local district and regional economy.
- There is the potential for greater adverse effects on the environment as lower class soils do not have the same capacity as high class soils to cope with commercial vegetable cropping.
- The potential cost to consumers from increased produce prices resulting from increased costs to growers from cropping on less versatile land.
- The ability to meet increased demands for domestic food supply in the face of reduces access to high class soil, increased reverse sensitivity effects from new rural-urban boundaries and increased population growth.
- The submitter supports reference to the Electricity (Hazards from Trees) Regulations 2003, however the word "managed" needs to be added.
- The note has limited status in the Plan.

Point Number 419.95

Summary of Decision Requested: **Add** land preparation for horticultural activities as a permitted activity, with a possible condition being:

The activity complies with the Horticulture New Zealand Code of Practice 'Erosion and Sediment Control Guidelines for Vegetable Production' (June 2014)

Decision Reasons:

- The submitter has developed a code of practice for erosion and sediment control to provide guidance at an industry level for cultivation of vegetable crops which has been adopted by Auckland Council, Environment Canterbury and Waikato Regional Council.
- The submitter does not support inclusion of land preparation in volume based thresholds for earthworks, as the potential for adverse effects can be managed appropriately through this code of practice.

Point Number 419.96

Summary of Decision Requested: No specific decision sought, however the submitter opposes the approach to hazardous substances in the Proposed District Plan and seeks amendments to the provisions for hazardous substances.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- It involves the introduction of regulations which is unnecessary as they are provided for under the HSNQ and Health and Safety at Work regulations.
- The 2017 RMA Amendment Act deleted specific requirements for the Council to include control of hazardous substances in the Proposed District Plan.
- The section 32 report justified the approach by needing to provide for integrated management and to meet section 5 of the Act.
- Other existing regulations address the health and safety of communities and do not need to also be considered as proposed in the District Plan.
- The section 32 report considers the provisions that currently exist in the Franklin Section of the Waikato District Plan and also the Waikato Section. The Franklin Section has a lesser regulatory approach than the Waikato Section. There is no analysis that the Franklin approach has led to unacceptable outcomes in terms of managing hazardous substances in the Franklin area. The comments are limited to the provisions being of limited use and out-of-date.
- The submitter does not agree with the assessment as the Franklin provisions are more aligned with the Christchurch City Council approach.
- The assessment fails to take into account the costs that would be imposed on those located within the Franklin area by the imposition of a greater regulatory regime than currently exists.
- Activity status tables are a screening tool that sets thresholds over which consent would be required. The identification is not based on specific effects that may arise from the activity but on the premise that storage of specified quantities of hazardous substances, dependent on location, may have the potential to create adverse effects.
- The substances and quantities of hazardous substances that a grower may have in a store can vary day to day etc.
- Growers do not purchase large quantities to hold in storage, therefore the time in storage tends to be short. They also purchase in response to a crop requirement or pest incursion which can vary season to season.
- Taking a stocktake and doing the calculations to establish quantity limits for all hazard classifications could be out of date within days. Therefore it is impractical to continually update the calculations to ensure the Activity Status tables are met.
- The consideration that provisions should be aligned assumes that the Waikato Section approach is the most appropriate and does not give due consideration to the matters identified in the Christchurch decision, even though this was provided to the Council.
- Where there is a clear resource management issue that is not addressed by HSNQ, then it would be appropriate to include specific provisions within the plan to address the issue.

Point Number 419.97

Summary of Decision Requested: **Amend** the Proposed District Plan to ensure the safe, responsible and appropriate storage and use of hazardous substances that does not require unnecessary compliance

AND

Amend the Proposed District Plan to incorporate an approach to managing hazardous substances that ensures most appropriate, effective and efficient methods are used for storage and use of hazardous substances, which are simple and clear, do not duplicate the requirements under the Hazardous Substances and New Organisms Act 1996 and avoid confusion for users.

AND

Delete the use of Activity Status Tables or quantity trigger limits for the management of hazardous substances.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- There is a need to avoid duplication of the Hazardous Substances and New Organisms Act 1996.
- There is no consideration of specific provisions deemed necessary for Waikato District.
- The Activity Status Table approach is unworkable for horticulture growers.
- It does not implement best practice for management of hazardous substances.
- It is not required as a result of the Resource Management Amendment Act 2017.
- Activity status tables are not based on specific effects that may arise from the activity.

Point Number

419.98

Summary of Decision Requested:

Amend the planning maps and rules to clarify the purpose of the Hamilton Basic Ecological Area.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- There are no specific rules relating to the overlay and no clarification is provided in the section 32 reports.
- The submitter has been informed that the Hamilton Basin Ecological Area overlay is a Environmental Protection Area. However it is noted that the proposed planning maps have a separate key for Environmental Protection Areas, which is a different from the key for the Hamilton Basin Ecological Area.
- Council staff advised that Rule 22.4.1.6 Conservation lot subdivision relates to the Hamilton Basin Ecological Area and that Rule 22.3.7.6 Building setback - Environmental Protection Area relates to areas identified in the Te Kauwhata Structure Plan.

Point Number

419.99

Summary of Decision Requested:

Consider rates relief for situations where high class soils are rezoned for residential use.

Decision Reasons:

- Growers are provided a perverse incentive to subdivide as they are rated for the potential use of the land, rather than the actual use of the land. This incentive is maximised when land is rezoned from rural to residential. HortNZ has had feedback that even though growers don't want to leave the land, the cost of rates inhibits the viability of the growing operation.
- With a diminished supply of high class soils and versatile land, combined with other regulatory constraints (such as Proposed Plan Change 1) and the general cost of land are significant constraints which impact the long-term survival of the horticulture industry. This in term has repercussions for domestic food supply as outlined above.

Point Number

419.100

Summary of Decision Requested:

Add two new clauses (vii) and (viii) to Section 1.12.8 (b) Strategic objectives as follows:

(b) In summary, the overarching directions include the following:

...

(vii) promote the on-going operation and development of rural production activities, including rural industry and services

(viii) plan for future development and growth that supports the district's rural communities and rural economy.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The directions in Section 1.12.8 (b) fail to recognise the need to provide and plan for growth of the rural economy and communities.
- The section 32 report notes that the rural area contains up to 72% of the district businesses and 52% of the population. Planning for future rural growth is as important as planning for future urban growth.
- It is relevant that a direction should be included to ensure the on-going vitality and sustainable growth of rural communities.

Point Number

419.101

Summary of Decision Requested:

Retain Objective 4.1.2 Urban growth and development, as notified.

Decision Reasons:

- The submitter supports the consolidation of urban growth in and around existing towns and villages in the district, where that does not compromise rural production activities.

Point Number

419.102

Summary of Decision Requested:

Amend Policy 4.1.10 (a)(ii) Tuakau, as follows:

(a) Tuakau is developed to ensure:

...

(ii) Existing farming including horticulture, intensive farming and industrial activities are protected from the effects of reverse sensitivity by considering the location of new residential development; and

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- A policy of avoidance of potential reverse sensitivity effects should not be limited to existing intensive farming and industrial activities in Tuakau.

Point Number 419.103

Summary of Decision Requested: **Amend** the activity specific conditions in 14.4.1.3 in Rule 14.4.1 Permitted Activities, relating to P3 Earthworks activities within the National Grid Yard, as follows:

~~(1) Earthworks for National Grid support poles and any stay wires that comply with the following conditions Earthworks in the National Grid Yard that comply within the following conditions:~~

...

~~(2) Earthworks for National Grid support towers (including any tubular steel tower that replaces a steel lattice tower) that comply with all of the following conditions Earthworks in the National Grid Yard that comply within the following conditions:~~

...

(3) The following earthworks activities are exempt from Rules 14.4.1.3(1) and (2):

(a) Earthworks that are undertaken by a network utility operator ~~(other than for the reticulation and storage of water for irrigation purposes)~~ as defined by the Resource Management Act 1991;

...

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The purpose of the provisions is to provide for earthworks within the National Grid Yard as 14.4.1.3 states 'Earthworks for National Grid support poles and stay wires'.

Point Number 419.104

Summary of Decision Requested: **Retain** Rule 14.4.2 RD3 Restricted Discretionary Activities, as notified.

Decision Reasons:

- The submitter supports a restricted discretionary activity rule for earthworks that are not permitted activities.

Point Number 419.105

Summary of Decision Requested: **Amend** Rule 14.4.4(a)NC8 Non-Complying Activities as follows:

~~Any new hazardous facility that involves the storage and handling of hazardous substances with explosive or flammable intrinsic properties within 12m of the centre line of a National Grid Transmission Line. The storage and handling of hazardous substances HSNO Classes 2-4 with explosive or intrinsic flammable properties in the National Grid Yard.~~

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The identification of hazardous substances to be stored in the National Grid Yard should be defined by HSNO class.
- The classes for explosive or flammable properties are Class 2-4.

Point Number 419.106

Summary of Decision Requested: **Delete** the activity specific condition 14.5.1.3 in Rule 14.5.1 Permitted Activities, relating to P5 Construction or alteration of a building for a sensitive land use.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- NZECP34:2001 sets out distances that apply within proximity to electrical distribution lines.
- The submitter does not consider that it is necessary to require additional requirements in the District Plan. The distances sought in 14.5.1.3 are greater than those required by NZECP34:2001.

Point Number 419.107

Summary of Decision Requested: **Amend** activity specific condition 14.12.1.4 (1)(d)(i) in Rule 14.12.1 Permitted Activities, as it relates to P4 Traffic Generation, as follows:

(d) Within the Rural Zone:

~~(i) There is a maximum 200 vehicle movements per day and no more than 15% of these vehicle movements are heavy vehicle movements; or~~

For activities directly associated with horticulture harvesting, a maximum of 300 vehicle movements once in a 12 month period and no more than 33% of these vehicle movements are heavy vehicle movements; or

...

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The proposed maximum permitted traffic movements for rural activities is sufficient for everyday horticultural operations. However, at harvest time the volume of product significantly increases and requires a considerably higher number of trucks to transport produce for processing and distribution.
- The 15% maximum heavy vehicles equate to 30 trucks.
- The submitter seeks an exemption to allow for an increased volume of traffic movements once every 12 months, and only associated with harvest time.
- A total of 50 trucks or 100 vehicle movements is sought to allow for the contingency.

Point Number 419.108

Summary of Decision Requested:	<p>Add provisions to Table 14.12.5.7 Required parking spaces and loading bays, as follows:</p> <ul style="list-style-type: none"> • <u>Coolstores 1 space per 1000m2 GFA</u> • <u>Workers' accommodation 1 space per 12 workers accommodated</u> <p>AND</p> <p>Any consequential or additional amendments as a result of changes sought in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> • The submitter seeks that specific consideration is given to parking provision for seasonal worker accommodation and coolstores. • Coolstores may have a large floor area but very few people working in the area. • The requirements for parking are less than that for industrial activities. • Seasonal workers are usually transported by car so parking requirements are less than travellers' accommodation.
Point Number	419.109
Summary of Decision Requested:	<p>Add a new clause (ii) to Rule 24.4.2 RD1 (a) Subdivision - Te Kowhai and Tuakau, as follows:</p> <p><i>(a) Subdivision in Te Kowhai and Tuakau must comply with all of the following conditions:</i></p> <p>...</p> <p><i>(ii) Where a subdivision adjoins Rural Zone land, a buffer strip no less than 10m wide must be provided along the adjoining boundary.</i></p> <p>AND</p> <p>Add a new matter of discretion to Rule 24.4.2 RD1 (b) Subdivision - Te Kowhai and Tuakau, as follows:</p> <p><i>(ix) reverse sensitivity effects on land identified as high class soil, on land with rural production potential and on permitted farming activities.</i></p> <p>AND</p> <p>Any consequential or additional amendments as a result of changes sought in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> • The submitter is concerned at the extent of rural land proposed to be rezoned for residential/urban purposes in Tuakau. • The area north of the Waikato River is critical to New Zealand's domestic food supply. • Any further development in this area needs to be appropriately located to avoid high class soil and versatile land, and to be managed appropriately to avoid reverse sensitivity effects. • It is appropriate that additional standards be provided to support on-going operation and development of horticulture in this district. This aligns with the proposed policies.
Point Number	419.110
Summary of Decision Requested:	<p>Add a new clause (ii) to Rule 24.4.2 RD2 (a) Subdivision - Te Kowhai and Tuakau, as follows:</p> <p><i>(a) Subdivision in Te Kowhai and Tuakau must comply with all of the following conditions:</i></p> <p>...</p> <p><i>(ii) Where a subdivision adjoins Rural Zone land, a buffer strip no less than 8m wide must be provided along the adjoining boundary.</i></p> <p>AND</p> <p>Add a new matter of discretion to Rule 24.4.2 RD2 (b) Subdivision - Te Kowhai and Tuakau, as follows:</p> <p><i>(ix) reverse sensitivity effects on land identified as high class soil, on land with rural production potential and on permitted farming activities.</i></p> <p>AND</p> <p>Any consequential or additional amendments as a result of changes sought in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> • It is appropriate that additional standards be provided to ensure reverse sensitivity effects are avoided or mitigated.
Point Number	419.111
Summary of Decision Requested:	Retain the definition of "Agricultural and horticultural research activities" in Chapter 13: Definitions, as notified.
Decision Reasons:	<ul style="list-style-type: none"> • These activities are an integral component of rural production, require a rural location and access to the rural resources and are necessary to continue to maintain and grow rural production in New Zealand.
Point Number	419.112
Summary of Decision Requested:	<p>Add the following to the definition of "Accessory building" in Chapter 13 Definitions:</p> <p><u>Auxiliary building has the same meaning.</u></p> <p>AND</p> <p>Any consequential or additional amendments as a result of changes sought in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> • The definition sought for primary production uses the term auxiliary building which has the same meaning as an accessory building.
Point Number	419.113
Summary of Decision Requested:	<p>Amend the definition of "Airfield" in Chapter 13 Definitions, as follows:</p> <p><u>Means an area of land set aside from other uses for the purposes of enabling aircraft to land and take off and includes rural airstrips and helicopter landing areas.</u></p> <p>AND</p> <p>Any consequential or additional amendments as a result of changes sought in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> • It should be clear if the definition of airfield is meant to include rural airstrips and helicopter landing areas.

Point Number 419.114

Summary of Decision Requested: EITHER:

Add a new definition for "Land preparation" in Chapter 13 Definitions, as follows:

Means the disturbance of soil by machinery for planting, replanting, tending or harvesting pasture or crops. Land preparation includes blading, contour ploughing, ripping, mounding, stepping, contouring, bunding and sediment control measures and drainage associated with horticultural crops but does not include direct drilling or mechanical land preparation associated with plantation forestry.

AND

Amend the definition of "ancillary rural earthworks" in Chapter 13 Definitions, as follows:

Means any earthworks or disturbance of soil associated with:

1. cultivation and land preparation ~~(including establishment of sediment and erosion control measures)~~ for planting and growing operations;
2. harvesting of agricultural and horticultural crops (farming) and forestry (forestry); and
3. maintenance and construction of facilities typically associated with farming and forestry activities including, but not limited to, farm/forestry tracks, roads and landings, stock races, silage pits, farm drains, farm effluent ponds, feeding pads, fencing and sediment control measures.

AND

Amend the definition of "Earthworks" in Chapter 13 Definitions, to specifically exclude "Ancillary rural earthworks" for clarity.

OR

Amend the definition of "Ancillary rural earthworks" in Chapter 13 Definitions, to include contouring, ripping and blading

AND

Amend the definition of "Earthworks" in Chapter 13 Definitions, to specifically exclude "Ancillary rural earthworks".

AND

Any consequential or additional amendments as a result of changes sought in the submission.

- Decision Reasons:**
- The submitter supports the inclusion of ancillary earthworks activities which are typical of rural operations.
 - The submitter supports the inclusion of cultivation, land preparation and works to enable sediment control measures and farm drainage.
 - While this definition applies to some horticulture grower activities, there are a range of activities that could potentially be classes as earthworks but which have effects that can be sufficiently managed through Horticulture New Zealand's code of practice and have minimal potential for creation of sediment laden stormwater.
 - The submitter seeks that the term 'land preparation' be broadened and included in the definitions.
 - This approach has recently been supported and adopted in the Proposed Northland Regional Plan.
 - Ancillary farming earthworks should be specifically excluded from the definition of earthworks for clarity.

Point Number 419.115

Summary of Decision Requested: **Add** a definition for "Artificial crop protection structures" to Chapter 13 Definitions, as follows:

Artificial crop protection structures

Means structures with material used to protect crops and/or enhance growth (excluding greenhouses).

AND

Any consequential or additional amendments as a result of changes sought in the submission.

- Decision Reasons:**
- As the term artificial crop protection structure is used in the Plan, it should be defined.

Point Number 419.116

Summary of Decision Requested: **Delete** (e) in the definition of "Building" in Chapter 13 Definitions, and replace with the following:

Has the meaning the Building Act 2004, excluding:

...

(e) artificial crop protection structures and crop support structures

OR

Amend (e) in the definition of "Building" in Chapter 13 Definitions, as follows:

Has the meaning in the Building Act 2004, excluding:

...

(e) a structure that is permeable and less no greater than 4.8 metres in height to protect crops from agricultural use.

OR

Delete the definition of "Building" in Chapter 13 Definitions, and replace with the following:

Means any impervious structure, whether temporary or permanent, moveable or fixed, that is enclosed with 2 or more walls and a roof, or any structure that is similarly enclosed.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

- Decision Reasons:**
- The submitter supports the exclusion of structures to protect crops for agricultural use.
 - The 4m height restriction is not practical.
 - To be effective, most crop protection structures need to be at least 8m high. These structures are necessary to ensure high quality fruit production through protection from hail, wind and frost.
 - All artificial crop protection structures would automatically trigger building coverage, height and setback controls.
 - These structures are permeable to control temperature and allow rain through. Therefore, coverage and platform rules are irrelevant.
 - These structures are a necessary function of horticulture.
 - It is more appropriate to control height through rules in the Plan.
 - This definition deviates from the Draft National Planning Standards.

Point Number 419.117

Summary of Decision Requested: **Amend** the definition of "Building coverage" in Chapter 13 Definitions, as follows:

Means the proportion of the net site area which is covered by any building. It includes:

(a) overhanging or cantilevered parts of buildings or structures

(b) covered decks

...

It excludes:

...

(e) artificial crop protection structures and crop support structures.

OR

Amend the definition of "building" in Chapter 13: Definitions as sought elsewhere in the submission.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- Artificial crop protection structures are permeable by design to manage temperature and allow for rain penetration.
- Accordingly, there is no impact on stormwater runoff as a result of these structures.

Point Number

419.118

Summary of Decision Requested:

Amend the definition of "Earthworks" in Chapter 13 Definitions, as follows:

Means modification of land surfaces by blading, contouring, ripping, moving, removing, placing, or replacing soil or earth, or by excavation, or by cutting or filling operations, but excludes ancillary rural earthworks and burying of plant material that is infected by an unwanted organism as declared by the Ministry of Primary Industries Chief Technical Officer or an emergency declared by the Minister under the Biosecurity Act 1993.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- Blading, contouring and ripping are ancillary earthworks for horticulture. The definition should exclude ancillary rural earthworks.
- There needs to be provision to enable a rapid response to biosecurity matters.
- Burying of plant material is one means of a biosecurity response and was applied during the PSA incursion on kiwifruit.

Point Number

419.119

Summary of Decision Requested:

No specific decision requested, but the submission is seeking clarification of the definition of "Energy Corridor" in Chapter 13 Definitions.

Decision Reasons:

- The term "Energy Corridor" has the same definition as "Emergency generator".

Point Number

419.120

Summary of Decision Requested:

Delete the term "Farming" in Chapter 13 Definitions, and replace with the term "Primary production" as follows:

Primary production

Means

(a) any agricultural, pastoral, horticultural, forestry or aquaculture activities for the purpose of commercial gain or exchange; and

(b) includes any land and auxiliary buildings used for the production of the products, including storing, washing and packing of product for market, that result from the listed activities; but

(c) does not include processing of those products into a different product.

AND

Amend the Proposed District Plan by replacing all uses of the term "farming" with "primary production"

OR

Amend the definition of "Farming" in Chapter 13 Definitions, as follows:

Means an agricultural, horticultural or apicultural activity having as its primary purpose the production of any livestock or crop using the in-situ soil, water and air as the medium for production, or the indoor production of plants.

It includes:

(a) Ancillary produce stalls;

(b) Processing of farm produce grown on the land, such as cutting, cleaning, grading, chilling, freezing, packaging and storage.

(c) Greenhouses

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The Draft National Planning Standards has a definition for "primary production".
- The submitter prefers the use of the term "primary production" and seeks that all references to farming be amended to primary production.
- Alternatively, the submitter seeks that the definitions of "farming" is amended to include indoor horticulture.

Point Number

419.121

Summary of Decision Requested:

Amend the definition of "Farming noise" in Chapter 13 Definitions, as follows:

~~Farming~~Primary production noise

Means noise generated by ~~primary production agricultural~~ vehicles, machinery or equipment, any aircraft used for aerial spraying or fertiliser application, ~~agricultural machinery or equipment~~ and farm animals, including farm dogs. It does not include bird scaring devices and frost fans.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The definition of "farming noise" is supported but the submitter notes that aircraft are used for both spraying and fertiliser application.
- To be consistent with the change of farming to primary production, the terms should be amended to "primary production noise".
- The term should not be limited by 'agricultural' activities as these are only one type of primary production activity.

Point Number 419.122

Summary of Decision Requested: **Add** a definition for "Greenhouse" to Chapter 13 Definitions, as follows:

Greenhouses are a totally enclosed structure where plants are grown in a controlled environment.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- A definition for greenhouses may assist in interpreting the proposed amendment to the definition of primary production.

Point Number 419.123

Summary of Decision Requested: **Delete** the definition of "Hazardous facility" from Chapter 13 Definitions.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The submitter does not consider that there is a need for a definition of "hazardous facility" given the approach that is sought for hazardous substances.
- The proposed definition would include a tractor or quad bike with a spray tank with agrichemicals as a hazardous facility and would hence make the whole farm a hazardous facility.

Point Number 419.124

Summary of Decision Requested: **Amend** the definition of "High class soils" in Chapter 13 Definitions, as follows:

Means those soils in the Land Use Capability Classes I and II (excluding peat soils) and soils in Land Use Capability IIIc and IIIe5, classified as Allophanic Soils, and III using the New Zealand Soil Classification.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The definition of "High class soils" is the key to the implementation of the proposed rural subdivision framework.
- The proposed definition is wholly reliant on the New Zealand Soil Classification System to define these areas.
- While this is a useful starting point, it is the experience of Horticulture New Zealand that there is other land and other factors that make land capable of high value rural production.
- The proposed definition is too limited.
- There are areas of peat soil which are currently high producing for commercial vegetable growing, for instance some areas around Buckland, Te Kauwhata, Waikati and Mercer.
- There are areas where the broader units of LUC III are utilised for commercial vegetable growing, including numerous areas around Pukekawa.

Point Number 419.125

Summary of Decision Requested: **Retain** the definition of "Indigenous vegetation" in Chapter 13 Definitions, as notified.

Decision Reasons:

- The exclusion of planted shelter belts comprising indigenous species from the definition of indigenous vegetation is supported.

Point Number 419.126

Summary of Decision Requested: **Delete** the definition of "Intensive farming" in Chapter 13 Definitions and replace with a definition of "intensive primary production" as follows:

Intensive primary production

Means primary production activities that involve the production of fungi, livestock or poultry that principally occur within buildings.

OR

Amend the definition of "Intensive farming" in Chapter 13 Definitions, as follows:

Means farming

It excludes the following, provided the building is used for the purpose for which it was built:

(a) woolsheds;

(b) dairy sheds;

(c) calf pens or wintering accommodation for less than 30 stock (except where stock are being reared for the replacement of breeding stock to be used on the same property); and

(d) ~~glasshouse~~ greenhouse production or nurseries

AND

Delete reference to the number of stock if the definition of "Intensive primary production" is retained, and instead include those in the rules or conditions.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The submitter supports the definition of "Intensive farming", particularly the exclusion of glasshouses, however suggests using the term 'greenhouse' (although no reasons have been provided).
- The proposed National Planning Standards has a definition for "intensive primary production" which would be appropriate to include in the Proposed District Plan.
- Standards relating to the number of stock should be included in the rules or conditions.

Point Number 419.127

Summary of Decision Requested: **Amend** the definition of "Minor upgrading of existing infrastructure" in Chapter 13 Definitions, as follows:

Means an increase in the capacity, efficiency or security of existing infrastructure where this utilises existing structures and networks and/or structures and networks of a similar scale and character.

An increase in voltage of the National Grid or electricity distribution lines can only occur as minor upgrading if the line was constructed for the increased voltage.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The definition is supported in that the work should be of similar scale and character.
- It should be clear that an increase in voltage can only be undertaken if the line was constructed for that voltage.

Point Number 419.128

Summary of Decision Requested: **Amend** the term "National Grid yard" in Chapter 13: Definitions to "National Grid subdivision corridor" .

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The definition for "National Grid yard" sets out the distances that should apply to the "National Grid corridor".
- The "National Grid corridor" is specific to subdivision so the words "Subdivision Corridor" should be included.

Point Number 419.129

Summary of Decision Requested: **Amend** the term "National Grid corridor" in Chapter 13: Definitions to "National Grid yard."

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The definition of "National Grid corridor" sets out the distances that should apply to the "National Grid yard".

Point Number 419.130

Summary of Decision Requested: **Amend** the definition of "Noise-sensitive activity" in Chapter 13 Definitions, as follows:

Means the following:

(a)...

(b) ~~marae and marae complex sensitive land uses within marae complex~~

...

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The definition of "Noise-sensitive activity" includes a marae complex as defined in the Proposed District Plan.
- The definition should be limited to the buildings where sensitive activities are undertaken.

Point Number 419.131

Summary of Decision Requested: **Delete** the definition of "Noxious, dangerous, offensive or toxic activities" from Chapter 13 Definitions.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- Discharges to air are managed by the Waikato Regional Council.

Point Number 419.132

Summary of Decision Requested: **Amend** the definition for "Reservoir" in Chapter 13 Definitions, to include water storage for irrigation.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- There should be inclusion of water storage for irrigation.

Point Number 419.133

Summary of Decision Requested: **Add** a definition for "Reverse Sensitivity" to Chapter 13 Definitions, as follows:

means the potential for the operation of an existing lawfully established activity to be compromised, constrained, or curtailed by the more recent establishment or alteration of another activity which may be sensitive to the actual, potential or perceived adverse environmental effects generated by an existing activity.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- Terms used in the plan should be defined.
- The Draft National Planning Standard includes a definition of "reverse sensitivity".

Point Number 419.134

Summary of Decision Requested: **Delete** the definition for "Rural ancillary earthworks" from Chapter 13 Definitions.
AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- This is the same definition as "Ancillary Rural Earthworks".
- It is unnecessary repetition.

Point Number 419.135

Summary of Decision Requested: **Delete** the definition of "Rural Industry" from Chapter 13 Definitions
AND

Add a new definition for "Rural Industry and Services" to Chapter 13 Definitions, as follows:

Rural industry and services

means an activity undertaken within a rural area where the activity is directly related to rural production activities and includes:

- facilities for processing, packing and storing primary products and
- activities which service rural production
- rural contractors depots
- post harvest facilities
- research facilities

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The proposed definition is too narrow.
- There are a number of activities which are undertaken within the rural area that support primary production and are appropriately located within rural areas.
- These supporting activities are critical to the future growth of the wider horticulture industry.

Point Number 419.136

Summary of Decision Requested: **Add** a new definition for "Farm worker accommodation" to Chapter 13 Definitions, as follows:

Accommodation for people whose duties require them to live on-site, and in the rural zones for people who work on the site or in the surrounding rural area.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The provision of seasonal worker accommodation is becoming a necessary supporting activity to horticultural operations.

Point Number 419.137

Summary of Decision Requested: **Delete** the acronym "SNA" in Chapter 13 Definitions
AND

Add a glossary of abbreviations in the Proposed District Plan.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The definition of "SNA" refers to the definition of Significant Natural Area which is unnecessarily repetitive.
- The submitter considers that abbreviations could be placed in a separate glossary.

Point Number 419.138

Summary of Decision Requested: **Amend** the definition of "Storage" in Chapter 13 Definitions, as follows:

Means in the context of a hazardous substance or hazardous waste, the containment of a hazardous substance or hazardous waste, either above ground or underground, in enclosed packages, containers or tanks. ~~It includes vehicles used to transport any hazardous substance that are stationary within a hazardous facility for more than short periods of time.~~

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The proposed definition would mean that a tractor or quad bike with a spray tank containing agrichemicals is a storage facility.

Point Number 419.139

Summary of Decision Requested: **Amend** the definition of "Use" in Chapter 13 Definitions, so that the application of agrichemicals and fertiliser is excluded.
AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The definition should specifically exclude the application of agrichemicals and fertilisers for the intended use.
- Applications of agrichemicals and fertilisers are managed by the Waikato Regional Council as discharges and Waikato District Council should not also be regulating them.

Point Number 419.140

Summary of Decision Requested: Amend the definition of "Vegetation clearance" in Chapter 13 Definitions, as follows:

Indigenous Vegetation clearance

Includes the modification, burning, cutting, crushing, spraying and removal by physical, mechanical, chemical or other means of indigenous vegetation, of all forms of vegetation, including indigenous, and may include exotic plants. It does not include vegetation clearance relating to routine cultivation or grazing clearing;

(a) hedges, shelter belts and amenity plants, or

(b) vegetation along fences and around dams and ponds, or

(c) vegetation around public utility networks, or

(d) vegetation that impedes or is likely to impede flood flows

(e) vegetation for the maintenance of roads and tracks, or

(f) scattered trees, shrubs or regenerating bush amongst pasture or horticultural crops, or

(g) vegetation that is infected by an unwanted organism as declared by the Ministry of Primary Industries Chief Technical Officer or an emergency declared by the Minister under the Biosecurity Act 1993.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The submitter seeks clarity with the relationship between the use of "indigenous vegetation" and "vegetation clearance" used in the Proposed District Plan.
- Throughout the Proposed District Plan, the wording in rules relates to "indigenous vegetation clearance".
- The submitter is unable to locate any rules within the Proposed District Plan that relate to vegetation clearance of non-indigenous species. All relevant rules appear to apply to indigenous vegetation only.
- The submitter supports the exclusion of vegetation clearance relating to routine cultivation.
- Productive rural land use requires the ability to manage vegetation species and growth to ensure production activities are not compromised.

Point Number 419.141

Summary of Decision Requested: No specific decision sought, however the submitter opposes the use of Activity Status Tables or quantity trigger limits for the management of hazardous substances.

Decision Reasons:

- There is a need to avoid duplication with the Hazard Substances and New Organisms Act 1996.
- There is no consideration of specific provisions deemed necessary for Waikato District.
- The Activity Status Table approach is unworkable for horticulture growers.
- It does not implement best practice for management of hazard substances.
- It is not required as a result of the Resource Management Amendment Act 2017.

Point Number 419.142

Summary of Decision Requested: Delete the note in 14.3.1.4 relating to P5 Trimming or removal of vegetation or trees associated with infrastructure

AND

Add a new activity specific condition 14.3.1.4 in Rule 14.3.1 Permitted Activities, relating to P5 Trimming or removal of vegetation or trees associated with infrastructure, as follows:

(2) Trimming, maintenance or removal of vegetation or trees in and around electrical assets shall be managed in accordance with the Electricity (Hazards from Trees) Regulations 2003.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- The submitter supports reference to the Electricity (Hazards from Trees) Regulations 2003, however the word "managed" needs to be added.
- The note has limited status in the Plan.

Point Number 419.143

Summary of Decision Requested: Amend the definition of "hazardous facilities" in Chapter 13: Definitions, as follows:

Means activities involving hazardous substances and premises at which these substances are used, stored or disposed of. Storage includes vehicles for their transport locally at a facility for more than short periods of time. Storage and use does not include vehicles transporting hazardous substances for their intended use, such as agricultural spraying or application of fertiliser.

AND

Any consequential or additional amendments as a result of changes sought in the submission.

Decision Reasons:

- It is uncertain what a "short period of time" is and would make a whole farm or rural property a hazardous facility, as a vehicle may be used to transport agrichemicals or fertiliser for application.

Submitter Number: 420

Submitter: Ben Young

Organisation: Madsen Lawrie Consultants Limited

Point Number 420.1

Summary of Decision Requested:	<p>Add a new clause (iii) to Rule 22.4.1.1 PR3 (c) Prohibited subdivision as follows:</p> <p><i>(iii) Any lot created by amalgamation for the purposes of a transferable rural lot subdivision under the Waikato District Plan – Franklin Section where the amalgamation was between records of title that existed prior to 6 December 1997.</i></p> <p>AND</p> <p>Amend Rule 22.4.1.1 Prohibited Subdivision to remove references to the 6th December 1997.</p>
Decision Reasons:	<ul style="list-style-type: none"> • Titles amalgamated under the Operative District Plan - Franklin section should not be penalised for moving their titles from the property.
Point Number	420.2
Summary of Decision Requested:	No specific decision sought, but submission opposes the use of the 6 th December 1997 CT date in Rule 22.4.1.2 (a)(i) General subdivision.
Decision Reasons:	<ul style="list-style-type: none"> • The CT date should be brought forward to the date the Proposed District Plan is operative. • The rule should be inclusive of the whole of the District and not reference a redundant and archaic rule that relates to only part of the district. • If the CT date of the 6th December 1997 is persisted with, then further exceptions need to be made to include titles with a title date newer than the 6th of December 1997 that were created by transferable rural lot right subdivision.
Point Number	420.3
Summary of Decision Requested:	Amend Rule 22.4.1.4 RD1 (a)(i) Boundary relocation, to remove specification of a date for titles undergoing the boundary relocation.
Decision Reasons:	<ul style="list-style-type: none"> • Imposing a specific date that the titles undergoing boundary relocation have to have been issued before is an excessive restriction and constraints of this level are not appropriate for boundary relocation. • It is unclear as to what will be achieved by the imposition of such a date.
Point Number	420.4
Summary of Decision Requested:	Retain the alignment of the Village Zone and Rural Zone Boundary of the property at 3660 Highway 22, Naikē, to match the property boundaries.
Decision Reasons:	<ul style="list-style-type: none"> • The Operative District Plan – Franklin Section had not accurately plotted this line.
Point Number	420.5
Summary of Decision Requested:	Retain Rule 22.4.1.2 (a)(ii) General subdivision as notified requiring a minimum of 20ha parent title size.
Decision Reasons:	No reason provided.
Point Number	420.6
Summary of Decision Requested:	<p>Amend Rule 22.4.1.2 (a)(iii) General subdivision as follows:</p> <p><i>The proposed subdivision must create no more than one additional lot, excluding an access allotment, <u>for every compliant parent certificate of title.</u></i></p>
Decision Reasons:	<ul style="list-style-type: none"> • Clause (iii) needs to be clarified. • As the rule reads in its current form, it is not clear that subdivision must not create more than one lot for every compliant parent certificate of title. • The rule could be interpreted that no more than one lot is created per subdivision regardless of number of compliant parent certificate of titles that are involved.
Point Number	420.7
Summary of Decision Requested:	Amend Rule 22.4.1.2 (a)(iv) General subdivision to reduce the minimum lot size from 8,000m ² to 4,000m ² .
Decision Reasons:	<ul style="list-style-type: none"> • A minimum lot size requirement of 4,000m² will allow for some flexibility while still provided generous-sized lots that are appropriate in the rural zone. • A minimum lot size of 8,000m² will only serve to fragment rural land and potentially designate productive land for inappropriate use in large residential lots. • For many people 8,000m² is not a manageable sized lot and rural usage of the land within many 8,000m² lots will not be utilised to its full potential. • Waikato Regional Council has a 2,500m² minimum in the rural zone, which should be considered when designating lot minimum area to minimise urban sprawl and best maintain the rural land resources in the district. • This is relevant for the Franklin area as subdivision is currently allowable to 2,500m² and for future development to be consistent with existing development a smaller lot size than 8,000m² would be more appropriate.
Point Number	420.8
Summary of Decision Requested:	<p>Amend Rule 22.4.1.4 RD1 (a)(iv) Boundary relocation to reduce the minimum lot size from 8,000m² to 4,000m², if not 2,500m².</p> <p>OR</p>

Add a new clause to Rule 22.4.1.4 Boundary relocation (if the minimum lot size is not reduced to 2500m2) enabling boundary relocation for pre-existing lots smaller than 8,000m2 that were previously created in compliance with the Franklin section of the Operative District Plan.

Decision Reasons:

- Under the current Operative District Plan – Franklin section there is provision for lot size of down to 2,500m2 in the Rural Zone, therefore by imposing a minimum lot size requirement of 8,000m2 for lots resulting from boundary relocation subdivision in the future.
- A minimum lot size of 8,000m2 will only serve to fragment rural land and potentially designate productive land for inappropriate use in large residential lots.
- For many people 8,000m2 is not a manageable sized lot and rural usage of the land within many 8,000m2 lots will not be utilised to its full potential.
- This will not promote efficient rural usage of land jeopardises Policy 5.2.3 (a) Effects of subdivision and development on soils.
- Waikato Regional Council has a 2,500m2 minimum in the Rural Zone, which should be considered and implemented when designating the minimum lot area to minimise urban sprawl, and best maintain and enable usage of rural land resources in the district.

Submitter Number: 421 **Submitter:** Tracy Hayson
Organisation: Wasley Knell

Point Number 421.1

Summary of Decision Requested: **Add** a new new clause to Rule 22.4.1.1 PR2 Prohibited subdivision as follows:

(c) PR2(a) does not apply to the following:

Land deemed not high-class soil prior to any soil improvement works being undertaken. In this regard confirmation of the soils class shall be obtained from Council and shall continue to be the accepted soil classification specific to the provisions of this District Plan.

AND

Add a new clause to Rule 22.4.1.1 PR3(c) Prohibited subdivision as follows:

(c)(iii) Land deemed not high-class soil prior to any soil improvement works being undertaken. In this regard confirmation of the soils class shall be obtained from Council and shall continue to be the accepted soil classification specific to the provisions of this District Plan.

Decision Reasons:

- If, subsequent to the soil classification being recorded, land improvement work is carried out that was raised the standard to meet the High Class Soils definition may consequently be interpreted as applying prohibited activity status. This interpretation would be a disincentive to land improvement work.
- This submission proposes exceptions to prohibited activities.
- This would provide for land to be exempt to the prohibited subdivision activities which are triggered when a site has high class soil. This is subject to that prior to improvement works on the land, Council confirms the soils on the site do not meet this standard, accepting that this will remain the recorded soil classification regardless of subsequent soil improvement work.

Submitter Number: 422 **Submitter:** Malcolm MacDonald

Point Number 422.1

Summary of Decision Requested: **Amend** the zoning of part of the property located at 133 Greenhill Road, Puketaha (Lot 2 DP 304594) from Rural Zone to Business Zone with an overlay of Motorway Service Area, which enables the establishment of a motorway service centre (see map attached to submission for extent of rezoning sought).

Decision Reasons:

- The requested zone amendment would enable the establishment of a service station, food retail and associated activities including parking truck stop, amenities and a layby.
- The subject site is unique as it would provide for these activities which are not appropriate elsewhere, and it is adjacent to on- and off-ramps beside the Greenhill Road interchange.
- The proposal would also achieve the purpose of the Resource Management Act by enabling people and the community to provide for their welfare subject to the appropriate management of adverse effects on the environment.
- The remaining Rural Zoned portion within this large landholding will remain available for productive rural purposes.
- The rezoning of the land and the provision of infrastructure will assist in providing refuge areas and services for motorists using the Waikato Expressway.

Submitter Number: 423 **Submitter:** Lindsay Wilson
Organisation: Watercare Services Limited

Point Number 423.1

Summary of Decision Requested: **Provide** confirmation that existing and planned infrastructure capacity is available to service anticipated growth in the Proposed District Plan in a manner that gives effect to the National Policy Standard: Urban Development Capacity.

AND

Any consequential amendments or further relief to address the matters raised in the submission.

Decision Reasons:

- The availability of infrastructure capacity needs to be a key consideration through the resource consent process.
- This is needed to give effect to Objective OD2, and Policy PA2 and PA3 of the NPS-UDC.

Point Number 423.2

Summary of Decision Requested: **Retain** Policy 4.7.5 Servicing requirements, subject to the provision of adequate structure planning guidance that provides sufficient requirements (among other matters) regarding the integration of development and infrastructure provision being included in the Proposed District Plan.

AND

Any consequential amendments or further relief to address the matters raised in the submission.

Decision Reasons:

- It is critical that the Proposed District Plan includes sufficiently robust objectives, policies and methods to ensure appropriate land use and infrastructure integration.

Point Number 423.3

Summary of Decision Requested: **Retain** Policy 4.7.6 Co-ordination between servicing and development and subdivision subject to the provision of adequate structure planning guidance that provides sufficient requirements (amongst other matters) regarding the integration of development and infrastructure provision being included in the Proposed District Plan.

AND

Any consequential amendments or further relief to address the matters raised in the submission.

Decision Reasons:

- It is critical that the Proposed District Plan includes sufficiently robust objectives, policies and methods to ensure appropriate land use and infrastructure integration.

Point Number 423.4

Summary of Decision Requested: **Retain** Policy 4.7.8 Staging of subdivision, subject to the provision of adequate structure planning guidance that provides sufficient requirements (among other matters) regarding the integration of development and infrastructure provision being included in the Proposed District Plan.

AND

Any consequential amendments or further relief to address the matters raised in the submission.

Decision Reasons:

- It is critical that the Proposed District Plan includes sufficiently robust objectives, policies and methods to ensure appropriate land use and infrastructure integration.

Point Number 423.5

Summary of Decision Requested: **Amend** the Proposed District Plan to include sufficiently robust rules in relation to subdivision and development to ensure appropriate land use and infrastructure integration and to (amongst other matters) adequately give effect to Policies 4.7.5, 4.7.6 and 4.7.8.

AND

Any consequential amendments or further relief to address the matters raised in the submission.

Decision Reasons:

- Objective ODI of the National Policy Statement: Urban Development Capacity requires the integration of land use, development and development infrastructure.
- It is critical that the Proposed District Plan includes sufficiently robust objectives, policies and methods to ensure appropriate land use and infrastructure integration.

Point Number 423.6

Summary of Decision Requested: **Amend** the Proposed District Plan (among other matters) to adequately give effect to Policy 4.7.5 Servicing requirements, Policy 4.7.6 Coordination between servicing and development and Subdivision and Policy 4.7.8 Staging of Subdivision.

Decision Reasons:

- It is critical that the Proposed District Plan includes sufficiently robust objectives, policies and methods to ensure appropriate land use and infrastructure integration.
- The approach to managing landuse and infrastructure integration primarily within;
 - Chapter 4: Urban Environment (and in particular 4.7 Urban Subdivision and development);
 - Chapter 5: Rural Environment (which currently does not include objectives and policies regarding the integration of landuse and infrastructure in relation to residential development in the Country Living Zone); and
 - Any other Chapters that contain methods implementing the landuse and integration matters in Chapter 4 and 5.
- Any other parts of the Proposed District Plan to which consequential amendments are required to address the concerns raised by Watercare in this submission.

Point Number 423.7

Summary of Decision Requested: **Amend** the Proposed District Plan to include appropriate objectives, policies and rules to refuse resource consent for development that is unable to be serviced by infrastructure in an efficient and cost effective manner.

AND

Any consequential amendments or further relief to address the matters raised in the submission.

Decision Reasons:

- The availability of infrastructure capacity needs to be a key consideration through the resource consent process.
- The ability to decline resource consents for development that is unable to be efficiently and cost-effectively serviced by infrastructure or that does not have an appropriate infrastructure solution needs to be provided for in the Proposed District Plan.
- Clear guidance as to the sequencing of development in the areas zoned for growth and the necessity for infrastructure capacity to be available to service development is needed.

Point Number 423.8

Summary of Decision Requested: **Amend** Activity specific condition 14.2.1.1(1)(a) Permitted Activities relating to P1 new infrastructure as follows:

Not exceed ~~40m²~~ 40m² in area above ground;

AND

Any consequential amendments or further relief to address the matters raised in the submission.

Decision Reasons:

- Does not appropriately enable provision of infrastructure or recognise the technical or operational needs of infrastructure.
- Most Watercare pump stations (at least the area above ground) are likely to exceed 20m² in above ground area and will consistently be up to 40m².

Point Number 423.9

Summary of Decision Requested: **Amend** Activity specific condition 14.2.1.1(1)(b) Permitted Activities relating to PI new infrastructure as follows:

Not exceed ~~2.5m~~ 3m in height.

AND

Any consequential amendments or further relief to address the matters raised in the submission.

Decision Reasons:

- Does not appropriately enable the provision of infrastructure or recognise the technical or operational needs of infrastructure.
- Most Watercare pump stations are likely to be up to 3m in height.

Point Number 423.10

Summary of Decision Requested: **Add** an 'advice note' to section E Designations as follows:

Any works undertaken in accordance with the purpose of a designation are not subject to the requirements of any district plan rules including any overlay rules.

AND

Any consequential amendments or further relief to address the matters raised in the submission.

Decision Reasons:

- Watercare is concerned that the proposed overlays could be interpreted in a way that means Watercare is (incorrectly) required to comply with any requirements in the overlays when undertaking activities pursuant to one of its designations.

Point Number 423.11

Summary of Decision Requested: **Amend** the Proposed District Plan to include appropriate objectives, policies and rules to ensure the timing and sequencing of proposed growth is sufficiently integrated with the planned development of necessary infrastructure.

AND

Any other relief or amendments to address the concerns outlined in the submission.

Decision Reasons:

- It is critical that the Proposed District Plan includes sufficiently robust objectives, policies and methods to ensure appropriate land use and infrastructure integration.
- The availability of infrastructure capacity needs to be a key consideration through the resource consent process.
- The ability to decline resource consents for development that is unable to be efficiently and cost-effectively serviced by infrastructure or that does not have an appropriate infrastructure solution needs to be provided for in the Proposed District Plan.
- Clear guidance as to the sequencing of development in the areas zoned for growth and the necessity for infrastructure capacity to be available to service development is needed.

Point Number 423.12

Summary of Decision Requested: **Amend** the Proposed District Plan to:

- Assist with the workability and clarity of the Proposed District Plan and
- Remove ambiguities to avoid disputes or interpretations.

AND

Any other relief or amendments to address the concerns outlined in the submission.

Decision Reasons:

- No reason provided.

Point Number 423.13

Summary of Decision Requested: **Amend** the Proposed District Plan to better provide for the integration of land use and infrastructure.

AND

Any other relief or amendments to address the concerns outlined in the submission.

Decision Reasons:

- No reasons provided.

Point Number 423.14

Summary of Decision Requested: **Amend** the Proposed District Plan to better enable the provision of necessary infrastructure and associated works, e.g. earthworks, and recognise the technical and operational needs of infrastructure throughout the Waikato District.

AND

Any other relief or amendments to address the concerns outlined in the submission.

Decision Reasons:

- The provisions relevant to infrastructure provision and associated works do not appropriately enable the provision of infrastructure or recognise the technical or operational needs of infrastructure, e.g. pump stations are constantly up to 40m² and up to 3m in height.

Point Number 423.15

Summary of Decision Requested: Amend the Infrastructure provisions to better:

- Enable the provision of necessary infrastructure;
- Recognise that, in some cases technical and/or operation needs of infrastructure will result in unavoidable adverse effects;
- Recognise that, in some cases technical and/or operation needs of infrastructure necessitate infrastructure to be provided in certain locations; and
- Recognise the importance of the provision of resilient infrastructure.

Decision Reasons:

Enablement of Infrastructure and associated works:

- Infrastructure is critical to the social, economic, and cultural well-being of people and communities and the quality of the environment. Infrastructure is a critical enabler of the economy, the well-being of people and communities and of growth. A crucial element of any development is the infrastructure to support it, both to enable it and to assist in avoiding, remedying or mitigating the adverse effects of development and ensuring that this is done in an efficient and cost effective way.
- Watercare's infrastructure assets are generally buildings and associated structures (e.g. pumping stations) or linear structures (e.g. pipes) and in many cases need to be located in specific locations to be able to provide an appropriate level of service.
- watercare considers the objectives, policies and rules in the PWDP relating to infrastructure raise three broad issues which it seeks be addressed through this submission:
 - (a) First, the permitted activity rules for "all infrastructure" in Rule 14.2.1, and the permitted activity rules for "water, wastewater and stormwater" in Rule 14.1.1 are not sufficiently enabling;
 - (b) Second, the permitted activity rules for "all infrastructure" and for "water, wastewater and stormwater" may be effectively "overridden" by rules triggering requirements for consent elsewhere in the PWDP. These additional requirements for consent in other chapters of the PWDP (e.g. Chapter 3 Natural Values - which primarily relates to section 6 matters, and the zone rules) mean that important infrastructure may in fact not be permitted; and
 - (c) Third, the objectives and policies of the PWDP do not recognise the importance of the provision of resilient infrastructure provision in supporting communities.

Point Number 423.16

Summary of Decision Requested: Amend the Proposed District Plan to:

- Meet the requirements of the Resource Management Act, and in particular Part 2;
- Represent the most appropriate means of achieving the purpose of the Resource Management Act;
- Give effect to the National Policy Statement on Urban Development Capacity 2016; and
- Give effect to the Waikato Regional Policy Statement.

AND

Any other relief or amendments to address the concerns outlined in the submission.

Decision Reasons:

- The submitter is in principle supportive of the Proposed District Plan, but there are a number of provisions that do not meet the statutory requirements.

Point Number 423.17

Summary of Decision Requested: Amend Activity specific condition 14.3.1.1(I) Permitted Activities relating to PI Minor Upgrading of existing infrastructure as follows:

(1) The realignment, configuration, relocation or replacement of infrastructure and associated structures that meet all of the following conditions:

(a) Are within 15m of the existing alignment or location;

...

(d) Do not increase the diameter of any existing above-ground pipe by more than +50% and

(e) Do not increase the area of any existing above-ground structure by more than +50%.

AND

Any consequential amendments or further relief to address the matters raised in the submission.

Decision Reasons:

- Does not appropriately enable provision of infrastructure or recognise the technical or operational needs of infrastructure.
- Rule 14.3.1.1 sets the permitted standards for the minor upgrading of existing infrastructure. Watercare considers these standards are overly restrictive.

Point Number 423.18

Summary of Decision Requested: Amend the Proposed District Plan to provide for the operation, maintenance, repair and upgrade of infrastructure in existence prior to the notification of the Proposed District Plan and that has been lawfully established as a permitted activity.

AND

Any consequential amendments or further relief to address the matters raised in the submission.

Decision Reasons:

- Does not appropriately enable provision of infrastructure or recognize the technical or operational needs of infrastructure.
- The Proposed District Plan doesn't enable the ongoing operation, maintenance or upgrading of existing infrastructure as a permitted activity.

Point Number 423.19

Summary of Decision Requested: Add specific rules in the Proposed District Plan to enable infrastructure within transport corridors as a permitted activity where it will not compromise the safe and efficient functioning of the transport network.

AND

Any consequential amendments or further relief to address the matters raised in the submission.

Decision Reasons:

- Does not appropriately enable the provision of infrastructure or recognize the technical or operational needs of infrastructure.
- The Proposed District Plan doesn't provide methods (e.g. assigning specific activity status to infrastructure activities within the road corridor) to adequately implement proposed policy 6.5.6a.) regarding the encouragement of network utility infrastructure within transport corridors.

Point Number 423.20

Summary of Decision Requested: Amend the definition of "Infrastructure" in Chapter 13 Definitions to include the following:

(i) Storage and treatment facilities for water supply distribution; and

(ii) Storage, treatment and discharge facilities for drainage or sewerage systems.

AND

Any consequential amendments or further relief to address the matters raised in the submission.

Decision Reasons:

- Does not appropriately enable the provision of infrastructure or recognize the technical or operational needs of infrastructure.
- The Proposed District Plan definition of infrastructure doesn't include the storage and treatment of water and wastewater.

Point Number 423.21

Summary of Decision Requested: Amend Chapter 14 Infrastructure and Energy to include comprehensive rules specifying the activity status for infrastructure (including water, wastewater and storm water infrastructure) in all zones, overlays and areas covered by the Proposed District Plan including permitted activity rules, on a similar basis to Chapter E26 Infrastructure in the Auckland Unitary Plan (Operative in Part).

AND

Any consequential amendments or further relief to address the matters raised in the submission.

Decision Reasons:

- Does not appropriately enable the provision of infrastructure or recognize the technical or operational needs of infrastructure.
- With respect to the potential for rules in other chapters of the Proposed District Plan (e.g. Chapter 2 and the zone chapters) to effectively override the permitted activity rules for infrastructure in chapter 14, Watercare seeks that this be addressed in the same manner as in chapter E26 infrastructure of the Auckland Unitary Plan Operative in Part. In other words, that the Proposed District Plan includes rules setting out the activity status for infrastructure in all zones, overlays and areas covered by the Proposed District Plan and permitted activity rules for infrastructure with appropriate standards in all zones, overlays and areas.

Submitter Number: 424 **Submitter:** Grant Ryan

Point Number 424.1

Summary of Decision Requested: Amend Rule 22.4.1 Subdivision - General to be less restrictive for areas that have already been allowed to subdivide.

Decision Reasons:

- The submitter has 19 lifestyle blocks on Pook Road, Pukekohe so that area is no longer rural.
- A review of the Rural Zone and its restrictions is most logical.

Point Number 424.2

Summary of Decision Requested: Amend Rule 22.4.2 Title boundaries - natural hazard area, contaminated land, Significant Amenity Landscape, notable trees, intensive farming activities, aggregate extraction areas to review or delete the property size.

Decision Reasons:

- The submitter has 19 lifestyle properties on Pool Road, Pukekohe and these are no longer rural properties.
- This needs to be reduced to allow for property exit strategy.

Point Number 424.3

Summary of Decision Requested: No specific decision sought, but submission opposes the restrictions on subdivision of high-class soils, especially on Pook Road, Pukekohe, in Rule 22.4 Subdivision.

Decision Reasons:

- The submitters have a total of 9.45ha which is uneconomic as a rural property to farm, and currently operate a high value plant breeding operation from this site.
- If they wanted to expand they would need to sell and relocate and the ability to sell 9.45ha as an economic unit rural is not feasible.
- They have 19 lifestyle properties and rural activity with reverse sensitivity is becoming a challenge.

Point Number 424.4

Summary of Decision Requested: Amend Rule 22.4.1.1 Prohibited subdivision after reviewing the property size and the restrictions to subdivide on high-class soils when there are no better options.

Decision Reasons:

- The submitter farms on 9.45ha only due to a low land use activity with their plant breeding operation; this land size is uneconomic for a general farm operation.
- If and when the submitter is required to expand they would need to sell to buy a larger property. To sell 9.45ha as a rural property would not be viable.
- The ability to sell as lifestyle would be more economic.
- They currently have 19 lifestyle properties on Pook Road, Pukekohe. No one else is farming or operating a rural property, so to restrict them after everyone else has already capitalized would be unreasonable.

Submitter Number: 425 **Submitter:** Envirofert Limited

Point Number 425.1

Summary of Decision Requested: Retain the definition for "Waste management" in Chapter 13 Definitions.

Decision Reasons:

- This definition is supported.

Point Number 425.2

Summary of Decision Requested: **Retain** the definition for "Waste management facility" in Chapter 13 Definitions.

Decision Reasons: None

- The definition is supported.

Point Number 425.3

Summary of Decision Requested: Amend the zoning for the southern/western portion of 74 Geraghtys Road, Tuakau, from Rural Zone to a Specific Area zone, or a similar change that addresses the matters outlined in the submission (Refer to Figure 1 attached to the submission).

AND

Add specific provisions appropriate for a waste management facility on the site at 74 Geraghtys Road, Tuakau.

Decision Reasons:

- The Council proposed zoning does not reflect the existing environment which includes an established waste management facility.
- It is considered that a Specific Area zone is more appropriate for the site as it will allow the existing operation to continue effectively.
- The Envirofert facility provides a regionally significant service, as one of the eleven commercial composting plants in the country. The service promotes sustainability and reduction in organic waste to landfills which is accordance with the purpose of the Resource Management Act 1991 (refer to section 1.9.2(a)).
- The continued operation of the waste management facility should be encouraged and enabled by a more appropriate zone with standards conducive to a waste management facility, that are of benefit to the public.

Point Number 425.4

Summary of Decision Requested: **Amend** the zoning for the northern/eastern portion of 74 Geraghtys Road, Tuakau, from Rural Zone to Residential Zone (Refer to Figure 2 attached to the submission).

Decision Reasons:

- The proposed Rural Zoning is not appropriate for this land
- Residential Zoning would allow for development, which is responsive to the strategic direction of the Proposed Waikato District Plan.
- The submission area is currently serviced by the reticulated water supply system and there is opportunity to extend public storm water and wastewater lines to serve this area.
- The submission area is appropriate for residential development given that there is existing social and physical infrastructure, as well as employment opportunities in the area, which are underutilised.
- Given the costs associated with infrastructure provision, zoning only half 8-12 Geraghtys Road as Residential Zone would be an inefficient use of resources and a larger extent of Residential Zoning within this area is more appropriate.

Submitter Number: 426 **Submitter:** Kim Angelo Libre

Point Number 426.1

Summary of Decision Requested: **Amend** the proposed zoning of the land between the Waikato Expressway and the Tamahere Country Living Zone (including Yumelody Lane) from Rural Zone to Country Living Zone.

Decision Reasons:

- The land around Yumelody Lane is already subdivided into small lots and it is not suitable for economic farming.
- A Country Living Zone is suitable because this area is adjacent to the Tamahere Country Living Zone and is cut off from other rural areas by the expressway.

Point Number 426.2

Summary of Decision Requested: **Retain** Rule 22.3.2 PI Minor dwelling and that it does not include reference to dependent persons in the rule.

Decision Reasons:

- There is no need to stipulate that dependent persons live in a minor dwelling.

Point Number 426.3

Summary of Decision Requested: **Delete** Rule 22.3.2 PI (b) (i) Minor dwelling requiring the minor dwelling to be within 20 metres of the main dwelling.

Decision Reasons:

- This requirement is unnecessary.
- It takes no account of the topography and other features of the site.
- There may be a better site on the land further away.

Submitter Number: 427 **Submitter:** Monica de la Cruz Carballo

Point Number 427.1

Summary of Decision Requested:	Add a Special Character Area for Raglan.
Decision Reasons:	<ul style="list-style-type: none"> • Concern that Raglan's special character is being eroded. • Want better protection of that character. • Want a pedestrian and bike friendly town. • Want friendly and diverse buildings, not more than two stories high.
Point Number	427.2
Summary of Decision Requested:	Amend the Proposed District Plan so that any building activity that does not comply with the District Plan in Raglan will be publicly notified.
Decision Reasons:	<ul style="list-style-type: none"> • Want friendly and diverse buildings, no more than two stories high. • Concern that Raglan's special character is being eroded. • Want better protection of that character.

Submitter Number:	428	Submitter:	David Peacocke
On behalf of:	Ohinewai Land Limited		
Point Number	428.1		
Summary of Decision Requested:	Amend the Proposed District Plan to include a growth area at Ohinewai in accordance with the plan attached to the submission.		
Decision Reasons:	<ul style="list-style-type: none"> • The growth area is in close proximity to Huntly and could be connected to Council Services. • Ohinewai is centrally located between Auckland and Hamilton, and has an existing interchange on the Waikato Expressway. • There is already Ohinewai School, and Living, Country Living and Business zoned land on the western of the Waikato Expressway. • Soil types in the area typically limit productive uses during winter. 		

Submitter Number:	429	Submitter:	Olivia Henwood
Point Number	429.1		
Summary of Decision Requested:	Retain Chapter 9 Te Kowhai Airpark as notified.		
Decision Reasons:	<ul style="list-style-type: none"> • Te Kowhai is an asset to the aviation community. • As the surrounding area is facing big development, it is vital to secure the aerodrome for the future. • The proposal will allow the aerodrome to evolve and adapt to technological changes. 		
Point Number	429.2		
Summary of Decision Requested:	Retain Chapter 27 Te Kowhai Airpark Zone as notified.		
Decision Reasons:	<ul style="list-style-type: none"> • Te Kowhai Aerodrome is an asset to the aviation community. • As the surrounding area is facing big development, it is vital to secure the aerodrome for the future. • The proposal will allow the aerodrome to evolve and adopt to technological changes. 		

Submitter Number:	430	Submitter:	Yannis Petzold
Point Number	430.1		
Summary of Decision Requested:	Add a Special Character Area for Raglan, focused on the following qualities: diverse buildings and diverse people, relaxed, no multi story buildings, pedestrian and bike friendly, water views and human scale buildings. OR Amend the Proposed District Plan to require any building activity that does not comply with the District Plan in Raglan to be publicly notified.		
Decision Reasons:	<ul style="list-style-type: none"> • No reasons provided. 		
Point Number	430.2		
Summary of Decision Requested:	Amend the Proposed District Plan to control how much of Raglan is being turned into permanent holiday accommodation like Air BnB.		
Decision Reasons:	<ul style="list-style-type: none"> • No reasons provided. 		

Submitter Number:	433	Submitter:	Mischa Davis
Organisation:	Auckland Waikato Fish and Game Council		

Point Number 433.1

Summary of Decision Requested: **Amend** Objective 5.2.1 (a) Rural resources, as follows:

(a) Maintain ~~or~~ and where required, enhance the:

...

(iv) Life-supporting characteristics and intrinsic ~~natural characteristics~~ values of ecosystems of water bodies and coastal waters and the catchments between them ;

(v) The ecological health of fresh water bodies and ground water, including their catchments and connections.

AND/OR

Any alternative relief to address the issues and concerns raised in the submission.

Decision Reasons:

- The Vision and Strategy is intended to be the primary direction setting document for the Waikato River. The restoration and protection of the Waikato River is to be regarded as a primary objective guiding policy and outcomes under the Resource Management Act and this includes improving the quality of Waikato River water quality over a reasonable period.
- The phrase 'intrinsic natural characteristics' used in sub-clause (iv) needs to be either defined or reworded to be consistent with the term in the Resource Management Act.

Point Number 433.2

Summary of Decision Requested: **Retain** Policy 5.3.2 Productive rural activities as notified.

Decision Reasons:

- Game bird hunting can be constrained by surrounding land use when urban and lifestyle encroachment occurs in traditionally hunted sites.
- Supports the wording of the policy.

Point Number 433.3

Summary of Decision Requested: **Amend** Policy 5.3.5 Earthworks activities, as follows:

(a) Provide for earthworks where they support rural activities or are for ecosystem protection, rehabilitation or restoration works, including:

...

(iv) wetland enhancement work

...

AND/OR

Any alternative relief to address the issues and concerns raised in the submission.

Decision Reasons:

- The notified policy does not provide for earthworks for ecosystem protection, rehabilitation or restoration works.

Point Number 433.4

Summary of Decision Requested: **Add** a new clause to Policy 5.3.7 (a) Reverse sensitivity effects, as follows:

(vi) recreational hunting

AND/OR

Any alternative relief to address the issues and concerns raised in the submission.

Decision Reasons:

- Recreational hunting is typical of the rural environment and therefore the policy needs to recognise that noise from this activity should be accepted and can be managed.

Point Number 433.5

Summary of Decision Requested: **Add** a new clause to Policy 5.3.8 Effects on rural character and amenity from rural subdivision, as follows:

(g) Ensure that the form and location of subdivision does not compromise public access to rivers, streams, lakes and wetlands and the quality of these environments.

AND/OR

Any alternative relief to address the issues and concerns raised in the submission.

Decision Reasons:

- The recreational values of waterbodies can be constrained by limited public access. Fish and Game has a statutory obligation to maintain and enhance access to sports fisheries and game bird hunting areas and public spaces can be fragmented by the subdivision process if not carefully managed.
- Furthermore, section 6(d) of the Resource Management Act notes that the maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers is a matter of national importance and the Waikato Regional Policy Statement places an obligation on Council to recognise the importance of public access to these areas.

Point Number 433.6

Summary of Decision Requested: **Retain** Policy 5.3.14 (d) Signs, as notified.

Decision Reasons:

- Fish and Game signs, which would qualify under the definition of 'advertising sign', are a fundamental aspect of managing game bird shooting and sports fish angling activities and are permitted throughout much of New Zealand.

Point Number 433.7

Summary of Decision Requested:	Retain Policy 5.3.15 (v) Noise and Vibration, as notified.
Decision Reasons:	<ul style="list-style-type: none"> Shotgun noise associated with recreational hunting should be permitted and considered as a potential reverse sensitivity effect when urban and lifestyle encroachment occurs near traditionally hunted sites.
Point Number	433.8
Summary of Decision Requested:	Retain Policy 5.6.3 (a)(v) Subdivision within the Country Living Zone, as notified.
Decision Reasons:	<ul style="list-style-type: none"> Existing game bird hunting activities are often constrained by surrounding land use, and generally becomes untenable when this land use changes; for example, when urban and lifestyle encroachment occurs near traditionally hunted sites. Recreational game bird hunting is a very popular activity in the rural environment. The game bird season involves the discharge of shotgun noise. This is not like other constant noises rather it is very brief in duration. Game bird hunting begins at 6:30am in the morning and concludes at 6:30pm at night for the length of the season. Introducing new dwelling areas near areas of recreational significance to hunters can have implications on the future of hunting in these areas. For example, complaints can be made under the Arms Act 1983 which makes clear that anyone discharging a firearm in a public place so as to deliberately endanger, frighten or annoy any other person is guilty of a serious offence. Shotgun noise may also be a particular issue for public places such as any equestrian arena in the vicinity of maimais used during the game bird hunting season. Method 6.1.2 'Reverse sensitivity' of the RPS requires local authorities to have particular regard to the potential for reverse sensitivity when assessing resource consent applications, preparing, reviewing or changing district plans. It states that particular consideration should be given to discouraging new sensitive activities near existing and planned land uses or activities that could be subject to effects including the discharge of noise, which could lower the amenity values of the surrounding area.
Point Number	433.9
Summary of Decision Requested:	Delete Policy 5.6.7 (a)(iii) Earthworks. AND/OR Any alternative relief to address the issues and concerns raised in the submission.
Decision Reasons:	<ul style="list-style-type: none"> Assessing changes to natural water flows and established drainage paths is a function of Waikato Regional Council. Therefore, retaining clause (a)(iii) is considered a duplicate function.
Point Number	433.10
Summary of Decision Requested:	Retain Policy 5.6.13 Enabling signage, as notified.
Decision Reasons:	<ul style="list-style-type: none"> Fish and Game has a statutory role to main and enhance access to sports fisheries and game bird hunting areas. Signage is therefore a fundamental aspect of managing game bird shooting and sports fish angling activities and is accepted as a permitted activity throughout much of New Zealand.
Point Number	433.11
Summary of Decision Requested:	Add a new policy in section 5.3 Rural Character and Amenity, as follows: <u>5.3.19 - Public access to wetlands, streams, rivers, lakes and the coast</u> <u>(a) Opportunities for public access to wetlands, streams, rivers, lakes and the coast are supported by:</u> <u>(i) Settlement development and growth providing access to wetlands, streams, rivers, lakes and the coast;</u> <u>(ii) Esplanade reserves or strips providing access to wetlands, streams, rivers, lakes and the coast at subdivision stage;</u> <u>(iii) Public access to and along the margins of wetlands, streams, rivers, lakes with high natural character, and conservation, recreation, amenity, heritage and cultural values are maintained and enhanced.</u> AND/OR Any alternative relief to address the issues and concerns raised in the submission.
Decision Reasons:	<ul style="list-style-type: none"> The Proposed District Plan needs to support opportunities for public access to and along wetlands, rivers, lakes and the coast.
Point Number	433.12
Summary of Decision Requested:	Retain Policy 8.1.3 Esplanade reserves and walkways, as notified.
Decision Reasons:	<ul style="list-style-type: none"> This policy encourages Council to acquire esplanade reserves or strips around rivers, lakes and wetlands during subdivision to enable the creation of trails and public access.
Point Number	433.13
Summary of Decision Requested:	Retain Objective 8.2.1 Natural values, as notified.
Decision Reasons:	<ul style="list-style-type: none"> This objective supports the maintenance and enhancement of the natural values of public open space, natural reserves and parks.
Point Number	433.14
Summary of Decision Requested:	Retain Policy 8.2.2 Natural values, as notified.
Decision Reasons:	

- This policy supports the enhancement of the natural environment during the use and development of reserves by all three means described.

Point Number 433.15

Summary of Decision Requested: **Add** a definition for "lake" to Chapter 13: Definitions as follows:

Lake means a body of fresh water which is entirely or nearly surrounded by land.

AND/OR

Any alternative relief to address the issues and concerns raised in the submission.

Decision Reasons:

- To avoid doubt, the term 'lake' should be defined as per the Resource Management Act.

Point Number 433.16

Summary of Decision Requested: **Add** a definition for "river" to Chapter 13: Definitions as follows:

River means a continually or intermittently flowing body of fresh water, and includes a stream and modified watercourse, but does not include any artificial watercourse, (including an irrigation canal, water supply race, canal for the supply of water for electricity, power, generation, and farm drainage canal.

AND/OR

Any alternative relief to address the issues and concerns raised in the submission.

Decision Reasons:

- To avoid doubt, the term 'river' needs to be defined as per the Resource Management Act.

Point Number 433.17

Summary of Decision Requested: **Add** a definition for "water" to Chapter 13: Definitions as follows:

Water -

(a) means water in all its physical forms whether flowing or not and whether over or under the ground;

(b) includes fresh water, coastal water, and geothermal water.

(c) does not include water in any form while in any pipe, tank, or cistern.

AND/OR

Any alternative relief to address the issues and concerns raised in the submission.

Decision Reasons:

- To avoid doubt, the term 'water' needs to be defined as per the Resource Management Act.

Point Number 433.18

Summary of Decision Requested: **Add** a definition for "water body" Chapter 13: Definitions as follows:

Water body means fresh water or geothermal water, in a river, lake, stream, pond, wetland, or aquifer, or any part thereof that is not located within the coastal marine area.

AND/OR

Any alternative relief to address the issues and concerns raised in the submission.

Decision Reasons:

- To avoid doubt, the term 'water body' needs to be defined as per the Resource Management Act.

Point Number 433.19

Summary of Decision Requested: **Add** a definition for "maimai" to Chapter 13: Definitions as follows:

Maimai - game bird shooting shelter structures.

AND/OR

Any alternative relief to address the issues and concerns raised in the submission.

Decision Reasons:

- A definition for 'maimai' is required which is consistent with the Building Act 2004. These structures are accepted around much of New Zealand as a permitted activity.

Point Number 433.20

Summary of Decision Requested: **Add** a definition for "biodiversity offsets" to Chapter 13: Definitions as follows:

Biodiversity offsets are measurable conservation outcomes resulting from actions designed to compensate for significant residual adverse biodiversity impacts arising from project development after appropriate prevention and mitigation measures have been taken. The goal of biodiversity offsets is to achieve no net loss and preferably a net gain of biodiversity on the ground.

AND/OR

Any alternative relief to address the issues and concerns raised in the submission.

Decision Reasons:

- A definition of 'biodiversity offsets' is needed to reflect the 'Guidance for Biodiversity Offsetting in New Zealand'.

Point Number 433.21

Summary of Decision Requested: Add a definition for "environmental compensation" to Chapter 13: Definitions as follows:
Environmental compensation comprises actions offered as a means to address residual adverse effects on the environment arising from project development that are not intended to result in no net loss or a net gain of biodiversity on the ground.
AND/OR
Any alternative relief to address the issues and concerns raised in the submission.

Decision Reasons:

- A definition for "environmental compensation" is needed to reflect the 'Guidance for Biodiversity Offsetting in New Zealand'.

Point Number 433.22

Summary of Decision Requested: Amend Rule 16.3.9.3 P1 Building setback - Water bodies, as follows:
(a) Any building that is not a maimai must be setback a minimum of:
...
AND/OR
Any alternative relief to address the issues and concerns raised in the submission.

Decision Reasons:

- Maimai should be exempt from this rule because they are already controlled by the Building Act 2004 and need to be an adequate size to maintain safe shooting zones and not compromise hunter safety.
- There should be the same or similar provisions as the Waikato Regional Plan which permits maimai subject to a maximum area of 10m2 and height of 2.5m measured from floor level.

Point Number 433.23

Summary of Decision Requested: Amend Rule 16.3.9.4 P1 Building setback - Environmental Protection Area, as follows:
A building that is not a maimai must be set back a minimum of 3m from an Environmental Protection Area.
AND/OR
Any alternative relief to address the issues and concerns raised in the submission.

Decision Reasons:

- Maimai should be exempt from this rule because they are already controlled by the Building Act 2004 and need to be an adequate size to maintain safe shooting zones and not compromise hunter safety.
- There should be the same or similar provisions as the Waikato Regional Plan which permits maimai subject to a maximum area of 10m2 and height of 2.5m measured from floor level.

Point Number 433.24

Summary of Decision Requested: Amend Rule 24.3.6.3 Building setback - Water bodies, as follows:
P1 (a) A building that is not a maimai must be set back a minimum of 30m from:
...
P2 A building that is not a maimai must be setback at least 50m from a bank of the Waikato River and Waipa River.
...
P3 A building that is not a maimai must be set back a minimum of 10m from the bank of a perennial or intermittent stream.
AND/OR
Any alternative relief to address the issues and concerns raised in the submission.

Decision Reasons:

- Maimai should be exempt from this rule because they are already controlled by the Building Act 2004 and need to be an adequate size to maintain safe shooting zones and not compromise hunter safety.
- There should be the same or similar provisions as the Waikato Regional Plan which permits maimai subject to a maximum area of 10m2 and height of 2.5m measured from floor level.

Point Number 433.25

Summary of Decision Requested: Amend Rule 23.2.6.1 P1 Signs - General, as follows:
A public information sign erected by a government agency and Auckland Waikato Fish and Game Council.
AND/OR
Any alternative relief to address the issues and concerns raised in the submission.

Decision Reasons:

- Fish and Game erects important public information signs but it is not a recognised government agency.

Point Number 433.26

Summary of Decision Requested: Delete Rule 23.2.6.1 P2 (a) (i) and (vii) Signs - General, relating to a single sign
AND
Delete Rule 23.2.6.1 P2 (a) (viii) Signs-General relating to the Waikato Expressway
AND/OR
Any alternative relief to address the issues and concerns raised in the submission.

Decision Reasons:

- These conditions are too restrictive for signs required by Auckland Waikato Fish and Game as there may be occasions when they need to be breached in order to main and enhance access to sports fisheries and game bird hunting areas and maintain public safety.

- Resource consent should not be required in these instances as Fish and Game signs are permitted around much of New Zealand.

Point Number 433.27

Summary of Decision Requested: **Amend** Rule 23.3.3 D1 Buildings and structures in Landscapes and Natural Character Areas, as follows:

(a) Any building or structure that is not a maimai that is located within any:

...

AND/OR

Any alternative relief to address the issues and concerns raised in the submission.

Decision Reasons:

- Supports an appropriate buffer between any development and freshwater.
- Maimai should be exempt from this rule because they need to be located in Landscape and Natural Character Areas for access to game birds.
- Maimai are controlled by the Building Act 2004 and consistency with the Waikato Regional Plan is required which permits maimai subject to them not exceeding an area of 10m2 and a height of 2.5m measured from floor level.

Point Number 433.28

Summary of Decision Requested: **Amend** Rule 23.3.7.5 P1 Building setback - Waterbodies, as follows:

(a) Any building that is not a maimai must be set back a minimum of:

...

AND/OR

Any alternative relief to address the issues and concerns raised in the submission.

Decision Reasons:

- Supports an appropriate buffer between any development freshwater bodies.
- Maimai should be exempt from this rule as they are controlled by the Building Act 2004. Consistency is required with the Waikato Regional Plan which permits maimai subject to them not exceeding an area of 10m2 and a height of 2.5m measured from floor level.

Point Number 433.29

Summary of Decision Requested: **Amend** Rule 23.3.7.6 P1 Building setback - Environmental Protection Area, as follows:

A building that is not a maimai must be set back a minimum of 3m from an Environmental Protection Area.

AND/OR

Any alternative relief to address the issues and concerns raised in the submission.

Decision Reasons:

- Supports and appropriate buffer between any development and a Environmental Protection Area.
- Maimai should be exempt from this rule as they are controlled by the Building Act 2004. Consistency is required with the Waikato Regional Plan which permits maimai subject to them not exceeding an area of 10m2 and a height of 2.5m measured from floor level.

Point Number 433.30

Summary of Decision Requested: **Amend** Rule 22.2.1.1 P1 Noise - General, as follows:

Farming noise, and noise generated by recreational hunting, emergency generators and emergency sirens.

AND/OR

Any alternative relief to address the issues and concerns raised in the submission.

Decision Reasons:

- Noise from recreational hunting is not recognised and consistency is required across all of the districts in the Waikato Region to eliminate cross boundary issues.

Point Number 433.31

Summary of Decision Requested: **Add** a new clause to Rule 22.2.3.1 P1 (a) Earthworks - General, as follows:

(y) Ecosystem protection, restoration or enhancement (e.g. conservation covenants, works involved with wetland enhancement),

AND/OR

Any alternative relief to address the issues and concerns raised in the submission.

Decision Reasons:

- The notified rule could severely curtail the size, construction, restoration, maintenance and enhancement of wetlands which would otherwise be permitted under the Waikato Regional Plan.

Point Number 433.32

Summary of Decision Requested: **Retain** Section 1.4.3.1 Rural Activities, except for the amendments sought below

AND

Amend Section 1.4.3.1 (b) Rural Activities as follows:

(b) ... The recreational use of the rural environment is also important to the district, with activities such as hunting, fishing, tramping, and cycling being very important in terms of tourism and for the benefit of residents within the district, including those living in urban areas.

AND/OR

Any alternative relief to address the issues and concerns raised in the submission.

Decision Reasons:

- While rural recreational opportunities are important for tourism (from outside the district), it is also important to provide these same opportunities to the district's residents and particularly given urban population increase.
- The significant recreational and cultural aspect of the district deserves recognition, particularly given the projected increasing footprint of settlement and industry.

Point Number 433.33

Summary of Decision Requested: **Retain** Section 1.4.3.2 (b) Protecting the rural environment as notified.

Decision Reasons:

- Supports the recognition that activities that affect recreational activities need to be managed to avoid adverse effects on the environment. This should occur through limiting the extent that non-rural activities can establish in the Rural Zone.

Point Number 433.34

Summary of Decision Requested: **Amend** Section 1.4.4 (a) The Urban Environment as follows:
(a) A key issue for the district is to maintain the ecological integrity, natural hydrological characteristics and processes, soil stability, landscape, recreational and amenity values and productive capacity of the rural resource ...
 AND/OR
 Any alternative relief to address the issues and concerns raised in the submission.

Decision Reasons:

- The notified statement in (a) only recognises the productive capacity of the rural resource and there are other values relevant to urbanisation and population increase. The linkages between the urban and rural environment should be acknowledged.

Point Number 433.35

Summary of Decision Requested: **Add** a new paragraph in section 1.7.1 Settlement as follows:
1.7.1.9 Te Kauwhata Wastewater Consent Agreement
There is an Agreement between Waikato District Council, Waikato-Tainui, Nga Muka Development Trust, Auckland Waikato Fish and Game, the Department of Conservation and River and Catchment Services Group - Waikato Regional Council which relates to the operation of the wastewater treatment at Te Kauwhata, including the discharge of treated wastewater to Lake Waikare. The agreement includes undertakings and obligations by the Waikato District Council.
 AND/OR
 Any alternative relief to address the issues and concerns raised in the submission.

Decision Reasons:

- This section should acknowledge the Te Kauwhata Wastewater Consent Agreement 2012 which pertains to the wastewater treatment plant that receives and treats wastewater from Rangiriri, Te Kauwhata township and Springhill Prison and currently discharges the treated wastewater to Lake Waikare.

Point Number 433.36

Summary of Decision Requested: **Retain** Objective 3.1.1 - Biodiversity and ecosystems, as notified.

Decision Reasons:

- This objective ensures the maintenance and enhancement of biodiversity and ecosystems and promotes sustainable management.

Point Number 433.37

Summary of Decision Requested: **Amend** Policy 3.2.4 Biodiversity Offsetting as follows:
(b) Within a Significant Natural Area, a biodiversity offset will only be considered appropriate where adverse effects have been preferentially avoided, then remedied or mitigated in accordance with the hierarchy established in Policy 3.2.3; and
 ...
(c) Where biodiversity cannot be reasonably achieved as to address environmental effects that cannot be avoided, remedied or mitigated, consideration of environmental compensation must be made.
 AND/OR
 Any alternative relief to address the issues and concerns raised in the submission.

Decision Reasons:

- Supports the inclusion of a policy to address biodiversity offsetting.
- This policy needs to better reflect the management hierarchy in 3.2.2 and environmental compensation should be provided for in cases where it is demonstrated that biodiversity offsetting cannot achieve its no net loss goal.

Point Number 433.38

Summary of Decision Requested: **Amend** Policy 3.2.7 (a)(iv) Managing Significant Natural Areas, as follows:
(iv) maintaining and restoring natural wetland hydrology which in some cases may require artificial raising of water levels due to the adverse effects of drainage.
 AND/OR
 Any alternative relief to address the issues and concerns raised in the submission.

Decision Reasons:

- Natural wetland hydrology may, in some cases, require artificial raising of water levels due to the adverse effects of drainage.

Point Number 433.39

Summary of Decision Requested: **Delete** Policy 3.2.8 - Incentivise subdivision.

AND

Add new policy 3.2.8 as follows:

3.2.8A Policy - Incentivise Protection of Significant Natural Areas by enabling subdivision in the Rural Zone

(g) Incentivise the legal and physical protection of Significant Natural Areas by enabling appropriate subdivision in the Rural Zone which is consistent with protecting the rural environment and only occurs where the Significant Natural Areas protected are of a suitable size and quality to achieve a functioning ecosystem.

AND/OR

Any alternative relief to address the issues and concerns raised in the submission.

Decision Reasons:

- The notified Policy 3.2.8 focuses incorrectly on incentivising subdivision rather than legal and physical habitat protection. This contradicts issues which the Proposed Plan seeks to address and the guiding principles of Future Proof.

Point Number 433.40

Summary of Decision Requested: **Retain** Policy 3.3.2 Recognising values and qualities, except for the amendment sought below

AND

Amend Policy 3.3.2 (b) Recognising values and qualities, as follows:

(b) Recognise the attributes of the Waikato River delta and wetlands, Whangamarino Wetland and Lake Whangape identified as Outstanding Natural Features, including:

(i) natural geomorphology, ~~and~~ hydrological processes, biodiversity and ecological processes;

(ii) significant habitat values;

(iii) significant indigenous vegetation;

(iv) cultural heritage values associated with these areas;

(v) recreational use of these areas including but not limited to walking, fishing, bird watching, game bird hunting and boating;

(vi) existing pastoral farming activities on the margins of these areas.

AND/OR

Any alternative relief to address the issues and concerns raised in the submission.

Decision Reasons:

- Introductory Paragraph 1.4.3.1 Rural activities refers to hunting and fishing as important rural activities. Therefore, for consistency, this policy should include reference to hunting and fishing as recreational attributes in outstanding natural features and landscapes. It should also ensure that regard is given to the intrinsic values of ecosystems by recognising the significant ecological biodiversity and habitat values in order to promote sustainable management.
- Pastoral farming activities are often the cause of adverse effects on these areas including through nutrient enrichment of waterways and affecting natural wetland hydrology.

Point Number 433.41

Summary of Decision Requested: **Retain** Objective 3.5.1 (b) - Natural Character as notified.

Decision Reasons:

- This objective supports Method 12.1.1 of the Waikato Regional Policy Statement which requires district plans to identify and provide for the protection of the values and characteristics of outstanding natural features and landscapes from inappropriate subdivision, use and development.

Point Number 433.42

Summary of Decision Requested: **Retain** Policy 3.5.4 Protecting the natural character of wetlands, and lakes and rivers and their margins, except for the amendments sought below

AND

Amend Policy 3.5.4 (a) (iii) Protecting the natural character of wetlands, and lakes and rivers and their margins as follows:

(iii) encouraging any new activities to consolidate within, and around, existing developments ~~and or where the natural character and landscape values have already been compromised~~, to avoid development sprawling; and

AND/OR

Any alternative relief to address the issues and concerns raised in the submission.

Decision Reasons:

- Whether values have been compromised or not is highly subjective and this proviso should be removed for the policy to be clear, effective and non-contentious.

Point Number 433.43

Summary of Decision Requested: **Add** a new clause to Policy 4.1.11 (a) Pokeno, as follows:

(iv) The effects, including reverse sensitivity effects of development on existing recreational activities including hunting, ecological processes, biological diversity, including avian biodiversity, are had regard to and avoided, remedied or mitigated.

AND

Any further amendments required to give effect to the provisions and reasons stated.

Decision Reasons:

- This policy should recognise the increasing urban expansion, potential effects of development to the south west and the effects on the significant Mangatawhiri Wetland, including its ecological, biodiversity and hunting values.

Point Number 433.44

Summary of Decision Requested: **Retain** Policy 4.1.12 (a)(ii) Te Kauwhata

AND

Add two new clauses to Policy 4.1.12 (a) Policy Te Kauwhata as follows:

(iv) Development is avoided where it cannot demonstrate adequate capacity within the wastewater and stormwater networks, proposed or available to ensure the development does not contribute to additional contaminant loading to Lake Waikare and Whangamarino wetland.

(v) The effects of development on biological diversity, including avian biological diversity, are had regard to and avoided, remedied or mitigated.

AND

Any further amendments to give effect to the provisions and reasons stated.

Decision Reasons:

- Discharges of contaminants contribute to the on-going degradation of water bodies and ecosystems. This does not promote sustainable management or give effect to Objective 3.1.1 and is not consistent with Policy 3.5.4 and the Waikato Regional Policy Statement.
- Lake Waikare and Lake Kopuera are recognised habitats for various indigenous species that include waterfowl, game species and threatened species. The significant biodiversity level of these habitats should be recognised and provided for to be consistent with Policy 3.3.2 and the Waikato Regional Policy Statement.

Point Number 433.45

Summary of Decision Requested: **Amend** Policy 4.1.12 (b)(ii) Te Kauwhata, as follows:

(ii) Manages the balance between creating areas for growth and open space, and retaining an appropriate size and capacity flood plain, ensuring no further reduction of existing flood capacity, and no further drainage to assist flood management within the Waikato River System.

AND

Any further amendments required to give effect to the provisions and reasons stated.

Decision Reasons:

- Development should not be enabled where drainage is required or existing flood storage is reduced. This is necessary to promote sustainable management and give effect to the Waikato Regional Policy Statement.

Point Number 433.46

Summary of Decision Requested: **Add** clause (vii) to Policy 4.1.12 (b) Te Kauwhata, as follows:

(vii) Recognises and provides for existing recreational use of the Lake Waikare and its margins, including gamebird hunting, and manages the balance between these and increased settlement and access for walking and cycling, including avoiding and mitigating reverse sensitivity effects on hunting activities.

AND

Any further amendments required to give effect to the provisions and reasons stated.

Decision Reasons:

- Lake Waikare, including its margins, is a regionally and nationally significant recreational gamebird hunting resources, These values should be recognised in this policy and any reverse sensitivity effects associated with development should be managed.

Point Number 433.47

Summary of Decision Requested: **Add** three new clauses to Objective 5.1.1 The rural environment, as follows:

(iv) natural ecological and hydrological integrity are protected;

(v) existing recreational uses are protected and maintained;

(vi) landscape and amenity values are protected and maintained.

AND/OR

Any alternative relief to address the issues and concerns raised in the submission.

Decision Reasons:

- This objective appears to be incomplete having noted that Objective 5.1.1 is the strategic objective for the rural environment which has primacy over all other objectives in Chapter 5. The linkages between the urban and rural environment should be acknowledged as there are other values relevant to urbanisation and population increase.

Point Number 433.48

Summary of Decision Requested: **Add** a new definition to Chapter 13: Definitions for "urban subdivision, use and development".

AND/OR

Any alternative relief to address the issues and concerns raised in the submission.

Decision Reasons:

- No reasons provided.

Point Number 433.49

Summary of Decision Requested: **Add** a new definition to Chapter 13: Definitions for "productive rural activities".

AND/OR

Any alternative relief to address the issues and concerns raised in the submission.

Decision Reasons:

- No reasons provided.

Point Number 433.50

Summary of Decision Requested: **Delete** Rule 22.2.3.1 P2 (a) (v) and (vi) Earthworks - General

AND

Add a new Note to Rule 22.2.3.1 P2 Earthworks - General, as follows:

Note:

- Where earthworks are specifically for small dams and damming water as allowed by Rule 3.6.4.4 of the Waikato Regional Plan then (i) and (ii) do not apply.
- Where earthworks are specifically for the maintenance and enhancement of existing lawfully established damming of perennial water bodies, as allowed by Rule 3.6.4.5 of the Waikato Regional Plan, then (i) and (ii) above do not apply.

AND/OR

Any alternative relief to address the issues and concerns raised in the submission.

Decision Reasons:

- The notified rule could severely curtail the size, construction, restoration, maintenance and enhancement of wetlands which would otherwise be permitted under the Waikato Regional Plan.
- Water flow is controlled by the Waikato Regional Council and is not a Waikato District Council function.

Point Number 433.51

Summary of Decision Requested: Amend Rule 22.2.3.1 RDI (B) Earthworks - General, as follows:

...

(v) location of the earthworks to ~~waterways~~; significant indigenous vegetation and habitat

...

(x) flood risk, ~~including natural water flows and established drainage paths~~;

...

AND/OR

Any alternative relief to address the issues and concerns raised in the submission.

Decision Reasons:

- The assessment matters requested to be deleted are considered by Waikato Regional Council rather than being a function of a district council.

Point Number 433.52

Summary of Decision Requested: Delete Rule 22.2.3.3 P1 (a)(vii) Earthworks - Significant Natural Area

AND

Add new note to Rule 22.2.3.3 Earthworks - Significant Natural Area, as follows:

Note:

- Where earthworks are specifically for ecosystem protection, restoration or enhancement (e.g. conservation covenants, works involved with wetland enhance) then P1, P2 and RDI do not apply.

AND/OR

Any alternative relief to address the issues and concerns raised in the submission.

Decision Reasons:

- The notified rule is too restrictive for most of the maintenance and enhancement activities carried out by Auckland Waikato Fish and Game in wetlands, particularly with the proposal to change most of the wetland areas in Waikato District from Wetland Conservation Area to Significant Natural Area. Earthworks for ecosystem protection, restoration or enhancement need to be exempt from this rule. Furthermore, any change to natural water flows, water bodies or drainage paths is to be considered by Waikato Regional Council and this is not a district council function.

Point Number 433.53

Summary of Decision Requested: Delete Rule 22.2.3.4 P1 (a) (vii) Earthworks - within Landscape and Natural Character Areas

AND

Add new note to Rule 22.2.3.4 Earthworks - within Landscape and Natural Character Areas, as follows:

Note:

- Where earthworks are specifically for ecosystem protection, restoration or enhancement (e.g. conservation covenants, works involved with wetland enhancement) then P1 does not apply.

AND/OR

Any alternative relief to address the issues and concerns raised in the submission.

Decision Reasons:

- The notified rule is restrictive for most of the maintenance and enhancement activities carried out by Auckland Waikato Fish and Game in wetlands which have been identified as Outstanding Natural Features or Significant Amenity Landscapes. Earthworks for ecosystem protection, restoration or enhancement should therefore be exempt. Furthermore, any change to natural water flows, water bodies or drainage paths is a consideration of Waikato Regional Council and is not a function of a district council.

Point Number 433.54

Summary of Decision Requested: Amend Rule 22.2.6.1 P1 Signs - General, as follows:

A public information sign erected by a government agency and Auckland Waikato Fish and Game Council.

AND/OR

Any alternative relief to address the issues and concerns raised in the submission.

Decision Reasons:

- Auckland Fish and Game erects public information signs but it is not a recognised government agency.

Point Number 433.55

Summary of Decision Requested:	Delete Rule 22.2.6.1 P2 (a)(i) and (vii) Signs - General. AND/OR Any alternative relief to address the issues and concerns raised in the submission.
Decision Reasons:	<ul style="list-style-type: none"> These notified conditions are too restrictive for signs that need to be erected by Auckland Waikato Fish and Game. In some instances, these conditions would need to be breached and resource consent should not be required, particularly when such signs are permitted around much of New Zealand.
Point Number	433.56
Summary of Decision Requested:	Retain Rule 22.2.7 Indigenous vegetation clearance inside a Significant Natural Area, as notified.
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports the list of activities for which rural vegetation clearance inside a Significant Natural Area is permitted.
Point Number	433.57
Summary of Decision Requested:	Retain Rule 22.2.8 Vegetation clearance - outside a Significant Natural Area, as notified.
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports the list of activities for which rural vegetation clearance outside a Significant Natural Area is permitted.
Point Number	433.58
Summary of Decision Requested:	Amend Rule 22.3.3 D1 Buildings and structures in Landscape and Natural Character Areas, as follows: (a) Building or structure <u>that is not a maimai</u> located within any: ... AND/OR Any alternative relief to address the issues and concerns raised in the submission.
Decision Reasons:	<ul style="list-style-type: none"> Supports building restrictions in areas of high natural character. Maimai are controlled by the Building Act 2004 and should be exempt from this rule. Consistency is required with the Waikato Regional Plan which permits maimai subject to them not exceeding an area of 10m2 and a height of 2.5 metres measured from floor level.
Point Number	433.59
Summary of Decision Requested:	Amend Rule 22.3.7.5 P1 Building setback - water bodies, as follows: (a) Any building <u>that is not a maimai</u> must be set back a minimum of: ... AND/OR Any alternative relief to address the issues and concerns raised in the submission.
Decision Reasons:	<ul style="list-style-type: none"> Supports an appropriate buffer between any development and freshwater bodies. Maimai are controlled by the Building Act 2004 and should be exempt from this rule. Consistency is required with the Waikato Regional Plan which permits maimai subject to them not exceeding an area of 10m2 and a height of 2.5 metres measured from floor level.
Point Number	433.60
Summary of Decision Requested:	Amend Rule 22.2.7.6 P1 Building setback - Environmental Protection Area, as follows: Any building <u>that is not a maimai</u> must be set back a minimum of 3m from an Environmental Protection Area identified on the planning maps. AND/OR Any alternative relief to address the issues and concerns raised in the submission.
Decision Reasons:	<ul style="list-style-type: none"> Supports building setbacks from Environmental Protection Areas to ensure the ecological health and functioning of these areas are protected. Maimai are controlled by the Building Act 2004 and should be exempt from this rule. Consistency is required with the Waikato Regional Plan which permits maimai subject to them not exceeding an area of 10m2 and a height of 2.5 metres measured from floor level.
Point Number	433.61
Summary of Decision Requested:	Add two new subdivision rules in Rule 22.4.1.6 that provides for Environmental Benefits Lots, as follows: <u>Discretionary activity</u> <u>An environmental benefit lot subdivision is a discretionary activity if the following conditions are met:</u> <u>1. The site to be subdivided offers the opportunity to achieve at least one of the following:</u> a) <u>Restoration or enhancement of an identified under-represented ecosystem; or</u> b) <u>Restoration of indigenous biodiversity; or</u> c) <u>Enhancement of indigenous biodiversity; or</u> d) <u>Creation of a buffer to an under-represented or threatened indigenous ecosystem[s]; or</u> e) <u>Creation of an ecological stepping stone or corridor to link indigenous ecosystems; or</u>

- f) Restoration or enhancement of a wetland or dune habitat; or*
- g) Legal protection and restoration or enhancement of a modified or degraded area of natural character.*
- 2. The area to be set aside for restoration or enhancement and protection is at least the equivalent to the total area of new lots created; and*
- 3. The minimum area of new lot created is 5000m²; and*
- 4. The application is accompanied by a report prepared by a suitably qualified professional that:*
- a) Identifies the area/feature to be created, restored or enhanced and protected; and*
- b) Confirms that the area/feature, or part of it, (where it forms part of a larger natural area) that has been identified for protection and restoration or enhancement will provide the greatest biodiversity gains or outcomes for the protection of natural character for the site; and*
- c) Includes a management plan specifying the steps to be taken to create, restore or enhance the area/feature and its ongoing management and monitoring requirements to ensure that the biodiversity gains are maintained;*
- d) Specifies how the area/feature will be legally protected in perpetuity; and*
- 5. The new lots created are not dependent upon public water and wastewater infrastructure.*
- 6. No more than four environmental benefit lots are created per lot.*

Non-complying activity

Any activity that does not meet a condition for a discretionary activity is a non-complying activity.

AND/OR

Any alternative relief to address the issues and concerns raised in the submission.

Decision Reasons:

- The conservation lot provision has had variable success in producing environmental gains and the notified rule limits the possible biodiversity gains.
- The aim of the new rule is to recreate and restore or enhance areas of natural character or indigenous biodiversity that might not yet be identified as significant but have the potential to be in the future.

Point Number 433.62

Summary of Decision Requested: **Amend** Rule 22.4.7 Esplanade reserves and esplanade strips, as follows:

~~RD 1 PL (a)~~ An esplanade reserve or strip 20m wide (or such other width stated in Appendix 4 (Esplanade Priority Areas) ~~is required to shall~~ be created and vested in Council from every subdivision where the land being subdivided is:

...

AND

Delete Rule 22.4.7 RD1 (b) Esplanade reserves and esplanade stripes

AND

Amend Rule 22.4.7 D1 Esplanade reserves and strips as follows:

~~RD 1 RD 1~~ Subdivision that does not comply with Rule 22.4.7 RD1 PL

Council's discretion is restricted to the following matters:

(i) the type of esplanade, provided reserve or strip;

(ii) width of the esplanade reserve or strip;

(iii) provision of legal access to the esplanade reserve or strip;

(iv) matters provided for in an instrument creating an esplanade strip or access strip;

(v) works required prior to vesting any reserve in the Council, including pest plant control, boundary fencing and the removal of structures and debris

AND/OR

Any alternative relief to address the issues and concerns raised in the submission.

Decision Reasons:

- The notified rule is too restrictive as a means of creating esplanade strips.
- The Waikato Regional Policy Statement requires local authorities to enhance public access to and along the coastal marine area, wetlands, and lake and rivers and their margins and the rule should allow for esplanade reserves and esplanade strips to be created as a permitted activity.
- The council should make the most of every opportunity to increase the coverage of esplanade strips along Waterbodies.

Point Number 433.63

Summary of Decision Requested: **Amend** Appendix 6: Biodiversity Offsetting, as follows:

The following sets out a framework for the use of biodiversity offsets. It should be read in conjunction with the New Zealand government Guidance on Good Practice Biodiversity Offsetting in New Zealand, New Zealand Government et al; August 2014 (or any successor document).

...

2. A proposed biodiversity offset will contain ~~an~~ quantitative assessment of losses and gains commensurate with the scale of effects of the activity, and should demonstrate the manner in which no net loss can be achieved.

AND/OR

Any alternative relief to address the issues and concerns raised in the submission.

Decision Reasons:

- Generally supports Appendix 6.
- Appendix 6 should better reflect the document 'Guidance on Biodiversity Offsetting' as set out in this website link: <https://www.doc.govt.nz/about-us/our-policies-and-plans/guidance-on-biodiversity-offsetting/>

Point Number 433.64

Summary of Decision Requested: **Amend** the Proposed District Plan to provide for earthworks as permitted for ecosystem protection, restoration and enhancement.

Decision Reasons:

- The proposed rule framework dictates that any time an entity such as AWFG or individual wishes to put a small bund or dam in place as part of a wetland restoration project, or to mitigate loss of contaminants from a rural land use, even where this falls under the permitted activity rules of the Waikato Regional Plan, a Waikato District Council Restricted discretionary consent would be required as Permitted Activity Rule 22.2.3.1 P2 (vi) would not be complied with.

Point Number 433.65

Summary of Decision Requested: **Amend** the Proposed District Plan to provide that where earthworks are specifically for small dams and damming water and the maintenance and enhancement of existing lawfully established damming of perennial water bodies, as allowed by rules 3.6.4.4 and 3.6.4.5 of the Waikato Regional Plan, then restrictions as to volume, area and depth do not apply.

Decision Reasons:

- In regards to Rule 22.2.3.1 P2 (vi), the submitter considers that Waikato District Council does not have authority to control water flow via rules relating to the taking, use, damming and diverting of water in the District Plan, and that it is in fact a matter reserved to the Regional Council.
- Similarly, the areas of discretion for Rule 22.2.3.1 RD1 (v) location of earthworks to waterways is more appropriately managed as a Regional Council function, with the Council's discretion under the District Plan rule constrained to the maintenance of significant indigenous vegetation and habitat.
- Section 30 (c) of the RMA provides that Regional Councils have control of the use of land for the purpose of soil conservation (including large earthworks), the maintenance and enhancement of the quality of water in water bodies, the maintenance of the quantity of water in water bodies, and the maintenance and enhancement of ecosystems in water bodies. This is recognised in the RPS in method 8.3.2 and 14.1.1.
- Regional councils also control of the taking, use, damming and diversion of water, the control of the quantity, level or inflow of water in any water body, and the discharges of contaminants into or on to land, air or water and discharges of water into water. While section 31 provides territorial authorities with the control of effects of the use, development, or protection of land for the purpose of the maintenance of indigenous biodiversity and the control of any effects of activity in relation to the surface of water in rivers and lakes, these functions are significantly more constrained and should not impose standards above and beyond those required to conform to permitted activities under the relevant regional plan.

Point Number 433.66

Summary of Decision Requested: **Amend** the rules that duplicated a regional planning function such as to do with waterways, natural water flows and established drainage paths.

Decision Reasons:

- In regards to Rule 22.2.3.1 P2 (vi), the submitter considers that Waikato District Council does not have authority to control water flow via rules relating to the taking, use, damming and diverting of water in the District Plan, and that it is in fact a matter reserved to the Regional Council.
- Similarly, the areas of discretion for Rule 22.2.3.1 RD1 (v) location of earthworks to waterways is more appropriately managed as a Regional Council function, with the Council's discretion under the District Plan rule constrained to the maintenance of significant indigenous vegetation and habitat.
- Section 30 (c) of the RMA provides that Regional Councils have control of the use of land for the purpose of soil conservation (including large earthworks), the maintenance and enhancement of the quality of water in water bodies, the maintenance of the quantity of water in water bodies, and the maintenance and enhancement of ecosystems in water bodies. This is recognised in the RPS in method 8.3.2 and 14.1.1.
- Regional councils also control of the taking, use, damming and diversion of water, the control of the quantity, level or inflow of water in any water body, and the discharges of contaminants into or on to land, air or water and discharges of water into water. While section 31 provides territorial authorities with the control of effects of the use, development, or protection of land for the purpose of the maintenance of indigenous biodiversity and the control of any effects of activity in relation to the surface of water in rivers and lakes, these functions are significantly more constrained and should not impose standards above and beyond those required to conform to permitted activities under the relevant regional plan.

Point Number 433.67

Summary of Decision Requested: **Add** to the Proposed District Plan provisions that constrain housing and industrial developments near areas with recreational hunting values.

Decision Reasons:

- Existing game bird hunting activities are often constrained by surrounding land use, and generally becomes untenable when this land use changes; for example, when urban and lifestyle encroachment occurs near traditionally hunted sites.
- Recreational game bird hunting is a very popular activity in the rural environment.
- Game bird season involves the discharge of shotgun noise. This is not like other constant noises rather it is very brief in duration. Game bird hunting beings at 6:30am in the morning and concludes at 6:30pm at night for the length of the season.
- Introducing new dwelling areas near areas of recreational significance to hunters can have implications on the future of hunting in these areas, e.g. complaints can be made under the Arms Act 1983.

Point Number 433.68

Summary of Decision Requested: **Add** provisions to the Proposed District Plan that provide for the associated discharge of noise of firearms for all informal and legitimate purposes, such as recreational hunting, pest control and sigh adjustment, as permitted activities.

Decision Reasons:

- Recreational game bird hunting is a very popular activity in the rural environment.
- Game bird season involves the discharge of shotgun noise. This is not like other constant noises rather it is very brief in duration. Game bird hunting beings at 6:30am in the morning and concludes at 6:30pm at night for the length of the season.
- Method 6.1.2 'Reverse sensitivity' of the RPS requires local authorities to have particular regard to the potential for reverse sensitivity when assessing resource consent applications, preparing, reviewing or changing district plans. It also states particular consideration should be given to discouraging sensitive activities near existing and planned land uses or activities that could be subject to effects including the discharge of noise, which could lower amenity values of the surrounding area.

Point Number 433.69

Summary of Decision Requested: **Add** provisions to the Proposed District Plan that provide for recreational hunting as a permitted activity in the Rural Zone.

Decision Reasons:

- Recreational game bird hunting is a very popular activity in the rural environment.
- Rule 22.2.1.1 'noise' in the Rural Zone does not recognise noise from recreational hunting as a permitted activity. This is despite both the Waipa District Plan and South Waikato District Plan allowing for hunting as a permitted activity in the Rural Zone. The same provision should be included in the Proposed Plan to appropriately address the issue of reverse sensitivity for hunting activities and ensure a consistent approach across all of the districts in the Waikato Region and eliminate cross boundary issues.

Point Number 433.70

Summary of Decision Requested: **Amend** the Proposed District Plan to give specific reference is given to recreational hunting, especially in relation to subdivisions and new growth, where reverse sensitivity issues are discussed.

Decision Reasons:

- In the introduction of the Proposed Plan under 1.4.3.1 'Rural activities', the recreational use of the rural environment is recognised as important and includes such activities as hunting being important in terms of tourism, which the submitter strongly supports. However, Policy 5.3.7 'Reverse sensitivity effects' of the Proposed Plan does not recognise recreational hunting as a feature typical of the rural environment and it's effects being accepted and able to be managed.
- Further, Rule 22.2.1.1 'noise' in the rural zone does not recognise noise from recreational hunting as a permitted activity. This is despite both the Waipa District Plan and South Waikato District Plan allowing for hunting as a permitted activity in the Rural Zone. The same provision should be included in the Proposed Plan to appropriately address the issue of reverse sensitivity for hunting activities and ensure a consistent approach across all of the districts in the Waikato Region and eliminate cross boundary issues.

Point Number 433.71

Summary of Decision Requested: Add new policies to the Proposed District Plan that ensure that it maintains and enhances public access to and long wetlands, streams, lakes and rivers.

Decision Reasons:

- The recreational values of waterbodies can be constrained by limited public access; therefore, it is important to provide such access. Rivers and streams in the Waikato District support significant and well used trout fisheries, and many wetlands support game bird hunting, but outside of urban areas there is relatively little legal public access to and along waterbodies. While unformed legal roads do provide some access to rivers, they often wander over farmland and it is not obvious where they lie. Once at the river, there are few esplanade reserves and strips, marginal strips, recreation and road reserves and so most riverbanks are in private ownership, potentially with ad medium filium rights.
- Public access to lakes, rivers and public spaces can be fragmented by the subdivision process if not carefully managed.

Point Number 433.72

Summary of Decision Requested: Add provisions to provide for the creation and protection of esplanade reserves and strips as a permitted activity.

Decision Reasons:

- The recreation of esplanade reserves for example can provide for the protection of conservation values of riparian margins, maintenance of water quality and aquatic habitats and the enhancement of public access and recreational opportunities, including sports fish angling and game bird hunting.
- Section 6(d) of the RMA recognises that the maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers is a matter of national importance. There are also several provisions in the RPS that place an obligation on the Council to recognise the importance of public access to and along riparian margins, and to provide for it, including through the creation of esplanade reserves and strips. These provisions include:
 - Method 8.3.10 which requires territorial authorities to manage the effects of subdivision, use and development including through district plans by considering providing for the creation and protection of esplanade reserves and/or strips and riparian habitat, including appropriately vegetated riparian margins where this will have a positive effect on a fresh water body and it's ecological, amenity and recreational values.
 - Method 11.1.1 which requires that district plans to maintain or enhance indigenous biodiversity, including by (a) creating buffers, linkages, and corridors to protect and support indigenous biodiversity values, including esplanade reserves and esplanade strips to maintain and enhance indigenous biodiversity values.
 - Policy 12.4 which requires that public access to and along lakes, and rivers to be maintained and enhanced by ensuring subdivision, use and development do not result in inappropriate loss of existing public access.
 - Method 12.4.1 which requires district plans to provide for the enhancement of public access to and along wetlands, and lakes and rivers and their margins by:
 - a. identifying areas where it is appropriate; or
 - b. establishing criteria to enable assessment through resource consent processes of when it would be appropriate; and c. including provisions to ensure it occurs in appropriate circumstances and locations.

Point Number 433.73

Summary of Decision Requested: Amend the Proposed District Plan by including similar or the same provisions for maimai as under the Waikato Regional Plan.

Decision Reasons:

- The right to build, tag and use maimai is a fundamental part of duck shooting in New Zealand and managing this activity is a core function of the submitter.
- The maximum floor size for maimai (10m²) is already controlled by the Building Act 2004 under s41(1)b and Schedule 1(3). It is further provided for in the Waikato Regional Plan under Rule 4.2.7 which states that maimai are a permitted activity subject to the floor area not exceeding 10 square metres and the overall height not exceeding 2.5 metres from the floor height.
- Maimai need to be of adequate size to maintain safe shooting zones and not to compromise hunter safety.

Point Number 433.74

Summary of Decision Requested: Add provisions to the Proposed District Plan that provide for building of maimai on wetlands or near a lake or river as a permitted activity.

Decision Reasons:

- The submitter enforces the relevant legislation that regulates maimai use in the field (Wildlife Act, 1953, Wildlife Regulations 1955).
- A wide range of structures are used as maimai, including permanent and temporary structures. Such structures are accepted around much of New Zealand as a permitted activity.
- The maximum floor size for maimai (10m²) is already controlled by the Building Act 2004 under s41(1)b and Schedule 1(3). It is further provided for in the Waikato Regional Plan under Rule 4.2.7 which states that maimai are a permitted activity subject to the floor area not exceeding 10 square metres and the overall height not exceeding 2.5 metres from the floor height.

Point Number 433.75

Summary of Decision Requested: Amend the Proposed District Plan to allow for all signs erected by the submitter to be a permitted activity, notwithstanding that they may not be located on the site angling/hunting activity to which the sign relates is occurring.

Decision Reasons:

- The submitter erects interpretative signage at access points to sports fisheries and game bird hunting areas.

- The construction, maintenance, use and removal of these signs is a fundamental aspect of managing game bird shooting and sports fish angling activities in New Zealand and are important functions of the submitter. Such signs are accepted around much of New Zealand as a permitted activity.
- The submitter's signs typically have brief information about legal access points, licence requirements, applicable hunting/angling regulations (i.e. local restrictions like "fly fishing only"), and /or the need for licence holders to take precautions against the spread of aquatic pests.
- In some court proceedings involving illegal fishing and similar offending, the presence of adequate signage has been pivotal, in pre-warning the person charged that they were committing an offence.
- The submitter's signs would be covered by the definition of 'advertising sign' and therefore subject to the conditions set out in several rules throughout the plan including in the Rural Zone. However, there are some instances in which the submitter may need to breach these rules, for example in the case of in the Rural Zone, by erecting more than one sign on a site, on a road reserve or within 50m of an expressway. The submitter should not have to apply for a resource consent to do this.

Point Number 433.76

Summary of Decision Requested: **Amend** the Proposed District Plan to ensure that development occurs away from areas valued for their amenity characteristics which are important for culture and recreation.

Decision Reasons:

- The submitter supports separation of urban areas by defined and open space and effective rural zoning, and encouraging a more compact urban footprint through limiting rural lifestyle development. However, settlement patterns should be tightly restricted in undeveloped rural areas or in areas with high landscape and/or natural character values such as near wetlands and lakes.
- Elements of the experience sought by recreational hunters and anglers in the Waikato District include the wilderness experience, the opportunity to engage in the sports, and the opportunity to obtain fish and game birds for food or enjoyment in a natural/non-built environment, all with minimal restriction. This is a significant recreational and cultural aspect of the district which deserves recognition, particularly given the projected increasing footprint of settlement and industry. It constitutes an essential public amenity for an increasingly urbanised population. These are values that should be recognised in the District Plan.

Point Number 433.77

Summary of Decision Requested: **Amend** the Proposed District Plan to ensure that recreational game bird hunting and recreational freshwater fishing are included as permitted activities in all rural areas.

Decision Reasons:

- The submitter supports separation of urban areas by defined and open space and effective rural zoning, and encouraging a more compact urban footprint through limiting rural lifestyle development. However, settlement patterns should be tightly restricted in undeveloped rural areas or in areas with high landscape and/or natural character values such as near wetlands and lakes.
- A proliferation of rural 'lifestyle' blocks in the Waikato region will allow future landowners to object to hunting activities; for example, by complaining under s48 of the Arms Act regarding the discharge of a firearm in or near a dwelling, house or public place to "annoy or frighten any persons".
- Land owners restricting the activities of game bird hunters on public reserves has been an issue in the Waikato Region. In some instances, this has led to the cessation of this activity.

Point Number 433.78

Summary of Decision Requested: **Amend** the Proposed District Plan to ensure development is directed away from known hazard areas (i.e. flooding hazards).

Decision Reasons:

- The Future Proof Strategy Update requires that any growth expansion be consistent with the General Principles of the strategy which include:
 - *Diverse and Vibrant Metropolitan Centre linked to Thriving Town and Rural Communities and Place of Choice – Live, Work, Play, Invest and Visit;*
 - Sustainable Resource Use;
 - Protection of Natural Environments, Landscapes and Heritage and Healthy Waikato River as Heart of Region's Identity;
 - *Ensure development is directed away from potential and known hazard areas as well as areas suited to energy generation and transmission, and important mineral resources (including sand and aggregate) and access routes to these resources.*
 - *Ensure that planning for the future use of water maintains or improves water quality and promotes efficient use.*

Point Number 433.79

Summary of Decision Requested: **Amend** the Proposed District Plan to ensure existing ponding zones are implemented and there is no further drainage to support growth of settlement areas.

Decision Reasons:

- Growth of settlement into as-yet undeveloped land is a threat in terms of potential effects on sensitive ecosystems, particularly wetlands, and fauna (particularly avifauna). The following issues are of significance to the submitter:
 - Runoff of heavy metals and other contaminants from hard surfaces into waterbodies;
 - Drainage of wetland and bog areas for protection of increased settlement;
 - Increased predation of avifauna from pets and pests associated with human population.

Point Number 433.80

Summary of Decision Requested: **Amend** the Proposed District Plan to encourage and prioritise Water Sensitive Design Principles (as used in the Auckland Unitary Plan) for new developments to reduce the creation of runoff and the sources of contaminants.

Decision Reasons:

- Growth of settlement into as-yet undeveloped land is a threat in terms of potential effects on sensitive ecosystems, particularly wetlands, and fauna (particularly avifauna). The following issues are of significance to the submitter:
 - Runoff of heavy metals and other contaminants from hard surfaces into water bodies;
 - Drainage of wetland and bog areas for protection of increased settlement;
 - Increased predation of avifauna from pets and pests associated with human population.

Point Number 433.81

Summary of Decision Requested: **Amend** the Proposed District Plan to acknowledge the effects of settlement expansion on avifauna and sustainably manage such effects.

Decision Reasons:

- Growth of settlement into as-yet undeveloped land is a threat in terms of potential effects on sensitive ecosystems, particularly wetlands, and fauna (particularly avifauna). The following issues are of significance to the submitter:
- Runoff of heavy metals and other contaminants from hard surfaces into water bodies;
- Drainage of wetland and bog areas for protection of increased settlement;
- Increased predation of avifauna from pets and pests associated with human population.

Submitter Number:

434

Submitter:

Ben Young

Organisation:

Madsen Lawrie Consultants Ltd

Point Number

434.1

Summary of Decision Requested:

Amend Rule 22.4.1 Subdivision so that the issue date regarding a Record of Title is changed to the operative date of the Proposed Plan for all titles, especially for Franklin titles.

Decision Reasons:

- The Proposed District Plan is incorporating Franklin section titles that have not had this opportunity for subdivision previously, so they should not be penalised by the implementation of the date restriction.
- The date restriction is only relevant to the Waikato section of the current District Plan.
- The submitter currently has a title much older than 6 December 1997 and wishes to make an application in the future for subdivision. Part of the submitter's land is in the process of purchase under the Public Works Act 1981 for the relocation of State Highway 2. This transaction will generate a title date newer than 6 December 1997 and therefore preclude a potential subdivision proceeding as a Restricted Discretionary Activity. The submitter has no control over this procedure and therefore should not be penalised for a subdivision creating a date newer than the cutoff date.

Point Number

434.2

Summary of Decision Requested:

Amend Rule 22.4.1.1 PR3 (c) Prohibited subdivision to include any title where the title date is newer than 6 December 1997 as a result of land required under the Public Works Act 1981 or the Local Government 1974.

Decision Reasons:

- The submitter currently has a title much older than 6 December 1997 and wishes to make an application in the future for subdivision. Part of the submitter's land is in the process of purchase under the Public Works Act 1981 for the relocation of State Highway 2. This transaction will generate a title date newer than 6 December 1997 and therefore preclude a potential subdivision proceeding as a Restricted Discretionary Activity. The submitter has no control over this procedure and therefore should not be penalised for a subdivision creating a date newer than the cutoff date.

Point Number

434.3

Summary of Decision Requested:

Amend Rule 22.4.1 Subdivision so that exceptions to this rule are noted (such as those classified as Prohibited Subdivision) as it currently in the Operative District Plan.

Decision Reasons:

- Specification of exceptions will ease interpretation and understanding of the rule.

Submitter Number:

435

Submitter:

Jade Hyslop

Point Number

435.1

Summary of Decision Requested:

Amend Section 2.10 (a) Tangata Whenua Iwi Management Plans to so that the use of Iwi/Hapu management plans must be adhered to (not merely considered) by working in partnership with iwi representatives/planners.

Decision Reasons:

- Iwi Management Plans should have equal status to the District Plan.
- District Council Planners should sit down with Iwi Authority/Planners for directive on how to use and understand Iwi Management Plans.

Point Number

435.2

Summary of Decision Requested:

Retain Strategic Objective 2.11 Tautoko te Whakaturanga.

Decision Reasons:

- No reasons provided.

Point Number

435.3

Summary of Decision Requested:

Retain Objective 2.12 Whakapapa (connection to nature).

Decision Reasons:

- No reasons provided.

Point Number

435.4

Summary of Decision Requested:

Add total limits to the earthworks rules in all zones that prescribe time limits (e.g. within a 12 month period) consistent with maintaining the values of the site.

Decision Reasons:

- Incremental annual changes can amount to significant destruction of areas which should be protected.

Point Number 435.5

Summary of Decision Requested: Undertake a survey of notable trees
AND

Amend Schedule 30.2- Notable trees to include the following trees to the Raglan list:

- Trees within 30m of the high water mark between Bow St Jetty and Helen Place.
- Trees adjacent to the airfield.
- Trees within 10m of Marine Parade.
- Trees between recreation ground and Lily Street.
- Trees on Wallis Street at foot of Government Road.
- Trees in the gully between Rose Street and Lily Street.
- Trees to the south west of SH23 between Hills Road and Greenslade Road.
- Trees in the Lorenzen Bay Reserve.
- Large trees should all be protected.

Decision Reasons:

- Schedule 30.2 does not cover every notable tree as there are only 160 listings for the whole district.
- Tree protection is clearly inadequate.
- Trees are important for landscape, nature and carbon storage.

Point Number 435.6

Summary of Decision Requested: **Add** rules to Chapter 22 Rural Zone, to provide for protection of defined views from public places to the harbour, coast and natural backdrops which include at least the following defined views:

- (a) From SH23, (north of Maungatawhiri Road) to Kaitoke Creek.
- (b) All existing views of the bar from Main Road, Bow Street and Norrie Avenue.
- (c) All existing views of Karioi from Raglan CBD.
- (d) From Wainui Road to the coast between the Bryant Reserve and the Bible Crusade Camp.
- (e) From SH23 summit to Karioi.
- (f) AroAro salt marsh, from Wallis Street.

AND

Amend the Planning maps for any consequential relief to give effect to this submission.

Decision Reasons:

- Rules in each zone chapter are needed to apply Outstanding Natural Features and Landscapes Objective 3.3.3a.) and in Raglan to apply Business and Business Town Centre Zone Policy 4.5.14a.)iii.)- Raglan Town Centre.
- Views are an inherent part of retaining Raglan's seaside character.
- Raglan's community plan, 'Raglan Naturally,' contains 6 references to views.
- RMA s5 states purpose of RMA which includes reference to social, economic and cultural wellbeings, of which Raglan Naturally sets out that the Raglan community clearly expressed such wellbeings include protection of views.
- At the last plan revision, Council accepted views were important but change needed to occur via a variation which has not happened and thus needs to be a part of the plan.
- Excluding an important part of Raglan Naturally is to deny the value of public participation.
- Plan protects views of navigation beacons.
- Other authorities' district plans show protection of other views is possible, e.g. Auckland and Hastings.

Point Number 435.7

Summary of Decision Requested: **Add** rules to Chapter 16 Residential Zone, to provide for protection of defined views from public places to harbour, coast and natural backdrops which include at least the following defined views:

- (a) From SH23, (north of Maungatawhiri Road) to Kaitoke Creek.
- (b) All existing views of the bar from Main Road, Bow Street and Norrie Avenue.
- (c) All existing views of Karioi from Raglan CBD.
- (d) From Wainui Road to the coast between the Bryant Reserve and the Bible Crusade Camp.
- (e) From SH23 summit to Karioi.
- (f) AroAro salt marsh, from Wallis Street.

AND

Amend the Planning maps for any consequential relief to give effect to this submission point.

Decision Reasons:

- Rules in each zone chapter are needed to apply Outstanding Natural Features and Landscapes Objective 3.3.3a.) And in Raglan to apply Business and Business Town Centre Zone Policy 4.5.14a.)iii.)- Raglan Town Centre.
- Views are an inherent part of retaining Raglan's seaside character.
- Raglan's community plan, 'Raglan Naturally,' contains 6 references to views.
- RMA s5 states purpose of RMA which includes reference to social, economic and cultural wellbeings, of which Raglan Naturally sets out that the Raglan community clearly expressed such wellbeings include protection of views.
- At the last plan revision, Council accepted views were important but change needed to occur via a variation which has not happened and thus needs to be a part of the plan.
- Excluding an important part of Raglan Naturally is to deny the value of public participation.
- Plan protects views of navigation beacons.
- Other authorities' district plans show protection of other views is possible, e.g. Auckland and Hastings

Point Number 435.8

Summary of Decision Requested: **Add** rules to Chapter 18 Business Town Centre, to provide for protection of defined views from public places to harbour, coast and natural backdrops which include at least the following defined views:

- (a) From SH23, (north of Maungatawhiri Road) to Kaitoke Creek.
- (b) All existing views of the bar from Main Road, Bow Street and Norrie Avenue.
- (c) All existing views of Karioi from Raglan CBD.
- (d) From Wainui Road to the coast between the Bryant Reserve and the Bible Crusade Camp.

(e) From SH23 summit to Karioi.

(f) Aroaro salt marsh from Wallis Street.

AND

Amend the Planning maps for any consequential relief required to give effect to this submission point.

Decision Reasons:

- Rules in each zone chapter are needed to apply Outstanding Natural Features and Landscapes Objective 3.3.3a.) And in Raglan to apply Business and Business Town Centre Zone Policy 4.5.14a.iii.)- Raglan Town Centre.
- Views are an inherent part of retaining Raglan's seaside character.
- Raglan's community plan, 'Raglan Naturally,' contains 6 references to views.
- RMA s5 states purpose of RMA which includes reference to social, economic and cultural wellbeings, of which Raglan Naturally sets out that the Raglan community clearly expressed such wellbeings include protection of views.
- At the last plan revision, Council accepted views were important but change needed to occur via a variation which has not happened and thus needs to be a part of the plan.
- Excluding an important part of Raglan Naturally is to deny the value of public participation.
- Plan protects views of navigation beacons.
- Other authorities' district plans show protection of other views is possible, e.g. Auckland and Hastings

Point Number

435.9

Summary of Decision Requested:

Add new rules in each zone such as follows:

Construction of a building or other structure and planting of trees and other vegetation is a permitted activity if:

(a) It can be shown that it will not significantly block views of sea, river, bush or hills from neighbouring properties, or

(b) Neighbouring property owners confirm in writing that any loss of view does not concern them, or

(c) It can be shown that the planted vegetation is of native plants and likely to contribute to reduction of river, or coastal erosion, or

(d) It can be shown that the planting would improve views from public places.

Any activity that does not comply with a condition for a permitted activity is a discretionary activity.

Decision Reasons:

- Sea and other views add many thousands of dollars to the value of properties.
- Protection of existing ratepayers property rights should take precedence over new rights of developers.
- Developers should need to get written agreement from neighbors that development doesn't concern them in regards to lost views, unless it consists of native planting to protect land from erosion, hides unsightly development or it is apparent views will not be affected significantly.
- No requirement in the RMA to protect views, there are no provisions against either.
- Only 4.7.2 requires 'view sharing,' however only applies to developments needing resource consent of which a great bulk will not.

Point Number

435.10

Summary of Decision Requested:

Add the following to the Planning maps:

- The planned Wainui Road to Te Hutewai Road walk/cycle track;
- All the tracks shown on the strategy maps and walkways through the Residential zones linking Lorenzen Bay with Kaitoke Walkway, allowing a circular walk around Raglan;
- A cycle track from Wallis Street to Violet Street;
- A link to the national Te Araroa walkway using paper roads etc. (Karioi, Bridal Veil);
- Walkways (where possible also cycle ways) along the whole coast;
- A track from Raglan to the summit of Karioi using esplanades, reserves and unformed roads; and
- A link along Wainui Stream from Wainui Reserve to Bryant Reserve.

Decision Reasons:

- Without support from District Plan is unlikely most of strategy will be achieved.
- 4.1.10 Policy- Tuakau, 4.1.11 Policy- Pokeno, 4.1.12 Policy- Te Kauwhata, 4.1.14 Policy- Taupiri, 4.1.15 Policy- Ngaruawahia, 4.1.16 Policy- Horotiu and 4.1.17 Policy- Te Kowhai all mention walking and cycling provision, however means and locations is unclear.
- Last plan revision, Council stated detailed rules for walk/cycle ways are not appropriate for a District Plan, yet have 35 pages the detail in 14.12 about vehicle turning circles, road widths etc. versus just a rule about bus space capacities and new buildings should have cycle parking.
- Page 42 Raglan Naturally states 'There is strong public support for harbor and coastal walkways' and 'Create coastal walkways.'
- Encouraging tourists to spend more time walking versus driving, could be made a much more valuable asset giving economic, health and recreation impetus to implement policies in recognition of the importance of walking and cycling.
- Lack of progress indicates opportunities are not taken with subdivisions and more detail needs to be included in the District Plan.

Point Number

435.11

Summary of Decision Requested:

Retain wastewater disposal that complies with AS/NZS 1547:2012 in Rule 14.11.1.3 Permitted Activities.

Decision Reasons:

- AS/NZS 1547:2012 covers the whole range of options which may be appropriate, including Waterless composting toilets, covered in related AS/NZS 1546.2:2008.
- Supports investigation of such systems to minimize water consumption and sewage volumes, thus making it easier to treat sewage as a valuable resource.

Point Number

435.12

Summary of Decision Requested:

Amend Rule 16.5.8.7 PI (a) Building setbacks - All boundaries, to provide for variable setbacks to suit the character of each road

OR

Amend Rule 16.5.8.7 PI (a) Building setbacks - All boundaries, to have a minimum 6m setback from the road boundary for all developments in the Residential Zone.

Decision Reasons:

- There are locations where there is no need for any setback, but it is not clear that any generic rule can be set to identify them.
- A 6m setback will generally retain village character of Raglan and protect many views.
- Submitter doesn't understand why WDC hasn't taken up the Environment Court's suggestion to undertake a more detailed assessment and there is nothing in s32 documents to explain that failure.
- s32--12--residential-zone-setbacks report lists assertions that 6m setback is odd, doesn't work and is generally not practical due to topography.
- The setback should reflect character of roads within Raglan, protect Raglan views and retain Raglan's existing character.

Point Number

435.13

Summary of Decision Requested: Amend Home stay provisions in Rule 16.1.2 Permitted Activities, to provide for registration of Homestay or Visitor accommodation.

Decision Reasons:

- Raglan requires a plan similar to Queenstown to avoid more residential accommodation becoming available to only visitors.
- Since residents tend to move to and from surrounding country areas, the same policy needs to apply there.

Point Number 435.14

Summary of Decision Requested: Amend Home stay provisions in Rule 22.1.2 Permitted Activities, to provide for registration of Homestay or Visitor accommodation.

Decision Reasons:

- Raglan needs a plan similar to Queenstown to avoid more residential accommodation becoming available only to visitors.
- Residents tend to move to and from surrounding country areas, the same policy needs to apply there also.

Point Number 435.15

Summary of Decision Requested: Amend Home stay provisions in Rule 23.1.1 Permitted Activities, to provide for registration of Homestay or Visitor accommodation.

Decision Reasons:

- Raglan needs a plan similar to Queenstown to avoid more residential accommodation becoming available only to visitors.
- Residents tend to move to and from surrounding country areas, the same policy needs to apply there also.

Point Number 435.16

Summary of Decision Requested: Add a requirement (not discretionary) Rule 16.5.8.6 Living Court, to avoid balconies and windows that compromise privacy of neighboring outdoor spaces and living areas.

Decision Reasons:

- Follows Housing NZ's Simple Guide expectation that buildings and spaces should relate well to each other.

Point Number 435.17

Summary of Decision Requested: Add to Chapter 16 Residential Zone rules to the effect that:

Construction of commercial building within sight of SH23 at Raglan is a permitted activity if it will be screened from SH23 by planting with indigenous species that will achieve an average height of 3m after 5 years, mature to over 9m in the residential zone and 12m in the business zone and be of sufficient density to visually screen the activity from SH23.

Any activity that does not comply with a condition for a permitted activity is a discretionary activity.

Decision Reasons:

- Zone extensions have increase the extent of urban development along the main approach to Raglan, that could be mitigated by screening further development.

Point Number 435.18

Summary of Decision Requested: Add to Chapter 17 Business Zone rules to the effect that:

Construction of commercial building within sight of SH23 at Raglan is a permitted activity if it will be screened from SH23 by planting with indigenous species that will achieve an average height of 3m after 5 years, mature to over 9m in the residential zone and 12m in the business zone and be of sufficient density to visually screen the activity from SH23.

Any activity that does not comply with a condition for a permitted activity is a discretionary activity.

Decision Reasons:

- Zone extensions have increase the extent of urban development along the main approach to Raglan, that could be mitigated by screening further development.

Point Number 435.19

Summary of Decision Requested: Add to Rule 17.3.5 Horotiu Acoustic Area, so that these rules apply to Raglan Business Zones.

Decision Reasons:

- The SH23 Business Zone is next to the Lorenzen Bay Residential Zone.

Point Number 435.20

Summary of Decision Requested: Add rules for each catchment to Section C Rules to support the following:

- Onsite storm water disposal;
- Sufficient capacity to enable disposal of storm water;
- Best practice low impact design;
- On-site treatment;
- Minimises impervious surfaces;
- Retains pre-development hydrological conditions;
- Not increase the flow of storm water runoff;
- Not reduce storage capacity on-site; and
- Storm water catchment management plan.
- Promotes clean water reuse and groundwater recharge.

AND

Amend Section C Rules to provide individual limits to suit each catchment rather than permitting up to 70% impermeable cover everywhere.

Decision Reasons:

- Oppose Policies 4.2.7 and 6.4.7 as the only rules implementing them in Raglan are discretionary and ill-defined.
- No scientific storm water plan for Raglan completed, though a settling pond at AroAro was designed in 2011 as a filtration wetland for the storm water.
- Pollutants such as copper are at or near their limits and 70% impermeable.
- Application of Rule 14.11.1.2 RD2 discretion without scientific evidence will make pollution even worse.

Point Number 435.21

Summary of Decision Requested: **Amend** Policy 4.1.18 Raglan, as follows:

(a) Raglan is developed to ensure

(i) Infill and redevelopment of existing sites occurs, subject to development of a Structure Plan to identify where this can be done without loss of character, trees or other natural features.

(ii) A variety of housing densities is provided for and adequate housing reserved for low cost rentals and purchases by permanent residents.

Decision Reasons:

- There is a housing shortage in Raglan available to local people at affordable prices, not of buildings.
- Number of houses empty has risen to a third.
- Providing additional holiday homes will do nothing to solve the housing problem.
- Rangitahi will provide amply for foreseeable growth.
- It is planned to have good walking and cycling links within Rangitahi but no links to Raglan CBD, no ferry or bus service, thus need good car alternatives.
- Raglan CBD already has parking and congestion problems at peak times, never mind adding another 500 cars from Rangitahi.

Point Number 435.22

Summary of Decision Requested: **Amend** the Proposed District Plan to require housing for the elderly in all new developments, not just in Te Kauwhata, e.g. Policy 4.1.12 (b) (i) Te Kauwhata.

Decision Reasons:

- Former Lazarus Village is on fairly level ground and close to Raglan's main facilities.
- Better suited to house Raglan's above average elderly population than most sites in town and should be restored to such use.
- Without protection, likely the only non-hospital housing for elderly people in Raglan will be permanently lost.
- 1.12.3 aims for 'A district which provides a wide variety of housing forms which reflects the demands of its ageing population.'

Point Number 435.23

Summary of Decision Requested: **Delete** Policy 4.2.22-Bankart Street and Wainui Street.

AND

Add provision to Chapter 4: Urban Environment for Wi Neera Street.

Decision Reasons:

- Oppose as the area behind corrugated iron on Wi Neera Street is still be developed and residents will be forced out of their homes by rate rises, overlooking, noise etc.
- Raglan needs housing for locals far more than extra holiday apartments.

Point Number 435.24

Summary of Decision Requested: **Add** provision for new cycle/walkways to implement Council's Walking, Cycling and Bridle Trails Strategy, not only in major new developments.

Decision Reasons:

- Without support from District Plan is unlikely most of strategy will be achieved.
- 4.1.10 Policy- Tuakau, 4.1.11 Policy- Pokeno, 4.1.12 Policy- Te Kauwhata, 4.1.14 Policy- Taupiri, 4.1.15 Policy- Ngaruawahia, 4.1.16 Policy- Horotiu and 4.1.17 Policy- Te Kowhai all mention walking and cycling provision, however means and locations is unclear.
- Last plan revision, Council stated detailed rules for walk/cycle ways are not appropriate for a District Plan, yet have 35 pages the detail in 14.12 about vehicle turning circles, road widths etc. versus just a rule about bus space capacities and new buildings should have cycle parking.
- Page 42 Raglan Naturally states 'There is strong public support for harbor and coastal walkways' and 'Create coastal walkways.'
- Encouraging tourists to spend more time walking versus driving, could be made a much more valuable asset giving economic, health and recreation impetus to implement policies in recognition of the importance of walking and cycling.
- Lack of progress indicates opportunities are not taken with subdivisions and more detail needs to be included in the District Plan.

Submitter Number: 436 **Submitter:** Gerard Willis

Point Number 436.1

Summary of Decision Requested: **Amend** Rule 24.4.1 RD1 (a) Subdivision - General, so the minimum site area is 2500m2 as in the Operative District Plan.

Decision Reasons:

- The existing minimum area is 2500m2 and the Proposed Plan would effectively down-zone the land, reducing development opportunities

Point Number 436.2

Summary of Decision Requested: **Retain** the Village zoning for the property at 18 Clark and Denize Road, Pukekawa as proposed.

Decision Reasons:

- The zoning maintains the historic zoning and is appropriate given the location relative to existing development.

Submitter Number: 437 **Submitter:** KCH Trust

Point Number 437.1

Summary of Decision Requested: **Amend** the planning maps to reduce the extent of the Significant Natural Area at 170 Port Waikato-Waikaretu Road, Tuakau.

AND

Any further relief or amendments to address the concerns outlined in the submission.

Decision Reasons:

- The mapped Significant Natural Area in the Proposed District Plan is based on the criteria in Section 11A of the Waikato Regional Policy Statement.
- The Waikato Regional Policy Statement states that the identification of significant indigenous vegetation has been undertaken "primarily as a desktop analysis to which varying degrees of confidence are assigned." Further, that "Before information is included in regional or district plans further verification and validation may be required to confirm whether the identified area meet the criteria for significance in section 11A."
- The site has no property information supporting the application of the Significant Natural Area.
- The submitter appreciates the considerable cost involved in 'ground-truthing', however the District Council could include a rule in the Proposed District Plan that provides for the verification of the mapped Significant Natural Area by a suitably qualified ecologist when the Significant Natural Area is to be subject to subdivision or development or used for the purposes of conservation lot subdivision.

Point Number

437.2

Summary of Decision Requested:

Amend the assessment of a Significant Natural Area required by Rule 22.4.1.6(a)(ii) Conservation lot subdivision, to specifically refer to an outcome of the assessment being an increase or decrease in the boundary of the mapped Significant Natural Area as follows:

The area of Significant Natural Area is assessed by a suitably-qualified person as satisfying at least one criteria in Appendix 2 (Criteria for Determining Significance of Indigenous Biodiversity, a consequence of such assessment can be that the mapped Significant Natural Area may increase or decrease;

AND

Any other relief or amendments to address the concerns outlined in the submission.

Decision Reasons:

- It is acknowledged that there is considerable cost in ground-truthing the Significant Natural Areas at a district scale.
- This provides for verification of the mapped Significant Natural Area by a suitably qualified ecologist.

Point Number

437.3

Summary of Decision Requested:

Delete Rule 22.4.3(a)(i) Title boundaries - Significant Natural Areas, heritage items, Maori sites of significance and Maori areas of significance.

AND

Any other relief or amendments to address the concerns outlined in the submission.

Decision Reasons:

- Many Significant Natural Areas are already fragmented.
- Significant Natural Areas protection relies on the implementation of a covenant.
- The retention within one title is not a key requirement.
- An efficient covenant is the most important matter (Rule 22.4.1.6(a)(iv)).

Point Number

437.4

Summary of Decision Requested:

Add a rule to the Proposed District Plan that provides for the verification of the mapped Significant Natural Area by a suitable qualified ecologist when the Significant Natural Area is to be subject to subdivision or development used for the purposes of conservation lot subdivision.

Decision Reasons:

- Appreciates that there is considerable cost involved in ground-truthing the district-scale information. Rule 22.4.1.6 (a)(i) already goes some way to achieving this outcome.

Point Number

437.5

Summary of Decision Requested:

Retain Rule 22.2.3.1 Earthworks - General.

Decision Reasons:

- These provisions are consistent with the purpose and principles of the Resource Management Act.
- These provisions meet the requirements to satisfy the criteria of section 32 of the Resource Management Act.
- These provisions will meet the reasonably foreseeable needs of future generations.
- These provisions are consistent with sound resource management practice.

Point Number

437.6

Summary of Decision Requested:

Retain Rule 22.2.3.3 Earthworks - Significant Natural Areas.

Decision Reasons:

- These provisions are consistent with the purpose and principles of the Resource Management Act.
- These provisions meet the requirements to satisfy the criteria of section 32 of the Resource Management Act.
- These provisions will meet the reasonably foreseeable needs of future generations.
- These provisions are consistent with sound resource management practice.

Point Number

437.7

Summary of Decision Requested:

Retain Rule 22.2.7 Indigenous vegetation clearance inside a Significant Natural Area.

Decision Reasons:

- These provisions are consistent with the purpose and principles of the Resource Management Act.
- These provisions meet the requirements to satisfy the criteria of section 32 of the Resource Management Act.
- These provisions will meet the reasonably foreseeable needs of future generations.
- These provisions are consistent with sound resource management practice.

Submitter Number:

438

Submitter:

Wendy Oliver

Point Number

438.1

Summary of Decision Requested: Amend the zoning of 50C Cedar Park Road, Tamahere from Country Living Zone to Village Zone (or create a deferred zone.)

OR

Amend the Country Living Zone rules to allow dispensation to reduce the section lot size down to 2000m2 to 3000m2.

Decision Reasons:

- Subdividing the 1.0237 ha block into two 5000m2 blocks is inefficient on the counts of land use, and sustainability.
- The section at 50C Cedar Park Road is also adjacent to the Waikato Expressway, and is on the Hamilton City side of the Waikato Expressway where more urban intensification is envisaged.
- It is now timely that Waikato District Council (WDC) also considers the draft Futureproof Strategy 2017 - 2018 (DFPS) which this submission is aligned with.
- To prioritize growth of the District in the best sustainable manner
- Tamahere should be the highest priority to be investigated for future growth and servicing
- There is proximity to Hamilton, strong transport linkages in very close proximity, latent demand for prime rural land for country living opportunities, protection of prime rural production land, infrastructure provision potential, and improved development, planning and social outcomes going forward for the Waikato District.
- This will provide for social, economic and cultural wellbeing by restraining rapid change of the rural character and a high - quality rural land resource.
- To address population growth pressure in the best manner possible and to continue the close-knit feel of the community
- To enable growth in a way that makes it sustainable and does not adversely impact on the highly productive farm and horticulture land surrounding the area, see submission for section taken from the draft Future Proof Strategy Update 2017.
- This will provide an efficient economy of scale for the provision of reticulated infrastructure.
- The vibrant and commercially successful community would benefit from more sustainable residential development without affecting the rural surrounding land use.
- Transport links have played a key role in the growth of the Tamahere area and this is becoming more predominant in recent times with new roading infrastructure. Tamahere is only a few minutes' drive by car from Hamilton city. Along with the development of the Waikato Expressway and SH25B, provide state highway linkages to the local road network. This proves that it is inevitable that there will continue to be a high latent demand for land in the Tamahere area for development.
- Waikato District population is projected to be 105,770 by 2048. Hamilton fringe areas are continuing to increase significantly due to high demand for properties and increased subdivision in the country living and urban areas with 20km of Hamilton. Some of the highest growth is currently being experienced and is predicted to continue in the Tamahere Country Living Zone (source Waikato District projected population). This proves that it is inevitable that there will continue to be a high latent demand for land in the Tamahere area for development.
- It will provide development, commercial, transport sustainability through economies of scale, development density and numbers of residents in a managed and coordinated manner.
- Thought now needs to turn to protecting the rural productive land and encouraging urban serviced lots in the surrounding areas.
- The addressing of serviced infrastructure best addresses sustainable management of natural and physical resources as distinct from sprawling 5,000m2 minimum Country Living Zone sized allotments.
- Section 6.5 of the Future Proof Strategy November 2017 supports the view that creating large non-reticulated lots will not assist integrated growth with Hamilton City's likely expansion into the future where such uses could be better accommodated with 2,000m2 service lots, than either 3,000m2 Village Zone or 5,000m2 Country Living Zone sized lots.

Point Number 438.2

Summary of Decision Requested: Add Rule 24.4.1 RD1 (c) Subdivision, which allows a reticulated service option of 3,000m2 lots for 50C Cedar Park Road, Tamahere.

Decision Reasons:

- Subdividing the 1.0237 ha block into two 5000m2 blocks is inefficient on the counts of land use, and sustainability.
- The section at 50C Cedar Park Road is also adjacent to the Waikato Expressway, and is on the Hamilton City side of the Waikato Expressway where more urban intensification is envisaged.
- It is now timely that Waikato District Council (WDC) also considers the draft Futureproof Strategy 2017 - 2018 (DFPS) which this submission is aligned with.
- To prioritize growth of the District in the best sustainable manner
- Tamahere should be the highest priority to be investigated for future growth and servicing
- There is proximity to Hamilton, strong transport linkages in very close proximity, latent demand for prime rural land for country living opportunities, protection of prime rural production land, infrastructure provision potential, and improved development, planning and social outcomes going forward for the Waikato District.
- This will provide for social, economic and cultural wellbeing by restraining rapid change of the rural character and a high - quality rural land resource.
- To address population growth pressure in the best manner possible and to continue the close-knit feel of the community
- To enable growth in a way that makes it sustainable and does not adversely impact on the highly productive farm and horticulture land surrounding the area, see submission for section taken from the draft Future Proof Strategy Update 2017.
- This will provide an efficient economy of scale for the provision of reticulated infrastructure.
- The vibrant and commercially successful community would benefit from more sustainable residential development without affecting the rural surrounding land use.
- Transport links have played a key role in the growth of the Tamahere area and this is becoming more predominant in recent times with new roading infrastructure. Tamahere is only a few minutes' drive by car from Hamilton city. Along with the development of the Waikato Expressway and SH25B, provide state highway linkages to the local road network. This proves that it is inevitable that there will continue to be a high latent demand for land in the Tamahere area for development.
- Waikato District population is projected to be 105,770 by 2048. Hamilton fringe areas are continuing to increase significantly due to high demand for properties and increased subdivision in the country living and urban areas with 20km of Hamilton. Some of the highest growth is currently being experienced and is predicted to continue in the Tamahere Country Living Zone (source Waikato District projected population). This proves that it is inevitable that there will continue to be a high latent demand for land in the Tamahere area for development.
- It will provide development, commercial, transport sustainability through economies of scale, development density and numbers of residents in a managed and coordinated manner.
- Thought now needs to turn to protecting the rural productive land and encouraging urban serviced lots in the surrounding areas.
- The addressing of serviced infrastructure best addresses sustainable management of natural and physical resources as distinct from sprawling 5,000m2 minimum Country Living Zone sized allotments.
- Section 6.5 of the Future Proof Strategy November 2017 supports the view that creating large non-reticulated lots will not assist integrated growth with Hamilton City's likely expansion into the future where such uses could be better accommodated with 2,000m2 service lots, than either 3,000m2 Village Zone or 5,000m2 Country Living Zone sized lots.

Submitter Number: 440 **Submitter:** Ben Young

Organisation: Madsen Lawrie Consultants Ltd

Point Number 440.1

Summary of Decision Requested: Amend Rule 22.4.1.2(a)(i) General Subdivision, to match the issue of the title date to the operative date of the Proposed District Plan, if not for all titles then for Franklin titles.

Decision Reasons:

- The Proposed District Plan is incorporating Franklin section titles that have not had this opportunity for subdivision previously so should not be penalised by the implementation of the date restriction, which is only relevant to the Waikato Section of the current District Plan.

Point Number 440.2

Summary of Decision Requested: Amend Rule 22.4.1.2 (a) (iv) General Subdivision, to reduce the minimum lot size from 8,000m2 to 4,000m2.

Decision Reasons:

- A minimum lot size requirement of 4,000m² will allow for some flexibility while still provided generous sized lots appropriate in the Rural Zone.
- A minimum lot size of 8,000m² will only serve to fragment rural land and potentially designate productive land for inappropriate use for large residential lots.
- For many people, 8,000m² is not a manageable sized lot and will result in land not being used to its full potential.
- Regional Council requires a 2,500m² minimum lot size in the Rural Zone, which should be considered to minimise urban sprawl and best maintain the rural land resources in the district. This is particularly relevant for the Franklin area as subdivision is currently allowable to 2,500m² and for future development to be consistent with existing development a smaller lot size than 8,000m² would be more appropriate.

Point Number 440.3

Summary of Decision Requested: **Amend** Rule 22.4.1.4(a)(i) Boundary Relocation, to remove the specification of a date for titles undergoing the boundary relocation.

Decision Reasons:

- Imposing a specific date for titles subject to a boundary relocation proposal is an excessive restriction.
- It is unclear as to what will be achieved by the imposition of such a date.

Point Number 440.4

Summary of Decision Requested: **Amend** Rule 22.4.1.4(a)(iv) Boundary Relocation, to reduce the minimum lot size resulting from a boundary relocation to at least 4,000m² or 2,500m²

OR

Amend Rule 22.4.1.4 (a)(iv) Boundary relocation, to insert a specific clause enabling boundary relocations for pre-existing lots smaller than 8000m² that were created via compliance with the Franklin Section of the District Plan, if the minimum lot is not reduced to 2,500m².

Decision Reasons:

- The Franklin Section in the Operative District Plan contains a provision for a minimum lot size of 2,500m² in the Rural Zone.
- Imposing a minimum lot size requirement of 8,000m² would preclude lots less than 8,000m² created under the Franklin Section from being used for boundary relocations in the future.
- A minimum lot size of 8,000m² will only serve to fragment rural land and potentially designate productive land for inappropriate use in large residential lots.
- For many people, 8,000m² is not a manageable sized lot and rural land will not be used to its full potential.
- This will not promote efficient rural usage of land and will jeopardise Policy 5.2.2 of the Proposed District Plan which states that "Subdivision, use and development minimises the fragmentation of productive rural land, particularly where high class soils are located".
- Regional Council requires a 2,500m² minimum lot size in the Rural Zone, which should be considered and implemented to minimise urban sprawl, and best maintain and enable efficient use of rural land resources in the district.

Point Number 440.5

Summary of Decision Requested: **Retain** the indicated areas to be legally protected and the resultant maximum number of new Records of Title in Rule 22.4.1.6 RD1 (a)(i) Conservation Lot Subdivision, as notified.

Decision Reasons:

- The proposed contiguous areas required for the production of new Records of Title are achievable and appropriate within the region and will serve to protect generous regions of Significant Natural Areas.

Point Number 440.6

Summary of Decision Requested: **Amend** Rule 22.4.1.6 RD1 (viii) Conservation Lot Subdivision, as follows:

This rule or its equivalent in a previous district plan has not previously been used to gain an additional subdivision entitlement;

Decision Reasons:

- This rule appears to preclude any protection of existing unprotected qualifying or Significant Natural Features that would qualify under the proposed rules since the previous environmental lot subdivision.
- This rule should only reference any feature protected under the Proposed Plan.

Point Number 440.7

Summary of Decision Requested: **Amend** the zoning of the property at 598 Kohanga Road, Onewhero to extend the Village Zone on to Lot 1 DOS 62348 from Rural Zone to Village Zone.

Decision Reasons:

- This land provides a logical extension of the village zoning.
- Onewhero is a growing area and additional development must be planned to cater for the additional demand.

Point Number 440.8

Summary of Decision Requested: **Amend** Rule 22.4.1.2 General Subdivision, to note or refer to exceptions to this rule as in the Operative District Plan i.e. those subdivisions that are classified as prohibited activities.

Decision Reasons:

- Specifications of exceptions to this rule will ease interpretation and understanding of the rule.

Submitter Number: 441

Submitter:

Ben Young

Organisation: Madsen Lawrie Consultants

Point Number 441.1

Summary of Decision Requested: **Delete** the specified date for titles undergoing the boundary relocation in Rule 22.4.1.4(a)(i) Boundary Relocation.

Decision Reasons:

- Imposing a specific date for titles subject to a boundary relocation proposal is an excessive restriction.
- It is unclear as to what will be achieved by the imposition of such a date.

Point Number 441.2

Summary of Decision Requested: **Amend** Rule 22.4.1.4(a)(iv) Boundary Relocation, to reduce the minimum lot size resulting from boundary relocation to at least 4,000m² if not 2,500m²

OR

Amend Rule 22.4.1.4(a)(iv) Boundary Relocation, to insert a specific clause enabling boundary relocation for pre-existing lots smaller than 8,000m² that have been previously been created via compliance with the Franklin Section of the District Plan if the minimum lot size is not reduced to 2,500m².

Decision Reasons:

- The Franklin Section of the Operative Waikato District Plan contains a provision for a lot size of 2,500m² in the Rural Zone.
- Imposing a minimum lot size requirement of 8,000m² would preclude lots less than 8,000m² that have been created under the operative Franklin Section from being able to undertake boundary relocation subdivision in the future
- A minimum lot size of 8,000m² will only serve to fragment rural land and potentially designate productive land for inappropriate use in large residential lots.
- For many people, 8,000m² is not a manageable sized lot and will result in rural land not being used to its full potential.
- This will not promote efficient rural use of land and will jeopardises Policy 5.2.2 of the Proposed District Plan which states "Subdivision, use and development minimises the fragmentation of productive rural land, particularly where high class soils are located".
- Regional Council requires a 2,500m² minimum lot size in the Rural Zone which should be considered and implemented to minimise urban sprawl, and best maintain and enable efficient use of rural land resources in the district.

Point Number 441.3

Summary of Decision Requested: **Retain** the indicated areas to be legally protected and the resultant maximum number of new records of title in Rule 22.4.1.6 RD1 (a)(i) Conservation Lot Subdivision, as notified.

Decision Reasons:

- The proposed contiguous areas required for the production of new records of title are achievable and appropriate within the region and will serve to protect generous regions of Significant Natural Areas.

Point Number 441.4

Summary of Decision Requested: **Add** clarification and further description of the term "contiguous area" as used in Rule 22.4.1.6 RD1 (a)(i) Conservation Lot Subdivision.

Decision Reasons:

- Further definition of this term will aid in the interpretation of the rule and will assist in the identification of areas eligible for subdivision under this rule.

Point Number 441.5

Summary of Decision Requested: **Add** to Rule 22.4.1.1 PR3 (c) Prohibited subdivision the following:
a transferable title subdivision in the former Franklin District on a parent Certificate of Title that existed prior to 6 December 1997.

Decision Reasons:

- No reasons provided.

Point Number 441.6

Summary of Decision Requested: **Amend** Rule 22.4.1.2 RD1 (a)(i) General Subdivision, to match the issue of the title date to the operative date of the proposed plan, if not for all titles then for Franklin titles.

Decision Reasons:

- The Proposed District Plan is incorporating Franklin Section titles that have not had this opportunity for subdivision previously so should not be penalised by the implementation of the date restriction, which is only relevant to the Waikato Section of the current District Plan.
- This date is a reference to a redundant plan and historic rule.

Point Number 441.7

Summary of Decision Requested: **Retain** the minimum size for subdivision entitlement at 20ha in Rule 22.4.1.2(a)(ii) General Subdivision, as proposed.

Decision Reasons:

- This is appropriate for the rural area, and will avoid land fragmentation within the district.

Point Number 441.8

Summary of Decision Requested: **Amend** Rule 22.4.1.2(a)(iii) General Subdivision, as follows:
"The proposed subdivision must create no more than one additional lot, excluding an access allotment for every compliant parent certificate of title".

Decision Reasons:

- Currently it is not clear that subdivision must not create more than one lot per every compliant parent certificate of title. It could be interpreted that no more than one lot is created per subdivision regardless of number of compliant parent certificate of titles that are involved.

Point Number 441.9

Summary of Decision Requested: **Amend** Rule 22.4.1.2(a)(iv) General Subdivision, to reduce the minimum lot size from 8,000m² to 4,000m².

Decision Reasons:

- A minimum lot size requirement of 4,000m² will allow for some flexibility while still providing generous sized lots appropriate in the Rural Zone.
- A minimum lot size of 8,000m² will only serve to fragment rural land and potentially designate productive land for inappropriate use in large residential lots.
- For many people 8,000m² is not a manageable sized lot and rural usage of the land within many 8,000m² lots will not be utilised to its full potential.
- Regional Council has a 2,500m² minimum in the Rural Zone, which should be considered when designating lot minimum area to minimize urban sprawl and best maintain the rural land resources in the district. This is particularly relevant for the Franklin area as subdivision is currently allowable to 2,500m² and for future development to be consistent with existing development a smaller lot size than 8,000m² would be more appropriate.

Point Number 441.10

Summary of Decision Requested: **Add** clarification and further description of the term "Significant Natural Area" in the context of Rule 22.4.1.6 RD1 (a)(i) Conservation Lot Subdivision.

Decision Reasons:

- Further definition of this term will aid in the interpretation of the rule and will assist in the identification of areas eligible for subdivision under this rule.

Point Number 441.11

Summary of Decision Requested: **Amend** Rule 22.4.1.6 RD1 (a)(vi) Conservation lot subdivision, to reduce the minimum lot size requirement from 8,000m² to 2,500m² or 4,000m².

Decision Reasons:

- A minimum lot size of 8,000m² is not appropriate for all properties and areas.
- The Franklin region has been allowed to subdivide down to 2,500m² in the Rural Zone and this needs to be considered and incorporated into any future District Plan, especially if future development is to be in keeping with the existing rural character and amenity of areas within Franklin.
- A minimum lot size of 8,000m² is very generous and has a high probability of resulting in fragmentation of rural land
- A minimum lot size of 8,000m² will potentially designate productive land for inappropriate use in large residential lots.
- For many people, 8,000m² is not a manageable sized lot and will result in rural land not being utilised to its full potential.
- Regional Council has a 2,500m² minimum in the Rural Zone, which should be considered and implemented to minimise urban sprawl, and best maintain and enable efficient use of rural land resources in the district.

Point Number 441.12

Summary of Decision Requested: **Amend** Rule 22.4.1.6 RD1 (a)(vii) Conservation lot subdivision, to increase the maximum lot size for proposed lots (excluding the balance lot) to more than 1.6ha.

Decision Reasons:

- There should be the opportunity to make lots larger than 1.6ha if it is appropriate for the site and will enhance rural activities or is more in character with the surrounding area.

Point Number 441.13

Summary of Decision Requested: **Amend** Rule 22.4.1.2 General Subdivision, to note or refer to exceptions to this rule as in the Operative District Plan i.e. subdivisions that are classified as prohibited activities.

Decision Reasons:

- Specification of exceptions to this rule will ease interpretation and understanding of the rule.

Submitter Number: 443 **Submitter:** Graham Wallace Ray

Point Number 443.1

Summary of Decision Requested: **Amend** the planning map by reducing the extent of the Significant Amenity Landscape on the property at 286D Newell Road, Tamahere so that this annotation only applies to the area within the riparian setback from the river.

Decision Reasons:

- The notified Significant Amenity Landscape affecting this property includes an area now cleared of gorse and replanted with other vegetation including flax, griselinia, red robin and cabbage trees as well as lawn and paddock areas which are kept tidy, maintained and free of weeds. These areas do not comprise a significant landscape.

Submitter Number: 444 **Submitter:** Ben Young

Organisation: Madsen Lawrie Consultants

Point Number 444.1

Summary of Decision Requested: **Amend** Rule 22.4.1.4(a)(i) Boundary Relocation, by removing the specification of a date for titles undergoing a boundary relocation.

Decision Reasons:

- Imposing a specific date that the titles undergoing boundary relocation to have been issued before is an excessive restriction and constraints of this level are not appropriate for boundary relocation.
- It is unclear as to what will be achieved by the imposition of such a date.

Point Number 444.2

Summary of Decision Requested: **Amend** Rule 22.4.1.4(a)(iv) Boundary relocation, to reduce the minimum lot size resulting from boundary relocation to at least 4000m², if not 2500m².

OR

Add a clause in Rule 22.4.1.4(a)(iv) Boundary relocation, to enable boundary relocation for pre-existing lots smaller than 8,000m² that have previously been created under and complied with the Franklin Section of the Operative District Plan, if the minimum lot size is not reduced to 2500m².

Decision Reasons:

- Under the Franklin Section of the Operative District Plan there is provision for 2,500m² lots in the Rural Zone.
- Therefore, imposing a minimum lot size requirement of 8,000m² for lots resulting from a boundary relocation would preclude lots smaller than 8,000m² created under the Franklin Section of the Operative District Plan.
- A minimum lot size of 8,000m² will only serve to fragment rural land and potentially designate productive land for inappropriate use in large residential lots.
- 8,000m² is not a manageable sized lot and rural usage of the site will not be utilised to its full potential.
- This rule will not achieve Policy 5.2.2 of the Proposed District Plan.
- Waikato Regional Council has a 2,500m² minimum requirement within the Rural Zone, which should be considered and implemented when designating the minimum lot area to ensure minimal urban sprawl and maintain efficient use of rural land resources in the district.

Point Number

444.3

Summary of Decision Requested:

Retain the indicated areas to be legally protected and the resultant maximum number of new records of title in Rule 22.4.1.6(a)(i) Conservation lot subdivision.

Decision Reasons:

- The proposed contiguous areas required for the production of new records of title are achievable and appropriate within the region and will serve to protect generous regions of significant natural areas.

Point Number

444.4

Summary of Decision Requested:

Add clarification and further description of the term 'contiguous area' in the context of Rule 22.4.1.6(a)(i) Conservation lot subdivision.

Decision Reasons:

- Further definition of these terms will aid in the interpretation of the rule and will assist in the identification of areas eligible for subdivision under this rule.

Point Number

444.5

Summary of Decision Requested:

Add the following to Rule 22.4.1.1 PR3 (c) Prohibited subdivision:

(c) A transferable title subdivision in the former Franklin District on a parent Certificate of Title that existed prior to 6 December 1997.

Decision Reasons:

- No reasons provided.

Point Number

444.6

Summary of Decision Requested:

Amend Rule 22.4.1.2(a)(i) General subdivision, to replace the issue of title date from 6 December 1997 with the operative date of the Proposed District Plan, if not for all titles, then for Franklin titles.

Decision Reasons:

- The Proposed District Plan incorporates titles within the Franklin area that have not had an opportunity for subdivision.
- This date is a reference to a redundant plan and historic rule.

Point Number

444.7

Summary of Decision Requested:

Retain the minimum size for subdivision entitlement at 20ha in Rule 22.4.1.2(a)(ii) General Subdivision, as proposed.

Decision Reasons:

- The minimum parent title size is appropriate for the rural area and will serve to not fragment land within the district.

Point Number

444.8

Summary of Decision Requested:

Amend Rule 22.4.1.2(a)(iii) General subdivision, as follows:

The proposed subdivision must create no more than one additional lot, excluding an access, for every compliant parent certificate of title.

Decision Reasons:

- This rule is not clear on whether or not subdivision must not create more than one lot per every compliant parent certificate of title.
- This rule could be interpreted so that no more than one lot is created per subdivision regardless of the number of compliant parent titles are involved.

Point Number

444.9

Summary of Decision Requested:

Amend Rule 22.4.1.2(a)(iv) General subdivision to reduce the minimum lot size to 4,000m².

Decision Reasons:

- A minimum lot size requirement of 4,000m² will allow for some flexibility while still providing generous sized lots appropriate in the rural zone.
- A minimum lot size of 8,000m² will only serve to fragment rural land and potentially designate productive land for inappropriate use in large residential lots.
- 8,000m² is not a manageable size lot and rural usage of the land within many 8,000m² lots will not be utilised to its fullest potential.
- Regional Council has a 2,500m² minimum in the rural zone which should be considered when designating lot minimum area so as to minimise urban sprawl and best maintain the rural land resources in the district.
- This is particularly relevant for the Franklin area as subdivision is currently allowable to 2500m² and for future development to be consistent with existing development a smaller lot size than 8,000m² would be more appropriate.

Point Number

444.10

Summary of Decision Requested: Amend the minimum lot size in Rule 22.4.1.6(a)(vi) Conservation lot subdivision from 8,000m² to 2,500m² or 4,000m².

Decision Reasons:

- A minimum lot size is not appropriate for all properties and areas.
- The Franklin region has been allowed to subdivide down to 2,500m in the Rural Zone and this needs to be considered and incorporated into the Proposed District Plan, particularly to retain the existing rural character and amenity within the Franklin area.
- A minimum lot size of 8,000m² is very generous and has a high probability of resulting in fragmentation of rural and will potentially designate productive land for inappropriate use in large residential lots.
- 8,000m² is not a manageable sized lot and rural usage of land within many 8,000m² lots will not be utilised to its full potential.
- The Waikato Regional Council has a 2,500m² minimum in the rural zone which should be considered and implemented when designating the minimum lot area so as to minimise urban sprawl and best maintain and enable efficient usage of rural land resources in the Waikato District.

Point Number 444.11

Summary of Decision Requested: Amend Rule 22.4.1.6(a)(vii) Conservation lot subdivision to increase the maximum lot size for proposed lots (excluding the balance lot) to more than 1.6ha.

Decision Reasons:

- There should be the opportunity to make lots large than 1.6ha if it is appropriate for the site and will enhance rural activities or is more in character with the surrounding area.

Point Number 444.12

Summary of Decision Requested: Amend Rule 22.4.1.2(a)(i) General subdivision, to note or refer exceptions to this rule (i.e. those that are classified as a Prohibited subdivision) as is the case in the Operative District Plan.

Decision Reasons:

- Specification of exceptions to this rule will ease interpretation and understanding of the rule.

Point Number 444.13

Summary of Decision Requested: Add clarification and further description of the term 'Significant Natural Area' in the context of Rule 22.4.1.6(a)(i) Conservation lot subdivision.

Decision Reasons:

- Further definition of these terms will aid in the interpretation of the rule and will assist in the identification of areas eligible for subdivision under this rule.

Submitter Number: 445 **Submitter:** Heather Perring

Organisation: BTW Company

Point Number 445.1

Summary of Decision Requested: Retain the urban growth and strategic development directions in Section 1.12.1 Strategic direction
AND

Amend or **add** provisions to encourage structure planned growth cells and comprehensively developed areas where they are in accordance with urban design guidelines and settlement patterns, and where it can be demonstrated that the adverse effects of land use and development can be adequately avoided, remedied or mitigated.

Decision Reasons:

- BTW Company supports the strategic direction of the Proposed District Plan - in particular Section 1.12.1 master planning approach for meeting the National Policy Statement - Urban Development Capacity housing supply targets and Future Proof growth objectives, as a flexible and integrated basis for achieving quality and efficient urban growth outcomes for the Waikato District.
- The submitter also supports the rezoning of land to residential around existing towns or villages.
- However, the use of master or structure planning has not been carried through to all relevant sections of the Proposed District Plan to comprehensively and effectively implement this strategic direction.

Point Number 445.2

Summary of Decision Requested: Add a new Appendix headed 'Structure Plan Content' into Chapter 29 Appendices, which specifies the type of development rules that can be created within a structure plan (aligned with design guidelines) and which replace other zone rules. This should outline a streamlined process for structure planning and not require the same developer to subdivide as well as build.

Decision Reasons:

- This new appendix will enable the district plan to remain efficient, flexible and practical for enabling sufficient growth and ensuring quality outcomes. The appendix needs to outline a streamlined process for structure planning and not require a developer to subdivide and build so that smaller developments/developers also have access and flexibility within each structure plan area.
- The structure plan is an effective planning tool, and utilised in the way suggested, should not become a tome of planning rules such that the structure plan becomes too restrictive.

Point Number 445.3

Summary of Decision Requested: Amend Objective 4.1.1 (b) Strategic, to provide flexibility for Future Proof updates, as follows:
(b) An additional 13,300-17,500 or greater dwellings are created during the period 2018-2045.

Decision Reasons:

- The review of the Future Proof Strategy may result in amendments to the settlement pattern and future growth targets. The Proposed District Plan does not include flexibility to accommodate such changes. The requested developer-led structure planning approach would provide a flexible tool to open up new growth areas without having to effect significant variations to the district plan.

Point Number 445.4

Summary of Decision Requested: **Amend** Policy 4.1.3 (b) Location of development to create flexibility for Future Proof updates, as follows:

(b) *Locate urban growth areas only where they are consistent with the Future Proof Strategy Planning for Growth 2017, and any subsequent updates.*

Decision Reasons:

- The review of the Future Proof Strategy may result in amendments to the settlement pattern and future growth targets. The Proposed District Plan does not include flexibility to accommodate such changes. The requested developer-led structure planning approach would provide a flexible tool to open up new growth areas without having to effect significant variations to the district plan.

Point Number 445.5

Summary of Decision Requested: **Amend** Policy 4.1.16 Horotiu, so that development is not unduly restricted, in contradiction to the provision of residential zoning immediately adjacent to major roads, as follows:

(a) *Horotiu is developed to ensure:*

...

(ii) *Future residential development ~~avoids or minimises~~ ~~does not impact~~ on the existing local road network;*

(iii) *Reverse sensitivity effects from the strategic transport infrastructure networks are ~~avoided or~~ minimised;*

Decision Reasons:

- Some of the growth cells (around Ngaruawahia and Horotiu) are subject to limitations given the existing intensive farming activities, major roads, servicing difficulties or archaeological sites. These limitations may therefore affect achievement of the growth targets.

Point Number 445.6

Summary of Decision Requested: **Retain** Policy 4.7.6 (ii) and (iii) Co-ordination between servicing and development and subdivision.

Decision Reasons:

- Developer led and Council led structure planning should be encouraged to reach up front agreements with local communities on the essential bulk and location standards to create developments suited to the location rather than a 'one size fits all' approach or ad hoc development.

Point Number 445.7

Summary of Decision Requested: **Retain** 4.7.14 Policy - Structure and master planning as notified.

Decision Reasons:

- Developer led and Council led structure planning should be encouraged to reach up front agreements with local communities on the essential bulk and location standards to create developments suited to the location rather than a 'one size fits all' approach or ad hoc development.

Point Number 445.8

Summary of Decision Requested: **Add** a new activity to Rule 16.1.2 Permitted Activities to facilitate ease of residential building in new structure planned areas as follows:

P2 Residential or multi-unit development, in accordance with an approved structure plan created after 18 July 2018.

Decision Reasons:

- Developer led and Council led structure planning should be encouraged to reach up front agreements with local communities on the essential bulk and location standards to create developments suited to the location rather than a 'one size fits all' approach or ad hoc development. Provisions are needed to enable well planned multi-unit developments on smaller sites, rather than across a multiple owned structure planned area.

Point Number 445.9

Summary of Decision Requested: **Amend** Rule 16.1.3 Restricted Discretionary Activities, by deleting RD1 (a multi-unit development) and consequently creating a new controlled activity rule for multi-unit development.

Decision Reasons:

- Developer led and Council led structure planning should be encouraged to reach up front agreements with local communities on the essential bulk and location standards to create developments suited to the location rather than a 'one size fits all' approach or ad hoc development. Provisions are needed to enable well planned multi-unit developments on smaller sites, rather than across a multiple owned structure planned area.

Point Number 445.10

Summary of Decision Requested: **Add** a new controlled activity to Rule 16.4 Subdivision, to facilitate ease of subdivision in new structure planned areas:

C1 Subdivision in accordance with an approved structure plan created after 18 July 2018.

Decision Reasons:

- Developer led and Council led structure planning should be encouraged to reach up front agreements with local communities on the essential bulk and location standards to create developments suited to the location rather than a 'one size fits all' approach or ad hoc development.

Point Number 445.11

Summary of Decision Requested: **Add** a new policy after Policy 4.1.3 Location of development, as follows:

Structure Planning

Provide for and encourage planned, integrated and flexible development through both developer and council led structure planning for areas consistent with the Future Proof settlement pattern, and in accordance with relevant urban design guidelines.

Encourage residential development within those approved structure planned areas through permitted activity status where effects can be managed.

Multi-unit developments

Encourage comprehensive residential developments outside of structure planned areas, by way of multi-unit developments.

Decision Reasons:

- Facilitates increased growth by structure planning and development within approved structure planned areas and encourage the take up of the multi-unit development activity.
- The submitter supports the strategic direction of the Proposed District Plan, in particular Section 1.12.1.
- The use of master or structure planning has not been carried through to all relevant sections of the Proposed District Plan to comprehensively and effectively implement this strategic direction.
- Structure planning would provide a flexible tool to open up new growth areas aligned with Future Proof without having to effect significant variations to the Proposed District Plan.
- Developer led and Council led structure planning should be encouraged to reach up front agreements with local communities on the essential bulk and location standards to create developments suited to the location rather than a 'one size fits all' approach or ad hoc development.
- Provisions are needed to enable well planned multi-unit developments on smaller sites, rather than across a multiple owned structure planned area.

Point Number

445.12

Summary of Decision Requested:

Amend Policy 4.1.15 Ngaruawahia, to provide more certainty for development of the growth cells on the likely timing of the shut down of the poultry farms and consider whether the 300m buffer (set out in Rule 16.4.7 RD1 (a)(iii)(A) is really necessary based on actual effects rather than rolling over a rule automatically from a older version of the plan.

Decision Reasons:

- Some of the growth cells (around Ngaruawahia and Horotiu) are subject to limitations given the existing intensive farming activities, major roads, servicing difficulties or archaeological sites. These limitations may therefore affect achievement of the growth targets.

Submitter Number:

446

Submitter:

Ben Young

Organisation:

Madsen Lawrie Consultants

Point Number

446.1

Summary of Decision Requested:

Delete the date specification for titles undergoing boundary relocations in Rule 22.4.1.4 (a)(i) Boundary relocation.

Decision Reasons:

- Excessive restriction.
- Constraints of this level are not appropriate for boundary relocations.
- Unclear what will be achieved by date imposition.

Point Number

446.2

Summary of Decision Requested:

Amend Rule 22.4.1.4 (a)(iv) Boundary relocation, to reduce the minimum lot sizes to at least 4,000m2, if not 2,500m2.

OR

Amend Rule 22.4.1.4 (a) (iv) Boundary relocation to include a specific clause enabling boundary relocation for existing lots smaller than 8,00m2 that have been previously created via compliance with the Franklin Section of the District Plan, in the vent that the lot size is not reduced to 2,500m2.

Decision Reasons:

- The Operative District Plan allows for a 2,500m2 lot size in the Rural Zone.
- Imposing an 8,000m2 minimum lot size would preclude lots less than 8,000m2 in the Franklin Section from any boundary relocation proposal in the future.
- 8,000m2 will fragment rural land and potentially designate productive land for inappropriate use in large residential lots.
- 8,000m2 lots are not manageable for many people and rural land will not be used to its full potential.
- Will not promote efficient rural land use and will jeopardise Policy 5.2.2 which states "Subdivision, use and development minimises the fragmentation of productive rural land, particularly where high class soils are located".
- Regional Council requires a 2,500m2 minimum lot size requirement in the Rural Zone and this should be considered to minimise urban sprawl and enable efficient use of rural land resources in the district.

Point Number

446.3

Summary of Decision Requested:

Retain the indicated areas to be legally protected and the resultant maximum number of new records of title in Rule 22.4.1.6(a)(i) Conservation lot subdivision.

Decision Reasons:

- The proposed contiguous areas required for production of new Records of Title are achievable and appropriate within the region.
- Will serve to protect generous regions of Significant Natural Areas.

Point Number

446.4

Summary of Decision Requested:

Amend the Proposed District Plan to clarify and further describe/define "contiguous area" in the context of Rule 22.4.1.6 (a)(i) Conservation lot subdivision.

Decision Reasons:

- Further definition will aid in interpretation of this rule and will assist in identification of areas eligible for subdivision.

Point Number

446.5

Summary of Decision Requested:

Add the following to Rule 22.4.1.1 PR3 (c) Prohibited subdivision, as follows:

(c) PR3(a) does not apply to the following:

...

Decision Reasons:

- No reason provided.

Point Number

446.6

Summary of Decision Requested:

Amend Rule 22.4.1.2 (a)(i) General Subdivision, to match the issue of title date with the operative date of the Proposed District Plan, then if not all titles at least for the Franklin titles.

Decision Reasons:

- Titles should match the operative date of the Proposed District Plan for at least the Franklin Section titles that have not used rule in the past.
- The Proposed District Plan incorporates Franklin Section titles that have not been previously subdivided.
- Franklin Section titles should not be penalised by a date restriction that is only relevant to the Waikato Section of the Operative District Plan.
- Specifications of exemptions will ease understanding.
- The date references a redundant plan and pre-historic rule.

Point Number

446.7

Summary of Decision Requested:

Retain the minimum parent lot size of 20 ha for subdivision in Rule 22.4.1.2 (a)(ii) General Subdivision.

Decision Reasons:

- This minimum parent title size is appropriate.
- Will serve to not fragment land within the district.

Point Number

446.8

Summary of Decision Requested:

Amend Rule 22.4.1.2 (a)(iii) General Subdivision as follows:

(iii) the proposed subdivision must create no more than one additional lot, excluding an access allotment, for every compliant parent certificate of title.

Decision Reasons:

- The current form of the rule does not make it clear that the subdivision must not create more than one lot per every compliant parent certificate of title.
- The rule could be interpreted to mean that no more than one is lot created per subdivision regardless of the number of compliant parent certificate of titles involved.

Point Number

446.9

Summary of Decision Requested:

Amend Rule 22.4.1.2 (a)(iv) General Subdivision to reduce the minimum lot size to 4,000m².

Decision Reasons:

- A 4,000m² lot size will allow some flexibility while providing generous lots appropriate for the Rural Zone.
- A 8,000m² minimum lot size will only fragment rural land and potentially designate productive land for inappropriate use in large residential lots.
- 8,000m² lots are not manageable for many people and will not be utilised to their full potential.
- Regional Council requires a 2,500m² minimum lot size in the Rural Zone and this should be considered to minimise urban sprawl and best maintain rural land resources in the district.
- This is relevant for the Franklin area where 2,500m² lot sizes are currently allowed.
- This will allow future development to be consistent with existing development.

Point Number

446.10

Summary of Decision Requested:

Amend Rule 22.4.1.6 (a)(vi) Conservation lot subdivision to reduce the minimum lot size from 8,000m² to 2,500m² or 4,000m².

Decision Reasons:

- An 8,000m² minimum lot size is not appropriate for all properties.
- The Franklin region has been allowed to subdivide to 2,500m² in the Rural Zone. This needs to be incorporated in any future District Plan if future development is to be in keeping with the Franklin rural character and amenity.
- An 8,000m² minimum lot size is generous, has high probability of resulting in fragmentation of rural land and will potentially designate productive land for inappropriate use in large residential lots.
- 8,000m² is not manageable for many people and will not be utilised to its full potential.
- The Regional Council requires a 2,500m² minimum lot size in the Rural Zone and this should be considered and implemented to minimise urban sprawl and best maintain and enable efficient use of rural land resources in the District.

Point Number

446.11

Summary of Decision Requested:

Amend Rule 22.4.1.6 (a)(vii) Conservation lot subdivision, to increase the maximum lot size to more than 1.6ha for proposed lots (excluding the balance lot).

Decision Reasons:

- There should be the opportunity to create lots larger than 1.6ha.
- It is appropriate for the site and will enhance rural activities or is more in character with the surrounding area.

Point Number

446.12

Summary of Decision Requested:

Amend Rule 22.4.1.2 General subdivision, to include a note or reference for exceptions to this rule (i.e. those subdivisions that are classified as a prohibited activity as per the Operative District Plan).

Decision Reasons:

- Specifications of exemptions will ease understanding of the rule.

Point Number

446.13

Summary of Decision Requested: Amend the Proposed District Plan to clarify and describe/define 'Significant Natural Area' in the context of Rule 22.4.1.6(a)(i) Conservation lot subdivision.

Decision Reasons:

- Further definition will aid in interpretation of this rule and will assist in identification of areas eligible for subdivision.

Submitter Number: 447 **Submitter:** Ben Young

Organisation: Madsen Lawrie Consultants

Point Number 447.1

Summary of Decision Requested: Retain the indicated contiguous areas to be legally protected and the resultant maximum number of new records of title in Rule 22.4.1.6 (a)(i) Conservation lot subdivision.

Decision Reasons:

- The proposed contiguous areas required for the production of new records of title are achievable and appropriate within the region and will serve to protect generous regions of significant natural areas.

Point Number 447.2

Summary of Decision Requested: Amend the Proposed District Plan to clarify and further describe a 'contiguous area' in the context of Rule 22.4.1.6 (a)(i) Conservation lot subdivision.

Decision Reasons:

- Further definition of the term will aid in the interpretation of the rule and will assist in the identification of areas eligible for subdivision under this rule.

Point Number 447.3

Summary of Decision Requested: Amend Rule 22.4.1.6 (a)(vi) Conservation lot subdivision, to reduce the minimum lot size requirement from 8,000m² to 2,500m² or 4,000m².

Decision Reasons:

- A minimum lot size of 8,000m² is not appropriate for all properties and areas.
- The Franklin region has been allowed to subdivide down to 2,500m² in the Rural Zone and this needs to be considered and incorporated into any future District Plan, especially if future development is to be in keeping with the existing rural character and amenity of areas within Franklin.
- A minimum lot size of 8,000m² is very generous and has a high probability of resulting in fragmentation of rural land and will potentially designate productive land for inappropriate use in large residential lots.
- For many people 8,000m² is not a manageable sized lot and rural usage of the land within many 8,000m² lots will not be utilised to its full potential.
- Waikato Regional Council has a 2,500m² minimum in the rural zone which should be considered and implemented when designating the minimum lot area so as to minimise urban sprawl and best maintain and enable efficient usage of rural land resources in the district.

Point Number 447.4

Summary of Decision Requested: Amend Rule 22.4.1.6 (a) (vii) Conservation lot subdivision, to increase the maximum lot size for proposed lots (excluding the balance lot) to more than 1.6ha.

Decision Reasons:

- There should be the opportunity to make lots larger than 1.6ha where it is appropriate for the site and will enhance rural activities, or is more in character with the surrounding area.

Point Number 447.5

Summary of Decision Requested: Amend Rule 22.4.1.2 (a) (i) General Subdivision, to match the date of issue of title to the operative date of the Proposed District Plan - if not for all titles, then for Franklin titles.

Decision Reasons:

- The proposed plan is incorporating Franklin section titles that have not had this opportunity for subdivision previously so should not be penalised by the implementation of the date restriction which is only relevant to the Waikato section of the current District Plan.

Point Number 447.6

Summary of Decision Requested: Amend Rule 22.4.1.2 (a)(iii) General Subdivision, as follows:

the proposed subdivision must create no more than one additional lot, excluding an access allotment, for every compliant certificate of title.

Decision Reasons:

- It is not clear that subdivision must not create more than one lot per every compliant parent certificate of title.
- It could be interpreted that no more than one lot is created per subdivision regardless of number of compliant parent certificate of titles that are involved.

Point Number 447.7

Summary of Decision Requested: Amend Rule 22.4.1.2 (a)(iv) General Subdivision to reduce the minimum lot size to 4,000m².

Decision Reasons:

- A minimum lot size requirement of 4,000m² will allow for some flexibility while still provided generous sized lots appropriate in the rural zone.
- A minimum lot size of 8,000m² will only serve to fragment rural land and potentially designate productive land for inappropriate use in large residential lots.

- For many people 8,000m² is not a manageable sized lot and rural usage of the land within many 8,000m² lots will not be utilised to its full potential.
- Regional Council has a 2,500m² minimum in the rural zone which should be considered when designating lot minimum area so as to minimise urban sprawl and best maintain the rural land resources in the district. This is particularly relevant for the Franklin area as subdivision is currently allowable to 2,500m² and for future development to be consistent with existing development a smaller lot size than 8,000m² would be more appropriate.

Point Number 447.8

Summary of Decision Requested: **Amend** Rule 22.4.1.4(a)(i) Boundary relocation, to remove specification of a date for titles undergoing the boundary relocation.

Decision Reasons:

- Imposing a specific date that the titles undergoing boundary relocation have to have been issued before is an excessive restriction and constraints of this level are not appropriate for boundary relocation.
- It is unclear as to what will be achieved by the imposition of such a date.

Point Number 447.9

Summary of Decision Requested: **Amend** Rule 22.4.1.4 (a)(iv) Boundary relocation, to reduce the minimum lot size resulting from boundary relocation to at least 4000m² if not 2500m².

OR

Amend Rule 22.4.1.4(a)(iv), to include a specific clause enabling boundary relocation for pre-existing lots smaller than 8,000m² that have been previously created via compliance with the Franklin Section of the District Plan, in the event that the lot size is not reduced to 2,500m².

Decision Reasons:

- Under the current Operative Waikato District plan Franklin section there is provision for lot size of down to 2,500m² in the rural zone therefore, by imposing a minimum lot size requirement of 8,000m² for lots resulting from boundary relocation it would preclude lots less than 8,000m² that have been created under the current Franklin section of the District Plan from being able to undertake boundary relocation subdivision in the future.
- A minimum lot size of 8,000m² will only serve to fragment rural land and potentially designate productive land for inappropriate use in large residential lots.
- For many people 8,000m² is not a manageable sized lot and rural usage of the land within many 8,000m² lots will not be utilised to its full potential.
- This will not promote efficient rural usage of land and jeopardises Policy 5.2.2 of the proposed District Plan which states that "Subdivision, use and development minimises the fragmentation of productive rural land, particularly where high class soils are located".
- Waikato Regional Council has a 2,500m² minimum in the rural zone which should be considered and implemented when designating the minimum lot area so as to minimise urban sprawl and best maintain and enable efficient usage of rural land resources in the district.

Point Number 447.10

Summary of Decision Requested: **Amend** Rule 22.4.1.6 (viii) Conservation lot subdivision, to remove reference to "or its equivalent in a previous District Plan".

Decision Reasons:

- This rule appears to preclude any protection of existing unprotected Qualifying or Significant Natural Features that would since the previous environmental lot subdivision qualify for protection under the proposed rules.
- This rule should instead reference any feature protected under the proposed plan only.

Point Number 447.11

Summary of Decision Requested: **Amend** zoning of both sides of McKenzie Road, Mangatawhiri from Rural Zone to Village Zone.

Decision Reasons:

- The area contains many Village zoned lots and proliferated with residentially used properties.
- Productive land use has become limited by these many dwellings.
- The Road is ideally located adjoining local primary school, kindergarten and hall.
- From a planning perspective it makes sense to rezone land to provide a sense of community.
- Access to and from State Highway 2 is easily achieved and land is not subject to any natural hazards.

Point Number 447.12

Summary of Decision Requested: **Amend** Rule 22.4.1.2 General Subdivision, to include notes or references where there are exceptions to the rule (i.e. those that are classified as Prohibited subdivision).

Decision Reasons:

- Specification of exceptions to this rules will ease interpretation and understanding of the rule.

Point Number 447.13

Summary of Decision Requested: **Amend** the Proposed District Plan to clarify and further describe a "Significant Natural Area" in the context of Rule 22.4.1.6(a)(i) Conservation lot subdivision.

Decision Reasons:

- Further definition of the term will aid in the interpretation of the rule and will assist in the identification of areas eligible for subdivision under this rule.

Submitter Number: 449

Submitter: Ben Young

Organisation: Madsen Lawrie Consultants

Point Number 449.1

Summary of Decision Requested: **Amend** Rule 22.4.1.4 (a) (i) Boundary relocation, by removing the specification of a date for titles undergoing the boundary relocation.

Decision Reasons:

- Imposing a specific date that the titles undergoing boundary relocation have to have been issued before is an excessive restriction and constraints of this level are not appropriate for boundary relocation.
- It is unclear as to what will be achieved by the imposition of such a date.

Point Number

449.2

Summary of Decision Requested:

Amend Rule 22.4.1.4 (a) (iv) Boundary relocation, by reducing the minimum lot size resulting from boundary relocation to at least 4,000m², if not 2,500m²

OR

Add a clause to Rule 22.4.1.4 (a) (iv) Boundary relocation, to enable boundary relocation for pre-existing lots smaller than 8,000m² that have been created via compliance with the Operative District Plan - Franklin Section, in the event that the minimum lot size is not reduced to 2,500m².

Decision Reasons:

- Under the current Operative Waikato District Plan Franklin Section there is provision for lot size of down to 2,500m² in the Rural Zone therefore, by imposing a minimum lot size requirement of 8,000m² for lots resulting from boundary relocation it would preclude lots <8,000m² that have been created under the current Franklin section of the District Plan from being able to undertake boundary relocation subdivision in the future.
- A minimum lot size of 8,000m² will only serve to fragment Rural land and potentially designate productive land for inappropriate use in large Residential lots.
- For many people, 8,000m² is not a manageable sized lot and rural usage of the land within many 8,000m² lots will not be utilised to its full potential.
- This will not promote efficient rural usage and jeopardises Policy 5.2.2 of the Proposed District Plan.
- The Regional Council has a 2,500m² minimum in the Rural Zone which should be considered and implemented when designating the minimum lot area so as to minimise urban sprawl and best maintain and enable efficient usage of Rural land resources in the District.

Point Number

449.3

Summary of Decision Requested:

Retain the areas to be legally protected and the maximum number of new records of title in Rule 22.4.1.6 RD1 (a) (i) Conservation lot subdivision.

Decision Reasons:

- The proposed contiguous areas required for the production of new records of title are achievable and appropriate within the Region and will serve to protect generous regions of significant natural areas.

Point Number

449.4

Summary of Decision Requested:

Amend the Proposed District Plan to clarify and further describe a 'contiguous area', as contained in Rule 22.4.1.6 (a)(i) Conservation lot subdivision.

Decision Reasons:

- Further definition of this term will aid in the interpretation of the rule
- Will assist in the identification of areas eligible for subdivision under this rule.

Point Number

449.5

Summary of Decision Requested:

Add a new clause to Rule 22.4.1.1 PR3 (c) Prohibited Subdivision, by adding the following:

(c) A transferable title subdivision in the former Franklin District on a parent Certificate of Title that existed prior to 6 December 1997.

Decision Reasons:

- No reasons provided.

Point Number

449.6

Summary of Decision Requested:

Amend Rule 22.4.1.2 (a) (i) General subdivision, by bringing the issue of title date up to match the operative date of the Proposed Plan.

Decision Reasons:

- The issue of title date should be brought up to the Operative date of the Proposed Plan. If not for all titles then certainly for Franklin titles which have not had the use of this rule in the past.
- The Proposed Plan is incorporating Franklin section titles that have not had this opportunity for subdivision previously so should not be penalised by the implementation of the date restriction which is only relevant to the Waikato section of the current District Plan.
- The date is a reference to a redundant plan and pre-historic rule.

Point Number

449.7

Summary of Decision Requested:

Retain the minimum size for subdivision entitlement of 20ha in Rule 22.4.1.2 (a) (ii) General subdivision.

Decision Reasons:

- The minimum parent title size is appropriate for the Rural area and will serve to not fragment land within the District.

Point Number

449.8

Summary of Decision Requested:	Amend Rule 22.4.1.2 (a) (iii) General subdivision, as follows: <i>The proposed subdivision must create no more than one additional lot, excluding an access allotment, <u>for every compliant parent certificate of title.</u></i>
Decision Reasons:	<ul style="list-style-type: none"> As the Rule reads in its current form it is not clear that subdivision must not create more than one lot per every compliant parent certificate of title. It could be interpreted that no more than one lot is created per subdivision regardless of the number of compliant parent certificate of titles that are involved.
Point Number	449.9
Summary of Decision Requested:	Amend Rule 22.4.1.2 (a) (iv) General subdivision, by reducing the minimum lot size to 4,000m2.
Decision Reasons:	<ul style="list-style-type: none"> A minimum lot size requirement 4,000m2 will allow for some flexibility while still providing generous sized lots appropriate in the Rural zone. A minimum lot size of 8,000m2 will only serve to fragment Rural land and potentially designate productive land for inappropriate use in large Residential lots. For many people 8,000m2 is not a manageable sized lot and rural usage of the land within many 8,000m2 lots will not be utilised to its full potential. The Regional Council has a 2,500m2 minimum in the Rural zone which should be considered when designating lot minimum area so as to minimise urban sprawl and best maintain the Rural land resources in the District. This is particularly relevant for the Franklin area as subdivision is currently allowable to 2,500m2 and for future development to be consistent with existing development a smaller lot size than 8,000m2 would be more appropriate.
Point Number	449.10
Summary of Decision Requested:	Amend Rule 22.4.1.6 (a) (vi) Conservation lot subdivision by reducing the lot size requirement to 2,500m2, or 4,000m2.
Decision Reasons:	<ul style="list-style-type: none"> A minimum lot size of 8,000m2 is not appropriate for all properties and areas. The Franklin Region has been allowed to subdivide down to 2,500m2 in the Rural Zone and this needs to be considered and incorporated into any future District Plan. A minimum lot size of 8,000m2 is very generous and has a high probability of resulting in fragmentation of Rural land and will potentially designate productive land for inappropriate use in large residential lots. For many people 8,000m2 is not a manageable sized lot and rural usage of the land within many 8,000m2 lots will not be utilised to its full potential. Regional Council has a 2,500m2 minimum in the Rural Zone which should be considered and implemented when designating the minimum lot area so as to minimise urban sprawl and best maintain and enable efficient usage of Rural land resources in the District.
Point Number	449.11
Summary of Decision Requested:	Amend Rule 22.4.1.6 (a) (vii) Conservation lot subdivision by increasing the maximum lot size for proposed lots (excluding the balance lot) to more than 1.6ha.
Decision Reasons:	<ul style="list-style-type: none"> There should be the opportunity to make lots larger than 1.6ha it is appropriate for the site and will enhance Rural activities or is more in character with the surrounding area.
Point Number	449.12
Summary of Decision Requested:	Amend Rule 22.4.1.2 General subdivision, so exceptions to the rule (i.e. those that are classified as Prohibited Subdivision) are noted or referred to this rule as is the case in the current Operative Plan.
Decision Reasons:	<ul style="list-style-type: none"> Specifications of exceptions to this rule will ease interpretation and understanding of the rule.
Point Number	449.13
Summary of Decision Requested:	Amend the Proposed District Plan to clarify and further describe a 'Significant Natural Area' in the context of Rule 22.4.1.6 (a) (i) Conservation lot subdivision.
Decision Reasons:	<ul style="list-style-type: none"> Further definition of this term will aid in the interpretation of the rule. Will assist in the identification of areas eligible for subdivision under this rule.

Submitter Number:	450	Submitter:	Alison Green
Organisation:	Rushala Farm Ltd		
Point Number	450.1		
Summary of Decision Requested:	No specific decision sought, but the submitter refers to Policy 3.2.7 Managing Significant Natural Areas, and considers costs for protecting these should be borne by Council rather than farmers.		
Decision Reasons:	<ul style="list-style-type: none"> The submitter considers that because it is Council's decision to protect Significant Natural Areas, the costs of protection should be borne by Council rather than landowners. 		
Point Number	450.2		

Summary of Decision Requested: No specific decision sought, but the submitter opposes Objective 5.1.1 (iii) The rural environment.

Decision Reasons:

- The submitter considers that it should be the right of the landowner to have input into subdivision and land use. Farming is becoming less viable as a result of compliance costs and restrictions. Subdivision enables farmers to survive and reduce debt.

Point Number 450.3

Summary of Decision Requested: No specific decision sought, but the submitter opposes Policy 5.3.8 Effects on rural character and amenity from rural subdivision.

Decision Reasons:

- The submitter considers that it should be the right of the landowner to decide what to do with their land. Farming is becoming less viable as a result of compliance costs and restrictions. Subdivision enables farmers to survive and reduce debt.

Point Number 450.4

Summary of Decision Requested: No specific decision sought, but the submitter refers to Policy 5.3.14 (b) Signs.

Decision Reasons:

- The submitter considers that local landowners need to be consulted regarding what gets done in their area and cites an example of huge and wasteful costs that have been incurred with the painting of double yellow lines on Kaiaua Road which has made it more dangerous for all local residents.

Submitter Number: 451 **Submitter:** Steven & Teresa Hopkins

Point Number 451.1

Summary of Decision Requested: Amend the zoning at 67 Pioneer Road, Pokeno from Rural Zone to Village Zone.

Decision Reasons:

- The submitter is seeking to undertake residential development of the site that cannot be realised under the provisions of the Rural Zone.
- The site is located in close proximity to the Pokeno Town Centre and therefore means that residential development would allow for greater convenience for additional residents.
- There are no features or constraints.
- The underlying topographical conditions of the site are such that extensive earthworks are not necessary.
- There is a strong desire for a variety of residential lifestyle options to be provided as part of the future growth.
- The Proposed District Plan identifies no areas of Significant Ecological Value.
- The growth projections for Pokeno indicate a strong need for additional development to cater for the population increase.
- Provides alternative lifestyle options.
- Site is not economic for farming.

Point Number 451.2

Summary of Decision Requested: Retain Objective 4.1.1 Strategic.

Decision Reasons:

- Supports this objective for additional dwellings throughout the Waikato District.

Point Number 451.3

Summary of Decision Requested: Retain Policy 4.3.2 Character.

Decision Reasons:

- Supports the policy outlining the character of the Village Zone.
- Proposed residential development for the submission site would align with this policy being low density, semi-rural in character and provided with on-site three waters infrastructure.

Point Number 451.4

Summary of Decision Requested: Amend Policy 4.7.11(b) Reverse sensitivity, as follows:
Avoid/Manage potential reverse sensitivity effects of locating new dwellings in the vicinity of an intensive farming, extraction industry or industrial activity.

Decision Reasons:

- The use of the word 'avoid' makes this policy too onerous with regards to the relationship between sensitive activities and effects-intensive activities.
- Multiple options exist for the mitigation of potential reverse sensitivity.

Submitter Number: 452 **Submitter:** R Mitchell

Point Number 452.1

Summary of Decision Requested: No specific decision sought, but the submitter opposes Rule 22.1.2 Permitted Activities, and any change or restriction for their old historic title.

Decision Reasons:

- The submitter states that the property at 12 Koheroa Road is family land and the permitted activities (i.e. childcare facility and the like) should not change.

Point Number	452.2
Summary of Decision Requested:	No specific decision sought, but the submitter supports Rule 22.3.2 Minor dwelling as it would enable minor dwellings for use as per their original historic title.
Decision Reasons:	<ul style="list-style-type: none"> The submitter states that they "wanted to use for the purpose allowed."

Submitter Number:	453	Submitter:	Ben Young
Organisation:	Madsen Lawrie Consultants		

Point Number	453.1
Summary of Decision Requested:	<p>Add a new clause to Rule 22.4.1.1 PR3 (c) Prohibited Subdivision, as follows:</p> <p><i>(c) A transferable title subdivision in the former Franklin District on a parent Certificate of Title that existed prior to 6 December 1997.</i></p>
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.

Point Number	453.2
Summary of Decision Requested:	Amend Rule 22.4.1.2 (a) (i) General subdivision, by matching the issue of title date with the operative date of the Proposed Plan, if not for all titles then amend for the Franklin titles.
Decision Reasons:	<ul style="list-style-type: none"> The issue of title date should be brought up to the Operative date of the Proposed Plan. If not for all titles then certainly for Franklin titles which have not had the use of this rule in the past. The date is reference to a historic rule and redundant plan.

Point Number	453.3
Summary of Decision Requested:	Retain the minimum size for subdivision entitlement of 20ha in Rule 22.4.1.2 (a) (ii) General subdivision.
Decision Reasons:	<ul style="list-style-type: none"> The minimum parent title size is appropriate for the Rural area and will serve to not fragment land within the District.

Point Number	453.4
Summary of Decision Requested:	<p>Amend Rule 22.4.1.2 (a) (iii) General subdivision, as follows:</p> <p><i>The proposed subdivision must create no more than one additional lot, excluding an access allotment, for every compliant parent certificate of title.</i></p>
Decision Reasons:	<ul style="list-style-type: none"> As the Rule reads in its current form it is not clear that subdivision must not create more than one lot per every compliant parent certificate of title. It could be interpreted that no more than one lot is created per subdivision regardless of the number of compliant parent certificate of titles that are involved.

Point Number	453.5
Summary of Decision Requested:	Amend Rule 22.4.1.2 (a) (iv) General subdivision, by reducing the minimum lot size to 4,000m ² .
Decision Reasons:	<ul style="list-style-type: none"> A minimum lot size requirement 4,000m² will allow for some flexibility while still provided generous sized lots appropriate in the Rural zone. A minimum lot size of 8,000m² will only serve to fragment Rural land and potentially designate productive land for inappropriate use in large Residential lots. For many people 8,000m² is not a manageable sized lot and rural usage of the land within many 8,000m² lots will not be utilised to its full potential. The Regional Council has a 2,500m² minimum in the Rural zone which should be considered when designating lot minimum area so as to minimise urban sprawl and best maintain the Rural land resources in the District. This is particularly relevant for the Franklin area as subdivision is currently allowable to 2,500m² and for future development to be consistent with existing development a smaller lot size than 8,000m² would be more appropriate.

Point Number	453.6
Summary of Decision Requested:	Amend Rule 22.4.1.4 (a) (i) Boundary relocation, by removing the specification of a date for titles undergoing the boundary relocation.
Decision Reasons:	<ul style="list-style-type: none"> Imposing a specific date that the titles undergoing boundary relocation have to have been issued before is an excessive restriction and constraints of this level are not appropriate for boundary relocation. It is unclear as to what will be achieved by the imposition of such a date.

Point Number 453.7

Summary of Decision Requested: **Amend** Rule 22.4.1.4 (a) (iv) Boundary relocation, by reducing the minimum lot size resulting from boundary relocation to at least 4,000m², if not 2,500m².

OR

Add a clause to Rule 22.4.1.4 (a) (iv) Boundary relocation, enabling boundary relocation for pre-existing lots smaller than 8,000m² that have been created via compliance with the Operative District Plan- Franklin section in the event that the reduction of the minimum lot size of 2,500m² is not accepted.

Decision Reasons:

- Under the current Operative Waikato District Plan Franklin Section there is provision for lot size of down to 2,500m² in the Rural Zone therefore, by imposing a minimum lot size requirement of 8,000m² for lots resulting from boundary relocation it would preclude lots less than 8,000m² that have been created under the current Franklin section of the District Plan from being able to undertake boundary relocation subdivision in the future.
- A minimum lot size of 8,000m² will only serve to fragment Rural land and potentially designate productive land for inappropriate use in large Residential lots.
- For many people, 8,000m² is not a manageable sized lot and rural usage of the land within many 8,000m² lots will not be utilised to its full potential.
- This will not promote efficient rural usage and jeopardises Policy 5.2.2 of the Proposed District Plan.
- The Regional Council has a 2,500m² minimum in the Rural Zone which should be considered and implemented when designating the minimum lot area so as to minimise urban sprawl and best maintain and enable efficient usage of Rural land resources in the District.

Point Number 453.8

Summary of Decision Requested: **Amend** Rule 22.4.1.2 (a) (i) General subdivision, so exceptions to the rule (i.e. those that are classified as Prohibited Subdivision) are noted or referred to in this rule as is the case in the current Operative Plan.

Decision Reasons:

- Specification of exceptions to this rule will ease interpretation and understanding of the rule.

Submitter Number: 454 **Submitter:** Troy Fell

Point Number 454.1

Summary of Decision Requested: **Amend** Section 6.2 National Grid to allow for all households to access renewable energies such as solar and wind generation and move away from the National Grid.

Decision Reasons:

- There is a need to move away from reliance on the National Grid because of increasing electricity prices.
- Solar-generated power is more affordable but access to it is made difficult because of the amount of capital investment needed and this usually involves individual house installations rather than a community scale installation.
- Refer to original submission for the submitter's suggestions for how local and regional councils could manage investments in solar farms for the benefit of ratepayers.
- If local and regional government was able to assist through subsidies and sponsorship, construction of solar farms on council land, then this cost would be eliminated and direct savings would be passed on to households.

Point Number 454.2

Summary of Decision Requested: **Retain** Chapter 9.3 Rangitahi Peninsula.

Decision Reasons:

- No reasons provided.

Point Number 454.3

Summary of Decision Requested: **Amend** Section 6.3 Energy to allow access for all households to access renewable energies such as solar and wind generation and move away from the National Grid.

Decision Reasons:

- There is a need to move away from reliance on the National Grid because of increasing electricity prices.
- Solar-generated power is more affordable but access to it is made difficult because of the amount of capital investment needed and this usually involves individual house installations rather than a community scale installation.
- Refer to original submission for the submitter's suggestions for how local and regional councils could manage investments in solar farms for the benefit of ratepayers.
- If local and regional government was able to assist through subsidies and sponsorship, construction of solar farms on council land, then this cost would be eliminated and direct savings would be passed on to households.

Submitter Number: 455 **Submitter:** Ben Young

Organisation: Madsen Lawrie Consultants

Point Number 455.1

Summary of Decision Requested: **Amend** Rule 22.4.1.4 (a) (i)- Boundary relocation by removing the specification of a date for titles undergoing the boundary relocation.

Decision Reasons:

- Imposing a specific date that the titles undergoing boundary relocation have to have been issued before is an excessive restriction and constraints of this level are not appropriate for boundary relocation.
- It is unclear as to what will be achieved by the imposition of such a date.

Point Number	455.2
Summary of Decision Requested:	<p>Amend Rule 22.4.1.4 (a) (iv)- Boundary relocation by reducing the minimum lot size resulting from boundary relocation to at least 4,000m2, if not 2,500m2.</p> <p>OR</p> <p>Add a clause to Rule 22.4.1.4 (a) (iv)- Boundary relocation to enable boundary relocation for pre-existing lots smaller than 8,000m2 that have been created via compliance with the Operative District Plan- Franklin section, in the event that the minimum lot size is not reduced to 2,500m2.</p>
Decision Reasons:	<ul style="list-style-type: none"> Under the current Operative Waikato District Plan Franklin Section there is provision for lot size of down to 2,500m2 in the Rural Zone therefore, by imposing a minimum lot size requirement of 8,000m2 for lots resulting from boundary relocation it would preclude lots <8,000m2 that have been created under the current Franklin section of the District Plan from being able to undertake boundary relocation subdivision in the future. A minimum lot size of 8,000m2 will only serve to fragment Rural land and potentially designate productive land for inappropriate use in large Residential lots. For many people, 8,000m2 is not a manageable sized lot and rural usage of the land within many 8,000m2 lots will not be utilised to its full potential. This will not promote efficient rural usage and jeopardises Policy 5.2.2 of the Proposed District Plan. The Regional Council has a 2,500m2 minimum in the Rural Zone which should be considered and implemented when designating the minimum lot area so as to minimise urban sprawl and best maintain and enable efficient usage of Rural land resources in the District.
Point Number	455.3
Summary of Decision Requested:	Retain the areas to be legally protected and the maximum number of new records of title in Rule 22.4.1.6 RD1 (a) (i)- Conservation lot subdivision.
Decision Reasons:	<ul style="list-style-type: none"> The proposed contiguous areas required for the production of new records of title are achievable and appropriate within the Region and will serve to protect generous regions of significant natural areas.
Point Number	455.4
Summary of Decision Requested:	Amend the Proposed District Plan to clarify and further describe a "contiguous area", as contained in Rule 22.4.1.6 (a)(i) Conservation lot subdivision.
Decision Reasons:	<ul style="list-style-type: none"> Further definition of this term will aid in the interpretation of the rule. Will assist in the identification of areas eligible for subdivision under this rule.
Point Number	455.5
Summary of Decision Requested:	<p>Add a new clause to Rule 22.4.1.1 PR3 (c) Prohibited subdivision, as follows:</p> <p><i>(c) A transferable title subdivision in the former Franklin District on a parent Certificate of Title that existed prior to 6 December 1997.</i></p>
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	455.6
Summary of Decision Requested:	Amend Rule 22.4.1.2 (a) (i) General subdivision, by bringing the issue of title date up to match the operative date of the Proposed Plan, if not for all titles then amend for the Franklin titles.
Decision Reasons:	<ul style="list-style-type: none"> The issue of title date should be brought up to the Operative date of the Proposed Plan. If not for all titles then certainly for Franklin titles which have not had the use of this rule in the past. The Proposed Plan is incorporating Franklin section titles that have not had this opportunity for subdivision previously so should not be penalised by the implementation of the date restriction which is only relevant to the Waikato section of the current District Plan. The date is a reference to a redundant plan and pre-historic rule.
Point Number	455.7
Summary of Decision Requested:	Retain the minimum size for subdivision entitlement of 20ha in Rule 22.4.1.2 (a) (ii) General subdivision.
Decision Reasons:	<ul style="list-style-type: none"> The minimum parent title size is appropriate for the Rural area and will serve to not fragment land within the District.
Point Number	455.8
Summary of Decision Requested:	<p>Amend Rule 22.4.1.2 (a) (iii) General subdivision, as follows:</p> <p><i>The proposed subdivision must create no more than one additional lot, excluding an access allotment, for every compliant parent certificate of title.</i></p>
Decision Reasons:	<ul style="list-style-type: none"> As the Rule reads in its current form it is not clear that subdivision must not create more than one lot per every compliant parent certificate of title. It could be interpreted that no more than one lot is created per subdivision regardless of the number of compliant parent certificate of titles that are involved.
Point Number	455.9
Summary of Decision Requested:	Amend Rule 22.4.1.2 (a) (iv) General subdivision by reducing the minimum lot size to 4,000m2.
Decision Reasons:	<ul style="list-style-type: none"> A minimum lot size requirement 4,000m2 will allow for some flexibility while still providing generous sized lots appropriate in the Rural zone. A minimum lot size of 8,000m2 will only serve to fragment Rural land and potentially designate productive land for inappropriate use in large Residential lots.

- For many people 8,000m² is not a manageable sized lot and rural usage of the land within many 8,000m² lots will not be utilised to its full potential.
- The Regional Council has a 2,500m² minimum in the Rural zone which should be considered when designating lot minimum area so as to minimise urban sprawl and best maintain the Rural land resources in the District. This is particularly relevant for the Franklin area as subdivision is currently allowable to 2,500m² and for future development to be consistent with existing development a smaller lot size than 8,000m² would be more appropriate.

Point Number 455.10

Summary of Decision Requested: Amend Rule 22.4.1.6 (a) (vi) Conservation lot subdivision, by reducing the lot size requirement to 2,500m², or 4,000m².

Decision Reasons:

- A minimum lot size of 8,000m² is not appropriate for all properties and areas.
- The Franklin Region has been allowed to subdivide down to 2,500m² in the Rural Zone and this needs to be considered and incorporated into any future District Plan.
- A minimum lot size of 8,000m² is very generous and has a high probability of resulting in fragmentation of Rural land and will potentially designate productive land for inappropriate use in large residential lots.
- For many people 8,000m² is not a manageable sized lot and rural usage of the land within many 8,000m² lots will not be utilised to its full potential.
- Regional Council has a 2,500m² minimum in the Rural Zone which should be considered and implemented when designating the minimum lot area so as to minimise urban sprawl and best maintain and enable efficient usage of Rural land resources in the District.

Point Number 455.11

Summary of Decision Requested: Amend Rule 22.4.1.6 (a) (vii) Conservation lot subdivision, by increasing the maximum lot size for proposed lots (excluding the balance lot) to more than 1.6ha.

Decision Reasons:

- There should be the opportunity to make lots larger than 1.6ha it is appropriate for the site and will enhance Rural activities or is more in character with the surrounding area.

Point Number 455.12

Summary of Decision Requested: Amend Rule 22.4.1.2 (a)(i) General subdivision, so exceptions to the rule (i.e. those that are classified as Prohibited Subdivision) are noted or referred to this rule as is the case in the current Operative Plan.

Decision Reasons:

- Specifications of exceptions to this rule will ease interpretation and understanding of the rule.

Point Number 455.13

Summary of Decision Requested: Amend the Proposed District Plan to clarify and further describe a "Significant Natural Area" in the context of Rule 22.4.1.6 Conservation lot subdivision.

Decision Reasons:

- Further definition of this term will aid in the interpretation of the rule.
- Will assist in the identification of areas eligible for subdivision under this rule.

Submitter Number: 456

Submitter: Ben Young

Organisation: Madsen Lawrie Consultants

Point Number 456.1

Summary of Decision Requested: Amend Rule 22.4.1.4 (a) (i) Boundary relocation, by removing the specification of a date for titles undergoing the boundary relocation.

Decision Reasons:

- Imposing a specific date that the titles undergoing boundary relocation have to have been issued before is an excessive restriction and constraints of this level are not appropriate for boundary relocation.
- It is unclear as to what will be achieved by the imposition of such a date.

Point Number 456.2

Summary of Decision Requested: Amend Rule 22.4.1.4 (a) (iv) Boundary relocation, by reducing the minimum lot size resulting from boundary relocation to at least 4,000m², if not 2,500m²

OR

Add a clause to Rule 22.4.1.4 (a) (iv), to enable boundary relocation for pre-existing lots smaller than 8,000m² that have been created via compliance with the Operative District Plan - Franklin section, in the event that the reduction of the minimum lot size to 2,500m² is not accepted.

Decision Reasons:

- Under the current Operative Waikato District Plan Franklin Section there is provision for lot size of down to 2,500m² in the Rural Zone therefore, by imposing a minimum lot size requirement of 8,000m² for lots resulting from boundary relocation it would preclude lots <8,000m² that have been created under the current Franklin section of the District Plan from being able to undertake boundary relocation subdivision in the future.
- A minimum lot size of 8,000m² will only serve to fragment Rural land and potentially designate productive land for inappropriate use in large Residential lots.
- For many people, 8,000m² is not a manageable sized lot and rural usage of the land within many 8,000m² lots will not be utilised to its full potential.
- This will not promote efficient rural usage and jeopardises Policy 5.2.2 of the Proposed District Plan.

- The Regional Council has a 2,500m² minimum in the Rural Zone which should be considered and implemented when designating the minimum lot area so as to minimise urban sprawl and best maintain and enable efficient usage of Rural land resources in the District.

Point Number 456.3

Summary of Decision Requested: **Retain** the areas to be legally protected and the maximum number of new records of title in Rule 22.4.1.6 RD1 (a) (i) Conservation lot subdivision.

Decision Reasons:

- The proposed contiguous areas required for the production of new records of title are achievable and appropriate within the Region and will serve to protect generous regions of significant natural areas.

Point Number 456.4

Summary of Decision Requested: **Amend** the Proposed District Plan to clarify and further describe a "contiguous area" as contained in Rule 22.4.1.6 (a)(i) Conservation lot subdivision.

Decision Reasons:

- Further definition of this term will aid in the interpretation of the rule.
- Will assist in the identification of areas eligible for subdivision under this rule.

Point Number 456.5

Summary of Decision Requested: **Add** a new clause to Rule 22.4.1.1 PR3 (c) Prohibited Subdivision, by adding the following:
(c) A transferable title subdivision in the former Franklin District on a parent Certificate of Title that existed prior to 6 December 1997.

Decision Reasons:

- No reasons provided.

Point Number 456.6

Summary of Decision Requested: **Amend** Rule 22.4.1.2 (a) (i) General subdivision, by matching the issue of title date with the operative date of the Proposed Plan, if not for all titles then amend for the Franklin titles.

Decision Reasons:

- The issue of title date should be brought up to the Operative date of the Proposed Plan. If not for all titles then certainly for Franklin titles which have not had the use of this rule in the past.
- The Proposed Plan is incorporating Franklin section titles that have not had this opportunity for subdivision previously so should not be penalised by the implementation of the date restriction which is only relevant to the Waikato section of the current District Plan.
- The date is a reference to a redundant plan and pre-historic rule.

Point Number 456.7

Summary of Decision Requested: **Retain** minimum size for subdivision entitlement of 20ha in Rule 22.4.1.2 (a) (ii) General subdivision.

Decision Reasons:

- The minimum parent title size is appropriate for the Rural area and will serve to not fragment land within the District.

Point Number 456.8

Summary of Decision Requested: **Amend** Rule 22.4.1.2 (a) (iii) General subdivision, as follows:
The proposed subdivision must create no more than one additional lot, excluding an access allotment, for every compliant parent certificate of title.

Decision Reasons:

- As the Rule reads in its current form it is not clear that subdivision must not create more than one lot per every compliant parent certificate of title. It could be interpreted that no more than one lot is created per subdivision regardless of the number of compliant parent certificate of titles that are involved.

Point Number 456.9

Summary of Decision Requested: **Amend** Rule 22.4.1.2 (a) (iv) General subdivision, by reducing the minimum lot size to 4,000m².

Decision Reasons:

- A minimum lot size requirement 4,000m² will allow for some flexibility while still providing generous sized lots appropriate in the Rural zone.
- A minimum lot size of 8,000m² will only serve to fragment Rural land and potentially designate productive land for inappropriate use in large Residential lots.
- For many people 8,000m² is not a manageable sized lot and rural usage of the land within many 8,000m² lots will not be utilised to its full potential.
- The Regional Council has a 2,500m² minimum in the Rural zone which should be considered when designating lot minimum area so as to minimise urban sprawl and best maintain the Rural land resources in the District. This is particularly relevant for the Franklin area as

subdivision is currently allowable to 2,500m² and for future development to be consistent with existing development a smaller lot size than 8,000m² would be more appropriate.

Point Number 456.10

Summary of Decision Requested: Amend Rule 22.4.1.6 (a) (vi) Conservation lot subdivision, by reducing the lot size requirement to 2,500m², or 4,000m².

Decision Reasons:

- A minimum lot size of 8,000m² is not appropriate for all properties and areas.
- The Franklin Region has been allowed to subdivide down to 2,500m² in the Rural Zone and this needs to be considered and incorporated into any future District Plan.
- A minimum lot size of 8,000m² is very generous and has a high probability of resulting in fragmentation of Rural land and will potentially designate productive land for inappropriate use in large residential lots.
- For many people 8,000m² is not a manageable sized lot and rural usage of the land within many 8,000m² lots will not be utilised to its full potential.
- Regional Council has a 2,500m² minimum in the Rural Zone which should be considered and implemented when designating the minimum lot area so as to minimise urban sprawl and best maintain and enable efficient usage of Rural land resources in the District.

Point Number 456.11

Summary of Decision Requested: Amend Rule 22.4.1.6 (a) (vii) Conservation lot subdivision, by increasing the maximum lot size for proposed lots (excluding the balance lot) to more than 1.6ha.

Decision Reasons:

- There should be the opportunity to make lots larger than 1.6ha it is appropriate for the site and will enhance Rural activities or is more in character with the surrounding area.

Point Number 456.12

Summary of Decision Requested: Amend Rule 22.4.1.2 (a)(i) General subdivision, so exceptions to the rule (i.e those that are classified as Prohibited Subdivision) are noted or deferred to this rule as is the case in the current Operative Plan.

Decision Reasons:

- Specifications of exceptions to this rule will ease interpretation and understanding of the rule.

Point Number 456.13

Summary of Decision Requested: Amend the Proposed District Plan to clarify and further describe a "Significant Natural Area" in the context of Rule 22.4.1.6 Conservation lot subdivision.

Decision Reasons:

- Further definition of this term will aid in the interpretation of the rule.
- Will assist in the identification of areas eligible for subdivision under this rule.

Submitter Number: 457 **Submitter:** Anna Cunningham

Point Number 457.1

Summary of Decision Requested: Amend Rule 16.1.2 P4(b) Home occupation, by reinstating the condition in Rule 21.11 in the Operative Waikato District Plan that requires the storage of materials or machinery associated with the non-residential activity to not be visible from a public road or neighbouring residential property.

Decision Reasons:

- The proposed rule that requires materials or machinery to be stored within a building is very restrictive and not always possible. If the equipment is shielded from view by a fence (for example), no person is adversely affected.

Point Number 457.2

Summary of Decision Requested: Amend Rule 16.4.1 Subdivision - General, by reinstating the condition in Rule 21.69.1 (b) of the Operative Waikato District Plan which enables alternative methods of water supply and stormwater, land drainage and wastewater disposal that comply with the engineering standards in Appendix B.

Decision Reasons:

- On-site water collection and wastewater disposal are very feasible and this is often the most cost-effective and ecologically sound option for sections (currently an option for sections over 2500m²). It would be a shame to lose this option.

Submitter Number: 458 **Submitter:** David Lawrie

Organisation: Madsen Lawrie Consultants

Point Number 458.1

Summary of Decision Requested: Amend the zoning of the property at 114 Dean Road, Pokeno to Residential Zone.

Decision Reasons:

- There is potential for the property at 114 Dean Road, Pokeno to be provided with wastewater services which would enable an increased density of development and more efficient land use.
- The land is not high quality, unlike the adjoining flats, and is not subject to natural hazards.
- By providing these sites with these services it would be of considerable benefit to the land and soil resources.

Point Number 458.2

Summary of Decision Requested: **Amend** the zoning of the property at 126 Baird Road, Pokeno Rural Zone to Residential Zone.

Decision Reasons:

- Rezoning this property to Residential Zone would provide a logical continuity of residential development in this location (alongside the requested residential development of 114 Dean Road).
- The land is not of high quality unlike the flats adjoining and is not subject to natural hazards.

Submitter Number: 459 **Submitter:** Ben Young

Organisation: Madsen Lawrie Consultants

Point Number 459.1

Summary of Decision Requested: **Amend** Rule 22.4.1.4 (a) (i) Boundary relocation, by removing the specification of a date for titles undergoing the boundary relocation.

Decision Reasons:

- Imposing a specific date that the titles undergoing boundary relocation have to have been issued before is an excessive restriction and constraints of this level are not appropriate for boundary relocation.
- It is unclear as to what will be achieved by the imposition of such a date.

Point Number 459.2

Summary of Decision Requested: **Amend** Rule 22.4.1.4 (a) (iv) Boundary relocation, by reducing the minimum lot size resulting from boundary relocation to at least 4,000m2, if not 2,500m2

OR

Add a clause to Rule 22.4.1.4 RD1 (a) (iv), enabling boundary relocation for pre-existing lots smaller than 8,000m2 that have been previously been created via compliance with the Operative District Plan- Franklin Section, if the minimum lot size is not reduced to 2,500m2.

Decision Reasons:

- Under the current Operative Waikato District Plan Franklin Section there is provision for lot size of down to 2,500m2 in the Rural Zone therefore, by imposing a minimum lot size requirement of 8,000m2 for lots resulting from boundary relocation it would preclude lots <8,000m2 that have been created under the current Franklin section of the District Plan from being able to undertake boundary relocation subdivision in the future.
- A minimum lot size of 8,000m2 will only serve to fragment Rural land and potentially designate productive land for inappropriate use in large Residential lots.
- For many people, 8,000m2 is not a manageable sized lot and rural usage of the land within many 8,000m2 lots will not be utilised to its full potential.
- This will not promote efficient rural usage and jeopardises Policy 5.2.2 of the Proposed District Plan.
- The Regional Council has a 2,500m2 minimum in the Rural Zone which should be considered and implemented when designating the minimum lot area so as to minimise urban sprawl and best maintain and enable efficient usage of Rural land resources in the District.

Point Number 459.3

Summary of Decision Requested: **Retain** the areas to be legally protected and the maximum number of new records of title in Rule 22.4.1.6 RD1 (a) (i) Conservation lot subdivision.

Decision Reasons:

- The proposed contiguous areas required for the production of new records of title are achievable and appropriate within the Region and will serve to protect generous regions of significant natural areas.

Point Number 459.4

Summary of Decision Requested: **Amend** the Proposed District Plan to clarify and further describe a "contiguous area" as contained in Rule 22.4.1.6 (a)(i) Conservation lot subdivision.

Decision Reasons:

- Further definition of these terms will aid in the interpretation of the rule and will assist in the identification of areas eligible for subdivision under this rule.

Point Number 459.5

Summary of Decision Requested: **Add** a new clause to Rule 22.4.1.1 PR3 (c) Prohibited Subdivision, as follows:

(c) A transferable title subdivision in the former Franklin District on a parent Certificate of Title that existed prior to 6 December 1997.

Decision Reasons:

- No reasons provided.

Point Number 459.6

Summary of Decision Requested: **Amend** Rule 22.4.1.2 (a) (i) General subdivision, by matching the issue of title date with the Operative date of the Proposed Plan, if not for all titles then amend for the Franklin titles.

Decision Reasons:

- The issue of title date should be brought up to the Operative date of the Proposed Plan. If not for all titles then certainly for Franklin titles which have not had the use of this rule in the past.
- The Proposed Plan is incorporating Franklin section titles that have not had this opportunity for subdivision previously so should not be penalised by the implementation of the date restriction which is only relevant to the Waikato section of the current District Plan.
- The date is a reference to a redundant plan and pre-historic rule.

Point Number 459.7
Summary of Decision Requested: **Retain** minimum size for subdivision entitlement of 20ha in Rule 22.4.1.2 (a) (ii) General subdivision.
Decision Reasons:

- The minimum parent title size is appropriate for the Rural area and will serve to not fragment land within the District.

Point Number 459.8
Summary of Decision Requested: **Amend** Rule 22.4.1.2 (a) (iii) General subdivision, as follows:

The proposed subdivision must create no more than one additional lot, excluding an access allotment, for every compliant parent certificate of title.

Decision Reasons:

- As the Rule reads in its current form it is not clear that subdivision must not create more than one lot per every compliant parent certificate of title. It could be interpreted that no more than one lot is created per subdivision regardless of the number of compliant parent certificate of titles that are involved.

Point Number 459.9
Summary of Decision Requested: **Amend** Rule 22.4.1.2 (a) (iv) General subdivision, by reducing the minimum lot size to 4,000m².

Decision Reasons:

- A minimum lot size requirement 4,000m² will allow for some flexibility while still providing generous sized lots appropriate in the Rural zone.
- A minimum lot size of 8,000m² will only serve to fragment Rural land and potentially designate productive land for inappropriate use in large Residential lots.
- For many people 8,000m² is not a manageable sized lot and rural usage of the land within many 8,000m² lots will not be utilised to its full potential.
- The Regional Council has a 2,500m² minimum in the Rural zone which should be considered when designating lot minimum area so as to minimise urban sprawl and best maintain the Rural land resources in the District. This is particularly relevant for the Franklin area as subdivision is currently allowable to 2,500m² and for future development to be consistent with existing development a smaller lot size than 8,000m² would be more appropriate.

Point Number 459.10
Summary of Decision Requested: **Amend** Rule 22.4.1.6 RD1 (a) (vi) Conservation lot subdivision, by reducing the minimum lot size requirement to 2,500m², or 4,000m².

Decision Reasons:

- A minimum lot size of 8,000m² is not appropriate for all properties and areas.
- The Franklin region has been allowed to subdivide down to 2,500m² in the Rural Zone and this needs to be considered and incorporated into any future District Plan.
- A minimum lot size of 8,000m² is very generous and has a high probability of resulting in fragmentation of Rural land and will potentially designate productive land for inappropriate use in large residential lots.
- For many people 8,000m² is not a manageable sized lot and rural usage of the land within many 8,000m² lots will not be utilised to its full potential.
- The Regional Council has a 2,500m² minimum in the Rural Zone which should be considered and implemented when designating the minimum lot area so as to minimise urban sprawl and best maintain and enable efficient usage of Rural land resources in the District.

Point Number 459.11
Summary of Decision Requested: **Amend** Rule 22.4.1.6 RD1 (a) (vii) Conservation lot subdivision, by increasing the maximum lot size for proposed lots (excluding the balance lot) to more than 1.6ha.

Decision Reasons:

- There should be the opportunity to make lots larger than 1.6ha it is appropriate for the site and will enhance Rural activities or is more in character with the surrounding area.

Point Number 459.12
Summary of Decision Requested: **Amend** Rule 22.4.1.2 (a)(i) General subdivision, so exceptions to the rule (i.e. those that are classified as Prohibited Subdivision) are noted or referred to this rule as is the case in the current Operative Plan.

Decision Reasons:

- Specifications of exceptions to this rule will ease interpretation and understanding of the rule.

Point Number 459.13
Summary of Decision Requested: **Amend** the Proposed District Plan to clarify and further describe a "Significant Natural Area" in the context of Rule 22.4.1.6 Conservation lot subdivision.

Decision Reasons:

- Further definition of these terms will aid in the interpretation of the rule.
- Will assist in the identification of areas eligible for subdivision under this rule.

Submitter Number: 460 **Submitter:** Ben Young
Organisation: Madsen Lawrie Consultants

Point Number 460.1

Summary of Decision Requested: Amend Rule 22.4.1.4 RD1 (a) (i) Boundary relocation, by removing specification of a date for titles undergoing the boundary relocation.

Decision Reasons:

- Imposing a specific date that the titles undergoing boundary relocation have to have been issued before is an excessive restriction and constraints of this level are not appropriate for boundary relocation.
- It is unclear as to what will be achieved by the imposition of such a date.

Point Number 460.2

Summary of Decision Requested: Amend Rule 22.4.1.4 RD1 (a) (iv) Boundary relocation, by reducing the minimum lot size to at least 4,000m2, if not 2,500m2

OR

Add a specific clause to Rule 22.4.1.4 RD1 (a) (iv) Boundary relocation, to enable boundary relocation for pre-existing lots smaller than 8,000m2 that have been created via compliance with the District Plan- Franklin Section, if the minimum lot size is not reduced to 2,500m2.

Decision Reasons:

- Under the current Operative Waikato District Plan Franklin section there is provision for lot size of down to 2,500m2 in the Rural Zone, therefore by imposing a minimum lot size requirement of 8,000m2 for lots resulting from boundary relocation it would preclude lots <8,000m2 that have been created under the current Franklin section of the District Plan from being able to undertake boundary relocation subdivision in the future.
- A minimum lot size of 8,000m2 will only serve to fragment Rural land and potentially designate productive land for inappropriate use in large residential lots.
- For many people, 8,000m2 is not a manageable sized lot and rural usage of the land within many 8,000m2 lots will not be utilised to its full potential. This will not promote efficient rural usage of land and jeopardises Policy 5.2.2 of the Proposed District Plan.
- The Regional Council has a minimum lot size of 2,500m2 in the Rural Zone which should be considered and implemented when designating the minimum lot area so as to minimise urban sprawl and best maintain and enable efficient usage of Rural land resources in the District.

Point Number 460.3

Summary of Decision Requested: Retain the areas to be legally protected and the resultant maximum number of new records of title in Rule 22.4.1.6 (a) (i) Conservation lot subdivision.

Decision Reasons:

- The proposed contiguous areas required for the production of new records of title are achievable and appropriate within the Region and will serve to protect generous regions of significant natural areas.

Point Number 460.4

Summary of Decision Requested: Amend the Proposed District Plan to clarify and further describe a "contiguous area" as contained in Rule 22.4.1.6- Conservation lot subdivision.

Decision Reasons:

- Further definition of this term will aid in the interpretation of the rule.
- Will assist in the identification of areas eligible for subdivision under this rule.

Point Number 460.5

Summary of Decision Requested: Add a new clause to Rule 22.4.1.1 PR3 (c) Prohibited subdivision, as follows:

A transferable title subdivision in the former Franklin District on a parent Certificate of Title that existed prior to 6 December 1997.

Decision Reasons:

- No reasons provided.

Point Number 460.6

Summary of Decision Requested: Amend Rule 22.4.1.2 (a)(i) General subdivision, by matching the issue of title date with the operative date of the Proposed Plan, if not for all titles then amend the rule for Franklin titles.

Decision Reasons:

- The Proposed Plan is incorporating Franklin section titles that have not had this opportunity for subdivision previously so should not be penalized by the implementation of the date restriction which is only relevant to the Waikato section of the current District Plan.
- The date is a reference to a redundant plan and pre-historic rule.

Point Number 460.7

Summary of Decision Requested: Retain the minimum size for subdivision entitlement of 20ha in Rule 22.4.1.2 (a) (ii) General subdivision.

Decision Reasons:

- The minimum parent title size is appropriate for the Rural area and will serve to not fragment land within the District.

Point Number 460.8

Summary of Decision Requested: Amend Rule 22.4.1.2 (a) (iii) General Subdivision, as follows:

The proposed subdivision must create no more than one additional lot, excluding an access allotment, for every compliant parent certificate of title.

Decision Reasons:

- As the rule reads in its current form it is not clear that subdivision must not create more than one lot per every compliant parent certificate of title. It could be interpreted that no more than one lot is created per subdivision regardless of number of compliant parent certificate of titles that are involved.

Point Number	460.9
Summary of Decision Requested:	Amend Rule 22.4.1.2 (a) (iv) by reducing the minimum lot size to 4,000m2.
Decision Reasons:	<ul style="list-style-type: none"> • A minimum lot size requirement of 4,000m2 will allow for some flexibility while still providing generous sized lots appropriate in the Rural zone. • A minimum lot size of 8,000m2 will only serve to fragment Rural land and potentially designate productive land for inappropriate use in large residential lots. • For many people, 8,000m2 is not a manageable sized lot and Rural usage of the land within many 8,000m2 lots will not be utilised to its full potential. • The Regional Council has a 2,500m2 minimum lot size in the Rural zone which should be considered when designating lot minimum area so as to minimise urban sprawl and best maintain the Rural land resources in the District. This is particularly relevant for the Franklin area as subdivision is currently allowable to 2,500m2 and for future development to be consistent with existing development a smaller lot size than 8,000m2 would be more appropriate.

Point Number	460.10
Summary of Decision Requested:	Amend Rule 22.4.1.6 (a) (vi) Conservation lot subdivision, by reducing the lot size requirement to 2,500m2, or 4,000m2.
Decision Reasons:	<ul style="list-style-type: none"> • A minimum lot size of 8,000m2 is not appropriate for all properties and areas. • The Franklin Region has been allowed to subdivide down to 2,500m2 in the Rural Zone and this needs to be considered and incorporated into any future District Plan. • A minimum lot size of 8,000m2 is very generous and has a high probability of resulting in fragmentation of Rural land and will potentially designate productive land for inappropriate use in large residential lots. • For many people 8,000m2 is not a manageable sized lot and rural usage of the land within many 8,000m2 lots will not be utilised to its full potential. • Regional Council has a 2,500m2 minimum in the Rural Zone which should be considered and implemented when designating the minimum lot area so as to minimise urban sprawl and best maintain and enable efficient usage of Rural land resources in the District.

Point Number	460.11
Summary of Decision Requested:	Amend Rule 22.4.1.6 (a) (vii) Conservation lot subdivision, by increasing the maximum lot size for proposed lots (excluding the balance lot) to more than 1.6ha.
Decision Reasons:	<ul style="list-style-type: none"> • There should be the opportunity to make lots larger than 1.6ha it is appropriate for the site and will enhance Rural activities or is more in character with the surrounding area.

Point Number	460.12
Summary of Decision Requested:	Amend Rule 22.4.1.2 (a)(i) General subdivision, so exceptions to the Rule (i.e. those that are classified as Prohibited Subdivision) are noted or referred to in this rule as is the case in the current Operative Plan.
Decision Reasons:	<ul style="list-style-type: none"> • Specifications of exceptions to this rule will ease interpretation and understanding of the rule.

Point Number	460.13
Summary of Decision Requested:	Amend the Proposed District Plan to clarify and further describe a "Significant Natural Area" in the context of Rule 22.4.1.6 Conservation lot subdivision.
Decision Reasons:	<ul style="list-style-type: none"> • Further definition of this term will aid in the interpretation of the rule. • Will assist in the identification of areas eligible for subdivision under this rule.

Submitter Number:	461	Submitter:	Donna-Maria Lincoln
Point Number	461.1		
Summary of Decision Requested:	No specific decision sought, but submission states support for Rule 22.3.7.2 Building setback - sensitive land use. AND No specific decision sought, but submission expresses concern that a major and minor dwelling cannot be built on each of the 4 titles on the property at 100 McGovern Road, Waerenga.		
Decision Reasons:	<ul style="list-style-type: none"> • The submitter purchased this property in 2015 with the intention of building a primary dwelling and minor dwelling on each of their four titles located at 100 McGovern Road, Waerenga. The current regime does not enable these developments, contrary to what Council advised at the time of purchase. 		

Submitter Number:	463	Submitter:	Environmental Management Solutions Limited
Point Number	463.1		
Summary of Decision Requested:	Retain Objective 10.2.1 Contaminated land, as notified.		
Decision Reasons:	<ul style="list-style-type: none"> • The submitter supports this objective. 		

Point Number 463.2

Summary of Decision Requested: **Retain** Policy 10.2.2 Managing the use of contaminated land, except for the amendments sought below

AND

Amend Policy 10.2.2 (d) Managing the use of contaminated land, as follows:

Ensure that the use, subdivision and development of contaminated land management approaches include where appropriate:

...

Decision Reasons:

- The submitter supports the Policy but considers that the words “where appropriate” should be added to encourage the appropriate option to be adopted as required.
- Not all options identified will be required for each site.

Point Number 463.3

Summary of Decision Requested: **Delete** contaminated land from Rule 16.4.7 Title boundaries – contaminated land, notable trees, intensive farming and aggregate extraction areas.

AND

Add a new set of rules specifically relating to contaminated land that align with National Environmental Standard for Assessing and Managing Contaminants in Soil to protect Human Health provisions (sections 30 and 31 of the Wellington City Council Plan provides an example of this).

Decision Reasons:

- The submitter considers it unacceptable and nonsensical to include Contaminated Land in with notable trees, intensive farming and aggregate extraction areas, significant amenity landscapes etc.
- The provisions set out within the rules contradict those detailed within the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to protect Human Health) Regulations 2011 which overrides any planning provision.
- Regulation 5(5) of the NESCS specifies subdivision as an activity to which the standard applies where an activity that can be found on the Ministry for Environment Hazardous Activities and Industries List has, is or is more likely than not to have occurred on a property. The regulations have a specific pathway to follow.
- In many cases, it is through the subdivision application that a report investigating and identifying the contamination on a property is identified. This may include several areas, large or small irrespective of proposed subdivision boundaries.
- For subdivision to be enabled, soil contaminant concentrations have to meet the soil contaminant standards set by the NESCS or the site has to be satisfactorily managed.
- It is considered most appropriate for potentially contaminated land to have a separate rule that reflects the requirements of the NESCS.

Point Number 463.4

Summary of Decision Requested: **Delete** contaminated land from Rule 22.4.2. Title boundaries – natural hazard area, contaminated land, Significant Amenity Landscape, notable trees, intensive farming activities, aggregate extraction areas

AND

Add a new set of rules specifically relating to contaminated land that align with National Environmental Standard for Assessing and Managing Contaminants in Soil to protect Human Health provisions (sections 30 and 31 of Wellington City Council Plan provides an example of this).

Decision Reasons:

- The submitter considers it unacceptable and nonsensical to include Contaminated Land in with notable trees, intensive farming and aggregate extraction areas, significant amenity landscapes etc.
- The provisions set out within the rules contradict those detailed within the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to protect Human Health) Regulations 2011 which overrides any planning provision.
- Regulation 5(5) of the NESCS specifies subdivision as an activity to which the standard applies where an activity that can be found on the Ministry for Environment Hazardous Activities and Industries List has, is or is more likely than not to have occurred on a property. The regulations have a specific pathway to follow.
- In many cases, it is through the subdivision application that a report investigating and identifying the contamination on a property is identified. This may include several areas, large or small irrespective of proposed subdivision boundaries.
- For subdivision to be enabled, soil contaminant concentrations have to meet the soil contaminant standards set by the NESCS or the site has to be satisfactorily managed.
- It is considered most appropriate for potentially contaminated land to have a separate rule that reflects the requirements of the NESCS.

Point Number 463.5

Summary of Decision Requested: **Delete** the definition for "Hazardous Facility" from Chapter 13 Definitions.

Decision Reasons:

- The submitter does not support the definition provided for a hazardous facility.
- The definition currently relates to both activities involving hazardous substances with no quantification, and premises at which these substances are used, stored or disposed of, including vehicles for their transport located at a facility for more than 'short periods of time'. It is considered that the Council has likely tried to make reference to terminology derived from the MfE HAIL, however, the way this definition is written makes no sense.
- Ultimately the definition could include every quad bike and garage in the District. HSNO and the NES govern the location certification, management and detection of hazardous substances respectively.
- It is considered that no definition is required in the District Plan.

Submitter Number: 464 **Submitter:** Perry Group Limited

Point Number 464.1

Summary of Decision Requested: **Amend** Policy 4.1.3 Location of development, as follows:

(a) Subdivision and development of a residential, commercial and industrial nature is to occur within or near towns and villages where infrastructure and services can be efficiently and economically provided.

(b) ~~Locate~~ Give preference to urban growth areas ~~only~~ where they are consistent with the Future Proof Strategy Planning for Growth 2017, any amended Future Proof documents, the Corridor Plan, and any central government directives on land use.

AND

Any consequential amendments or further relief to address the concerns raised in the submission.

Decision Reasons:

- It will promote the sustainable management of resources.
- It will achieve the purpose of the Resource Management Act 1991.
- It is not contrary to Part 2 and other provisions of the Resource Management Act 1991.
- Economic benefits exist through the promotion and development of tourism and recreation in the corridor.

Point Number 464.2

Summary of Decision Requested: **Add** a new clause (c) to Policy 4.1.6 Commercial and industrial activities, as follows:
(c) Encourage linkages and connections between commercial, industrial, and residential activities.
 AND
 Any consequential amendments or further relief to address the concerns raised in the submission.

Decision Reasons:

- It will promote the sustainable management of resources.
- It will achieve the purpose of the Resource Management Act 1991.
- It is not contrary to Part 2 and other provisions of the Resource Management Act 1991.
- Cycling and walking should be promoted for a healthy and active lifestyle.

Point Number 464.3

Summary of Decision Requested: **Add** a new point (c) to Policy 4.1.8 Integration and connectivity, as follows:
(c) Encourage greater connectivity and integration between commercial, industrial, and residential activities.
 AND
 Any consequential amendments or further relief to address the concerns raised in the submission.

Decision Reasons:

- It will promote the sustainable management of resources.
- It will achieve the purpose of the Resource Management Act 1991.
- It is not contrary to Part 2 and other provisions of the Resource Management Act 1991.
- Residential and Industrial can live suitably together to create a live, work, play lifestyle for Horotiu.

Point Number 464.4

Summary of Decision Requested: **Amend** Policy 4.1.16 Horotiu, as follows:
(a) Horotiu is developed to ensure:
(i) Future residential areas are connected to or near the existing village;
(ii) Future residential development ~~does not~~ minimises impact on the existing local road network;
(iii) Future residential development acknowledges the benefits of Horotiu's proximity to Hamilton City.
(iii) ~~Effects on amenity from the strategic transport infrastructure are appropriately mitigated~~ Reverse sensitivity effects from the strategic transport infrastructure networks are avoided or minimised
(iv) The strategic industrial node is protected by having an acoustic overlay on neighbouring sensitive land uses while recognising the importance of current and future residential activities.
(v) Future roads, parks, pedestrian and cycle networks are developed in accordance with the Horotiu section of Ngaruawahia, Hapuhopu, Taupiri, Horotiu, Te Kowhai and Glen Massey Structure Plan.
 AND
 Any consequential amendments or further relief to address the concerns raised in the submission.

Decision Reasons:

- It will promote the sustainable management of resources.
- It will achieve the purpose of the Resource Management Act 1991.
- It is not contrary to Part 2 and other provisions of the Resource Management Act 1991.
- It will meet the reasonably foreseeable needs of future generations by enabling growth and further land for residential development at Horotiu and the wider District.
- It will enable the social, economic and cultural well-being of the Horotiu community.
- Horotiu is changing into a more urbanised village and so needs sufficient local centre amenities to service its population such as shops, and other services.
- Residential zoning at Horotiu is supported by links to Horotiu Village, the Horotiu Primary School and opportunities to align with the Te Awa Lakes Special Housing Area, which is on adjacent land.
- Horotiu can act as a gateway for a recreation hub that includes the Te Awa River Ride to Ngaruawahia, then onto Hakarimata Reserve and beyond.
- There is the opportunity to strengthen connections from Horotiu back other surrounding areas by cycle way, river and potentially train.

Point Number 464.5

Summary of Decision Requested: **Amend** Policy 4.2.18 Multi-unit development, as follows:
(a) ~~Enable~~ Enable multi-unit residential subdivision and mixed use development ~~is to be~~ designed in a way that:
(i) provides a wide range of housing types;
(ii) Addresses and integrates with adjacent residential development, town centres and public open space while recognising the importance of multi-unit developments role in addressing housing supply.
 ...
(v) Maintains the amenity values of neighbouring sites.
(b) Encourage developments that promote the outcomes of the Waikato District Council's multi-unit development urban design guidelines (Appendix 3.4), in particular section 3
 ...
(iv) ~~Ensuring design is contextually appropriate and promotes local characteristics to contribute to community identity.~~
(v) Designs that respond to and promote the public interface by the provision of:
 A. Streets, communities and public places;
 ...
 AND
 Any consequential amendments or further relief to address the concerns raised in the submission.

Decision Reasons:

- It will promote the sustainable management of resources.
- It will achieve the purpose of the Resource Management Act 1991.
- It is not contrary to Part 2 and other provisions of the Resource Management Act 1991.
- The Plan contains provisions to enable higher density residential outcomes which is beneficial.

Point Number 464.6

Summary of Decision Requested: **Amend** Policy 4.7.6 Co-ordination between servicing and development and subdivision, as follows:

Increasingly, infrastructure is put in pursuant to private development agreements and other arrangements, and it should not depend on Council funding or Long-Term Plan arrangements.

(a) ~~Ensure~~ **Encourage** development and subdivision:

(i) ~~To be~~ located in areas where infrastructural capacity has been planned and funded;

(ii) ~~To be~~ located in areas subject to an approved structure plan and provide sufficient infrastructure capacity to meet the demand identified in the structure plan;

(iii) **To** achieves the lot yield anticipated in an approved structure plan; and

(iv) **To** includes infrastructure provision for both the strategic infrastructure network and local infrastructure connections;

while acknowledging that there may be exceptions to the above, for example in the case of a new housing development with infrastructure being provided and paid for in whole or in part by central government or private or public-private funding.

AND

Any consequential amendments or further relief to address the concerns raised in the submission.

Decision Reasons:

- It will promote the sustainable management of resources.
- It will achieve the purpose of the Resource Management Act 1991.
- It is not contrary to Part 2 and other provisions of the Resource Management Act 1991.

Point Number 464.7

Summary of Decision Requested: **Amend** Policy 4.7.11 Reverse sensitivity, as follows:

Reverse sensitivity effects can be mitigated in many circumstances (for example, through consent conditions or land covenants).

(a) Development and subdivision design minimises reverse sensitivity effects arising from current uses on adjacent sites, adjacent activities, or the wider environment; and

(b) Avoid, ~~minimise or appropriately mitigate~~ potential reverse sensitivity effects of locating new dwellings in the vicinity of an intensive farming, extraction industry or industrial activity.

AND

Any consequential amendments or further relief to address the concerns raised in the submission.

Decision Reasons:

- It will promote the sustainable management of resources.
- It will achieve the purpose of the Resource Management Act 1991 ("the RMA").
- It is not contrary to Part 2 and other provisions of the RMA.

Point Number 464.8

Summary of Decision Requested: **Delete** the minimum lot size from Rule 16.1.3 RD1 (c) Restricted Discretionary Activities

AND

Add a matter of discretion to Rule 16.1.3 RD1 Restricted Discretionary Activities, to address lot size

AND

Delete the minimum living court areas and dimensions from Rule 16.1.3 RD1 (h) Restricted Discretionary Activities.

AND

Add a matter of discretion to Rule 16.1.3 RD1 Restricted Discretionary Activities, to address living court areas and dimensions.

AND

Amend Rule 16.1.4 D3 Discretionary Activities as follows:

Any Multi-unit development that does not comply with Rule 16.1.3 RD1 except for Rules 16.1.3 RD1 (c) and (h).

AND

Any consequential amendments or further relief to address the concerns raised in the submission.

Decision Reasons:

- The requirement per unit and living court areas should be based on specific design considerations for a Multi-Unit development rather than a nominal area.
- The matter should be assessed as part of Council's restricted discretion for a Restricted Discretionary Activity application.
- To reflect previous submission points, as a consequential amendment. The amendment retains these matters as a specific matter of restricted discretion under RD1.
- To reflect correct cross referencing.

Point Number 464.9

Summary of Decision Requested: **Amend** Rule 16.4.1 RD1 (a) (i) Subdivision – General, to reduce the minimum lot size as follows:

(a)(i) *Proposed lots must have a minimum net site area of ~~450m²~~ 400m², except where the proposed lot is an access allotment or utility allotment or reserve to vest;*

AND

Any consequential amendments or further relief to address the concerns raised in the submission.

Decision Reasons:

- Greater residential density will better meet housing needs in the District and help avoid sprawl.

- The Plan contains provisions to enable higher density residential outcomes, which is beneficial.

Point Number 464.10

Summary of Decision Requested: **Delete** Rule 23.4.2 RD1 (a)(i) General Subdivision.
AND
Any consequential amendments or further relief to address the concerns raised in the submission.

Decision Reasons:

- Council should be concerned with amenity values, not with minimum lot sizes in the Country Living Zone.

Point Number 464.11

Summary of Decision Requested: **Amend** the zoning at properties Pt Lot 5 DPS 5176, Lots 1-3 DPS 5176 and Lt Allot 105 Horotiu Parish from Residential Zone to Business Zone (see submission for map of sites Marked Area A).
AND
Any consequential amendments or further relief to address the concerns raised in the submission.

Decision Reasons:

- This will reflect the need for commercial land required to service the adjacent residential areas which also provides a buffer between the Residential Zone and adjacent industrial land.
- It will enable the social, economic and cultural well-being of the Horotiu community.
- Residential and industrial can live suitably together to create a live, work, play, lifestyle for Horotiu.
- Rural residential zoning is not an efficient use of land.

Point Number 464.12

Summary of Decision Requested: **Amend** the zoning of part of the properties Allotment 106 Horotiu Parish and Section 2 SO 486608 from Rural Zone to Residential Zone (see submission for maps).
AND
Any consequential amendments or further relief to address the concerns raised in the submission.

Decision Reasons:

- The land is isolated and fragmented from the remainder of the zone.
- The most appropriate zoning of this land is residential.
- It will enable the social, economic and cultural well-being of the Horotiu community.
- Residential and industrial can live suitably together to create a live, work, play, lifestyle for Horotiu.
- Rural residential zoning is not an efficient use of land.

Point Number 464.13

Summary of Decision Requested: **Add** the following specific policy basis for Horotiu which promotes the relationship of Horotiu with the river and its cultural and recreational values as follows:

Development on or near the Waikato River should be reflective of the visual and physical qualities of the river and its cultural importance.

Recreational uses and activities which promote the rich history and recognize the cultural importance of the river edge are promoted.

AND

Any consequential amendments or further relief to address the concerns raised in the submission.

Decision Reasons:

- The plan should promote the relationship of Horotiu with the river and its cultural and recreational values.
- The plan does not acknowledge this.
- It will enable the social, economic and cultural well-being of the Horotiu community.
- Development on or near the Waikato River should be reflective of the environmental, visual and physical amenity of our regions greatest asset and its cultural significance.
- Recreational uses should be promoted along the river to enhance peoples' lifestyles, cultural appreciation and the value of the natural assets within the region.

Point Number 464.14

Summary of Decision Requested: **Add** a further policy/explanatory statement to the Proposed Plan to consider the future and on-going use of mineral extraction and processing sites that have been closed and rehabilitated as follows:

There are a number previously developed mineral extraction and processing sites in the District, some of which have the potential to meet the communities needs for recreation, conservation and reserve needs.

AND

Any consequential amendments or further relief to address the concerns raised in the submission.

Decision Reasons:

- The Rural Zone and the Aggregate Extraction overlay provisions do not consider the future and ongoing use of mineral extraction and processing sites that have been closed and rehabilitated. Such sites provide significant opportunities for recreation activities, wetlands and reserve areas.

Point Number 464.15

Summary of Decision Requested: **Amend** Rule 16.1.3 RD1 (b) Restricted Discretionary Activities, to correct the cross-referencing as follows:

(ii) ~~16.3.8~~ 16.3.6

(iii) ~~16.3.9~~ 16.3.7

(iv) ~~16.3.10~~ 16.3.8

Decision Reasons:

- Correcting cross referencing error.
- The matter should be assessed as part of Council's restricted discretion for a Restricted Discretionary Activity application.

- To reflect previous submission points, as a consequential amendment. The amendment retains these matters as a specific matter of restricted discretion under RDI.
- To reflect correct cross referencing.

Point Number 464.16

Summary of Decision Requested: **Retain** the Residential Zoning at Horotiu and Council's comprehensive approach to this zoning.

Decision Reasons:

- No reasons provided.

Point Number 464.17

Summary of Decision Requested: **Amend** Rule 16.4.1 RDI (b) Subdivision – General, by setting fewer matters of discretion as follows:

(b) Council's discretion shall be restricted to the following matters:

(i) Subdivision layout;

~~(ii) Shape of lots and variation in lot sizes;~~

(iii) Ability of lots to accommodate a practical building platform including geotechnical stability for building;

~~(iv) Likely location of future buildings and their potential effects on the environment;~~

(v) Avoidance or mitigation of natural hazards;

~~(vi) Amenity values and streetscape landscaping;~~

(vii) Consistency with the matters contained within Appendix 3.1 (Residential Subdivision Guidelines);

(viii) Vehicle and pedestrian networks;

(ix) Consistency with any relevant structure plan or master plan including the provision of neighbourhood parks, reserves and neighbourhood centres; and

(x) Provision of infrastructure.

AND

Any consequential amendments or further relief to address the concerns raised in the submission.

Decision Reasons:

- It represents the most appropriate means of exercising the Waikato District Council's functions, having regard to the efficiency and effectiveness of other available means.
- Some of the changes proposed are therefore not more appropriate in terms of section 32 and other provisions of the Resource Management Act 1991.

Point Number 464.18

Summary of Decision Requested: **Delete** Rule 16.4.4 RDI (a) (iii) Subdivision - Multi-unit development.

AND

Any consequential amendments or further relief to address the concerns raised in the submission.

Decision Reasons:

- The rule is confusing and poorly drafted.
- Subdivision should be guided by the land use consent process and there should be no minimum lot size for Multi-Unit development subdivision where a land use consent has been proposed under Rule 16.1.3.
- There should be no minimum lot size applicable to the underlying site as this is subject to a separate land use consent process (which is design led).

Point Number 464.19

Summary of Decision Requested: **Amend** Rule 16.1.3 RDI Restricted Discretionary Activities, to specify that any application for a resource consent for a Multi-Unit development made under this rule shall not be notified or served on affected persons.

AND

Any consequential amendments or further relief to address the concerns raised in the submission.

Decision Reasons:

- The proposed amendment provides certainty and efficiency in terms of process.
- Council's matters of restricted discretion and compliance with land use effects under Rule 16.2 adequately address matters of adverse effects at external boundaries.

Point Number 464.20

Summary of Decision Requested: **Add** to Rule 16.3.3.1 PI Height – Building general an exception for multi-unit development as follows:

The exception shall be Multi-unit development where the height of any building must not exceed 10m.

AND

Any consequential amendments or further relief to address the concerns raised in the submission.

Decision Reasons:

- A building height of 7.5m is insufficient to effectively and efficiently provide for Multi-Unit development.

Point Number 464.21

Summary of Decision Requested: **Amend** Rule 16.4.4 RDI (b) (vii) Multi-unit development, by removing reference to the use of design guidelines as a criteria

AND

Add a matter of discretion to Rule 16.1.3 RDI Restricted Discretionary Activities, as follows:

A design report shall be submitted by a suitably qualified and experienced professional which assesses the Multi Unit Development in accordance with the NZ Urban Design Protocol.

AND

Any consequential amendments or further relief to address the concerns raised in the submission.

Decision Reasons:

- The consideration of consistency with design guidance should more appropriately be considered as a matter at the time of the land use consent, in accordance with Rule 16.1.3 RD1 (a) in the right-hand column of the table, (rather than at subdivision stage).
- Requiring consistency with design "guidelines" as a "criteria" is inappropriate as the guidelines provide "guidance" only and may restrict the consideration of changes to design and innovation.
- The submitter sees no reason why the guidelines cannot remain in the plan for reference, however the criteria should instead reflect (in terms of a level of detail provided) those requirements in the NZ Urban Design Protocol.

Submitter Number: 465 **Submitter:** Buckland Marine Limited

Point Number 465.1

Summary of Decision Requested: Add the following activities to Rule 20.1.1 Permitted Activities:

P7 Mechanical workshop

P8 Ancillary yard

P9 New buildings

Include activity specific conditions specifying that building must be related to industrial activity.

P10 Additions and Alterations to buildings

P11 Demolition of buildings

AND

Add the following terms to Chapter 13 Definitions :

- Mechanical workshop - to include Marine outboard servicing centre
- Ancillary yard

Decision Reasons:

- There is currently no provision to allow for a mechanical workshop within the Industrial Zone, nor is there provision within for an ancillary yard.
- The submitter's are a Marine Outboard Servicing Centre (including mechanical workshop) located specifically in the Industrial Zone because that is the most suitable area for their business to be situated, yet under the proposed rule framework this activity would be considered a Non-Complying activity.
- There is no provision for new buildings associated with industrial activities to develop on an industrial site, alterations to existing industrial premises to carry out or for demolition of buildings.

Point Number 465.2

Summary of Decision Requested: Retain Rule 20.2.1 P1 Servicing and hours of operation, as notified.

Decision Reasons:

- The submitter supports the proposed hours of operation adjoining zones of more sensitive land use.

Point Number 465.3

Summary of Decision Requested: Delete Rule 20.2.2 C1 Landscape planting, and impose buffer strips between zones at the time of rezoning and/or during subdivision.

Decision Reasons:

- The submitter supports the use of landscaping strips but considers that this provision would be more appropriately imposed during rezoning and at the time of subdivision as a buffer between zones and not imposed upon individual industrial development.
- Many industrial lots require hard fill and security fencing that will short if vegetation contacts this.
- Industrial land is expensive and often the entire area is required for the proposed industrial activity.

Point Number 465.4

Summary of Decision Requested: Delete Rule 20.2.5.1 P1 (vi) Earthworks.

Decision Reasons:

- The submitter considers that a 1.5m setback from all boundaries is unnecessary where erosion and sediment controls are established on site in accordance with the Waikato Regional Council Erosion and Sediment Control: Guidelines for Soil Disturbing Activities, Report: TR 2009/02.
- The rules should be effects-based.
- A 1.5m setback would be impractical for many industrial sites levelling the site for hard fill up to the boundary.
-

Point Number 465.5

Summary of Decision Requested: Retain Objective 4.6.1 Economic growth of industry, as notified.

Decision Reasons:

- The submitter supports the intention of this objective.

Point Number 465.6

Summary of Decision Requested: Retain Policy 4.6.2 Provide Industrial Zones with different functions, as notified.

Decision Reasons:

- The submitter supports the effects-based basis for this policy.

Point Number 465.7

Summary of Decision Requested: Retain Policy 4.6.3 Maintain a sufficient supply of industrial land, as notified.

Decision Reasons:

- The submitter supports locating industry in the Industrial Zone and ensuring adequate land is available to meet growing demands.

Point Number 465.8

Summary of Decision Requested: Retain Objective 4.6.6 Manage adverse effects, as notified.

Decision Reasons:

- It is important the amenity values of sensitive land uses be protected.

Point Number 465.9

Summary of Decision Requested: Amend Policy 4.6.7 Management of adverse effects within industrial zones, as follows:
(a) Manage adverse effects including visual impact from buildings, parking, loading spaces and outdoor storage, lighting, noise, odour and traffic by managing the location of industrial uses, bulk and form of buildings, landscaping and screening where appropriate.

Decision Reasons:

- The submitter supports the management of adverse effects from within the Industrial Zone.
- It is considered that road frontage is an important aspect for many industrial premise and requiring screening at the interface with roads is impractical.
- Landscaping is supported if it is consistent with the nature and purpose of the Industrial Zone and does not impact on the proposed land use.

Point Number 465.10

Summary of Decision Requested: No specific decision sought, but submission opposes Rule 20.2.6 PI Hazardous substances
 AND
 Delete Table 5.1 Activity Status Table – Permitted Activity Thresholds, from Appendix 5 Hazardous Substances.

Decision Reasons:

- The submitter considers that Hazardous Substances are managed through existing legislation including the Hazardous Substances and New Organisms Act and through the Health and Safety at Work Regulations, 2017.

Point Number 465.11

Summary of Decision Requested: Amend Rule 20.4.1 RD1 Subdivision – General, to allow for the creation of smaller industrial lot sizes to cater for smaller industrial operations.

Decision Reasons:

- An average lot size of 2000m2 with a minimum net site area of 1000m2 is too stringent.
- There are opportunities for smaller industrial activities to operate within the Industrial Zone and these lot sizes will exclude some suitable activities from relocating to this zone.

Point Number 465.12

Summary of Decision Requested: Amend Rule 20.4.3 RD1 (a) Road Frontage, to reduce the road frontage requirements from 15m to 10m.

Decision Reasons:

- The submitter supports the inclusion of a road frontage provision but considers that road frontage is an important aspect for some businesses within the Industrial Zone and considers that 15m is too wide.

Point Number 465.13

Summary of Decision Requested: Amend Rule 20.2.5.1 PI (vii), as follows:
(vii) areas exposed by earthworks are ~~re-vegetated~~ stabilised through vegetation or another suitable mechanism to achieve 80% ground cover.

Decision Reasons:

- It is considered that areas exposed by earthworks may not require re-vegetation, where other stabilising mechanisms such as hard fill are being used.

Submitter Number: 466 **Submitter:** Brendan Balle

Organisation: Balle Bros Group Limited

Point Number 466.1

Summary of Decision Requested: Delete the definition for "Hazardous Facility" from Chapter 13 Definitions.

Decision Reasons:

- The submitter does not support the definition provided for a hazardous facility.
- The definition currently relates to both activities involving hazardous substances (with no quantification) and premises at which these substances are used, stored or disposed of, including vehicles for their transport located at a facility for more than 'short periods of time'.

- The submitter considers that the Council has likely tried to refer to terminology derived from the MfE HAIL; however, the way this definition is written makes no sense.
- Ultimately, the definition could include every quad bike and garage in the District. HSNO and the NESCS govern the location certification, management and detection of hazardous substances respectively.
- No definition for this is required in the District Plan.

Point Number 466.2

Summary of Decision Requested: **Amend** Policy 10.1.4 Reverse sensitivity effects to separate sensitive land use activities from areas where use and storage of hazardous substances is lawfully established.

Decision Reasons:

- The submitter supports locating hazardous substances remote from sensitive land use activities however does not support the current definition of hazardous facilities.

Point Number 466.3

Summary of Decision Requested: **Amend** Rule 14.12.1.4 P4 Traffic Generation to enable annual exemption for horticultural activities during harvest time.

Decision Reasons:

- It is too restrictive for harvest time.
- It is considered that for most of the year this level is achievable however, once a year during harvest time this will be unachievable.
- Commercial vegetable growers do not want to be in a position that they require a consent to harvest.

Point Number 466.4

Summary of Decision Requested: **Amend** Rule 16.1.2 P10 Permitted Activities to encompass all existing commercial vegetable production activities on land that has been rezoned residential/urban.

Decision Reasons:

- The submitter supports commercial vegetable production being a Permitted Activity in the Residential West Te Kauwhata area, however, considers that this Permitted Activity status should be extended to encompass all areas of existing commercial vegetable production that has been rezoned residential.

Point Number 466.5

Summary of Decision Requested: **Add** a new permitted activity to Rule 16.2.4.1 Earthworks – General for Ancillary Rural Earthworks where existing commercial vegetable production operations have been rezoned residential.

Decision Reasons:

- Ancillary rural earthworks should be provided for as a permitted activity to enable the continued operation of existing commercial vegetable production operations.

Point Number 466.6

Summary of Decision Requested: **Amend** Rule 16.2.4.1 RD1 Earthworks to avoid reverse sensitivity effects on any adjoining Rural Zoned land.

Decision Reasons:

- The submitter supports this rule however considers that reverse sensitivity issues should be addressed.

Point Number 466.7

Summary of Decision Requested: **Amend** Rule 16.2.4.3 Earthworks – Significant Natural Area to allow for ground truthing of all Significant Natural Areas prior to inclusion as a property record and on planning maps.

Decision Reasons:

- Many of the identified SNA's do not meet the criteria set out in section 11A of the Waikato Regional Policy Statement.
- Edge effects, fragmentation, cost of management and lack of ecological significance of some of the areas identified raises concerns.
- Ground truthing should be enabled, for all Significant Natural Areas, prior to inclusion on a property record or planning map.
- Where Significant Natural Areas have been ground truthed and confirmed as significant then this rule should apply.

Point Number 466.8

Summary of Decision Requested: **Amend** Rule 16.2.8 P1 Indigenous vegetation clearance inside a Significant Natural Area P1 to allow for ground truthing of all Significant Natural Areas prior to inclusion as a property record and on planning maps.

Decision Reasons:

- The submitter supports this rule, if provision is made for ground truthing of Significant Natural Area at a property level.

Point Number 466.9

Summary of Decision Requested: **Amend** Rule 16.3.9.3 Building setback – Waterbodies to change setback requirements to 30m from a lake and 20m from a watercourse.

Decision Reasons:

- The submitter supports this rule, however question the basis for a 23m setback and consider that setback distances should be aligned throughout the plan and consistent with existing setback requirements.

- Wetland as described in the RMA includes permanently or intermittently wet areas, shallow water, and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions.
- Without a size requirement or specification to indigenous vegetation, it is considered that this could refer to any intermittently wet area that has plant life and therefore careful consideration should be given to required setback.

Point Number 466.10

Summary of Decision Requested: Retain Rule 22.1.2 P7 Farming as notified.

Decision Reasons:

- The submitter supports the definition of farming and supports commercial vegetable production being a permitted activity.

Point Number 466.11

Summary of Decision Requested: Retain Rule 22.1.3 RD2 Rural Industry as notified.

Decision Reasons:

- The submitter supports the restricted discretionary status for Rural Industry.

Point Number 466.12

Summary of Decision Requested: Amend Rule 22.1.5 Discretionary Activities to read as 22.1.4 Discretionary Activities.

Decision Reasons:

- Rule 22.1.4 is omitted.
- The numbering should be corrected.

Point Number 466.13

Summary of Decision Requested: Retain Rule 22.2.1.1 P1 Noise – General as notified.

Decision Reasons:

- The submitter supports farming noise being a permitted activity.

Point Number 466.14

Summary of Decision Requested: Retain Rule 22.2.3.1 P1 Earthworks – General as notified.

Decision Reasons:

- The submitter supports the permitted activity status of Ancillary Farming Earthworks.

Point Number 466.15

Summary of Decision Requested: Delete Rule 22.2.3.1 P2 (iii) Earthworks – General.

Decision Reasons:

- The submitter questions the 1.5m setback for earthworks from all boundaries.
- Provided appropriate erosion and sediment controls are in place and all effects are mitigated, there should be no imposed setback for earthworks from the boundary.

Point Number 466.16

Summary of Decision Requested: Amend Rule 22.2.3.3 P1 Earthworks – Significant Natural Area to allow for ground truthing of all Significant Natural Areas prior to inclusion as a property record and on planning maps.

Decision Reasons:

- Many of the identified Significant Natural Areas do not meet the criteria set out in section 11A of the Waikato Regional Policy Statement.
- Edge effects, fragmentation, cost of management and lack of ecological significance of some of the areas identified raises concerns.
- Ground truthing should be enabled, for all Significant Natural Areas, prior to inclusion on a property record or planning map.
- Where Significant Natural Areas have been ground truthed and confirmed as significant then this rule should apply.

Point Number 466.17

Summary of Decision Requested: Delete Table 5.1 Activity Status Table – Permitted Activity Thresholds from Appendix 5 Hazardous Substances, in the context of opposing Rule 22.2.4 P1 Hazardous Substances.

Decision Reasons:

- The submitter opposes the inclusion of a Table specifying quantities of hazardous substances for the Rural Zone.
- This is managed through existing legislation and this is an unnecessary additional level of regulation.

Point Number 466.18

Summary of Decision Requested: Amend Rule 22.2.7 P1 Indigenous vegetation clearance inside a Significant Natural Area to allow for ground truthing of all Significant Natural Areas prior to inclusion as a property record and on planning maps.

Decision Reasons:

- The submitter supports this rule, if provision is made for ground truthing of Significant Natural Areas at a property level.

Point Number 466.19

Summary of Decision Requested: **Amend** Rule 22.3.4.1 Height – Building General so that the height of any building associated with a farming or rural services activity must not exceed 15m.

Decision Reasons:

- The submitter supports having a height restriction on buildings within the Rural Zone, however, consider that a 10m restriction is not practical for sheds/buildings associated with commercial vegetable production storage activities.
- A 15m height restriction would be more realistic.

Point Number 466.20

Summary of Decision Requested: **Delete** reference to 500m2 maximum or 2% of site area from Rule 22.3.6 Building coverage.

Decision Reasons:

- The submitter understands the need to manage building coverage but consider that the outlined parameters are too prescriptive for buildings commonly associated with commercial vegetable production, such as pack houses or cool stores.
- The submitter needs to retain the ability to provide buildings appropriate to the rural production and servicing.
- The submitter needs to ensure that soil removed to enable building and yard cover, is utilized to add to the versatility of existing production land in the same locality.

Point Number 466.21

Summary of Decision Requested: **Amend** Rule 22.3.6 D1 Building coverage to be classified as a Restricted Discretionary Activity rather than a Discretionary Activity
AND

Add new matters of discretion to Rule 22.3.6 Building coverage as follows:

- a. Effects on character and amenity.
- b. Management of effects of stormwater run-off.

Decision Reasons:

- The submitter considers that where the building coverage cannot be met, then the activity status should be Restricted Discretionary.

Point Number 466.22

Summary of Decision Requested: **Amend** Rule 22.3.7.5 P1 Building setback to change the setback to 30m from a lake and 20m from a watercourse.

Decision Reasons:

- The submitter opposes the designated setbacks and consider that it would be more appropriate for these to align with existing setbacks of 30m from a lake and 20m from a watercourse.
- Wetland as described in the RMA includes permanently or intermittently wet areas, shallow water, and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions.
- Without a size requirement or specification to indigenous vegetation it is considered that this could refer to any intermittently wet area that has plant life and therefore careful consideration should be given to required setback.

Point Number 466.23

Summary of Decision Requested: **Delete** Rule 22.4.1.1 PR2 and PR3 Prohibited subdivision and replace with a new non-complying rule.

Decision Reasons:

- The submitter supports the protection of high-class soils but consider a prohibited activity status to be too restrictive.
- There may be circumstances where subdivision is a suitable option and consider that there should be a pathway to allow for this.
- On this basis, a non-complying activity status would be more appropriate.
- This activity status will still offer a high level of protection for high-class soils while enabling a pathway if required.

Point Number 466.24

Summary of Decision Requested: **Delete** 22.4.1.2 RD1 General Subdivision.

Decision Reasons:

- The submitter considers that the date that the Record of Title was issued should have no bearing on the subdivision of high-class soils, if to be avoided as per the objectives and policies of the Plan.
- It is considered that a Non-Complying pathway should be provided for the subdivision of high-class soils, as highlighted in 22.4.1.1. This rule would therefore be redundant.

Point Number 466.25

Summary of Decision Requested: **Amend** Rule 22.4.1.5 RD1 Rural Hamlet Subdivision to ensure that proposed lots shall not be located on high class soils, except where primary productive use is no longer viable.

Decision Reasons:

- The rural hamlet subdivision is a sensible provision to avoid fragmentation in rural areas.
- High-class soils should be protected through subdivision unless the area is no longer viable for primary production use.

- This should be reflected within the rule framework, to remain consistent with policies and objectives of the Plan.

Point Number 466.26

Summary of Decision Requested: **Amend** Rule 22.4.1.6 RD1 (a)(i) Conservation lot subdivision to remove "Less than 2ha in all other areas" and replace with "between 1ha and 2ha in all other areas = 1 maximum number of new Records of Title".

Decision Reasons:

- The submitter supports the intention of the Conservation Lot subdivision but consider that the number of lots obtained should be relative to the inherent quality to the feature to be protected and not just size.
- The submitter understands that the Significant Natural Area would need to be previously identified, or determined by an ecologist, however, not all features are equal and that in some cases it may be suitable to grant a Record of Title for areas between 1 hectare and 2 hectares in areas other than the Hamilton Basin.
- There should be a 1 hectare minimum for all areas and restricted discretion should also include provision to assess the feature relative to section 11A of the Waikato Regional Policy Statement.
- Factors such as flora, fauna, under-represented habitat or ecosystem type, uncommon systems, healthy and representative example of type, self-supporting capability, ecological sequence, ecological buffer, linkage or corridor and edge effects should all be considered in the assessment to determine the appropriate size of the feature.
- A 1 hectare densely populated, healthy, block in proximity to other features may offer more ecological value than a less dense, isolated feature and should at least be considered for subdivision.
- The submitter questions the value of relying solely on a pre-determined Significant Natural Area, which is unlikely to have been ground truthed, and may not in fact meet the criteria of section 11A.
- The location of created lots is important to ensure that reverse sensitivity from surrounding rural land uses is minimised.

Point Number 466.27

Summary of Decision Requested: **Add** a new discretionary rule to Rule 22.4.1.6 Conservation lot subdivision to allow for transferable development right subdivision. (Refer to Section E39 of the Auckland Unitary Plan for an example).

Decision Reasons:

- The submitter supports enabling transferable rural site subdivision to incentivize the protection of indigenous vegetation in the rural environment while avoiding fragmentation of productive areas.
- It is considered that Waikato District Council should adopt a similar approach to Auckland Council whereby protection of indigenous vegetation that met specified criteria, resulted in titles that could be transferred out of the rural zone to other specified zones.

Point Number 466.28

Summary of Decision Requested: **Amend** Rule 23.1 Land Use – Activities to include farming as a specified activity within the Country Living Zone.

Decision Reasons:

- Lot sizes within the Country Living Zone area must have a net site area of 5000m².
- Many people will buy these as lifestyle lots.
- Farming however, has not been listed as PA, RDA or DA within this zone and by default is therefore considered to be noncomplying in accordance with NC12.

Point Number 466.29

Summary of Decision Requested: **Retain** Rule 23.3.7 PI Building setbacks as notified.

Decision Reasons:

- The submitter supports this.
- An adequate buffer is essential in managing reverse sensitivity matters.

Point Number 466.30

Summary of Decision Requested: **Amend** Rule 23.3.7 RD1 Building setbacks to include consideration of reverse sensitivity as a matter of discretion.

Decision Reasons:

- An additional provision is sought to enable the potential for reverse sensitivity effects to be included as a matter to which discretion is restricted, particularly about the siting of buildings adjoining land used for commercial vegetable production.

Point Number 466.31

Summary of Decision Requested: **Amend** Rule 23.4.2 RD1 General Subdivision to include consideration of reverse sensitivity as a matter of discretion.

Decision Reasons:

- An additional provision is sought to enable the potential for reverse sensitivity effects to be included as a matter to which discretion is restricted, particularly about the siting of buildings adjoining land used for commercial vegetable production.

Point Number 466.32

Summary of Decision Requested: **Retain** Objective 4.1.2 Urban growth and development as notified.

Decision Reasons:

- The submitter supports the consolidation of future settlement in and around towns and villages, if the rezoning protects high-class soils where it is appropriate to do so.
- It is noted that the rezoned land in and around Tuakau is predominantly located on high-class soils, which is currently inconsistent with the objectives and policies of the Plan.

Point Number 466.33

Summary of Decision Requested: **Amend** Policy 4.1.3 Location of development to avoid development on high-class soils where it can demonstrate that the area provides opportunity for viable primary production activities.

Specific regard should be given to:

- Topography
- Productivity
- Sustainability (specifically avoidance of soil pests and diseases, suitably consented irrigation water)
- Reverse sensitivity
- Economic viability

Decision Reasons:

- The submitter supports directing the location of development and considers that this should be expanded to avoid development on high-class soils where viable commercial vegetable production activities can occur.
- There is a scarcity of elite soils in this area.
- It is noted that high-class soils are one component of a viable commercial vegetable production operation with other considerations including topography, productivity, sustainability (specifically avoidance of soil pests and diseases; suitably consented irrigation water), reverse sensitivity and economic viability.
- Specific regard should be given to: Topography, Productivity, Sustainability (specifically avoidance of soil pests and diseases; suitably consented irrigation water), Reverse sensitivity, and Economic viability.

Point Number 466.34

Summary of Decision Requested: **Amend** Policy 4.1.10 Tuakau to reconsider the location of Tuakau residential growth, taking into account the viability of primary production activities in this location.

Specific regard should be given to:

- Topography
- Productivity
- Sustainability (specifically avoidance of soil pests and diseases, suitably consented irrigation water)
- Reverse sensitivity
- Economic viability

AND

Amend Policy 4.1.10 Tuakau to include farming activities and commercial vegetable production with regard to protection from the effects of reverse sensitivity.

Decision Reasons:

- The submitter supports the intention of this policy; however, consider that the area zoned residential to the north and northwest of Tuakau should be reconsidered, particularly with regard to protecting high-class soils.
- The area of rezoned residential land is currently largely market garden land located on high-class soils.
- With limited soils available for this land use and the Waikato Regional Council Healthy Rivers Plan Change 1 restricting a change in land use, it is unlikely that the activities will be able to move.
- Specific assessment should be undertaken with regard to factors that contribute to viable commercial vegetable production activities such as; topography, productivity, sustainability (specifically avoidance of soil pests and diseases; suitably consented irrigation water), reverse sensitivity, and economic viability.

Point Number 466.35

Summary of Decision Requested: **Amend** Policy 4.2.15 (c) Earthworks to include provision for ancillary rural earthworks associated with existing activities

AND

Amend Policy 4.2.15 Earthworks to consider reverse sensitivity issues associated with ancillary rural earthworks associated with existing activities.

Decision Reasons:

- Where rezoning has included high-class soils that are currently used for commercial vegetable production, then ancillary rural earthworks should be enabled and this policy should reflect this.
- The policy should also consider the reverse sensitivity issues likely to develop from residential development occurring around ongoing commercial vegetable production activities that are unable to relocate elsewhere.

Point Number 466.36

Summary of Decision Requested: **Amend** Policy 4.3.3 Future development – Tuakau and Te Kowhai by expanding policy to protect high-class soils for commercial vegetable production, taking into account the viability of commercial vegetable production activities in this location.

Specific regard should be given to:

- Topography
- Productivity
- Sustainability (specifically avoidance of soil pests and diseases, suitably consented irrigation water)
- Reverse sensitivity
- Economic viability

AND

Amend Policy 4.3.3 Future development – Tuakau and Te Kowhai to ensure that reverse sensitivity matters are acknowledged and addressed through the Plan.

Decision Reasons:

- The submitter supports the consolidation of future settlement in and around towns and villages, if the rezoning protects high-class soils where it is appropriate to do so, for reasons outlined elsewhere in this submission in relation to viable commercial vegetable production operations.
- It is noted that the rezoned land in and around Tuakau is predominantly located on high-class soils, which is inconsistent with the objectives and policies of the Plan and is likely to lead to reverse sensitivity issues.
- Specific regard should be given to: Topography, Productivity, Sustainability (specifically avoidance of soil pests and diseases; suitably consented irrigation water), Reverse sensitivity, and Economic viability.

Point Number 466.37

Summary of Decision Requested: Amend Policy 4.3.15 (c) Earthworks to include provision for ancillary rural earthworks associated with existing activities.
AND
Amend Policy 4.3.15 Earthworks to consider reverse sensitivity issues associated with ancillary rural earthworks associated with existing activities.

Decision Reasons:

- Where rezoning has included high-class soils that are currently used for commercial vegetable production, then earthworks provisions must also cater for ongoing earthworks activities associated with this land use and the policy should reflect this.
- Policy should also consider the reverse sensitivity issues likely to develop from residential development occurring around ongoing commercial vegetable production activities that are unable to relocate elsewhere.

Point Number 466.38
Summary of Decision Requested: Amend Policy 4.7.2 Subdivision location and design to consider reverse sensitivity.

Decision Reasons:

- This policy should be expanded to address reverse sensitivity at the interface between rural and urban zones.

Point Number 466.39
Summary of Decision Requested: Amend Policy 4.7.11 Reverse sensitivity to avoid potential reverse sensitivity effects of locating new dwellings near existing commercial vegetable production activities.

Decision Reasons:

- Minimising reverse sensitivity should include commercial vegetable production activities.

Point Number 466.40
Summary of Decision Requested: Retain Objective 5.1.1 The Rural Environment as notified.

Decision Reasons:

- It is considered that the rezoning of high-class soils for residential development surrounding Tuakau, however, contradicts the intention of the Plan and areas of rezoning should be readdressed to protect high class soils where it is appropriate to do so, taking in to account the viability of primary production operations.

Point Number 466.41
Summary of Decision Requested: Retain Objective 5.2.1 Rural resources as notified.

Decision Reasons:

- The submitter supports this objective.

Point Number 466.42
Summary of Decision Requested: Retain Policy 5.2.2 High class soils as notified.

Decision Reasons:

- The submitter supports this policy.

Point Number 466.43
Summary of Decision Requested: Retain Policy 5.2.3 (a) Effects of subdivision and development on soils to avoid fragmentation.
AND

Amend Policy 5.2.3 (b) Effects of subdivision and development on soils to reflect that subdivision is directed away from high-class soils where viable primary production can occur.

Decision Reasons:

- The submitter supports directing the location of development and avoiding fragmentation.
- The submitter supports avoiding development on high-class soils where viable primary production activities can occur, particularly given the scarcity of elite soils in this area.
- It is noted that high-class soils are one component of a viable primary production operation with other considerations including topography, productivity, sustainability (specifically avoidance of soil pests and diseases; suitably consented irrigation water), reverse sensitivity and economic viability.

Point Number 466.44
Summary of Decision Requested: Retain Objective 5.3.1 (a) Rural character and amenity as notified.

Decision Reasons:

- The submitter supports this objective.

Point Number 466.45
Summary of Decision Requested: Retain Policy 5.3.5 Earthworks activities as notified, except for the amendments outlined below
AND
Add a new point to Policy 5.3.5 Earthworks activities as follows:

Decision Reasons:

- It is noted that commercial vegetable production requires cultivation of paddocks and redirection of water flow around the paddock under usual circumstances.
- High class soils are a valuable commodity and should be managed sustainably.
- The re-use of high class soils on sites should be encouraged.

Point Number 466.46

Summary of Decision Requested: **Amend** Policy 5.3.6 Intensive farming activities as follows:

Enable intensive farming activities provided that they operate in accordance with industry best practice and management of any adverse effects both on the site and at the boundary of any adjoining sites.

Decision Reasons:

- The submitter supports this policy, although suggests improved wording.

Point Number 466.47

Summary of Decision Requested: **Retain** Policy 5.6.3 Subdivision within the Country Living Zone as notified, except for the amendments outlined below
AND

Amend Policy 5.6.3 (v) Subdivision within the Country Living Zone as follows:
existing lawfully-established activities, and new development and activities, are protected from reverse sensitivity effects

Decision Reasons:

- The submitter supports this objective; however consider that the provision should ensure that both new development and existing lawfully established development and activities are protected from reverse sensitivity effects.
- This is of particular importance where this zone abuts the Rural Zone.

Point Number 466.48

Summary of Decision Requested: **Retain** Policy 6.1.16 Water conservation as notified.

Decision Reasons:

- A reliable water resource (for human consumption, stock water and crop production) is fundamental to our industry and the submitter supports the encouragement of water conservation.

Point Number 466.49

Summary of Decision Requested: No specific decision sought but submission considers that the provisions set out within the Plan should not duplicate requirements set out in the Hazardous Substances and New Organisms Act and in the Health and Safety at Work Regulations, 2017, and that the submitter 'opposes in part' Section 10.1 Hazardous substances.

Decision Reasons:

- The Plan should not duplicate the Hazardous Substances and New Organisms Act and the Health and Safety at Work Regulations 2017.

Point Number 466.50

Summary of Decision Requested: **Delete** the requirement for 1.5m setback from the boundary where effects are mitigated from Rule 24.2.4.1 PI Earthworks.

Decision Reasons:

- The submitter questions the requirement for a 1.5m setback from all boundaries where appropriate erosion and sediment controls are in place and effects are mitigated.
- This is unworkable.

Point Number 466.51

Summary of Decision Requested: **Amend** Rule 24.3.6.2 PI Building setbacks – sensitive land use to ensure adequate setbacks are maintained for sensitive land uses.

Decision Reasons:

- The submitter seeks measures to adequately avoid and mitigate the potential for reverse sensitivity effects between sensitive land uses and farming activities.

Point Number 466.52

Summary of Decision Requested: **Retain** the definition for "agricultural and horticultural research activities" in Chapter 13 Definitions as notified.

Decision Reasons:

- The submitter supports this definition.

Point Number 466.53

Summary of Decision Requested: **Amend** the definition of "Ancillary Rural Earthworks in Chapter 13 Definitions to provide clarity around the term land preparation, specifically to include:

means the disturbance of soil by machinery for planting, replanting, tending or harvesting pasture or crops. Land preparation includes blading, contour ploughing, ripping, mounding, stepping, contouring, bunding and sediment control measures and drainage associated with horticultural crops but does not include direct drilling or mechanical land preparation associated with plantation forestry.

AND

Amend the definition for "Earthworks" in Chapter 13 Definitions to exclude ancillary rural earthworks as follows:

Means modification of land surfaces by blading, contouring, ripping, moving, removing, placing or replacing soil or earth, or by excavation, or by cutting or filling operations, but excludes ancillary rural earthworks.

Decision Reasons:

- The submitter supports the definition of Ancillary rural earthworks but consider clarification of land preparation should be further clarified within the definition.
- Ancillary rural earthworks are a fundamental part of commercial vegetable production operations and should be specifically excluded from the definition of earthworks.

Point Number

466.54

Summary of Decision Requested:

Amend the definition for "High Class Soils" in Chapter 13 Definitions after consultation with Pukekohe Vegetable Growers Association and HortNZ to further define high class soils.

Decision Reasons:

- The submitter supports the definition of High Class Soils, however consider that other soils should also be included, such as areas of peat soil which are currently high producing areas for commercial vegetable growing, examples of such areas are located in Te Kawwhata, Waikati and Mercer.
- There are also areas where LUC III are used for commercial vegetable production, such as areas around Pukekawa.

Point Number

466.55

Summary of Decision Requested:

Add a definition for "Reverse Sensitivity" into Chapter 13 Definitions as follows:

means the potential for the operation of an existing lawfully established activity to be compromised, constrained, or curtailed by the more recent establishment or alteration of another activity which may be sensitive to the actual, potential or perceived adverse environmental effects generated by an existing activity.

Decision Reasons:

- Terms used in the plan should be defined.
- The Draft National Planning Standards includes a definition of reverse sensitivity.

Point Number

466.56

Summary of Decision Requested:

Delete the definition for "Rural ancillary earthworks" from Chapter 13 Definitions.

Decision Reasons:

- This is a duplication of the definition for Ancillary Rural Earthworks.

Point Number

466.57

Summary of Decision Requested:

Retain Rule 22.1.5 Non-Complying Activities as notified, except for NC5.

Decision Reasons:

- The submitter supports NC1, NC2, NC3 and NC4.

Point Number

466.58

Summary of Decision Requested:

Retain Policy 5.3.2 Productive rural activities as notified.

Decision Reasons:

- The submitter supports this policy.

Point Number

466.59

Summary of Decision Requested:

Retain Policy 5.3.3 Industrial and commercial activities as notified.

Decision Reasons:

- The submitter supports this policy.

Point Number

466.60

Summary of Decision Requested:

Retain Policy 5.3.4 Density of dwellings and buildings within the rural environment as notified.

Decision Reasons:

- The submitter supports this policy.

Point Number

466.61

Summary of Decision Requested:

Retain Policy 5.3.7 Reverse sensitivity as notified.

Decision Reasons:

- The submitter supports this policy.

Point Number	466.62
Summary of Decision Requested:	Retain Policy 5.3.8 Effects on rural character and amenity from rural subdivision as notified.
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports this policy. The submitter supports the intention of Policy 5.3.8 to protect productive rural areas by directing urban forms of subdivision, use and development to within the boundaries of the towns and villages. However, it is considered that the rezoning of high-class soils for residential use surrounding townships, contradicts the intention of the Plan and areas of rezoning should be readdressed to protect high-class soil where it is appropriate to do so.
Point Number	466.63
Summary of Decision Requested:	Retain Policy 5.3.9 Non-rural activities as notified.
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports this policy.
Point Number	466.64
Summary of Decision Requested:	No specific decision sought but submission opposes in part Policy 10.1.3 Residual risks of hazardous substances and considers the Plan should avoid duplication of effort with existing legislation/regulation in managing residual risks from hazardous substances.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	466.65
Summary of Decision Requested:	Delete requirement for 1.5m setback from boundary where effects are mitigated from Rule 16.2.4.1 PI Earthworks – General.
Decision Reasons:	<ul style="list-style-type: none"> The submitter questions the requirement for 1.5m setback from all boundaries where appropriate erosion and sediment controls are in place and effects are mitigated and consider that this is unworkable.
Point Number	466.66
Summary of Decision Requested:	Amend Rule 16.2.4.3 Earthworks – Significant Natural Area to remove the 1.5m setback for earthworks, provided all effects be mitigated.
Decision Reasons:	<ul style="list-style-type: none"> The submitter questions a 1.5m setback for earthworks from all boundaries and consider that the rule should be effects based and therefore the setback is not required where effects can be mitigated.
Point Number	466.67
Summary of Decision Requested:	Add a new clause (vi) to Rule 16.2.8 PI Indigenous vegetation clearance inside a Significant Natural Area as follows: <i>(vi) removal of vegetation for pest management and biosecurity works.</i>
Decision Reasons:	<ul style="list-style-type: none"> Vegetation clearance may occur in a Significant Natural Area adjoining commercial vegetable production land where the area may contain a known biosecurity risk.
Point Number	466.68
Summary of Decision Requested:	Amend Rule 22.2.3.3 PI Earthworks – Significant Natural Area to remove the 1.5m setback for earthworks, provided all effects be mitigated.
Decision Reasons:	<ul style="list-style-type: none"> The submitter questions a 1.5m setback for earthworks from all boundaries.
Point Number	466.69
Summary of Decision Requested:	Add a new clause (vi) to Rule 22.2.7 PI Indigenous vegetation clearance inside a Significant Natural Area as follows: <i>(vi) removal of vegetation for pest management and biosecurity works.</i>
Decision Reasons:	<ul style="list-style-type: none"> Vegetation clearance may occur in a Significant Natural Area adjoining commercial vegetable production land where the area may contain a known biosecurity risk.
Point Number	466.70
Summary of Decision Requested:	Amend Rule 22.3.6 Building coverage to specify that buildings associated with farming activities are a permitted activity.
Decision Reasons:	<ul style="list-style-type: none"> The submitter understands the need to manage building coverage but consider that the outlined parameters are too prescriptive for buildings commonly associated with commercial vegetable production, such as pack houses or cool stores. The submitter needs to retain the ability to provide buildings appropriate to the rural production and servicing. The submitter needs to ensure that soil removed to enable building and yard cover, is utilized to add to the versatility of existing production land in the same locality.

Point Number 466.71

Summary of Decision Requested: Amend Rule 22.4.1.6 Conservation lot subdivision to allow for ground truthing of Significant Natural Areas.

Decision Reasons:

- The submitter supports the intention of the Conservation Lot subdivision but consider that the number of lots obtained should be relative to the inherent quality to the feature to be protected and not just size.
- The submitter understands that the Significant Natural Area would need to be previously identified, or determined by an ecologist, however, not all features are equal and that in some cases it may be suitable to grant a Record of Title for areas between 1 hectare and 2 hectares in areas other than the Hamilton Basin.
- There should be a 1 hectare minimum for all areas and restricted discretion should also include provision to assess the feature relative to section 11A of the Waikato Regional Policy Statement.
- Factors such as flora, fauna, under-represented habitat or ecosystem type, uncommon systems, healthy and representative example of type, self-supporting capability, ecological sequence, ecological buffer, linkage or corridor and edge effects should all be considered in the assessment to determine the appropriate size of the feature.
- A 1 hectare densely populated, healthy, block in proximity to other features may offer more ecological value than a less dense, isolated feature and should at least be considered for subdivision.
- The submitter questions the value of relying solely on a pre-determined Significant Natural Area, which is unlikely to have been ground truthed, and may not in fact meet the criteria of section 11A.
- The location of created lots is important to ensure that reverse sensitivity from surrounding rural land uses is minimized.

Point Number 466.72

Summary of Decision Requested: Amend the matters of discretion in Rule 22.4.1.6 Conservation lot subdivision to include compliance with criteria set out in section 11A of Waikato Regional Policy Statement.

Decision Reasons:

- The submitter supports the intention of the Conservation Lot subdivision but consider that the number of lots obtained should be relative to the inherent quality to the feature to be protected and not just size.
- The submitter understands that the Significant Natural Area would need to be previously identified, or determined by an ecologist, however, not all features are equal and that in some cases it may be suitable to grant a Record of Title for areas between 1 hectare and 2 hectares in areas other than the Hamilton Basin.
- There should be a 1 hectare minimum for all areas and restricted discretion should also include provision to assess the feature relative to section 11A of the Waikato Regional Policy Statement.
- Factors such as flora, fauna, under-represented habitat or ecosystem type, uncommon systems, healthy and representative example of type, self-supporting capability, ecological sequence, ecological buffer, linkage or corridor and edge effects should all be considered in the assessment to determine the appropriate size of the feature.
- A 1 hectare densely populated, healthy, block in proximity to other features may offer more ecological value than a less dense, isolated feature and should at least be considered for subdivision.
- The submitter questions the value of relying solely on a pre-determined Significant Natural Area, which is unlikely to have been ground truthed, and may not in fact meet the criteria of section 11A.
- The location of created lots is important to ensure that reverse sensitivity from surrounding rural land uses is minimized.

Point Number 466.73

Summary of Decision Requested: Add a new matter of discretion to Rule 22.4.1.6 Conservation lot subdivision regarding the potential for reverse sensitivity effects.

Decision Reasons:

- The submitter supports the intention of the Conservation Lot subdivision but consider that the number of lots obtained should be relative to the inherent quality to the feature to be protected and not just size.
- The submitter understands that the Significant Natural Area would need to be previously identified, or determined by an ecologist, however, not all features are equal and that in some cases it may be suitable to grant a Record of Title for areas between 1 hectare and 2 hectares in areas other than the Hamilton Basin.
- There should be a 1 hectare minimum for all areas and restricted discretion should also include provision to assess the feature relative to section 11A of the Waikato Regional Policy Statement.
- Factors such as flora, fauna, under-represented habitat or ecosystem type, uncommon systems, healthy and representative example of type, self-supporting capability, ecological sequence, ecological buffer, linkage or corridor and edge effects should all be considered in the assessment to determine the appropriate size of the feature.
- A 1 hectare densely populated, healthy, block in proximity to other features may offer more ecological value than a less dense, isolated feature and should at least be considered for subdivision.
- The submitter questions the value of relying solely on a pre-determined Significant Natural Area, which is unlikely to have been ground truthed, and may not in fact meet the criteria of section 11A.
- The location of created lots is important to ensure that reverse sensitivity from surrounding rural land uses is minimized.

Point Number 466.74

Summary of Decision Requested: Explore rates relief for the following situations:

- Where high class soils are rezoned for urban growth but remain in primary production use to assist in retaining economic viability.
- Large scale ecological enhancement areas retired from productive use.

Decision Reasons:

- No reasons provided.

Point Number 466.75

Summary of Decision Requested: No specific decision sought, but submission considers that hazardous substances are managed through existing legislation and the approach of the Proposed District Plan is over-regulation and unnecessary.

Decision Reasons:

- The justification I the s32 is inadequate.

Point Number 466.76

Summary of Decision Requested: No specific decision sought, but submission considers the rezoning of High Class Soils for residential use may be inconsistent with the policies and objectives of the Proposed District Plan in some instances.

Decision Reasons:

- The s32 analysis notes that 50% of growth areas contain high class soils and that 57% are in Tuakau.

Point Number	466.77
Summary of Decision Requested:	No specific decision sought, but submission supports avoiding rural land fragmentation through the concentration of housing development in growth nodes, in and around town centres.
Decision Reasons:	<ul style="list-style-type: none"> Submission supports avoiding rural land fragmentation through the concentration of housing development in growth nodes, in and around town centres.

Point Number	466.78
Summary of Decision Requested:	No specific decision sought, but submission considers that significant ecological enhancement (wherever it occurs) should be given a significant weighting, and current rules around environmental and enhancement provisions are too restrictive and provide minimal incentivisation for ecological management.
Decision Reasons:	<ul style="list-style-type: none"> Submission considers that significant ecological enhancement (wherever it occurs) should be given a significant weighting, and current rules around environmental and enhancement provisions are too restrictive and provide minimal incentivisation for ecological management.

Submitter Number:	467	Submitter:	Ben Young
Organisation:	Madsen Lawrie Consultants		

Point Number	467.1
Summary of Decision Requested:	Amend Rule 22.4.1.2 (a)(i) General Subdivision, to match the issue of title date to the operative date of the Proposed District Plan, if not for all titles, then at least for Franklin titles.
Decision Reasons:	<ul style="list-style-type: none"> The Proposed District Plan is incorporating Franklin Section titles that have not had this opportunity for subdivision previously so should not be penalised by the implementation of the date restriction, which is only relevant to the Waikato Section of the Operative District Plan.

Point Number	467.2
Summary of Decision Requested:	Amend Rule 22.4.1.2 (a)(iii) General Subdivision, as follows: <i>The proposed subdivision must create no more than one additional lot, excluding an access allotment, for every compliant parent certificate of title.</i>
Decision Reasons:	<ul style="list-style-type: none"> As the rule reads in its current form, it is not clear that subdivision must not create more than one lot per every compliant parent certificate of title. The rule could be interpreted that no more than one lot is created per subdivision regardless of number of compliant parent certificate of titles that are involved.

Point Number	467.3
Summary of Decision Requested:	Amend Rule 22.4.1.2 (a)(iv) General Subdivision, to reduce the minimum lot size from 8,000m ² to 4,000m ² .
Decision Reasons:	<ul style="list-style-type: none"> A minimum lot size of requirement of 4,000m² will allow for some flexibility while still provided generously sized lots appropriate in the Rural Zone. A minimum lot size of 8,000m² will only serve to fragment rural land and potentially designate productive land for inappropriate use in large residential lots. For many people, 8,000m² is not a manageable sized lot and rural usage of the land within many 8,000m² lots will not be utilised to its full potential. Waikato Regional Council has a 2,500m² minimum in the Rural Zone, which should be considered when designating lot minimum area to minimise urban sprawl and best maintain the rural land resources in the district. This is particularly relevant for the Franklin area as subdivision is currently allowable to 2,500m² and for future development to be consistent with existing development a smaller lot size than 8,000m² would be more appropriate.

Point Number	467.4
Summary of Decision Requested:	Amend Rule 22.4.1.4 (a)(i) Boundary relocation, to remove the specification of a date for titles undergoing the boundary relocation.
Decision Reasons:	<ul style="list-style-type: none"> Imposing a specific date that the titles undergoing boundary relocation have to have been issued before is an excessive restriction and constraints of this level are not appropriate for boundary relocation. It is unclear as to what will be achieved by the imposition of such a date.

Point Number	467.5
Summary of Decision Requested:	Amend the Proposed District Plan to clarify and further describe a "contiguous area" in the context of Rule 22.4.1.6 (a)(i) Conservation lot subdivision.
Decision Reasons:	<ul style="list-style-type: none"> Further definition of this term will aid in the interpretation of the rule and will assist in the identification of areas eligible for subdivision under this rule.

Point Number	467.6
Summary of Decision Requested:	Amend Rule 22.4.1.6 (a)(vi) Conservation lot subdivision, to reduce the minimum lot size requirement from 8,000m ² to 4,000m ² or 2,500m ² .

Decision Reasons:

- A minimum lot size of 8,000m² is not appropriate for all properties and areas.
- The Franklin region has been allowed to subdivide down to 2,500m² in the Rural Zone and this should be considered and incorporated into any future District Plan, especially if future development is to be in keeping with the existing rural character and amenity of areas within Franklin.
- A minimum lot size of 8,000m² is very generous, has a high probability of resulting in fragmentation of rural land, and will potentially designate productive land for inappropriate use in large residential lots.
- For many people, 8,000m² is not a manageable sized lot and rural land will not be utilised to its full potential.
- Waikato Regional Council requires a 2,500m² minimum lot size in the Rural Zone, which should be considered and implemented to minimise urban sprawl, and best maintain and enable efficient use of rural land resources in the district.

Point Number

467.7

Summary of Decision Requested:

Amend Rule 22.4.1.6 (a)(vii) Conservation lot subdivision, to increase the maximum lot size for proposed lots (excluding the balance lot) to more than 1.6ha.

Decision Reasons:

- There should be opportunity to make lots larger than 1.6ha if it is appropriate for the site and will enhance rural activities or is more in character with the surrounding area.

Point Number

467.8

Summary of Decision Requested:

Amend Rule 22.4.1.6 (a)(viii) Conservation lot subdivision, as follows:

This rule or its equivalent in a previous District Plan has not previously been used to gain an additional subdivision entitlement;

Decision Reasons:

- This rule appears to preclude any protection of existing unprotected qualifying Significant Natural Features that would qualify for protection since the previous environmental lot subdivision.
- This rule should only reference any feature protected under the Proposed District Plan.

Point Number

467.9

Summary of Decision Requested:

Amend Rule 22.4.1.2 (a)(i) General Subdivision, to note or refer to the exceptions to this rule such as prohibited subdivision, as is the case in the Operative District Plan.

Decision Reasons:

- Specification of exceptions to this rule will ease interpretation and understanding of the rule.

Point Number

467.10

Summary of Decision Requested:

Amend the Proposed District Plan to clarify and further describe a "Significant Natural Area" in the context of Rule 22.4.1.6 (a)(i) Conservation lot subdivision.

Decision Reasons:

- Further definition of this term will aid in the interpretation of the rule and will assist in the identification of areas eligible for subdivision under this rule.

Point Number

467.11

Summary of Decision Requested:

Amend Rule 22.4.1.4 (a)(iv) Boundary relocation, to reduce the minimum lot size from 8,000m² to 4,000m² or 2,500m²

OR

Add a new clause to Rule 22.4.1.4 (a)(iv) Boundary relocation to enable boundary relocation for pre-existing lots smaller than 8,000m² that have been previously created in compliance with the Franklin Section of the District Plan, in the event that the minimum lot size is not reduced to 2,500m².

Decision Reasons:

- The operative Franklin Section in the Operative District Plan contains a provision for a minimum lot size of 2,500m² in the Rural Zone.
- Imposing a minimum lot size requirement of 8,000m² for lots resulting from a boundary relocation would preclude lots less than 8,000m² that have been created under the operative Franklin Section from being used for a boundary relocation in the future.
- A minimum lot size of 8,000m² will only serve to fragment rural land and potentially result in productive land being used inappropriately for large residential lots.
- For many people, 8,000m² is not a manageable sized lot and rural land will not be used to its full potential.
- This will not promote efficient rural use of the land and will jeopardise Policy 5.2.3 (a) Effects of subdivision and development on soils.
- Waikato Regional Council requires a 2,500m² minimum lot size in the Rural Zone which should be considered to minimise urban sprawl and best maintain and enable efficient use of rural land resources in the district.

Point Number

467.12

Summary of Decision Requested:

Retain the areas to be legally protected and the resultant maximum number of new Records of Title in Rule 22.4.1.6 (a)(i) Conservation lot subdivision, as notified.

Decision Reasons:

- The proposed contiguous areas required for the production of new Records of Title are achievable and appropriate within the region and will serve to protect generous regions of Significant Natural Areas.

Submitter Number:

471

Submitter:

Andrew Wood

Organisation:

CKL

Point Number

471.1

Summary of Decision Requested:

Amend Rule 22.1.5 NCI Non-Complying Activities, as follows:

Construction of a building located on an indicative road that has not yet been vested.

AND

Any consequential amendments necessary.

Decision Reasons:

- The requested amendment will avoid the need for resource consent when a road has been located on a different alignment to that shown on the planning maps.

Point Number

471.2

Summary of Decision Requested:

Amend Rule 22.2.3.1 P1 (a)(iv) Earthworks - General, as follows:

(iv) A building platform for a residential activity, including accessory buildings and access.

AND

Any consequential amendments necessary.

Decision Reasons:

- Include provision of access within the scope of permitted earthworks.

Point Number

471.3

Summary of Decision Requested:

Delete Rule 22.2.3.1 P2 (a)(iii) Earthworks - General.

AND

Any consequential amendments necessary.

Decision Reasons:

- Earthworks within 1.5m of a boundary are inevitable and even the most minor activity, such as digging a post hole, would trigger a requirement for resource consent.

Point Number

471.4

Summary of Decision Requested:

Amend Rule 22.2.3.1 P4 (a)(i) Earthworks - General, as follows:

(i) not exceed a volume of ~~200m³~~ 1000m³;

AND

Any consequential amendments necessary.

Decision Reasons:

- A maximum volume of 200m³ for fill material is too restrictive.

Point Number

471.5

Summary of Decision Requested:

Amend Rule 22.3.1 Number of dwellings within a lot, so that the term "lot" is replaced with "site".

AND

Any consequential amendments necessary.

Decision Reasons:

- The term "lot" is not defined in Chapter 13.

Point Number

471.6

Summary of Decision Requested:

Amend Rule 22.3.2 Minor dwelling, so that the term "lot" is replaced with "site"

AND

Amend Rule 22.3.2 P1 (a) Minor dwelling as follows:

(a) One minor dwelling not exceeding 70m² gross floor area (excluding garage), within a lot.

AND

Any consequential amendments necessary.

Decision Reasons:

- The term "lot" is not defined in Chapter 13.
- The submitter considers that garages should be excluded from the area of a minor dwelling.

Point Number

471.7

Summary of Decision Requested:

Delete several terms such as "Outstanding Natural Character Area" and "High Natural Character Area" from Rule 22.3.3 Buildings and structures in Landscape and Natural Character Areas

OR

Add definitions for areas such as Outstanding Natural Character Area and High Natural Character Area to Chapter 13 Definitions.

AND

Any consequential amendments necessary.

Decision Reasons:

- There are no definitions for several of the areas in this rule.

Point Number	471.8
Summary of Decision Requested:	<p>Amend Rule 22.3.4.1 P2 Height - Building General, as follows:</p> <p>P2 The <u>maximum</u> height of any dwelling or building must not exceed 7.5m in a Significant Amenity Landscape.</p> <p>AND</p> <p>Any consequential amendments necessary.</p>
Decision Reasons:	<ul style="list-style-type: none"> • A dwelling is a building.
Point Number	471.9
Summary of Decision Requested:	<p>Amend Rule 22.3.7.1 Building Setbacks - All boundaries, by deleting the term "Record of Title" and replacing with "site".</p> <p>AND</p> <p>Any consequential amendments necessary.</p>
Decision Reasons:	<ul style="list-style-type: none"> • The term "site" is more appropriate and is defined in Chapter 13.
Point Number	471.10
Summary of Decision Requested:	<p>Amend Rule 22.3.7.1 P1, P2, P3 and P4 Building Setbacks - All boundaries, as follows:</p> <p>P1 (a)(ii) 17.5m from the centre line of an indicative road <u>that has not yet been vested</u>;</p> <p>P2 (a)(ii) 17.5m from the centre line of an indicative road <u>that has not yet been vested</u>;</p> <p>P3 (a)(ii) 22m from the centre line of an indicative road <u>that has not yet been vested</u>;</p> <p>P4 (a)(ii) 22m from the centre line of an indicative road <u>that has not yet been vested</u>;</p> <p>AND</p> <p>Any consequential amendments necessary.</p>
Decision Reasons:	<ul style="list-style-type: none"> • The requested amendments will avoid the need for resource consent when a road has been located in a different alignment to that shown on the planning maps.
Point Number	471.11
Summary of Decision Requested:	<p>Amend Rule 22.3.7.1 Building Setbacks - All boundaries to rationalise building setbacks in the Rural Zone. All sites less than 1.6 ha shall have side and rear boundary setbacks of 12m and a road setback of 7.5m.</p> <p>AND</p> <p>Any consequential amendments necessary.</p>
Decision Reasons:	<ul style="list-style-type: none"> • A 25m setback on a small lot restricts development on a site. • The intent of the rule traditionally relates to reverse sensitivity, however a landowner should be able to build where they like within reasons. • The requested amendments bring the Proposed District Plan more in line with Permitted Boundary Activities.
Point Number	471.12
Summary of Decision Requested:	<p>Amend Rule 22.3.7.5 P1 Building setback - water bodies, as follows:</p> <p>P1 (a) Any building must be set back a minimum of <u>32m</u>:</p> <p>(i) 32m from the margin of any:</p> <p>A. Lake; with a <u>bed area of 8ha or more or and</u></p> <p>B. Wetland <u>with an area greater than 1ha; and</u></p> <p>(ii) 22m from the C, river bank of any river other than the Waikato River and Waipa River whose bed has an average width 3m or more; and</p> <p>AND</p> <p>Any consequential amendments necessary.</p>
Decision Reasons:	<ul style="list-style-type: none"> • There needs to be parameters as to when this rule applies. • Existing parameters from the Operative District Plan are sought.
Point Number	471.13
Summary of Decision Requested:	<p>Amend Rule 22.4 Subdivision, by replacing the term "lot" with "Record of Title".</p> <p>AND</p> <p>Any consequential amendments necessary.</p>
Decision Reasons:	<ul style="list-style-type: none"> • Need consistency in terminology • Need to avoid complication of any boundary relocation involving an amalgamation.
Point Number	471.14
Summary of Decision Requested:	<p>Amend Rule 22.4.1.1 P1 Prohibited Subdivision, as follows:</p>

Any subdivision within the Urban Expansion Area involving the creation of any additional ~~lot~~ record of title excluding one containing a dwelling existing as at 18 July 2018.

AND

Any consequential amendments necessary.

Decision Reasons:

- Subdivisions involving existing dwellings can assist with the creation of large land holdings suitable for future urban development.

Point Number 471.15

Summary of Decision Requested: **Add** the following exception to Rule 22.4.1.1 PR2 (b) Prohibited subdivision:

(v) Rural Hamlet (Rule 22.4.1.5).

AND

Add a further exception to Rule 22.4.1.1 PR2 (b) Prohibited subdivision as follows if the requested relief in relation to Rule 22.4 is not accepted:

(vi) Boundary Relocation (Rule 22.4.1.4).

AND

Any consequential amendments necessary.

Decision Reasons:

- No reasons provided.

Point Number 471.16

Summary of Decision Requested: **Add** the following exception to Rule 22.4.1.1 PR3 (b) Prohibited subdivision:

(v) Rural Hamlet (Rule 22.4.1.5).

AND

Add a further exception to Rule 22.4.1.1 PR3 (b) Prohibited subdivision as follows if the requested relief in relation to Rule 22.4 Subdivision is not accepted:

(vi) Boundary Relocation (Rule 22.4.1.4).

AND

Any consequential amendments necessary.

Decision Reasons:

- No reasons provided.

Point Number 471.17

Summary of Decision Requested: **Amend** Rule 22.4.1.1 PR3 (c)(i) Prohibited subdivision, as follows:

(c) Rule PR3(a) does not apply to the following:

(i) ~~a boundary relocation or adjustment between Records of Title that existed prior to 6 December 1997 (refer to Rule 22.4.1.4) Where the Record of Title was created as a result of a boundary relocation or boundary adjustment under the former District Plan; or~~

AND

Any consequential amendments necessary.

Decision Reasons:

- No reasons provided.

Point Number 471.18

Summary of Decision Requested: **Amend** Rule 22.4.1.2 General Subdivision so that a subdivision activity that fails a rule defaults to either a restricted discretionary activity or discretionary activity at worst.

AND

Any consequential amendments necessary.

Decision Reasons:

- Non-complying activities should be strategically used where subdivision is generally discouraged.
- Having all rule non-compliances (no matter how minor) default to a non-complying activity is not good planning practice.
- The submitter states that a restricted discretionary activity is entirely appropriate and that a discretionary activity should be considered 'at worst'.

Point Number 471.19

Summary of Decision Requested: **Delete** Rule 22.4.1.2 RD1 (a)(v) General subdivision, which relates to the required percentages of high class soil within the proposed lots.

AND

Any consequential amendments necessary.

Decision Reasons:

- The rule is confusing, difficult to administer and complicates the consenting process.

Point Number 471.20

Summary of Decision Requested: **Amend** Rule 22.4.1.4 RD1 (a)(i) Boundary relocation, as follows:

(i) Relocate a common boundary or boundaries between two or more Records of Title ~~that existed prior to 18 July 2018;~~

AND

Any consequential amendments necessary.

Decision Reasons:

- Boundary relocations between more than two Records of Title will be necessary from time to time.
- There is no reason why boundary relocations should not be able to occur between Records of Title that are created after 18 July 2018.

Point Number 471.21

Summary of Decision Requested: **Add** "Rural Hamlet Subdivision" as a defined term in Chapter 13 Definitions in the context of Rule 22.4.15 Rural Hamlet Subdivision.

AND

Any consequential amendments necessary.

Decision Reasons:

- A clear definition will help avoid confusion in application of the rule.

Point Number 471.22

Summary of Decision Requested: **Amend** Rule 22.4.1.6 RD1 (a)(i) Conservation lot subdivision, as follows:

(i) The lot must contain a ~~contiguous~~ area of existing Significant Natural Area either as shown on the planning maps or as determined by an experienced and suitably qualified ecologist in accordance with the table below:

AND

Any consequential amendments necessary.

Decision Reasons:

- Legal and physical protection of Significant Natural Areas should be encouraged regardless of being physically contiguous or not.

Point Number 471.23

Summary of Decision Requested: **Amend** Rule 22.4.2-Title boundaries – natural hazard area, contaminated land, Significant Amenity Landscape, notable trees, intensive farming activities, aggregate extraction areas to clarify the intent. However, no specific details of the relief sought are provided.

AND

Any consequential amendments necessary.

Decision Reasons:

- It is not clear when this rule would apply and why it would affect built form in a subdivision.
- The reference to contaminated land is likely to catch activities covered under the National Environmental Standard for Contaminated Soil where central government has recommended that local authorities remove provisions from their district plans to avoid duplication of planning processes.

Point Number 471.24

Summary of Decision Requested: **Add** a definition for the term "Environmental Protection Area" to Chapter 13: Definitions

AND

Add "Environmental Protection Area" to the planning maps.

AND

Any consequential amendments necessary.

Decision Reasons:

- The intent and extent is not clear.

Point Number 471.25

Summary of Decision Requested: **Add** a matter of discretion to Rule 22.4.7 RD1 (b) Esplanade reserves and esplanade strips, as follows:

(y) ~~costs and benefits of acquiring the land.~~

AND

Any consequential amendments necessary.

Decision Reasons:

- The requested matter of discretion will allow Council to consider the costs and benefits of a land purchase.

Point Number 471.26

Summary of Decision Requested: **Amend** Rule 22.4.9 RD1 (a)(i) Subdivision - Building platform, as follows:

(i) ~~Has an area of 1000m² exclusive of boundary setbacks;~~

A shape factor, being either:

- *A circle with a diameter of at least 30m, exclusive of boundary setbacks, or*
- *A rectangle of at least 1000m², exclusive of setbacks, and;*
- *Containing a building platform being a circle with a diameter of at least 18m.*

AND

Delete Rule 22.4.9 RD1 (a) (iii).

AND

Any consequential amendments necessary.

Decision Reasons:

- Retain the shape factor and building platform dimensions from the Operative District Plan which have been proven effective.

- Certification of a building platform by a geotechnical engineer is not always necessary. Council can require this on a case by case basis by retaining discretion over this matter in respect to clause (b)(ii).

Point Number 471.27

Summary of Decision Requested: **Amend** Rules 22.4.1.3-Subdivision of Maori Freehold Land, so that a subdivision activity that fails a rule defaults to either a restricted discretionary activity or discretionary activity at worst.

AND

Any consequential amendments necessary.

Decision Reasons:

- Non-complying activities should be strategically used where subdivision is generally discouraged.
- Having all rule non-compliances (no matter how minor) default to a non-complying activity is not good planning practice.
- The submitter states that a restricted discretionary activity is entirely appropriate and that a discretionary activity should be considered 'at worst'.

Point Number 471.28

Summary of Decision Requested: **Amend** Rule 22.4.1.4 Boundary relocation, so that a subdivision activity that fails a rule defaults to either a restricted discretionary activity or discretionary activity at worst.

AND

Any consequential amendments necessary.

Decision Reasons:

- Non-complying activities should be strategically used where subdivision is generally discouraged.
- Having all rule non-compliances (no matter how minor) default to a non-complying activity is not good planning practice.
- The submitter states that a restricted discretionary activity is entirely appropriate and that a discretionary activity should be considered 'at worst'.

Point Number 471.29

Summary of Decision Requested: **Amend** Rule 22.4.1.5 Rural Hamlet Subdivision, so that a subdivision activity that fails a rule defaults to either a restricted discretionary activity or discretionary activity at worst.

AND

Any consequential amendments necessary.

Decision Reasons:

- Non-complying activities should be strategically used where subdivision is generally discouraged.
- Having all rule non-compliances (no matter how minor) default to a non-complying activity is not good planning practice.
- The submitter states that a restricted discretionary activity is entirely appropriate and that a discretionary activity should be considered 'at worst'.

Point Number 471.30

Summary of Decision Requested: **Amend** Rule 22.4.1.6 Conservation lot subdivision, so that a subdivision activity that fails a rule defaults to either a restricted discretionary activity or discretionary activity at worst.

AND

Any consequential amendments necessary.

Decision Reasons:

- Non-complying activities should be strategically used where subdivision is generally discouraged.
- Having all rule non-compliances (no matter how minor) default to a non-complying activity is not good planning practice.
- The submitter states that a restricted discretionary activity is entirely appropriate and that a discretionary activity should be considered 'at worst'.

Point Number 471.31

Summary of Decision Requested: **Amend** Rule 16.3.1 D1 - Dwelling to be a restricted discretionary activity as follows:

~~DRD1~~ A dwelling that does not comply with Rule 16.3.1 P1.

AND

Any consequential amendments necessary.

Decision Reasons:

- Activities failing a permitted standard should be a restricted discretionary activity, not a discretionary activity.

Point Number 471.32

Summary of Decision Requested: **Add** "Outstanding Natural Character Areas" and "High Natural Character Areas" to the planning maps.

AND

Any consequential amendments necessary.

Decision Reasons:

- These terms are used in the Proposed District Plan but they are not identified on the planning maps.

Point Number 471.33

Summary of Decision Requested: **Amend** the discretionary activity or non-complying activity status where activities fail development standards to instead provide for these as a restricted discretionary activity.

AND

Any consequential amendments necessary.

Decision Reasons:

- More consistency is required across the various chapters with less use of the discretionary activity or non-complying activity status.
- Discretionary activities and non-complying activities should be reserved for activities (not rule failures) where there are genuine concerns for their establishment in given areas.
- Hamilton City should be used as an example in respect to the use of a restricted discretionary activity status.

Point Number 471.34

Summary of Decision Requested: **Amend** the provisions for earthworks throughout the Proposed District Plan to provide more consistency.
AND
Any consequential amendments necessary.

Decision Reasons:

- More consistency is required across the district in respect to the assessment of earthworks.
- The current provisions for earthworks differ between zones, are ambiguous and do not have a resource management focus.

Point Number 471.35

Summary of Decision Requested: **Amend** Rule 16.1.2 P3 (a) Permitted Activities, to enable retirement villages on a site that has a net area less than 3ha or require resource consent at this scale.
AND
Any consequential amendments necessary.

Decision Reasons:

- There should be better use of standards for a permitted retirement village if that are to be a permitted activity.

Point Number 471.36

Summary of Decision Requested: **Amend** Rule 16.1.2 P4 (e) Permitted Activities, as follows:
(e) Machinery may only be operated between 7.30am and 9pm on any day.
AND
Any consequential amendments necessary.

Decision Reasons:

- Insert text for clarification.

Point Number 471.37

Summary of Decision Requested: **Amend** Rule 16.1.3 RD1 (c) Restricted Discretionary Activities, so that the minimum net site area for multi-unit developments is reduced to 150m² or 200m² per residential unit based on average site area (rather than 300m² per residential unit based on net site area).
AND
Any consequential amendments necessary.

Decision Reasons:

- A minimum average of 300m² net site area does not encourage intensification of infill sites, more so on greenfields land, which often is not inappropriate.
- There needs to be more alignment with minimum unit sizes in the subdivision standards for the Residential Zone.

Point Number 471.38

Summary of Decision Requested: **Amend** Rule 16.2.4.1 P1 (a)(ii) Earthworks - General, by increasing the allowable volume from 250m³ to 500m³.
AND
Any consequential amendments necessary.

Decision Reasons:

- A volume of 250m³ can easily be exceeded and due to topography or ground conditions resource consent should not be required in this instance.
- A maximum volume of 500m³ will allow for variations in topography or ground conditions.
- The effects of earthworks are well understood and can be managed via performance standards.
- The volumes are very restrictive and have no bearing on building or development scale.

Point Number 471.39

Summary of Decision Requested: **Amend** Rule 16.3.2 P1(a)(i) Minor dwelling, by reducing the net site area requirement from 900m² to 600m².
AND
Any consequential amendments necessary.

Decision Reasons:

- A net site area of 900m² is too large given the maximum gross floor area of 70m² for a minor dwelling.
- A net site area of 900m² is very near to enabling the creation of a new site.

Point Number 471.40

Summary of Decision Requested: **Amend** Rule 16.3.7 P1 Living court, to reduce the minimum living court area from 80m² to 60m² per single standalone dwelling, with the potential to require larger dwellings to have an additional 20m².
AND

Any consequential amendments necessary.

Decision Reasons:

- The requirement for the living court to be 80m² is excessive.
- A 60m² living court will provide for larger dwellings or additional bedrooms.

Point Number

471.41

Summary of Decision Requested:

Amend Rule 16.3.9.1 P1 (a)(ii) Building setbacks - All boundaries, as follows:

(ii) 13m from the ~~edge of an indicative road~~, centre line of an indicative road if it has not been constructed and vested.

AND

Any consequential amendments necessary.

Decision Reasons:

- Indicative roads do not have legal boundaries and therefore the planning maps show only their indicative location.
- The planning maps are not drawn at a scale to accurately determine a boundary.
- The centre of an indicate road provides a useful degree of variance.

Point Number

471.42

Summary of Decision Requested:

Amend Rule 16.3.9.1 P3 Building setbacks - All boundaries, as follows:

A garage door facing the street must be set back behind the front facade of the dwelling.

AND

Any consequential amendments necessary.

Decision Reasons:

- Not all garages in front of dwelling facades result in bad design outcomes.

Point Number

471.43

Summary of Decision Requested:

Delete the term "lot" from Rule 16.4.1 RD1 Subdivision - General, and replace with "site"

AND

Any consequential amendments necessary to give effect to the relief sought and ensure consistency across the District Plan.

Decision Reasons:

- Consistency is required across the District Plan.

Point Number

471.44

Summary of Decision Requested:

Amend Rule 16.4.1 RD1 (a)(ii) Subdivision - General, as follows:

(ii) Where roads are to be vested in Council, they ~~must~~ should follow a grid layout;

AND

Any consequential amendments to give effect to the relief sought.

Decision Reasons:

- It may not always be possible for roads to follow a grid layout as topography make require a curvilinear layout.
- Use of the word "must" will result in forced failure of the performance standard and a resulting discretionary activity status.

Point Number

471.45

Summary of Decision Requested:

No specific decision sought, but the submission considers minimum unit size standards (as contained in Rule 16.4.4 Subdivision-Multi unit development) should be a land use requirement. Subdivision around existing or lawfully established units should be enabled.

Decision Reasons:

- The minimum standards should be a land use requirement.
- Subdivision around existing or lawfully established units should be enabled.

Point Number

471.46

Summary of Decision Requested:

Amend Rule 16.4.5 C1 Subdivision - Boundary adjustments to be a permitted activity rather than a controlled activity.

AND

Any consequential amendments necessary.

Decision Reasons:

- Minor boundary adjustments that maintain compliance with bulk and location standards should be a permitted activity subject to appropriate standards.

Point Number

471.47

Summary of Decision Requested:

Amend Rule 16.4.6 Subdivision - Amendments and updates to cross lease flats plans and conversion to freehold, by:

- deleting references to alterations to exclusive use areas; and
- enabling permitted activity amendments in certain circumstances.

AND

Any consequential amendments necessary.

Decision Reasons:

- A change to an exclusive use area is not deemed to be a subdivision under section 218 of the Resource Management Act and, because this is a private covenant matter, it is not able to be controlled by Council.
- It is appropriate for some amendments to flats plans and/or units plans to be a permitted activity.

Point Number 471.48

Summary of Decision Requested: **Add** "residential activity" as a permitted activity to Rule 22.1.2 Permitted Activities.
AND
Any consequential amendments necessary.

Decision Reasons:

- This omission needs to be corrected.

Point Number 471.49

Summary of Decision Requested: **Add** "travellers' accommodation for less than 5 people" as a permitted activity to Rule 22.1.2 Permitted Activities.
AND
Any consequential amendments necessary.

Decision Reasons:

- Retain consistency with the Operative District Plan.
- Rule 22.1.5 D5 lists "travellers' accommodation for more than 5 people".

Point Number 471.50

Summary of Decision Requested: **Amend** Rule 16.3.2 D1 Minor dwelling to be restricted discretionary activity as follows:
~~RD~~ A minor dwelling that does not comply with Rule 16.3.2 P1.
AND
Any consequential amendments necessary.

Decision Reasons:

- Activities failing a permitted standard should be a restricted discretionary activity, not a discretionary activity.

Point Number 471.51

Summary of Decision Requested: **Amend** Rule 16.3.3.1 D1 Height - Building general to be a restricted discretionary activity as follows:
~~RD~~ Any building that does not comply with Rule 16.3.3.1 P1.
AND
Any consequential amendments necessary.

Decision Reasons:

- Activities failing a permitted standard should be a restricted discretionary activity, not a discretionary activity.

Point Number 471.52

Summary of Decision Requested: **Amend** Rule 16.3.3.3 D1 Height- Buildings, structures and vegetation within an airport obstacle limitation surface to be a restricted discretionary activity as follows:
~~RD~~ A building, structure or vegetation that does not comply with Rule 16.3.3.3 P1.
AND
Any consequential amendments necessary.

Decision Reasons:

- Activities failing a permitted standard should be a restricted discretionary activity, not a discretionary activity.

Point Number 471.53

Summary of Decision Requested: **Amend** Rule 16.3.6 D1 Building coverage to be a restricted discretionary activity as follows:
~~RD~~ Total building coverage that does not comply with Rule 16.3.6 P1, P2 or P3.
AND
Any consequential amendments necessary.

Decision Reasons:

- Activities failing a permitted standard should be a restricted discretionary activity, not a discretionary activity.

Point Number 471.54

Summary of Decision Requested: **Amend** Rule 16.3.7 D1 Living court to be a restricted discretionary activity as follows:
~~RD~~ A living court that does not comply with Rule 16.3.7 P1 or P2.
AND
Any consequential amendments necessary.

Decision Reasons:

- Activities failing a permitted standard should be a restricted discretionary activity, not a discretionary activity.

Point Number 471.55

Summary of Decision Requested: **Amend** Rule 16.3.8 D1 Service court to be a restricted discretionary activity as follows:

~~DRD1~~ A service court that does not comply with Rule 16.3.8 P1.

AND

Any consequential amendments necessary.

Decision Reasons:

- Activities failing a permitted standard should be a restricted discretionary activity, not a discretionary activity.

Point Number 471.56

Summary of Decision Requested: **Delete** Rule 16.1.4 D1 and D2 Discretionary activities

AND

Add these rules to Rule 16.1.3 Restricted Discretionary activities.

AND

Any consequential amendments necessary.

Decision Reasons:

- Permitted activities failing standards should be restricted discretionary activities not discretionary.

Submitter Number: 472

Submitter:

Grant Clune

Organisation:

Jagco 2014 Limited

Point Number 472.1

Summary of Decision Requested: **Amend** the zoning of the 44.543ha properties at 20 and 42 Plantation Road, Te Kauwhata from Rural Zone to the Country Living/Residential Zone (see map attached to submission 474 to which this submission refers).

Decision Reasons:

- The property has access to water supply.
- Proximity to Te Kauwhata town (walkable distance).
- Proximity to State Highway 1 (1 minute drive).
- Perfectly positioned between Auckland, Hamilton and Coastlines.
- Proximity to rail for commuter services.
- Availability of services to meet immediate needs.
- Employment opportunities both locally and for commuters.
- Demand for lifestyle properties.
- Countryside living largely taken up and sold in Te Kauwhata.

Submitter Number: 473

Submitter:

James Walker

Point Number 473.1

Summary of Decision Requested: **Retain** Chapter 9.2 Te Kowhai Airpark, as notified.

Decision Reasons:

- Supports the proposed changes in the Waikato District Plan.
- Te Kowhai Aerodrome is a very unique facility supporting aviation enthusiasts and local community activities.
- The future of the airstrip is reliant on the proposed changes to advance in the future.

Point Number 473.2

Summary of Decision Requested: **Retain** Chapter 27 Te Kowhai Airpark Zone, as notified.

Decision Reasons:

- Supports the proposed changes in the Waikato District Plan.
- Te Kowhai Aerodrome is a very unique facility supporting aviation enthusiasts and local community activities.
- The future of the airstrip is reliant on the proposed changes to advance in the future.

Submitter Number: 474

Submitter:

Charlotte Brown

Organisation:

Fara Kurima Partnership

Point Number 474.1

Summary of Decision Requested: **Amend** the zoning of the 44.5437ha properties at 20 and 42 Plantation Road, Te Kauwhata from Rural Zone to Countryside Living/Residential (see map attached to the submission).

Decision Reasons:

- The property has access to water supply.
- Proximity to Te Kauwhata town (walkable distance).
- Proximity to State Highway 1 (1 minute drive).
- Perfectly positioned between Auckland, Hamilton and coastlines.
- Proximity to rail for commuter services.
- Availability of services to meet immediate needs.
- Employment opportunities both locally and for commuters.
- Demand for lifestyle properties.
- Countryside Living largely taken up and sold in Te Kauwhata.

Submitter Number:	475	Submitter:	David Reid
Point Number	475.1		
Summary of Decision Requested:	Retain Chapter 9.2 Te Kowhai Airpark, as notified.		
Decision Reasons:	<ul style="list-style-type: none"> • Te Kowhai Airfield is an amazing resource that should be future proofed as well as grown. • It is unique in the Waikato and nationally. • It will make aviation more accessible, attainable and affordable as Hamilton Airport becomes more expensive and less user friendly. 		
Point Number	475.2		
Summary of Decision Requested:	Retain Chapter 27 Te Kowhai Airpark Zone, as notified.		
Decision Reasons:	<ul style="list-style-type: none"> • Te Kowhai Airfield is an amazing resource that should be future proofed as well as grown. • It is unique in the Waikato and nationally. • It will make aviation more accessible, attainable and affordable as Hamilton Airport becomes more expensive and less user friendly. 		

Submitter Number:	476	Submitter:	Kenneth Mitchell
Organisation:	Ventura Inn and Suites		
Point Number	476.1		
Summary of Decision Requested:	Retain Chapter 9.2 Te Kowhai Airpark, as notified.		
Decision Reasons:	<ul style="list-style-type: none"> • The policy framework recognises the significance of the current airfield asset. • The airfield can be developed in a unique and sustainable way for the benefit of the local community, businesses and aviators. • The Proposed Obstacle Limitation Surface will help to future proof VFR/IFR operations, safety and the functionality of airpark residences. • Aligns zoning with the substantial investment that has yet to realise its full potential. 		
Point Number	476.2		
Summary of Decision Requested:	Retain Chapter 27 Te Kowhai Airpark Zone, as notified.		
Decision Reasons:	<ul style="list-style-type: none"> • The policy framework recognises the significance of the current airfield asset which can be developed in a unique and sustainable way for the benefit of the local community, businesses and aviators. • The Proposed Obstacle Limitation Surface will help to future proof VFR/IFR operations, safety and the functionality of airpark residences. • Aligns zoning with the substantial investment that has yet to realise its full potential. 		

Submitter Number:	477	Submitter:	Ben Meyer
Point Number	477.1		
Summary of Decision Requested:	Retain Chapter 9.2 Te Kowhai Airpark, as notified.		
Decision Reasons:	<ul style="list-style-type: none"> • This submitter is a pilot who regularly uses Te Kowhai Airfield. 		
Point Number	477.2		
Summary of Decision Requested:	Retain Chapter 27 Te Kowhai Airpark Zone, as notified.		
Decision Reasons:	<ul style="list-style-type: none"> • This submitter is a pilot that regularly uses Te Kowhai Airfield. 		

Submitter Number:	478	Submitter:	Mike Tubbs
Point Number	478.1		
Summary of Decision Requested:	Retain Chapter 9.2 Te Kowhai Airpark, as notified.		
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided. 		
Point Number	478.2		
Summary of Decision Requested:	Retain Chapter 27 Te Kowhai Airpark Zone, as notified.		
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided. 		

Submitter Number:	479	Submitter:	Olivia Dean-Chambers
Point Number	479.1		
Summary of Decision Requested:	Horses should have access to the beach down the walking track.		
Decision Reasons:	<ul style="list-style-type: none"> It is safer for horses and riders to access the beach by that track rather than walking along the busy roads. 		

Submitter Number:	480	Submitter:	Susan Carter
Point Number	480.1		
Summary of Decision Requested:	Add a resource management framework for the management of genetically modified organisms (GMOs) that is region-specific, taking into account environmental, economic and social wellbeing considerations.		
Decision Reasons:	<ul style="list-style-type: none"> GMOs are not needed in New Zealand, there has been insufficient research done on this. GMOs have the potential to adversely affect ecological, economic and resource management values and the social and cultural wellbeing of people, communities and tangata whenua. Once GMOs have been released into the environment, they would be very difficult if not impossible to eradicate. No matter how carefully conditions of consent are crafted, there inevitably remains a risk. <p>The release of GMOs has the potential to cause significant adverse on the environment which could include:</p> <ul style="list-style-type: none"> Biological or ecosystem harm; Harm to tangata whenua cultural values such as mauri and tikanga; Harm to the cultural values and lifestyle decision of people and communities; Harm from GMO contamination to existing or potential forms of land use including farming, forestry, beekeeping, marine farming, and other primary production activities dependent on an uncontained environmental brand. Adverse effects include loss of organic GMO-free certification, reputational damage, loss of markets and premiums for GMO-free produce and loss of livelihood. The amendments requested are consistent with the sustainable management purpose and Part II of the RMA to establish district plan provisions that concern the release, location and management of GMOs where they have potential to adversely affect the environment and other land use activities. 		
Point Number	480.2		
Summary of Decision Requested:	No specific decisions sought, but submission expresses concern at the lack of iwi consultation for road works and traffic detours, particularly on Wainui Road and Gilmour Street, Raglan.		
Decision Reasons:	<ul style="list-style-type: none"> There are clear guidelines as to the consultation process in the District Plan. Sediment is running into the harbour area as a result of this work. It is disgraceful that Gilmour Street is part of the detour when Gilmour Street is not even a proper road. 		
Point Number	480.3		
Summary of Decision Requested:	Amend the rules for Raglan to make it a conservation area - similar to the approach taken in the United Kingdom for the Peak District.		
Decision Reasons:	<ul style="list-style-type: none"> There is no foresight for Raglan's residents who should be able to enjoy their environment. Questions Council's goals. 		
Point Number	480.4		
Summary of Decision Requested:	Add strong precautionary and prohibitive provisions, policies and rules for Genetically Modified Organisms that are the same (or similar) to those in the Far North District Plan, the Whangarei District Plan and the Auckland Unitary Plan.		
Decision Reasons:	<ul style="list-style-type: none"> GMOs are not needed in New Zealand, there has been insufficient research done on this. GMOs have the potential to adversely affect ecological, economic and resource management values and the social and cultural wellbeing of people, communities and tangata whenua. Once GMOs have been released into the environment, they would be very difficult if not impossible to eradicate. No matter how carefully conditions of consent are crafted, there inevitably remains a risk. 		

- The release of GMOs has the potential to cause significant adverse on the environment which could include:
 - Biological or ecosystem harm;
 - Harm to tangata whenua cultural values such as mauri and tikanga;
 - Harm to the cultural values and lifestyle decision of people and communities;
 - Harm from GMO contamination to existing or potential forms of land use including farming, forestry, beekeeping, marine farming, and other primary production activities dependent on an uncontaminated environmental brand.
 - Adverse effects include loss of organic GMO-free certification, reputational damage, loss of markets and premiums for GMO-free produce and loss of livelihood.
 - The amendments requested are consistent with the sustainable management purpose and Part II of the RMA to establish district plan provisions that concern the release, location and management of GMOs where they have potential to adversely affect the environment and other land use activities.

Submitter Number:	481	Submitter:	Bruce and Kirstie Hill
Organisation:	Culverden Farm		
Point Number	481.1		
Summary of Decision Requested:	Amend the approach to identifying Significant Natural Areas and Significant Amenity Landscapes from private land so that identification is provisional based on owners acceptance and therefore contestable submission seeks that Council has disclosed the specific criteria and significance levels for each of these areas, followed by ground-truthing and acceptance by the landowner.		
Decision Reasons:	<ul style="list-style-type: none"> • The mapped Significant Natural Areas and Significant Amenity Landscapes have not been fully investigated and it is unclear how these area have been identified or what a landowner's obligations are. • Rules for these areas potentially render land incapable of reasonable use and could impact on health and safety standards, existing farm practices and a property's capital value. • The consultation process for the Proposed District Plan has not provided sufficient information on how each Significant Natural Area or Significant Amenity Landscape has been defined on private land. • Ecologists report noted that there was incomplete information and it was a desktop exercise. • It can have a serious impact on the farming use of parts of properties and should be properly investigated before being imposed on landowners. 		
Point Number	481.2		
Summary of Decision Requested:	Amend the approach and number of conservation lots that can be created from Significant Natural Areas in Rule 22.4.1.6 RD1 Conservation lot subdivision, by properly accounting for by a transaction which is commensurate with the value of area concerned.		
Decision Reasons:	<ul style="list-style-type: none"> • It is inequitable to disallow conservation lots from indigenous bush areas less than 5ha and set a maximum number of 3 conservation lots from indigenous bush areas greater than 10ha. • Council needs to recognise the values offered by the landowner in the subdivision process that include forfeiting productive land, allowing encroachments onto private land that are enjoyed by the landowner, forfeiting control of the covenanted area and the on-going management obligations and costs associated with maintaining tracks, fencing, drainage and pest control. • Options for monetary compensation must be provided which could include transferable titles. • Encouraging protection of the large, significant and high quality Significant Natural Areas should involve proportionately higher value compensation. 		
Point Number	481.3		
Summary of Decision Requested:	Amend the definition of "farming" by removing the link to soil fertility.		
Decision Reasons:	<ul style="list-style-type: none"> • Clarity is needed in respect to whether the use of stock feed or silage brought in from off-site falls within the definition of 'farming' or 'intensive farming'. 		
Point Number	481.4		
Summary of Decision Requested:	Amend the definition of "intensive farming" in Chapter 13 Definitions, to be more detailed, in the context of Rule 22.4.1.3 RD1 Restricted Discretionary Activities.		
Decision Reasons:	<ul style="list-style-type: none"> • There is no consistency with the activities that are included or excluded from the definition of "intensive farming." • Glasshouses present a significant visual impact on the landscape and do not rely on the fertility of in-situ soils. • There is no consistency with the activities that are included or excluded from the definition of "intensive farming." • It is unclear whether the use of stock feed or silage brought in from off-site might turn a farming activity into intensive farming. 		
Point Number	481.5		
Summary of Decision Requested:	<p>Delete the limits on volume, area and cut in Rule 22.2.3.3 PI Earthworks- Significant Natural Areas where the purpose is to maintain existing farming infrastructure.</p> <p>AND</p> <p>Amend Rule 22.2.3.3 PI Earthworks- Significant Natural Areas, to allow earthworks for new farming infrastructure including fencing, tracks and drains.</p> <p>AND</p> <p>No specific decision sought but submission opposes limits on earthworks within 1.5m of boundaries in Rule 22.2.3.3 PI Earthworks- Significant Natural Areas.</p>		
Decision Reasons:	<ul style="list-style-type: none"> • Landowners must be able to maintain existing farm tracks to meet health and safety standards, • It is not possible to repair a track, fence or drain with a volume limit of 50m3. • Fencelines are often along property boundaries and may need earthworks to provide a stable platform. 		
Point Number	481.6		
Summary of Decision Requested:	Delete the limits on volume, area and cuts in Rule 22.2.3.4 PI Earthworks within Landscape and Natural Character Areas, for the purposes of maintaining existing farming infrastructure.		

AND

Amend Rule 22.2.3.4 P1 Earthworks within Landscape and Natural Character Areas to permit earthworks for new infrastructure within these areas such as fencing, tracks and drains.

Decision Reasons:

- Regular and complete maintenance of tracks is essential to meet health and safety requirements.

Point Number

481.7

Summary of Decision Requested:

Amend the limit of 250m² for indigenous vegetation clearance for building and access in Rule 22.2.7 P3 Indigenous vegetation clearance inside a Significant Natural Area as it is not enough allowance for both a platform for building and driveway.

Decision Reasons:

- The location of any building site is highly dependent on topography and access and the 250m² area limit is not sufficient for a building platform and driveway.

Point Number

481.8

Summary of Decision Requested:

Delete the limits in respect to area, species, height, age and location of indigenous vegetation removal in Rule 22.2.8 P1 Indigenous Vegetation clearance outside a Significant Natural Area for the maintenance of productive pasture.

AND

Amend Rule 22.2.8 P1 Indigenous Vegetation clearance outside a Significant Natural Area, to allow vegetation clearance for new farming infrastructure including fencing, tracks and drains;

AND

Amend Rule 22.2.8 P1 Indigenous Vegetation clearance outside a Significant Natural Area, to allow vegetation clearance for new dwellings and buildings including access.

Decision Reasons:

- It is not clear what "outside a Significant Natural Area" means.
- Indigenous vegetation clearance for any farming purpose should be permitted because farming is a permitted activity.
- The setback distance between cleared indigenous vegetation and a waterbody is excessive and inconsistent with other proposed land use policies.
- Over the long term this rule will render land that is not a Significant Natural Area incapable for reasonable use as persistent invasive species encroach on pasture.

Point Number

481.9

Summary of Decision Requested:

Amend Rule 22.3.4.1 P2 Height - Building General, to increase the maximum height limit to 10 metres for buildings within a Significant Amenity Landscape for permitted farming activities and buildings.

OR

Delete the Significant Amenity Landscape overlay from the Proposed District Plan, if the amendments sought to Rule 22.3.4.1 P2 Height-Building General above are not accepted.

Decision Reasons:

- Large parts of some properties containing Significant Amenity Landscapes will render land incapable of reasonable use for activities that are expected in the Rural Zone.
- If an existing farming activity is located within a Significant Amenity Landscape, that activity has been assessed as not having an adverse effect on the amenity landscape.

Point Number

481.10

Summary of Decision Requested:

Delete the proposed limit of 20m³ for fill in Rule 22.2.3.3 P2 Earthworks- Significant Natural Areas.

Decision Reasons:

- It may be necessary to bring in fill to repair a fence line or track and there is no reason for a 20m³ limit.

Point Number

481.11

Summary of Decision Requested:

Amend the number of conservation lots that can be created from Significant Natural Areas in Rule 22.4.1.6 RD1 Conservation lot subdivision, particularly for Significant Natural Areas under 5ha and over 10ha.

AND

Offer suitable monetary compensation for all Significant Natural Areas proportional to the size of the Significant Natural Area.

Decision Reasons:

- It is inequitable to disallow conservation lots from indigenous bush areas less than 5ha and set a maximum number of 3 conservation lots from indigenous bush areas greater than 10ha.
- Council needs to recognise the values offered by the landowner in the subdivision process that include forfeiting productive land, allowing encroachments onto private land that are enjoyed by the landowner, forfeiting control of the covenanted area and the on-going management obligations and costs associate with maintaining tracks, fencing and drainage and pest control.
- Ongoing costs and liabilities to landowners must be calculated and compensated on a per hectare basis.
- Many landowners do not wish to subdivide so the subdivision incentive is somewhat academic.

Point Number

481.12

Summary of Decision Requested:

No specific decision sought but submission opposes the restrictions on subdivision boundaries to avoid dividing a Significant Amenity Landscape in Rule 22.4.2 RD1 Title Boundaries - Natural hazard area, contaminated land, Significant Amenity Landscape, notable trees, intensive farming activities, aggregate extraction areas.

Decision Reasons:

- Boundaries must be determined by topography and some Significant Amenity Landscapes are already divided by property boundaries.

Point Number

481.13

Summary of Decision Requested: No specific decision sought, but submission opposes the restrictions on subdivision boundaries to avoid dividing a Significant Natural Area in Rule 22.4.3 RD1 Title boundaries- Significant Natural Areas, heritage items, Maori sites of significance and Maori areas of significance.

Decision Reasons:

- Boundaries must be determined by topography and some Significant Natural Areas are already divided by property boundaries.

Point Number 481.14

Summary of Decision Requested: **Delete** Environmental Protection Areas;
AND
Delete Rule 22.4.6 Subdivision of land, containing all or part of an Environment Protection Area.

Decision Reasons:

- An Environmental Protection Area is not defined in the Proposed District Plan and there is no apparent reason for having these as well as Significant Natural Areas.

Point Number 481.15

Summary of Decision Requested: **Delete** the limit of 20m3 for fill in Rule 22.2.3.3 P2 Earthworks - Significant Natural Areas.

Decision Reasons:

- There is no reasons for a 20m3 limit to bring in fill to repair a fence line or a track.

Point Number 481.16

Summary of Decision Requested: **Amend** the rules relating to Significant Natural Areas and Significant Amenity Landscapes to better enable existing practices for activities which are usual and expected in the Rural Zone.

Decision Reasons:

- Such overlays and associated restrictions potentially render land incapable of reasonable use. This has wide ranging impacts on maintenance of health and safety standards, the economics of current farming operations, as well as significant implications on capital land value.

Submitter Number: 482 **Submitter:** Kirstie Hill

On behalf of: Hill Country Farmers Group

Point Number 482.1

Summary of Decision Requested: **Delete** the limits on volume, area and cuts in Rule 22.2.3.4 P1 Earthworks within Landscape and Natural Character Areas, for the purpose of maintaining existing farming infrastructure.

AND

Amend Rule 22.2.3.4 P1 Earthworks within Landscape and Natural Character Areas to permit earthworks, for new infrastructure such as fencing, tracks and drains.

Decision Reasons:

- Regular and complete maintenance of tracks is essential to meet health and safety requirements.

Point Number 482.2

Summary of Decision Requested: **Amend** the limit of 250m2 for indigenous vegetation clearance for building and access in Rule 22.2.7 P3 Indigenous vegetation clearance inside a Significant Natural Area as it is not enough allowance for both a platform for building and driveway.

Decision Reasons:

- The location of any building site is highly dependent on topography and access and the 250m2 area limit is not sufficient for a building platform and driveway.

Point Number 482.3

Summary of Decision Requested: **Delete** the limits in respect to area, species, height, age and location of indigenous vegetation removal in Rule 22.2.8 P1 Indigenous vegetation clearance outside a Significant Natural Area for the maintenance of productive pasture.

AND

Amend Rule 22.2.8 P1 Indigenous vegetation clearance outside a Significant Natural Area, to allow vegetation clearance for new farming infrastructure including fencing, tracks and drains;

AND

Amend Rule 22.2.8 P1 Indigenous vegetation clearance outside a Significant Natural Area, to allow vegetation clearance for new dwellings and buildings including access.

Decision Reasons:

- It is not clear what "outside a Significant Natural Area" means.
- Indigenous vegetation clearance for any farming purpose should be permitted because farming is a permitted activity.
- The setback distance between cleared indigenous vegetation and a waterbody is excessive and inconsistent with other proposed land use policies.
- Over the long term this rule will render land that is not a Significant Natural Area incapable for reasonable use as persistent invasive species encroach on pasture.

Point Number 482.4

Summary of Decision Requested: **Amend** Rule 22.3.4.1 P2 Height - Building General, to increase the maximum height limit to 10 metres for buildings within a Significant Amenity

Landscape for permitted farming activities and buildings.

OR

Delete the Significant Amenity Landscape overlay from the Proposed District Plan if the amendments sought to Rule 22.3.4.1 P2 Height Building General as sought above are not accepted.

Decision Reasons:

- Large parts of some properties containing Significant Amenity Landscapes will render land incapable of reasonable use for activities that are expected in the Rural Zone. If an existing farming activity is located within a Significant Amenity Landscape, that activity has been assessed as not having an adverse effect on the amenity landscape.

Point Number

482.5

Summary of Decision Requested:

Amend the approach to identifying Significant Natural Areas and Significant Amenity Landscapes, for private land so that identification is provisional based on owners acceptance and therefore contestable. Submission seeks that Council discloses the criteria and significance levels for each of these areas, followed by ground-truthing and acceptance by the landowner.

Decision Reasons:

- The mapped Significant Natural Areas and Significant Amenity Landscapes have not been fully investigated and it is unclear how these areas have been identified or what a landowner's obligations are.
- Rules for these areas potentially render land incapable of reasonable use and could impact on health and safety standards, existing farm practices and a property's capital value.
- The consultation process for the Proposed District Plan has not provided sufficient information on how each Significant Natural Area or Significant Amenity Landscape has been defined on private land.
- Ecologist's reports notes that there is incomplete information and it was a desktop exercise.
- It can have a serious impact on the farming use of parts of properties and should be properly investigated before being imposed on landowners.

Point Number

482.6

Summary of Decision Requested:

Amend the definition of "Farming" by removing the link to soil fertility.

Decision Reasons:

- Clarity is needed in respect to whether the use of stock feed or silage brought in from off-site falls within the definition of 'farming' or 'intensive farming'.

Point Number

482.7

Summary of Decision Requested:

Amend the definition of "Intensive Farming", in the context of Rule 22.1.3 RD1 Restricted Discretionary activities.

Decision Reasons:

- There is no consistency with the activities that are included and excluded from the definition of 'intensive farming'.
- It is unclear whether the use of stock feed or silage brought in from off-site might turn a farming activity into intensive farming.

Point Number

482.8

Summary of Decision Requested:

Delete limits on area, and cut in Rule 22.2.3.3 P1 Earthworks - Significant Natural Area where the purpose is to maintain existing farm infrastructure.

AND

Amend Rule 22.2.3.3 P1 Earthworks - Significant Natural Areas, to allow earthworks for new farming infrastructure including fencing, tracks and drains.

AND

No specific decision sought, but submission opposes limits on earthworks within 1.5m of boundaries in Rule 22.2.3.3 P1 Earthworks - Significant Natural Areas.

Decision Reasons:

- Landowners must be able to maintain existing farm tracks to meet health and safety standards,
- It is not possible to repair a track, fence or drain with a volume limit of 50m³.
- Fencelines are often along property boundaries and may need earthworks to provide a stable platform.

Point Number

482.9

Summary of Decision Requested:

Delete the proposed limit of 20m³ for fill in Rule 22.2.3.3 P2 Earthworks - Significant Natural Areas.

Decision Reasons:

- There is no reason for a 20m³ limit to bring in fill to repair a fenceline or track.

Point Number

482.10

Summary of Decision Requested:

Amend the number of conservation lots that can be created from Significant Natural Areas in Rule 22.4.1.6 RD1 Conservation lot subdivision, particularly for Significant Natural Areas under 5ha and over 10ha.

AND

Offer suitable monetary compensation for all Significant Natural Areas proportional to the size of the Significant Natural Area.

Decision Reasons:

- It is inequitable to disallow conservation lots from indigenous bush areas less than 5ha and set a maximum number of 3 conservation lots from indigenous bush areas greater than 10ha.
- Council needs to recognise the values offered by the landowner in the subdivision process that include forfeiting productive land, allowing encroachments onto private land that are enjoyed by the landowner, forfeiting control of the covenanted area and the on-going management obligations and costs associated with maintaining tracks, fencing, drainage and pest control.
- Ongoing costs and liabilities to landowners must be calculated and compensated on a per hectare basis.
- Many landowners do not wish to subdivide so the subdivision incentive is somewhat academic.

Point Number	482.11
Summary of Decision Requested:	No specific decision sought, but submission opposes the restrictions on subdivision boundaries to avoid dividing a Significant Amenity Landscape in Rule 22.4.2 RD1 Title boundaries – natural hazard area, contaminated land, Significant Amenity Landscape, notable trees, intensive farming activities, aggregate extraction areas.
Decision Reasons:	<ul style="list-style-type: none"> Boundaries must be determined by topography and some Significant Amenity Landscapes are already divided by property boundaries.
Point Number	482.12
Summary of Decision Requested:	No specific decision sought, but submission opposes the restrictions on subdivision boundaries to avoid dividing a Significant Natural Area in Rule 22.4.3 RD1 Title boundaries – Significant Natural Areas, heritage items, Maaori sites of significance and Maaori areas of significance.
Decision Reasons:	<ul style="list-style-type: none"> Boundaries must be determined by topography and some Significant Natural Areas are already divided by property boundaries.
Point Number	482.13
Summary of Decision Requested:	Delete Environmental Protection Areas; AND Delete Rule 22.4.6 Subdivision of land containing all or part of an Environmental Protection Area.
Decision Reasons:	<ul style="list-style-type: none"> Environmental Protection Area is not defined in the Proposed District Plan and there is no apparent reason for having these as well as Significant Natural Areas.

Submitter Number:	483	Submitter:	Frederick April
Point Number	483.1		
Summary of Decision Requested:	Amend the Proposed District Plan to create a multi-purpose recreation and events zone alongside a Residential Zone for the 183ha on East Mine Road, Huntly (CFR 805391, CFR SA50A/762, CFR SA 10D/800, CFR 1955501, CFR SA 61B/799, CFR SA 18B/1138, CFR SA 30A/356, SA 40D/985, CFR 251/176, SA 26C/345 and SA 51/131).		
Decision Reasons:	<ul style="list-style-type: none"> It will have educational outcomes for youth. It will have significant employment opportunities. It will improve recreational living and lifestyles for residents through outdoor activities and watersports. It is a great opportunity for Huntly to become a tourist destination. This project has the ability to transform Huntly. It is time that the Council gave 100% support, endorsement and commitment to the beautification of Huntly. 		

Submitter Number:	484	Submitter:	Rudy Van Spreeuwel
On behalf of:	Emza Zader Australia Pty Ltd		
Point Number	484.1		
Summary of Decision Requested:	Delete the Significant Natural Area 3578 from 189 Settlement Road, Pukekohe (see map attached to submission) AND Amend the Significant Natural Area 3579 by increasing it to the boundary line of the property at 189 Settlement Road, Pukekohe (see map attached to submission).		
Decision Reasons:	<ul style="list-style-type: none"> There are no trees, only marked garden land in area 3578 (as marked red on attachment to the submission). There are native trees in the suggested area (as marked green on attachment to the submission). 		

Submitter Number:	485	Submitter:	Ella Stewart
Point Number	485.1		
Summary of Decision Requested:	Allow freedom to ride horses down the tracks to access the Raglan beach.		
Decision Reasons:	<ul style="list-style-type: none"> It would be a shame to not be able to ride in and around Raglan's beautiful beaches. 		

Submitter Number:	486	Submitter:	Louise Whyte
Point Number	486.1		
Summary of Decision Requested:	Add a proposed cycleway around 35 Buckland Road, Tuakau to access the Waikato River via the river stop banks;		

AND

Purchase the land contained within the Waikato River stop banks near Buckland Road, Tuakau by for parkland (see the maps attached to the submission for further detail).

Decision Reasons:

- The Plan allows a unique opportunity to gain land for River access, leisure activities and possibly a park.
- The Council-owned stop banks are wide enough to accommodate large farm vehicles and could easily be an extension of the proposed walkway/cycleway.
- The only current access to the River is via River Road, which is hazardous for pedestrians and cyclists.
- Purchasing this land would allow for a future connection via walkway/cycleway to the River Road access.
- The River is stunning at this location.
- It could become a major attraction to the town, enabling a positive future for its residents.
- Access to this land will become difficult if the land up to Buckland Road becomes Residential.

Point Number 486.2

Summary of Decision Requested: **Amend** the Proposed District Plan to not allow more unsustainable or environmentally practical waste facilities to be located by the River on the land between Buckland Road, Tuakau and the Waikato River.

Decision Reasons:

- The reclaimed alluvial river plains were reclaimed for soil conservation (for rural use) and erosion protection.

Point Number 486.3

Summary of Decision Requested: No specific decision sought, but submission opposes the rezoning of land around River Road, Tuakau from the Business and Rural Zone to the Industrial Zone (see map attached to submission).

Decision Reasons:

- There is a large industrial area already proposed within the District Plan at Bollard Road, Tuakau. All industry should be encouraged to eventually relocate within this one large Industrial Zone.
- The residents of Tuakau wish to have a physical as well as cultural connection with the Waikato River. River road is the only access Tuakau residents and tourists have to the Waikato River. Industry should be discouraged from River Road to allow a safe walkway and/or cycleway to enable safe family access without any detrimental effect from Industry.
- Industry emitting unlawful odour is a long-term problem along River Road. Tuakau has a poor reputation because of this as it affects residents, tourists, and all those that use River Road. Odorous Industry should be discouraged from being located on the only access road to the River and from being located near the River, the River and the River Park being Tuakau's major attraction.
- This proposed spattering of industrial re-zoning outside of the main industrial zone will detrimentally affect Tuakau's future.
- Regional Council has proven to be ineffective in controlling the detrimental effects of some of the operations within their land boundaries on this land proposed to be rezoned. This may attract other industry unable to control affects outside their boundaries to be located within these areas. The area outside these boundaries is important for local amenity.

Submitter Number: 487 **Submitter:** Charlotte Simsar

Point Number 487.1

Summary of Decision Requested: **Allow** free access for horse riding through the paddocks.

Decision Reasons:

- There are not many tracks to ride with horses around Raglan.
- This is access through paddocks, where cows graze.
- The submitter does not see how two or three horses walking through per day could damage the soil.
- It currently leaves barely any other safe areas to ride, leaving only the road, making it unsafe and unpleasant.

Submitter Number: 488 **Submitter:** Jocelyn Stewart

Point Number 488.1

Summary of Decision Requested: **Allow** access to the beach for horse riding using the walking track from Wainui Reserve.

Decision Reasons:

- The submitters have lived there for a long time and there is usually only one horse at a time using that track/walkway.
- The submitter has never noticed any damage to the track from horses.

Submitter Number: 489 **Submitter:** Ann-Maree Gladding

Point Number 489.1

Summary of Decision Requested: **Amend** Rule 22.4.1.1 PR4 (a) Prohibited subdivision, to maintain and allow for Transferable Rural Lot subdivisions as a Restricted Discretionary and Discretionary activity throughout the Waikato District.

Decision Reasons:

- The transferable rural lot process simply allows for the transfer of existing titles or consented conservation lots (still allowed for under the draft district plan) to more appropriate areas in the district, there is no net increase in the overall number of development rights across the district.
- The process has been working well for many years in the former Franklin Area and is an effective mechanism for promoting development in more appropriate areas whilst protecting high quality versatile soils.

- For a transferable rural lot subdivision to be a prohibited activity is unnecessary and it compromises the current and proposed objectives for the rural area.
- The natural outcome of the transferable rural lot process is to transfer existing and consented titles from less intensively developed outlying areas to the more intensively developed central areas.
- It seeks to manage growth in the Rural Zone and to avoid the wide dispersal of lots and protection of larger rural blocks.
- The Transferable Rural Lot Provisions of the former Franklin District Plan were designed to protect and enhance the potential use of high quality versatile soils, by encouraging the transfer of surplus Titles to more environmentally sustainable locations. This is consistent with the Draft District Plan objectives and Policies and the Objectives of the Resource Management Act 1991.
- The fact that the former Franklin District is now administered by WDC does not remove the underlying objectives of wiser use of resources. The same resources remain in the same district. The fact that the administering authority may want a consistent set of subdivision rules across the district is not relevant.
- It will prevent the consolidation of existing titles;
- It will not promote the protection of productive land or versatile soils within the District;
- It will not assist in the reorganisation of the wide dispersal of and a reduction in rural titles, and will negate opportunities for the retention of land versatility and larger lot sizes in rural areas and for productive farming units to better manage the use of soils and rural land;
- It will not promote positive effects on the rural environment, rural character and rural amenity;
- It will not reduce reverse sensitivity effects when existing title rights are developed in rural production areas of the District;
- It will not promote outcomes that are consistent with the rural objectives and policies of the draft District Plan.
- The majority of transferable rural lot subdivision applications in the Waikato District are removing titles from the larger productive land holdings, thus reducing or eliminating adverse effects on unplanned and scattered rural residential development in the more remote rural Waikato, and reducing the burden on infrastructure, particularly in more remote areas. If these rights are now restricted to where they currently are within the Waikato District, they will result in the uptake and development of latent capacity in outlying areas of the District, which is inconsistent with and contrary to the objectives and policies.

Point Number 489.2

Summary of Decision Requested: Amend Rule 22.4.1.2 RD1 (a)(iv) General subdivision, as follows:

(iv) *The additional lot must have a proposed area of between ~~8,000m²~~ 4,000m² and 1.6 ha;*

Decision Reasons:

- In the submitters experience with rural subdivisions and discussions with numerous farm owners, the proposed area range of between 8,000m² – 1.6ha would be too large for a rural lifestyle block and will force developers to turn potentially productive farming paddocks into areas that will not be utilised for farming and may become neglected. The best maintenance of open pasture (all classes of soils) is grazing animals. The lots created will be too small to be productive or grazed, yet they are too big to be easily managed as lifestyle properties.
- If a rural site owner is subdividing off an existing farm cottage for instance, the house and curtilage area will be approx. 2000m². This will result in at least 6000m² of potentially productive farming land being wasted or not utilised. The high-class soil rule will restrict this to some degree but just because an area of land is not classified as 'high class soil', it doesn't mean that it can't be used for productive purposes or add valuable support to a farming operation.

Point Number 489.3

Summary of Decision Requested: Delete Rule 22.4.1.4 RD1 (a)(i) Boundary relocation;

OR

Amend Rule 22.4.1.4 RD1 Boundary relocation, to allow for more than two existing titles and allow for boundary adjustments to titles created after 18th July 2018.

Decision Reasons:

- Many landholdings in the Waikato District are made up of several titles and the proposed Boundary Relocation and Rural Hamlet rules will restrict logical layouts that are usually site specific to particular rural properties. Boundary adjustments are a legitimate way to adjust legal boundaries to facilitate access to the land and soil resource, all that generally changes is lines on the title plan and nothing physical on the actual site, the potential for adverse effects are generally minimal.
- The assumption is that the intent of Rule (a) (i) is to prevent making new Conservation lots or the additional title created from the General subdivision rule that is larger. The trouble is that this intent will now potentially restrict or make boundary adjustments tougher for larger rural blocks that may have a title created after 18 July 2018. These newer titles could have been subject to another minor boundary adjustment or could be the larger balance lot of a General Subdivision application. The submitter does not think that a further boundary relocation of these larger lots should be a discretionary activity as it then becomes too restrictive on these larger land holdings that may be relocating boundaries for legitimate reasons. Rule (a) (i) does not recognise the legitimate need to adjust rural lot boundaries to support rural land use and create a better environmental outcome, it also doesn't allow for the logical restructure of landholdings with more than two existing larger titles.

Point Number 489.4

Summary of Decision Requested: Amend Rule 22.4.1.5 RD1 (a)(i) Rural Hamlet Subdivision to remove the maximum number of titles (5) that can be proposed for the subdivision.

AND

Amend Rule 22.4.1.5 Rural Hamlet subdivision to be a more workable approach.

Decision Reasons:

- The current draft Rural Hamlet subdivision rule will not be a workable provision for better restructuring existing titles on many rural properties, especially larger landholdings.
- The rural zone varies drastically throughout the district from open flat countryside predominantly used for dairy farming, to more undulating hilly terrain with scattered mature vegetation predominantly used for dry-stock farming. Often, the most logical subdivision layout on rural properties that preserve the largest area of land for productive purposes and have the least potential for adverse effects on the surrounding environment, are influenced by site specific characteristics such as topography, vegetation, road frontage and existing built development on that particular property. In an ideal world, all new lots clustered together as a hamlet styled subdivision would be great but (unlike the residential zoned land) planning ideology such as the proposed only works on a small minority of the rural zoned land in the District and provision or more desecration needs to be allowed for to cater for these other landholdings.
- In the rural environment especially in the upper Waikato, these physical restraints greatly restrict such a logical layout. Often it may be a far better result for that particular environment to position the existing titles around existing development on the property or at other ends of the property from each other, which could be kilometres apart and accessed off different public roads.

Point Number 489.5

Summary of Decision Requested: Amend Rule 22.4.1.6 RD1 (a) Conservation lot subdivision, to allow for conservation lot subdivisions by way of riparian planting;

AND

Amend Rule 22.4.1.6 RD1 (a) Conservation lot, to provide clarification on enhancement planting to Significant Natural Areas.

Decision Reasons:

- The draft Conservation Lot subdivision rules are generally positive but further allowance can still be made for additional lots through riparian planting of streams and rivers. This will provide incentive for farmers to plant the sides of their waterways, which will obviously bring significant ecological gain to the district. Under the current draft rules, it is unclear if it is saying that the current amount of native vegetation in the Waikato District is adequate.
- The cost to a property owner of protecting, and maintaining; in perpetuity, significant stands of vegetation are substantial, in real financial terms. The cost of appropriate bush covenant fencing alone is currently around \$30 per meter. Including planting costs and ongoing maintenance of the plants and fences, the costs quickly escalate into the hundreds of thousands of dollars. Farmers are

becoming more and more acceptable to riparian planting on their properties but this significant cost will need to be offset to incentivise this ecological enhancement.

- As a close and recent example, under the former Franklin District Council Plan within the Auckland jurisdiction, a significant number of property owners underwent significant ecological riparian planting. Unfortunately through the introduction of the Auckland Unitary Plan, there is no longer any workable provision for conservation lots through riparian planting which has brought about a significant drop in riparian planting. This is all because there is no more incentive for property owners to plant, the submitter subsequently advises the Council to not to make the same mistake as Auckland.
- The usual signoff requirements with ecologists certifying that the riparian planting is self-sustaining would still be applicable.

Point Number 489.6

Summary of Decision Requested: **Amend** Rule 22.3.2 P1 (b)(i) Minor Dwelling, as follows:

The minor dwelling must be located within ~~20m~~ 150m of the dwelling;

Decision Reasons:

- The submitter commends having an actual separation distance stated as the Auckland Unitary plan just says 'in close proximity' which causes significant interpretation issues, however a minor dwelling 20m away from a main dwelling is far too close and does not allow for existing site restraints such as curtilage area, effluent disposal fields and other ancillary buildings.
- Everything in the rural area is at a much larger scale than residential environments and 150m is not far, so it will have no significant increase in potential adverse effects than 20m would.
- 150m will make a huge difference to the functionality of the rural property and will allow some degree of privacy between the main dwelling and minor dwelling.

Point Number 489.7

Summary of Decision Requested: **Delete** Rule 22.3.7.1 P1 (iii) Boundary Setbacks - All boundaries;

AND

Amend Rule 22.3.7.1 P1 (iv) Boundary Setbacks – All boundaries, as follows:

~~(iv)(iii)~~ 12m from the boundary of an adjoining site. ~~that is less than 6m~~

Decision Reasons:

- 10m has always worked well in the Franklin area.
- 25m is far too long and restrictive and there is no good reason for it to be this long.
- In large open rural properties, there is no difference to the naked eye between 25m and 12m but when picking appropriate building sites, a 25m no build area does restrict houses from being built on more appropriate sites.

Point Number 489.8

Summary of Decision Requested: **Amend** Rule 22.3.7.1 P2 (iii) Boundary Setbacks – All boundaries, as follows:

~~12m~~ 5m from every boundary other than a road boundary.

Decision Reasons:

- 12m is far too long and restrictive for a non-habitable building.
- Many people move to rural blocks to have space for a garage or shed, having these 12m from the boundary is too restrictive.

Point Number 489.9

Summary of Decision Requested: **Amend** Rule 22.3.7.1 P3 (iii) Boundary Setbacks – All boundaries, as follows:

~~25m~~ 12m from every boundary other than a road boundary.

Decision Reasons:

- 25m is far too long and restrictive, there is no good reason for it to be this long.
- These smaller sized rural blocks are usually created on more undulating and low class soils and a 25m boundary setback will greatly restrict where a dwelling can be built.

Point Number 489.10

Summary of Decision Requested: **Amend** Rule 16.4.1 RD1 (a)(i) Subdivision – General, as follows:

(i) Proposed lots must have a minimum net site area of ~~450m²~~ 400m², except where the proposed lot is an access allotment or utility allotment or reserve to vest;

Decision Reasons:

- A 450m² minimum lot size is too large and restrictive.
- Smaller lot sizes are generally more popular now for easier maintenance and 400m² is still large enough to fit a decent sized dwelling.

Point Number 489.11

Summary of Decision Requested: **Amend** Rule 16.4.1 RD1 (a)(iv) Subdivision – General, to have an area requirement of 1ha or similar before triggering a "rear lot" rule.

Decision Reasons:

- The draft rule does not seem to be very workable for smaller infill subdivisions.
- This rule should only be applicable to larger subdivision sites.

Point Number 489.12

Summary of Decision Requested: **Delete** Rule 22.4.1.2 RD1 (a)(v) General subdivision.

Decision Reasons:

- Subdivision rules have to be clear and easy to understand and not open for interpretation between the Council planner and developer / agent as it wastes everyone's time and money. This rule doesn't seem to make any logical or practical sense and will be far too difficult to administer or interpret correctly in the rural environment and the potential gains are negligible.

- The rule will trigger an expensive Land use Capability Report for the very small amount of soil proposed. The General Subdivision rule allows for a 2-lot subdivision of a 20 hectare sized lot, with one of the lots being between 8000m² and 1.6 hectares. It is unclear if this rule means that if one has a 20 hectare sized title that has 1 hectare of high class soil, 80% of that high class soil can be on the smaller lot and 20% on the larger lot, or if it is the other way round.
- The objectives and policies promote the protection of high-class soil, which is encouraged but this rule makes compliance harder than it needs to be with no actual gain. Due to the size restrictions on the new lot being created (8000m² - 1.6 ha), the maximum amount of high class soil that could ever be removed from production is 8% of the overall property (based on a 20 hectare sized site) size that would never be bigger enough to be economically productive in the first place. Most titles eligible for this subdivision opportunity will be much larger than 20 hectares, so the overall potential loss of high class soil in terms of an overall percentage will be significantly less and negligible in terms of the overall scale of the rural property.
- Too much emphasis is put on the percentage of high class soils on a particular property, it would be more appropriate to be in terms of the actual size of the high class soils. For instance, a larger rural property that only has say 10% high class soils may have significantly more high-class soil than a smaller property that has say 80% high class soils. The percentage rule does not practically achieve what it intends to.

Point Number 489.13

Summary of Decision Requested: Amend Rule 22.4.1.5 NCI Rural Hamlet Subdivision, to become a discretionary activity if Rules 22.4.1.5 RD1 (a)(i-v) are not met rather than a non-complying activity status.

Decision Reasons:

- Making a rural subdivision application a Non-Complying activity for creating a better overall result for that particular environment is too restrictive and needs to at least become a Discretionary activity.
- The submitters are currently working on a subdivision where they are restructuring eight existing contiguous titles on a large landholding. The title structure is currently very untidy with titles made up of various parcels at other ends of the property. They will be relocating the titles around existing development on the property or locations that will have least effect on the rural landscape, whilst trying to preserve a larger balance for rural production; they are simply bringing some logical structure to the landholding. This same application would be a non-complying application under the proposed rules, which does not seem right.
- In some cases (like the above), it may also be better and cleaner to have two large balance lots say if they are over 100 hectares in size. This rule needs rethinking, as the submitter does not think it will work as well as it could do 'on the ground'. This rule is only going to work effectively on a small minority of rural properties, especially in the upper Waikato District.

Point Number 489.14

Summary of Decision Requested: Amend Rule 22.3.7.1 P4 (iii) Boundary Setbacks – All boundaries, as follows:

~~±2m~~ 5m from every boundary other than a road boundary.

Decision Reasons:

- 12m is far too long and restrictive for a non-habitable building.
- Many people move to rural blocks to have space for a garage or shed, having these 12m from the boundary is too restrictive.

Point Number 489.15

Summary of Decision Requested: Amend Rule 22.3.7.2 P1 (iv) and (v) Building setback sensitive land use, to add text to clarify that the setback distances are taken from the actual extraction area only and not from the legal boundaries of the title that contains the extraction area;

OR

Amend the definition of "Aggregate Extraction Area" in Chapter 13 Definitions, to clarify that the setback distances are taken from the actual extraction area only and not from the legal boundaries of the title, that contains the extraction area.

Decision Reasons:

- The Council has interpreted the current operative rule incorrectly on subdivisions, and it has cost the submitter's clients a lot of money to legally clarify.

Point Number 489.16

Summary of Decision Requested: Amend Rule 22.3.7.2 P1 (vii) Building setback sensitive land use, to be 300m from the actual intensive farming activity, rather than the boundary of the site. Submission seeks rewording and clarification of the rule.

Decision Reasons:

- If there is an intensive farming activity at one end of a very large site, it is unfair that a neighbouring property at the other end of the site (potentially several 100 meters away) cannot subdivide or develop because they are within 300m of the site boundary.
- It just does not make logical sense.
- One neighbouring property may be 301m away from the activity and can subdivide or develop, however a property that may be a 1000m or more away from the activity cannot because they are still within 300m of the site boundary.

Point Number 489.17

Summary of Decision Requested: Amend Rule 22.4.9 RD1 (a)(ii) Building platform, as follows:

(iii) Has an average gradient not steeper than ~~4:8~~ 1:6;

Decision Reasons:

- An average of 1:8 is too restrictive in the rural area, especially in the upper Waikato District, where the building sites are more likely to be on more undulating topography.
- The objectives and policies promote new lots away from high class soils, this will force new lots and their building sites onto steeper topography.
- A grade of 1:6 is still very workable as long as a geotechnical report supports the location.

Point Number 489.18

Summary of Decision Requested: Delete Rule 23.4.2 RD1 (a) General subdivision;

AND

Amend the zoning of Country Living Zoned properties to the Village Zone;

AND

Amend Rule 24.4.1 RD1 (a) Subdivision-General as follows:

(a) Proposed lots must have a minimum net site area of ~~3,000m²~~ 2,000m², except where the proposed lot is an access allotment, utility allotment or reserve to vest.

Decision Reasons:

- The Countryside Living Zone provides for an inefficient rural -residential living opportunity. At a minimum lot size of 5000m², the lots created are too small to be productive or grazed, yet they are too big to be easily managed as lifestyle properties.
- A smaller lot size of 2000m² still creates a rural-residential character, of open space, but at the same time can be planted, fenced, mowed and maintained easily.
- New houses are generally no larger than 300m² and an effluent disposal field is generally 600m² in size, this still leaves over 1000m² for additional curtilage area and will maintain consistency with the draft objectives and policies of this zone whilst making more efficient use of the land. An appropriate level of amenity is still achieved, yet at the same time there is a lower intensity of development, and a rural outlook and character.

Submitter Number: 490 **Submitter:** Jack Mounsey
Organisation: Altus Intelligence

Point Number 490.1
Summary of Decision Requested: Retain Chapter 9.2 Te Kowhai Airpark, as notified.
Decision Reasons:

- The submitter is a local who works on and uses the airfield.

Point Number 490.2
Summary of Decision Requested: Retain Chapter 27 Te Kowhai Airpark Zone, as notified.
Decision Reasons:

- The submitter is a local who works on and uses the airfield.

Submitter Number: 491 **Submitter:** Dwayne Martin
Organisation: Altus Intelligence

Point Number 491.1
Summary of Decision Requested: Retain Chapter 9.2 Te Kowhai Airpark, as notified.
Decision Reasons:

- The submitter is interested in the development of the airfield, both commercially and residentially.

Point Number 491.2
Summary of Decision Requested: Retain Chapter 27 Te Kowhai Airpark Zone, as notified.
Decision Reasons:

- The submitter is interested in the development of the airfield, both commercially and residentially.

Submitter Number: 492 **Submitter:** Ryan Cadwallader
Organisation: Altus UAS

Point Number 492.1
Summary of Decision Requested: Retain Chapter 9.2 Te Kowhai Airpark, as notified.
Decision Reasons:

- The submitter is a local resident with local interest.

Point Number 492.2
Summary of Decision Requested: Retain Chapter 27 Te Kowhai Airpark Zone, as notified.
Decision Reasons:

- The submitter is a local resident with local interest.

Submitter Number: 493 **Submitter:** Jackie Colliar

Point Number 493.1

Summary of Decision Requested: Amend the Proposed District Plan to ensure that the objectives, policies, principles and intent of the Tangata Whenua Chapter are provided for across the Plan and how they are implemented.

Decision Reasons:

- Submission supports the introduction of a specific Chapter addressing Tangata Whenua concerns, issues and opportunities.
- It is important that Tangata Whenua issues are not simply addressed in this Tangata Whenua chapter but throughout the proposed consent plan, to ensure a holistic approach is taken to resource management, consistent with the principles of whakapapa, whanaunatanga, tangata whenuatanga, and kaitiaki.

Point Number 493.2

Summary of Decision Requested: Amend the Proposed District Plan to allow for greater use of Maaturanga Maaori.

Decision Reasons:

- Submitter would expect that Waikato District Council would be looking to Maaturanga Maaori to remedy adverse effects of development.
- Matauranga Maaori is increasingly being used as conditions of resource consents and in the identification of restoration projects as an alternative to engineering solutions.

Point Number 493.3

Summary of Decision Requested: Amend the Proposed District Plan after engaging with Waikato-Tainui and mana whenua to ensure that the Waikato-Tainui Environmental Plan, Tai Tumu, Tai Pari, Tai Ao and marae environmental plans have been included in the Waikato District Plan.

Decision Reasons:

- The proposed plan should signal and provide for greater opportunities to utilise Maaturanga Maaori for the benefit of the environment.
- There may be future opportunities to develop initiatives and programs of work where marae and Maaori owned land is better utilised for the benefit of the land owners.

Point Number 493.4

Summary of Decision Requested: Amend the Proposed District Plan to integrate the concept of environmental enhancement including in the Biodiversity Offsetting provisions.

Decision Reasons:

- No reasons provided.

Point Number 493.5

Summary of Decision Requested: Amend the Proposed District Plan and maps to include the Waikato River in its entirety as both an Outstanding Natural Feature and Outstanding Natural Landscape.

Decision Reasons:

- Submission does not support the assessment of and non-inclusion of the Waikato River as an Outstanding Natural Feature and/or Landscape in its entirety.
- The submitter believes that the Waikato River must be viewed holistically and therefore do not believe that parts of the Waikato River can be cut into sections.
- The assessment of the Waikato River as Outstanding Natural Feature and Landscape is both a historic and contemporary issue. Beyond the rich history of the Waikato River pre and post European settlement, a variety of legislative and policy directions have been developed that support the identification of the Waikato River as an Outstanding Natural Feature.
- The Proposed Plan and maps provide for the Waikato River as an Outstanding Natural Feature, only from the river delta to inside the river mouth. Submitter considers the Waikato River is an Outstanding Natural Feature in its entirety and the reasons for it not attaining regional significance was based on interpretation and a lack of work on behalf of those researching the cultural significance of the river.

Point Number 493.6

Summary of Decision Requested: Amend the Proposed District Plan to include a Waikato River Corridor Zone to recognise the special status and importance of the Waikato River.

Decision Reasons:

- The Waikato River must be viewed holistically and therefore parts of the Waikato River can not be cut into sections.

Point Number 493.7

Summary of Decision Requested: Amend the Proposed District Plan to provide greater clarity as to what information must be provided when developing a Concept Management Plan.

Decision Reasons:

- The submitter seeks additional information to the implementation of the plans.
- Whilst the introduction of the Concept Management Plans and the potential for reduced regulation is positive, the submitter wants to ensure that the development of these is not overly onerous.
- The submitter does not want to see individual marae or Maaori freehold land owners required to provide a Concept Management Plan and then still require further resource consents applications to satisfy district plan requirements.
- The introduction of Concept Management Plans is generally supported.
- The ability of Marae or trusts to develop Maaori Freehold Land has historically proven challenging and any initiative which remedies this is generally supported.

Point Number 493.8

Summary of Decision Requested: **Amend** the Proposed District Plan to provide further information as to how Concept Management Plans will be implemented as part of a Resource Management Act process.

Decision Reasons:

- The submitter is of the opinion that the development and process of Concept Management Plans requires greater explanation in the Proposed District Plan.
- Whilst submitter supports supports ease of development on marae and Maaori freehold land, the potential still remains for a lengthy consenting process.

Point Number 493.9

Summary of Decision Requested: **Amend** the Proposed District Plan to provide greater clarity to the application of the Plan if a Concept Management Plan is not developed.

Decision Reasons:

- The submitter seeks greater clarification in the Proposed Plan, as to the application of the plan zoning when a concept management plan is not developed.
- It is presumed that the underlying zoning will apply.
- Submitter understands that Marae and Papakainga housing will default to Discretionary Activity status without an approved Concept Management Plan. This would appear to be a restrictive activity status for what could be small scale development.

Point Number 493.10

Summary of Decision Requested: **Amend** the Proposed District Plan to ensure consistency of wording in the rural and residential zones, in relation to the approval process for a Concept Management Plan.

Decision Reasons:

- If the underlying zoning will apply, this could create issues for those located in residential and rural zones.

Point Number 493.11

Summary of Decision Requested: **Provide** greater clarity as to who resources the development of Concept Management Plans and what council information and assistance will be provided to Marae and/or trusts.

Decision Reasons:

- No reasons provided.

Point Number 493.12

Summary of Decision Requested: **Amend** the Proposed District Plan to provide for the most enabling provisions to facilitate the development of marae and papakainga throughout the district.

Decision Reasons:

- Submitter understands that Marae and papakainga housing will default to Discretionary Activity status without an approved Concept Management Plan. This would appear to be a restrictive activity status for what could be small scale development.
- Aside from Resource Management Act issues around Concept management Plans, the submitter understands the key benefits being the development of papakainga housing and the ability to futureproof in some situations future land use.
- This is supported provided additional resource consents are not required to satisfy district plan requirements.

Point Number 493.13

Summary of Decision Requested: **Add** a new district-wide Maaori land chapter that includes specific objectives and policy framework, a wider range of activities relevant to Maori land such as urupa and koohangas (could be specifically identified rather than just covered by the definition of "Marae Complex") and would apply District-wide.

Decision Reasons:

- The submitter considers a more effective and efficient method of providing for the use and development of Maaori land in accordance with maatauranga and tikanga is by way of a district-wide Maaori land chapter.
- The use of the proposed Concept Management Plans could provide for Permitted Activities, should the clarification of the Concept Management Plans sought from this submission occur.
- In addition to the practical benefits, this would ensure that the Tanagata Whenua Chapter as notified is brought through the entire plan, not simply a heading at the beginning of the proposed plan. This approach has been successfully implemented in the Auckland Unitary Plan.

Point Number 493.14

Summary of Decision Requested: **Retain** the activity status and clearance thresholds for indigenous vegetation clearance for Marae, dwellings and papakainga on Maaori Freehold Land or Maaori Customary Land in the Proposed District Plan.

Decision Reasons:

- The Proposed District Plan provides for the clearance of indigenous vegetation (both within identified significant natural areas and outside of significant natural areas) on Maaori Freehold Land or Maaori Customary Land for the purpose of a Marae complex (1500m2), dwellings (500m2 per dwelling) and a papakainga building (500m2), as a permitted activity.
- If provisions cannot be compiled with then a resource consent for a discretionary activity (clearance of indigenous vegetation within a significant natural area) or restricted discretionary activity (clearance of indigenous vegetation outside of a significant natural area) is required.

Point Number 493.15

Summary of Decision Requested: **Amend** the Proposed District Plan to provide for earthworks in Significant Natural Areas that are for the establishment of Marae, papakainga, dwellings and associated access, parking and manoeuvring as a permitted activity.

Decision Reasons:

- It appears however that earthworks within significant natural areas and associated with Marae, papakainga and dwellings are not afforded the same permitted status as vegetation clearance; they would be a restricted discretionary activity.
- Only the maintenance of existing tracks, fences or drains are permitted within certain parameters.
- There seems little point in providing for a permitted indigenous vegetation clearance for these activities but then requiring a resource consent for any earthworks.
- As currently drafted a resource consent for a restricted discretionary activity would potentially need to be obtained to establish building platforms and access.
- The submitter supports the ability to clear indigenous vegetation for the purpose of establishing these activities on Maaori Freehold Land or Maaori Customary Land. However, I seek that provision be made in the earthworks in Significant Natural Areas rules to allow earthworks associated with Marae, papakainga and dwellings as a permitted activity.
- The Proposed District Plan also provides for indigenous vegetation clearance associated with the gathering of plants in accordance with Maaori customs and values as a permitted activity. This is supported.

Point Number 493.16

Summary of Decision Requested: **Amend** Policy 4.7.3 (xvi) Residential Subdivision, to refer to low impact stormwater design, to improve consistency with Policy 6.4.7 Stormwater which does mention low impact design being adopted where appropriate

Decision Reasons:

- Submission seeks that the proposed District Plan utilizes Low Impact Design in all new developments.

Point Number 493.17

Summary of Decision Requested: **Amend** the Proposed District Plan to re instate deferred zoning to a point in time when Waikato District Council have clarity around their infrastructure and how the areas will be serviced.

Decision Reasons:

- The Proposed Waikato District Plan 'live zones' or assigns Residential Zoning to areas of land that were previously Rural Zoned/Future Urban/Deferred Zones.
- For most of this land there is uncertainty around infrastructure timing and funding and structure planning is yet to be undertaken.
- Given the wastewater issues that the Waikato District Council currently have and are facing in the future, it seems almost impossible that Waikato District Council infrastructure will be able to cope with the live zoning of the district.
- The submitter is concerned that live zoning will create an expectation, that the Waikato River will absorb greater volumes of wastewater and stormwater discharge, an expectation that is contrary to and does not give effect to the Vision and Strategy for the Waikato River.
- The submitter strongly opposes this proposition and believe deferred zoning is required in most if not all locations that cannot be catered for through existing infrastructure.

Point Number 493.18

Summary of Decision Requested: **Amend** Chapter 14 Infrastructure and Energy, to provide clear provisions to manage the effects of infrastructure and energy activities on Maaori Areas of Significance and Maaori Sites of Significance. This may include making amendments to the activity status, rules and defining terms such as "identified areas."

Decision Reasons:

- The first paragraph of Chapter 14 Infrastructure and Energy states that the zone chapters and their associated overlays, objectives, policies and rules do not apply to infrastructure and energy activities unless specifically referred to within the Infrastructure and Energy Chapter. Chapter 14 is largely designed to be self-contained and standalone.
- The submitter seeks clarity as to what activity status and provisions would apply to infrastructure and energy activities proposed on Maaori Areas of Significance or Maaori Sites of Significance.
- Throughout the Chapter the terminology 'identified areas' is used. This term is not defined in Chapter 13 definitions and therefore it is unclear if this is intended to capture Maaori Areas of Significance or Maaori Sites of Significance.
- Without clear provisions regarding infrastructure and energy activities in Maaori Areas of Significance or Maaori Sites of Significance there is a risk that these areas and sites may be adversely affected by activities with very few checks and balances in place.
- It is important to note that not all Areas of Significance to mana whenua are listed or public knowledge; this is well understood by all parties.

Point Number 493.19

Summary of Decision Requested: **Withdraw** or place on hold the Proposed District Plan Review Process to allow for the Hazards Chapter to be developed, integrated and considered as part of a thorough District Plan review process.

Decision Reasons:

- The submitter is concerned that the Natural Hazards Chapter has been omitted from the notified proposed district plan.
- It is very challenging to consider a proposed district plan without a natural hazards chapter and how a future inserted natural hazards chapter will relate to other chapters in the plan.
- Given the vast array of natural hazards in the Waikato District, the submitter is of the opinion that it is not realistic to progress the plan without this chapter being considered in tandem with all the other chapters of the plan.
- The submitter considers that this is a major flaw in the process and to ensure consistency and integration across the plan, the plan review should be placed on hold to allow for the Hazards Chapter to be considered in conjunction with all other proposed chapters of the district plan.

Point Number 493.20

Summary of Decision Requested: Amend the Proposed District Plan to include integrated catchment management planning as a method of sustainably managing land development and Three Waters infrastructure.

Decision Reasons:

- The submitter would like to see, integrated catchment management planning used as a tool to help manage the form and function of Three Waters infrastructure in an integrated, effective, efficient, functional, safe and sustainable manner, particularly in urban centres.
- Water Impact Assessments should also be used as a tool to assess and ensure Three Waters integration at a more detailed level.

Point Number 493.21

Summary of Decision Requested: Amend the Proposed District Plan following engagement with Waikato-Tainui and mana whenua to ensure that respective land development plans and opportunities are adequately provided for.

Decision Reasons:

- The Proposed Plan should signal and provide for greater opportunities to utilise Matauranga Maori for the benefit of the environment.
- There may be future opportunities to develop initiatives and programs of work where Marae and Maori owned land is better utilised for the benefit of the land owners.

Point Number 493.22

Summary of Decision Requested: Undertake a Natural Character Assessment of the Waikato River to determine if there are any areas of High or Outstanding Natural Character.

Decision Reasons:

- It is also a concern that no natural character assessment has been undertaken for the Waikato River.
- The submitter believes that the Waikato River must be viewed holistically and therefore do not believe that parts of the Waikato River can be cut into sections.

Point Number 493.23

Summary of Decision Requested: Amend the definition of "Maori Customary Land" within Chapter 13 Definitions to ensure consistency with section 129(2) (a) of the Te Ture Whenua Maori Act 1993.

Decision Reasons:

- The submitter seeks the definitions applying to Maori land are clarified.
- Some definitions remain undefined and very broad.
- The submitter seeks greater clarity of these definitions.

Point Number 493.24

Summary of Decision Requested: Recognise tikanga and Maatauranga Maori in the Blueprint and structure plan processes.

Decision Reasons:

- The submitter is pleased that structure plans were referenced in various parts of the proposed district plan, however there appears to be an absence of structure plans when attempting to locate them in the plan.
- The submitter understands a 'Blueprinting' exercise is currently underway and will provide the basis for any future structure plans.
- Whilst submission supports this initiative, especially considering the growth challenges that the district faces in the north; the timing of this process is unfortunate and would have been more effective if the process had been undertaken pre the notification of the Proposed District Plan.
- The submitter is concerned that the Blueprinting exercise and potential structure plans will require plan change processes to implement as part of the district plan.
- Locations such as Huntly, Mercer and Pokeno are in need of high-level planning assessment and it is disappointing that resource and time be required to get these guiding plans part of the district plan.
- The submitter is also of the opinion that any structure plans or Blueprinting exercises should recognise Waikato-Tainui tikanga and Maatauranga Maaori, to reflect the districts rich Maaori heritage.

Point Number 493.25

Summary of Decision Requested: Amend the Proposed District Plan to clarify situations where low impact design is not appropriate, as provided for in the Proposed District Plan.

Decision Reasons:

- Submission seeks that the proposed District Plan utilizes Low Impact Design in all new developments.

Point Number 493.26

Summary of Decision Requested: Retain the provisions allowing for indigenous vegetation clearance associated with the gathering of plants in accordance with Maori customs and values as a Permitted Activity.

Decision Reasons:

- Submitter supports these provisions.

Point Number 493.27

Summary of Decision Requested: No specific decision sought, but submission supports the introduction of a specific chapter addressing Tangata Whenua concerns, issues and opportunities.

Decision Reasons:

- No reasons provided.

Point Number 493.28

Summary of Decision Requested: No specific decision sought, but submission supports efforts to identify areas of high and outstanding natural character and outstanding natural features and landscapes, the engagement of experts and with mana whenua.

Decision Reasons:

- No reasons provided.

Point Number 493.29

Summary of Decision Requested: No specific decision sought, but submission generally supports the introduction of concept plans.

Decision Reasons:

- The ability of Marae trusts to develop Maori freehold land has historically proven challenging and any initiative that remedies this is generally supported.

Point Number 493.30

Summary of Decision Requested: No specific decision sought, but submission supports referencing of structure plans but notes the absence of structure plans in the Proposed District Plan.

Decision Reasons:

- No reasons provided.

Point Number 493.31

Summary of Decision Requested: **Retain** the ability to clear indigenous vegetation for the purposes of establishing a Marae complex, dwellings and papakainga building on Maori Freehold Land or Maaori Customary Land.

Decision Reasons: Supports the ability to clear indigenous vegetation for these activities.

Point Number 493.32

Summary of Decision Requested: **Amend** the Proposed District Plan to utilise low impact design in all new developments.

Decision Reasons: No reason provided.

Point Number 493.33

Summary of Decision Requested: **Amend** the definition of "Marae Complex" in Chapter 13 Definitions, although submission does not set out specific amendments sought.

Decision Reasons:

- No reasons provided.

Point Number 493.34

Summary of Decision Requested: **Amend** the definition of "Maori Freehold Land" within Chapter 13 Definitions, to ensure consistency with section 129(2)(b) of the Te Ture Whenua Maaori Act 1993.

Decision Reasons:

- The submitter seeks the definitions applying to Maaori land are clarified.
- Some definitions remain undefined and very broad.
- The submitter seeks greater clarity of these definitions.

Point Number 493.35

Summary of Decision Requested: **Put** the District Plan review process on hold so that outcomes of the blueprinting exercise can be accommodated in the District Plan, including the development of structure plans

Decision Reasons:

- The submitter is pleased that structure plans were referenced in various parts of the proposed district plan, however there appears to be an absence of structure plans when attempting to locate them in the plan.
- The submitter understands a 'Blueprinting' exercise is currently underway and will provide the basis for any future structure plans.
- Whilst submission supports this initiative, especially considering the growth challenges that the district faces in the north; the timing of this process is unfortunate and would have been more effective if the process had been undertaken pre the notification of the Proposed District Plan.
- The submitter is concerned that the Blueprinting exercise and potential structure plans will require plan change processes to implement as part of the district plan.
- Locations such as Huntly, Mercer and Pokeno are in need of high-level planning assessment and it is disappointing that resource and time be required to get these guiding plans part of the district plan.
- The submitter is also of the opinion that any structure plans or Blueprinting exercises should recognise Waikato-tainui tikanga and Maatauranga Maaori, to reflect the districts rich Maaori heritage.

Point Number 493.36

Summary of Decision Requested: **Amend** the Proposed District Plan to provide setbacks from waterways that are consistent with Proposed Plan Change 1 to the Waikato

Decision Reasons:

- The proposed Waikato District Plan provides for Earthworks in specific zones. Concerned that the earthworks setbacks do not adequately protect waterways and fail to be consistent with the notified Proposed Plan Change 1 to the Waikato Regional Plan.
- This plan change process, triggered by the need to give effect to the Vision and Strategy for the Waikato River, requires a minimum setback of 5m from a waterway (for cropping only) to be considered a permitted activity.
- The Proposed Waikato District Plan allows for a 1.5m setback in the residential zone and appears to have no setbacks at all for earthworks in the rural zone.
- The submitter does not believe that this lack of setback for earthworks from a waterway is appropriate and has failed to have regard to the Vision and Strategy for the Waikato River and the Waikato-Tainui Environmental Plan.
- As a minimum it would be anticipated that the Proposed District Plan change would be consistent with Proposed Plan Change 1 to Waikato Regional Plan.

Point Number 493.37

Summary of Decision Requested: Retain earthworks on Maaori Sites of Significance and Maaori Areas of significance as a restricted discretionary activity.

Decision Reasons:

- Earthworks on Maaori Sites of Significance and Maaori Areas of significance are a restricted discretionary activity. Submitter supports this as early warning when such activities are being undertaken.

Submitter Number: 494 **Submitter:** Derek Tate
On behalf of: D & J Tate

Point Number 494.1

Summary of Decision Requested: Delete the Airport Obstacle Limitation Surface Overlay from the property at 219 Woolrich Road, Te Kowhai.

Decision Reasons:

- Council staff do not have a clear understanding as to how this change was decided e.g. using what methodology
- Council staff do not have an understanding as to why the Airport Obstacle Limitation Surface is on the property.
- Council staff do not know how the overlay will affect the property, as some of it is the airfield's height.
- Height restrictions are in place under the Operative District Plan.

Point Number 494.2

Summary of Decision Requested: Delete the Significant Natural Area from the property at 72 James Road, Huntly.

Decision Reasons:

- The mapped Significant Natural Area contains no significant vegetation or natural habitat.
- The land is in pasture.
- It has a high water table when Lake Hakanoa is flooding during the winter.
- There are some bushes growing due to the wet area.
- Council have previously visited the site and agreed to remove the Significant Natural Area in 2015.

Point Number 494.3

Summary of Decision Requested: Delete the Significant Amenity Landscape from the property at 185B Hakarimata Road, Ngaruawahia.

Decision Reasons:

- This is a very small area of land that is separated from the River Bank by Hakarimata Road.
- This area on the submitter's property is flat, in pasture and includes a house.

Point Number 494.4

Summary of Decision Requested: Delete the Significant Natural Area from the property at 185B Hakarimata Road, Ngaruawahia.

Decision Reasons:

- The proposed is not just a name change. It is changing the property from making the owner able to making the owner unable to do anything easily, such as cutting the tree.
- The proposed overlay is changing this property into a Reserve for the public, with no compensation for landowners.

Point Number 494.5

Summary of Decision Requested: Delete the Outstanding Natural Feature from the property at 185B Hakarimata Road, Ngaruawahia.

Decision Reasons:

- The ONF has been arbitrarily placed on the property without any due diligence as to what is around it. i.e grass, pine forest.
- There is already policy in place to preserve/protect this area, re 60m line.
- The ONF also restricts access within the property for future foresting of the pine forest.
- The ONF is changing this property into a reserve for the public with no compensation for the landowner.

Submitter Number: 495 **Submitter:** Norris Peart

Point Number	495.1
Summary of Decision Requested:	Amend the boundary of the Maaori Site of Significance overlay R14/51 at 274 Okete Road, Raglan so that the southern boundary is aligned with the existing fence protecting the site.
Decision Reasons:	<ul style="list-style-type: none"> The mapped area of the Maaori Site of Significance R14/51 does not align with the area historically and currently protected by the existing landowners, whose family has farmed there since 1910. The currently protected area is considerably larger than required to protect the sites.
Point Number	495.2
Summary of Decision Requested:	Amend the boundary of the Natural Character overlay at 274 Okete Road, Raglan so that the southern boundary is aligned with the existing fence put in place over 40 years ago in consultation with Council to protect these areas, including Maaori Site of Significance R14/51.
Decision Reasons:	<ul style="list-style-type: none"> The mapped area of the Natural Character does not align with the area historically and currently protected by the existing landowners, whose family has farmed there since 1910. The existing protected area was put in place over 40 years ago in consultation with Council. The proposed area has large open spaces of grazing land.
Point Number	495.3
Summary of Decision Requested:	Amend the boundary of the Significant Natural Area at 274 Okete Road, Raglan so that the southern boundary is aligned with the existing fence put in place over 40 years ago, in consultation with Council to protect these areas, including Maaori Site of Significance R14/51.
Decision Reasons:	<ul style="list-style-type: none"> The existing protected area was put in place over 40 years ago in consultation with Council. The proposed area has large open spaces of grazing land.

Submitter Number:	496	Submitter:	Andrea Millar
Organisation:	The Department of Corrections		
Point Number	496.1		
Summary of Decision Requested:	Add a new definition for "community corrections activity" in Chapter 13 Definitions, as follows: <u>Community corrections activity</u> <i>Means the use of land and buildings for non-custodial services for safety, welfare and community purposes, including probation, rehabilitation and reintegration services, assessments, reporting, workshops and programmes, administration, and a meeting point for community works groups.</i> And any other consequential amendments required to give effect to this relief.		
Decision Reasons:	<ul style="list-style-type: none"> Non-custodial corrections activities (and the associated facilities) do not clearly fall within any of the current activity definitions of the Plan, and consequently are not specifically provided for under the rules of any of the zones. It would then default to discretionary or non-complying. Community corrections activities are essential social infrastructure and play a valuable role in reducing reoffending. They enable people and communities to provide for their social and cultural well-being and for their health and safe 		
Point Number	496.2		
Summary of Decision Requested:	Amend the definition of "community activity" in Chapter 13 Definitions, as follows: <i>Community activity</i> <i>Means the construction and use of public land and buildings which provides for individual or community health, welfare, care, safety, recreation, cultural, ceremonial, spiritual, community corrections activities, art and craft purposes and includes cemeteries.</i> AND Any other consequential amendments required to give effect to this relief.		
Decision Reasons:	<ul style="list-style-type: none"> A definition is provided for community activity but it does not specifically incorporate community corrections activities. Community corrections activities are essential social infrastructure and play a valuable role in reducing reoffending. They enable people and communities to provide for their social and cultural well-being and for their health and safety. This is to allow for their reference and integration with the Plan. The amendment of the definition of community activity will result in community corrections activities becoming a subset of this definition. Adopting this approach means that community corrections activities can be considered together with community activities throughout the Plan where this is appropriate, whilst also allowing reference to them specifically where this is necessary. 		
Point Number	496.3		
Summary of Decision Requested:	Retain the definition of "correctional facility" in Chapter 13 Definitions, as notified.		
Decision Reasons:	<ul style="list-style-type: none"> This will enable custodial corrections activities to be considered and provided for appropriately. 		
Point Number	496.4		
Summary of Decision Requested:	Retain the definition of "residential activity" in Chapter 13 Definitions as notified.		
Decision Reasons:	<ul style="list-style-type: none"> The submitter has self-care units both within the grounds of its correctional facilities and in the community. Self-care units are residential accommodation that are occupied by offenders nearing release (located on prison grounds) or following release (located in the 		

- community). They are designed to assist offenders with integration back into the community. They encompass a household living scenario. They have all the characteristics of residential activities.
- The proposed definition reflects living and care arrangements within the community, including that undertaken by the Department in its self-care units.

Point Number 496.5

Summary of Decision Requested: Amend Rule 16.1.2 P7 Permitted Activities, to provide an exclusion for a community corrections activity as follows:

P7 Community activity –

Activity Specific Conditions:

Excluding a community correction activity, ##

AND

Any other consequential amendments required to give effect to this relief.

Decision Reasons:

- The submission is seeking community correction activities be a subset of community activities.
- This would result in community correction activities being permitted in the Residential Zone. This is not an appropriate outcome for the zone, as the activity has the potential to result in adverse effects on residential character and amenity.
- It is appropriate that any community corrections activity in the Residential Zone is subject to a resource consent application to assess the effects on the environment.

Point Number 496.6

Summary of Decision Requested: Retain Rule 17.1.2 P3 Permitted Activities.

Decision Reasons:

- The submission is seeking community correction activities be a subset of community activities.
- This would result in community correction activities being permitted in the Business Zone.
- This activity is compatible and appropriate exemplified by the existing facilities that are located in the Business Zone within Huntly, Ngaruawahia and Raglan. Such facilities are appropriately suited to these areas on the basis that they are easily accessible to the communities they serve.
- Locating community corrections facilities in Business Zones mean that they have good accessibility to other social government agencies, such as the courts, Police and Work and Income.
- It would provide for community corrections activities therefore it is supported.

Point Number 496.7

Summary of Decision Requested: Retain Rule 18.1.2 P6 Permitted Activities.

Decision Reasons:

- The submission is seeking community correction activities be a subset of community activities.
- This would result in community correction activities being permitted in the Business Town Centre Zone.
- This activity is compatible and appropriate in this zone. Such facilities are appropriately suited to these areas on the basis that they are easily accessible to the communities they serve.
- Locating community corrections facilities in Business Zones mean that they have good accessibility to other social government agencies, such as the courts, Police and Work and Income.
- It would provide for community corrections activities therefore it is supported.

Point Number 496.8

Summary of Decision Requested: Add to Rule 20.1.1 Permitted Activities a new activity:

P7 Community corrections activity –

Activity specific conditions:

Nil

AND

Any other consequential amendments required to give effect to this relief.

Decision Reasons:

- Because community correction facilities are not listed, this would result in community correction activities being non-complying in the Industrial Zone, but it is an appropriate and compatible activity within the Industrial Zone.
- Industrial Zones provide suitable sites for community corrections activities, in particular the community work components where large sites with yard-based activities and large equipment and/or vehicle storage are often required.
- This rule should provide for community corrections activities in the Industrial Zone.

Point Number 496.9

Summary of Decision Requested: Amend Rule 24.1.1 P5 Permitted Activities, to provide an exclusion for community corrections activity as follows:

P5 Community activity –

Activity specific conditions

Excluding a community correction activity, ##

AND

Any other consequential amendments required to give effect to this relief.

Decision Reasons:

- This would result in community correction activities being permitted in the Village Zone. The submitter considers it appropriate that this activity in the Village Zone should be subject to a resource consent application process to allow the Council to assess the effects on the environment.

Point Number 496.10

Summary of Decision Requested: Retain the provisions in the Proposed District Plan as notified, other than the provisions addressed in the submission.

Decision Reasons:

- Submitter supports the remainder of the Proposed District Plan provisions.

Point Number 496.11

Summary of Decision Requested: Retain the definition of "Residential unit" in Chapter 13 Definitions.

Decision Reasons:

- The submitter has self-care units both within the grounds of its correctional facilities and in the community. Self-care units are residential accommodation that are occupied by offenders nearing release (located on prison grounds) or following release (located in the community). They are designed to assist offenders with integration back into the community. They encompass a household living scenario. They have all the characteristics of residential activities.
- The definition reflects living and care arrangements, such as those provided within self-care units monitored by the Department.
- The definition recognises and captures a variety of household types.

Point Number 496.12

Summary of Decision Requested: Add a new definition for "household" in Chapter 13 Definitions, as follows:

Household

Means a person or group of people who live together as a unit whether or not:

(a) Any or all of them are members of the same family; or

(b) One or more members of the group (whether or not they are paid), provides day-to-day care, support and supervision to any other member(s) of the group.

AND

Any other consequential amendments required to give effect to this relief.

Decision Reasons:

- The submitter has self-care units both within the grounds of its correctional facilities and in the community. Self-care units are residential accommodation that are occupied by offenders nearing release (located on prison grounds) or following release (located in the community). They are designed to assist offenders with integration back into the community. They encompass a household living scenario. They have all the characteristics of residential activities.
- The definitions of residential activity and residential unit refer to household, however no definition is provided for such.
- A new definition provides for clarity.
- It captures modern living arrangements, including the sort that are supported within self-care facilities provided by the department – not limited to a family unit or flatting agreement.

Submitter Number: 497

Submitter:

Shane Smart

Point Number 497.1

Summary of Decision Requested: Retain Chapter 9.2 Te Kowhai Airpark, as notified.

Decision Reasons:

- The submitter is a local plane owner and a local resident.

Point Number 497.2

Summary of Decision Requested: Retain Chapter 27 Te Kowhai Airpark zone, as notified.

Decision Reasons:

- The submitter is a local plane owner and a local resident.

Submitter Number: 498

Submitter:

Kent Baigent

Organisation: Tuakau Business Park Limited

Point Number 498.1

Summary of Decision Requested: Amend Chapter 14.1.1 Water wastewater and stormwater; to confirm cost sharing, to enable developers to recover a fair, equitable and proportionate proportion of the total cost of capital expenditure necessary to service growth or existing development upstream of new developments.

Decision Reasons:

- Existing infrastructure from neighbouring properties and the road reserve, which is legally unprotected, is being conveyed into the subject properties at 94 and 100D Bollard Road, Tuakau, increasing the overall volume for catchment analysis and calculations for further subdivision.
- Waikato District Council have advised that in order to satisfy the conditions of a subdivision consent on the subject property, the developer is required to upgrade the servicing of the entire stormwater catchment, without compensation.
- If developers have to cater for publically owned land, existing or future development of private land upstream, and subsequently be required to increase capacity of the new water, wastewater and stormwater infrastructure to accommodate this additional volume, then a fair, equitable and proportionate portion of the total cost of capital expenditure necessary to service growth or existing development up-catchment should be provided to the developer by the territorial authority and or contributing properties.
- In order to be consistent with the Local Government Act which allows territorial authorities to recover costs from developers for the additional burden on infrastructure through financial Development Contributions, it is only fair that private developers receive the same if they incur additional costs to cater for wider catchments.

Point Number 498.2

Summary of Decision Requested: Amend Rule 20.1.1 P6 Permitted Activities, as follows:

Ancillary Detail - Does not exceed ~~40%~~ 30% of all buildings on the site.

Decision Reasons:

- No reasons provided.

Point Number

498.3

Summary of Decision Requested:

Delete resource recovery centres and recovery operations from Rule 20.1.2 D3 Discretionary Activities
AND
Add "resource recovery centres and recovery operation" to Rule 20.1.1 Permitted Activities.

Decision Reasons:

- No reasons provided.

Point Number

498.4

Summary of Decision Requested:

Amend Rule 20.4.1(a) Subdivision General, as follows:
(a) Subdivision must comply with all of the following conditions:
(i) Proposed lots must have a minimum net site area of ~~4000m²~~ 700m²
(ii) Proposed lots must have an average area of at least ~~2000m²~~ 1200m²
(iii) No more than ~~20%~~ 30% rear lots are created.

Decision Reasons:

- No reasons provided.

Point Number

498.5

Summary of Decision Requested:

Add a new activity to Rule 20.1.1 Permitted Activities, as follows:
Living quarters above warehousing/manufacturing.

Decision Reasons:

- No reason provided.

Submitter Number:

499

Submitter:

Adrian Morton

Point Number

499.1

Summary of Decision Requested:

Amend Policy 4.1.18 Raglan, to include the following (as a minimum):

- Consideration to Naturally Raglan documentation shall provide development guidance
- Development shall complement and maintain the Raglan's built form and character form that reflects its harbour setting and is compatible with Raglan's seaside village character.
- Protection of the coastal environment and character
- All residential development will utilise the Waikato Urban Design Guidelines Residential Subdivision'
- Town Development shall utilise the WDC Character statements – Raglan Town Centre as the minimum basis for any new buildings/development within the town
- Any development within the town centre (or overlay areas) shall be notified for public consultation
- The ongoing development of cycling and pedestrian facilities and links to the rural community
- Raglan is a place to work and live rather than a place of commuters

Decision Reasons:

- The policy for Raglan is totally inadequate and needs to be greatly expanded to ensure the character, amenity and aspirations of Raglan can be managed, maintained and achieved.
- Needs greater focus needs to be given to the vision and aspirations expressed by the community.
- The development and character assessment needs more work to define the character areas and the design guidelines/outcomes sought, in consultation with Raglan area residents.

Point Number

499.2

Summary of Decision Requested:

Amend Policy 4.1.18 Raglan, to require housing for the elderly in all new developments and designate the former Lazarus village to prevent it being sold off and redeveloped.

Decision Reasons:

- Supports WED's submission that states that the former Lazarus village is on fairly level ground, and is well suited to house Raglan's elderly.
- The former Lazarus village should be restored. Without protection there is the risk that it will be permanently lost.

Point Number

499.3

Summary of Decision Requested:

Amend Policy 5.3.9 Non-rural activities, to include "gun club shooting activities".

Decision Reasons:

- The noise and obtrusiveness of this activity is completely incompatible with the area, especially as it occurs over weekends.
- The inclusion would allow management/avoidance of existing/proposed gun club activities, which are incompatible with the local rural amenity values.

Point Number

499.4

Summary of Decision Requested:

Amend Policy 5.3.11 to include "promote".

AND

Amend the Proposed District Plan to remove the requirement for resource consent for home occupations;

OR

Amend the Proposed District Plan to make it easier and cheaper to obtain permission for a home office.

Decision Reasons:

There are real benefits in promoting and supporting occupation activities, including improved productivity by removing travel time, less travel and resulting in better environmental outcomes and promotes sustainable rural communities.

Point Number

499.5

Summary of Decision Requested:

Amend Policy 5.3.15 Noise and vibration to include:

- Defined flight path corridors for recreational and training light aircraft that avoid rural properties;
- Fly avoidance/exclusion zones; and
- Noise control of aircraft engines.

Decision Reasons:

- The number and frequency of light aircraft movement and noise within the area has increased dramatically over the past 10 years.
- The amenity is affected by the noise of small/light aircraft.
- The situation is likely to get worse with the demand for pilots and more local people flying.
- WDC need to map areas of low habitation and define acceptable flight path routes.
- The variation in engine noise of light aircraft needs to be managed.
- There are potential effects on resident's well-being and health.

Point Number

499.6

Summary of Decision Requested:

Add new Specific Zone for Raglan Township and surrounds.

Decision Reasons:

- Waikato's only substantial and special seaside community
- Concerned that Raglan's special character is being eroded
- Planning policy is inadequate to manage the future growth of Raglan
- Raglan has been identified as a special place for visitors
- The town's character is derived from its "wild west" environment

Point Number

499.7

Summary of Decision Requested:

Amend Rule 22.4.1.2 P3 (a)(iii) General subdivision to change maximum slopes from 1:2 to 1:2.5.

Decision Reasons:

- A 1:2 slope is on the limit of stability and would be poor practice to allow. At 1:2 slope instability/risk of failure is higher, unless a geotechnical design is developed to minimise the risk, plus steeper slopes are difficult to top soil and plant.
- Note: Potentially incorrect rule reference in submission.

Point Number

499.8

Summary of Decision Requested:

Amend Rule 22.4.4.4 P1 (a) General subdivision to add the text "over any consecutive 12 month time period"

Decision Reasons:

- To manage accumulative effects to ensure the character of the area is maintained, as incremental annual changes can amount to significant destruction or visual change of an areas resulting in adverse effects.
- Note: Potentially incorrect rule reference in submission.

Point Number

499.9

Summary of Decision Requested:

Amend Schedule 30.2 Notable Trees, to include the following notable trees associated with Raglan:

- Trees within 30 metres of the high water mark between the Bow St jetty and Helen Place, Raglan.
- Trees adjacent to the Raglan Airfield.
- Trees within 10 metres of Marine Parade.
- Trees between the recreation ground and Lily Street, Raglan.
- Trees on Wallis Street at the foot of Government Road, Raglan.
- Trees in the gully between Rose Street and Lily Street, Raglan.
- Trees to the south west of State Highway 23, Raglan between Hills Road and Greenslade Road.
- Trees in the Lorenzen Bay reserve.
- All large trees.

Decision Reasons:

- Notable Trees Schedule 30.2 clearly doesn't cover sufficient notable trees within the definition.
- Tree are important as they help define the character and amenity of Raglan plus provide diversity for wild life habitat (it is noted that only 160 notable trees are listed for the whole District).
- Tree protection is clearly inadequate, as unauthorised removal of listed trees by council has shown. Trees are important for landscape, nature and carbon storage.
- Large trees should all be protected.

Point Number

499.10

Summary of Decision Requested:

Amend Schedule 30.2 Notable Trees, to include the trees adjacent to the Raglan Airfield.

Decision Reasons:

- Notable Trees Schedule 30.2 clearly doesn't cover sufficient notable trees within the definition.
- Tree are important as they help define the character and amenity of Raglan plus provide diversity for wild life habitat (it is noted that only 160 notable trees are listed for the whole District).

- Tree protection is clearly inadequate, as unauthorised removal of listed trees by council has shown. Trees are important for landscape, nature and carbon storage.
- Large trees should all be protected.

Point Number 499.11

Summary of Decision Requested: Amend Schedule 30.2 Notable Trees, to include trees within 10 metres of Marine Parade.

Decision Reasons:

- Notable Trees Schedule 30.2 clearly doesn't cover sufficient notable trees within the definition.
- Tree are important as they help define the character and amenity of Raglan plus provide diversity for wild life habitat (it is noted that only 160 notable trees are listed for the whole District).
- Tree protection is clearly inadequate, as unauthorised removal of listed trees by council has shown. Trees are important for landscape, nature and carbon storage.
- Large trees should all be protected.

Point Number 499.12

Summary of Decision Requested: Amend Schedule 30.2 Notable Trees, to include the trees between the recreation ground and Lily Street, Raglan.

Decision Reasons:

- Notable Trees Schedule 30.2 clearly doesn't cover sufficient notable trees within the definition.
- Tree are important as they help define the character and amenity of Raglan plus provide diversity for wild life habitat (it is noted that only 160 notable trees are listed for the whole District).
- Tree protection is clearly inadequate, as unauthorised removal of listed trees by council has shown. Trees are important for landscape, nature and carbon storage.
- Large trees should all be protected.

Point Number 499.13

Summary of Decision Requested: Amend Schedule 30.2 Notable Trees, to include the trees on Wallis Street at the foot of Government Road, Raglan.

Decision Reasons:

- Notable Trees Schedule 30.2 clearly doesn't cover sufficient notable trees within the definition.
- Tree are important as they help define the character and amenity of Raglan plus provide diversity for wild life habitat (it is noted that only 160 notable trees are listed for the whole District).
- Tree protection is clearly inadequate, as unauthorised removal of listed trees by council has shown. Trees are important for landscape, nature and carbon storage.
- Large trees should all be protected.

Point Number 499.14

Summary of Decision Requested: Amend Rule 24.3.3.1 Height - Building general to encourage the use of variable building heights, stepped facades to maintain the built character of Raglan for example:

A maximum height of a building must not exceed 7.5m, and where continuous roof lines occur (more than one unit) then variable roof lines should be implemented to maintain the character and amenity of Raglan

Decision Reasons:

- The provision for a 'maximum height' makes it more of a target and does not allow/encourage variable roof heights that would be better at complementing the built character of Raglan. Housing in and around Raglan typically have variable heights and forms that contribute to the character of the area, which needs to be reflected in the policy.

Point Number 499.15

Summary of Decision Requested: Amend Policy 8.1.2 Provision, use and development of public open space and reserves, to require that residential development will conform to the Residential Subdivision Urban Design Guidelines in relation to layout around open space and stormwater design features.

Decision Reasons:

- Developments need to ensure properties integrate with open space and stormwater devices such as wetland ponds rather than have them fenced in or with properties 'turning' their back to them.

Point Number 499.16

Summary of Decision Requested: Amend Policy 8.1.3 to add provision for new cycle/walkways, not only in major new developments but to implement to Councils Walking, Cycling and Bridle Trails strategy

Decision Reasons:

- 1.10.2.3 includes the Strategy as relevant, yet there is no timeframe for implementation of the Strategy. Without support from the District Plan it is unlikely that most of the Strategy will be achieved. 4.1.8 states the Plan will, - "(a) Ensure effective integration within and between new developments and existing areas, including in relation to public open space networks and infrastructure by: (i) Providing good access to facilities and services by a range of transport modes through the provision of integrated networks of roads, public transport, cycle, and pedestrian routes".
- 4.1.10 Policy - Tuakau, 4.1.11 Policy - Pokeno, 4.1.12 Policy - Te Kauwhata, 4.1.14 Policy - Taupiri, 4.1.15 Policy - Ngaruawahia, 4.1.16 Policy - Horotiu and 4.1.17 Policy - Te Kowhai all mention walking and cycling provision, though leave the means and locations unclear.
- 4.1.18 Policy - Raglan is the only town policy not to mention cycling and walking, despite a May 2018 staff report to Council saying, "Raglan has the district's highest walking/cycling communities".
- For example, 1.4.2.2 mentions, "Revocation of parts of State Highway 1 will offer opportunities for some town centre improvements and cycle/walk ways", yet nowhere in the Plan is it indicated where some might be, though it is clearly a land use issue. At the last Plan revision, Council said detailed rules for walk/cycleways are not appropriate for a District Plan, yet have expanded to 35 pages the detail in 14.12 about vehicle turning circles, road widths, sight lines, etc. By contrast, there is just a rule about buses having a space for 200 school students and a rule that some new buildings should have cycle parking.
- On page 42 Raglan Naturally says, "There is strong public support for harbour and coastal walkways." and "Create coastal walkways, eg Raglan to Whale Bay, Whale Bay to Te Toto Gorge." This local support reflects national trends; time use surveys show walking as being ahead of all other active sports and pursuits. European surveys have similar results, so that environmental tourism, encouraging tourists to spend more time walking than driving, could be made a much more valuable asset, giving an economic, as well as health and recreation, impetus to the need to implement policies in recognition of the importance of walking and cycling as noted at 1.4.3.1. The lack of progress indicates that opportunities are not taken with subdivisions and that more detail needs to be included in the District Plan.

Point Number 499.17

Summary of Decision Requested: **Add** the following to the planning maps:

- The planned Wainui Road to Te Hutewai Road walk/cycle track
- All unformed roads not shown on the maps
- All the tracks shown on the Strategy maps.
- Walk ways through the residential zones linking Lorenzen Bay with Kaitoke Walkway.
- A cycle track from Wallis Street to Violet Street, Raglan.
- Circular walk around Raglan
- A link from Raglan to the Te Ararua walkway using paper roads via Karioi and Bridal Veil Falls.
- Walkway/cycleway/bridle way maps to include walkways, and where possible cycleways, along the whole coast.
- A track from Raglan to the summit of Karioi using esplanades, reserves and paper roads.
- A link along Wainui Stream from Wainui Reserve to Bryant Reserve.

Decision Reasons:

- 1.10.2.3 includes the Strategy as relevant, yet there is no timeframe for implementation of the Strategy. Without support from the District Plan it is unlikely that most of the Strategy will be achieved. 4.1.8 states the Plan will,
- "(a) Ensure effective integration within and between new developments and existing areas, including in relation to public open space networks and infrastructure by:
(i) Providing good access to facilities and services by a range of transport modes through the provision of integrated networks of roads, public transport, cycle, and pedestrian routes".
- 4.1.10 Policy - Tuakau, 4.1.11 Policy - Pokeno, 4.1.12 Policy - Te Kauhata, 4.1.14 Policy - Taupiri, 4.1.15 Policy - Ngaruawahia, 4.1.16 Policy - Horotiu and 4.1.17 Policy - Te Kowhai all mention walking and cycling provision, though leave the means and locations unclear.
- 4.1.18 Policy - Raglan is the only town policy not to mention cycling and walking, despite a May 2018 staff report to Council saying, "Raglan has the district's highest walking/cycling communities".
- For example, 1.4.2.2 mentions, "Revocation of parts of State Highway 1 will offer opportunities for some town centre improvements and cycle/walk ways", yet nowhere in the Plan is it indicated where some might be, though it is clearly a land use issue. At the last Plan revision, Council said detailed rules for walk/cycleways are not appropriate for a District Plan, yet have expanded to 35 pages the detail in 14.12 about vehicle turning circles, road widths, sight lines, etc. By contrast, there is just a rule about buses having a space for 200 school students and a rule that some new buildings should have cycle parking.
- On page 42 Raglan Naturally says, "There is strong public support for harbour and coastal walkways." and "Create coastal walkways, eg Raglan to Whale Bay, Whale Bay to Te Toto Gorge." This local support reflects national trends; time use surveys show walking as being ahead of all other active sports and pursuits. European surveys have similar results, so that environmental tourism, encouraging tourists to spend more time walking than driving, could be made a much more valuable asset, giving an economic, as well as health and recreation, impetus to the need to implement policies in recognition of the importance of walking and cycling as noted at 1.4.3.1. The lack of progress indicates that opportunities are not taken with subdivisions and that more detail needs to be included in the District Plan.

Point Number 499.18

Summary of Decision Requested: **Amend** Rule 16.4.14(b) Subdivision of esplanade reserves and esplanade strips to require the developer of lots 4ha to provide esplanade facilities that will include as a minimum a 1.8m wide timber edge gravel path walkway and 10% of area landscape planting.

Decision Reasons:

- To promote the development and linkages of esplanade areas to increase the areas walking and cycling facilities.

Point Number 499.19

Summary of Decision Requested: **Add** a resource management framework for the management of Genetically Modified Organisms that is regional specific taking into account environmental, economic and social well-being considerations.

Decision Reasons:

The submitter has significant concerns about the potential risks posed by the release of GMOs into the environment and the ethical issues associated with the development of GMOs in relation to food, pest control, corporate control and financial gain. GMOs have the potential to adversely affect ecological, economic, and resource management values, and the social and cultural wellbeing of people, communities and tangata whenua that may not be able to be avoided, remedied or mitigated.

1. The release of GMOs has a potential to cause significant adverse effects on the environment, which could include:

- (a) biological or ecosystem harm or damage;
- (b) harm to tangata whenua cultural values such as mauri and tikanga especially in relation to native plants and animals;
- (c) harm to the cultural values and lifestyle decisions of people and communities at a local level concerning what constitutes their wellbeing. This is particularly relevant in relation to the quality of food and potential health related issues of GMO food on humans (extent of research is poor and the research that does exist indicates issues around GMO foods); and
- (d) harm from GMO contamination to existing or potential forms of land use including farming, forestry, beekeeping, marine farming and other primary production activities dependent on an uncontaminated environmental brand. Adverse effects to these land uses could include:
 - (i) loss of organic and GMO-free certification;
 - (ii) reputational damage;
 - (iii) loss of markets and premiums paid for GMO free produce; and
 - (iv) loss of livelihood.

2. No matter how carefully conditions of consent for GMOs are crafted, there inevitably remains a risk, even if small, that conditions may be breached by poor management, human error, natural events such as severe storms and even the sabotage of projects.

3. Once GMOs have been released into the environment, they would be very difficult if not impossible to eradicate. In the case of a food product, the "GE free" status of a district would likely be lost permanently along with the market advantages of that status.

4. Application of integrated management and a strong precautionary approach to GMOs under the RMA is the best available technique for managing the potential adverse effects posed by GMOs within the region. In addition, the liability of cross contamination of non-GMO crops should be held to the manufacturer or registered user(s) to protect growers that do not support this flawed science model.

5. It is consistent with the sustainable management purpose and Part II of the RMA to establish district plan provisions (e.g. issues, objectives, policies, rules and methods) that manage the release, location and management of GMOs where they have the potential to adversely affect the environment and other land use activities.

Point Number 499.20

Summary of Decision Requested: **Add** strong precautionary and prohibitive provisions, policies and rules relating to GMOs that are the same (or similar) as those in the Far North District Plan, the Whangarei District Plan and the Auckland Unitary Plan, to ensure a consistent approach across Northland, Auckland and the Waikato and to eliminate cross boundary issues.

Decision Reasons:

The submitter has significant concerns about the potential risks posed by the release of GMOs into the environment and the ethical issues associated with the development of GMOs in relation to food, pest control, corporate control and financial gain. GMOs have the potential to adversely affect ecological, economic, and resource management values, and the social and cultural wellbeing of people, communities and tangata whenua that may not be able to be avoided, remedied or mitigated.

1. The release of GMOs has a potential to cause significant adverse effects on the environment, which could include:

- (a) biological or ecosystem harm or damage;
- (b) harm to tangata whenua cultural values such as mauri and tikanga especially in relation to native plants and animals;
- (c) harm to the cultural values and lifestyle decisions of people and communities at a local level concerning what constitutes their wellbeing. This is particularly relevant in relation to the quality of food and potential health related issues of GMO food on humans (extent of research is poor and the research that does exist indicates issues around GMO foods); and
- (d) harm from GMO contamination to existing or potential forms of land use including farming, forestry, beekeeping, marine farming and other primary production activities dependent on an uncontaminated environmental brand. Adverse effects to these land uses could include:
 - (i) loss of organic and GMO-free certification;

- (ii) reputational damage;
 - (iii) loss of markets and premiums paid for GMO free produce; and
 - (iv) loss of livelihood.
2. No matter how carefully conditions of consent for GMOs are crafted, there inevitably remains a risk, even if small, that conditions may be breached by poor management, human error, natural events such as severe storms and even the sabotage of projects.
3. Once GMOs have been released into the environment, they would be very difficult if not impossible to eradicate. In the case of a food product, the "GE free" status of a district would likely be lost permanently along with the market advantages of that status.
4. Application of integrated management and a strong precautionary approach to GMOs under the RMA is the best available technique for managing the potential adverse effects posed by GMOs within the region. In addition, the liability of cross contamination of non—GMO crops should be held to the manufacturer or registered user(s) to protect growers that do not support this flawed science model.
5. It is consistent with the sustainable management purpose and Part II of the RMA to establish district plan provisions (e.g. issues, objectives, policies, rules and methods) that manage the release, location and management of GMOs where they have the potential to adversely affect the environment and other land use activities.

Point Number 499.21

Summary of Decision Requested: Amend Schedule 30.2 Notable Trees, to include the trees in the gully between Rose Street and Lily Street, Raglan.

Decision Reasons:

- Notable Trees Schedule 30.2 clearly doesn't cover sufficient notable trees within the definition.
- Tree are important as they help define the character and amenity of Raglan plus provide diversity for wild life habitat (it is noted that only 160 notable trees are listed for the whole District).
- Tree protection is clearly inadequate, as unauthorised removal of listed trees by council has shown. Trees are important for landscape, nature and carbon storage.
- Large trees should all be protected.

Point Number 499.22

Summary of Decision Requested: Amend Schedule 30.2 Notable Trees, to include the trees to the south west of State Highway 23, Raglan between Hills Road and Greenslade Road.

Decision Reasons:

- Notable Trees Schedule 30.2 clearly doesn't cover sufficient notable trees within the definition.
- Tree are important as they help define the character and amenity of Raglan plus provide diversity for wild life habitat (it is noted that only 160 notable trees are listed for the whole District).
- Tree protection is clearly inadequate, as unauthorised removal of listed trees by council has shown. Trees are important for landscape, nature and carbon storage.
- Large trees should all be protected.

Point Number 499.23

Summary of Decision Requested: Amend Schedule 30.2 Notable Trees, to include trees in the Lorenzen Bay reserve.

Decision Reasons:

- Notable Trees Schedule 30.2 clearly doesn't cover sufficient notable trees within the definition.
- Tree are important as they help define the character and amenity of Raglan plus provide diversity for wild life habitat (it is noted that only 160 notable trees are listed for the whole District).
- Tree protection is clearly inadequate, as unauthorised removal of listed trees by council has shown. Trees are important for landscape, nature and carbon storage.
- Large trees should all be protected.

Point Number 499.24

Summary of Decision Requested: Amend Schedule 30.2 Notable Trees to include all large trees.

Decision Reasons:

- Notable Trees Schedule 30.2 clearly doesn't cover sufficient notable trees within the definition.
- Tree are important as they help define the character and amenity of Raglan plus provide diversity for wild life habitat (it is noted that only 160 notable trees are listed for the whole District).
- Tree protection is clearly inadequate, as unauthorised removal of listed trees by council has shown. Trees are important for landscape, nature and carbon storage.
- Large trees should all be protected.

Point Number 499.25

Summary of Decision Requested: Amend Rule 24.2.8 P6 Indigenous vegetation clearance inside a Significant Natural Area to reduce the 5m³ limit to 3m³ and remove reference to the Coastal Environment.

Decision Reasons:

- Manuka and kanuka are important habitat environments and provide visual amenity. Therefore, 3m³ should be adequate for heating purposes with non-native wood sources available.

Submitter Number: 500

Submitter: Andrea Cadwallader

Point Number 500.1

Summary of Decision Requested: Retain Chapter 9.2 Te Kowhai Airpark as notified.

Decision Reasons:

- The submitter is a local resident.
- Professional interest in airfield.

Point Number 500.2

Summary of Decision Requested: Retain Chapter 27 Te Kowhai Airpark Zone, as notified.

Decision Reasons:

- The submitter is a local resident.
- Professional interest in airfield.

Submitter Number:	501	Submitter:	John Swann
Point Number	501.1		
Summary of Decision Requested:	Amend the extent of the Significant Natural Area on the property at 65 Karioi Road, Raglan to reduce the size of it as shown on the map attached to the submission.		
Decision Reasons:	<ul style="list-style-type: none"> • Parts of proposed Significant Natural Area is 20-30 year old Kanuka/Manuka. These are low quality trees. • There is also gorse woolly nightshade, blackberry. • The attached map to the submission indicates areas that have higher value vegetation. 		
Point Number	501.2		
Summary of Decision Requested:	Amend Rule 22.2.3.3 Earthworks - Significant Natural Areas, to permit earthworks to construct new tracks through Significant Natural Areas.		
Decision Reasons:	<ul style="list-style-type: none"> • This rule needs to enable the construction of tracks in Significant Natural Areas associated with farming operations and developments. 		
Point Number	501.3		
Summary of Decision Requested:	Amend Rule 22.2.7 P2 Indigenous vegetation clearance inside a Significant Natural Area by deleting '5m ³ ' and 'coastal environment'.		
Decision Reasons:	<ul style="list-style-type: none"> • Kanuka/Manuka matures quickly and spreads easily. • Kanuka/Manuka is good firewood. • Kanuka/Manuka does not need protecting. 		

Submitter Number:	502	Submitter:	Se Gi Noh
Point Number	502.1		
Summary of Decision Requested:	Amend zoning of the properties on the western side of Helenslee Road and north of Munro and Huia Roads, Pokeno (see maps included in the submission) from the proposed Residential Zone to Rural Zone. The addresses are:		
	(a) 53, 53A and 55 Munro Road		
	(b) 87, 109, 119, 133, 145A, 145B and 145C Helenslee Road		
Decision Reasons:	<ul style="list-style-type: none"> • The proposed re-zoning doesn't include 166 Pokeno Road, which is in the same Central Rural Area. 		
Point Number	502.2		
Summary of Decision Requested:	Amend the zoning of the property at 166 Pokeno Road, Pokeno from Rural Zone to Residential Zone.		
Decision Reasons:	<ul style="list-style-type: none"> • The site is within 400m of the bus route. • The property is within the Central Rural Area, same as the properties proposed as Residential Zone on the western side of Helenslee Road. • The zoning of land on the northern side of the railway line should match that on the southern side of the railway line on Pokeno Road. • The property is surrounded by two roads so has easy access for residential dwellings. 		

Submitter Number:	503	Submitter:	Kenneth Rowe
Point Number	503.1		
Summary of Decision Requested:	Amend the zoning of the property at 233 Wilton Collieries Road (Lot 20 DP 431591) from Rural Zone to Country Living Zone to join up with the Operative District Plan zoning of the neighbouring property.		
Decision Reasons:	<ul style="list-style-type: none"> • The land is not sustainable for commercial farming and is better off for housing. • The property was zoned Country Living Zone in the Operative District Plan. 		

Submitter Number:	504	Submitter:	Michael Edmonds
Point Number	504.1		
Summary of Decision Requested:	Amend Section 2.2(a) Background, to apply the RMA definitions as follows:		

Tangata whenua: In relation to a particular area, means the iwi, or hapu, that holds mana whenua over that area.

Mana whenua: Means customary authority exercised by an iwi or hapu in an identified area.

AND

Amend Section 2.2 Background which states that Waikato-Tainui is Tangata whenua of the Waikato District.

Decision Reasons:

- Waikato-Tainui is not 'the' Tangata whenua, as if to proclaim that they are an entity that is has a higher status than other iwi, hapu and marae.
- Waikato-Tainui Iwi Authority was established to receive settlement funds from the Crown as a result of Raupatu. Waikato District Council must not confuse authority exercised by an iwi or this entity with its obligation under the RMA to all Tangata whenua groupings within its district.
- On behalf of the Uri o Te Kopua 2B3, the only Tangata whenua in Whaingaroa are those that can whakapapa to Whaingaroa.

Ko Karioi te maunga

Ko Whaingaroa te Moana
Ko Tainui te Waka
Ko Tainui te Iwi
Ko Ngati Koata, Ngati Hounuku,
Ngati Te Ikaunahi, Ngati Kahu, Ngati Karu,
Ko Ngati Paetoka, Ngati Pukoro, Ngati Tira,
Ngati RuaAruhe, Ngati Heke, Ngati Tahau,
Ngati Te Kore nga hapu

Point Number

504.2

Summary of Decision Requested:

Amend the rules to provide for the following as permitted activities on Riria Kereopa Drive, Raglan.

- Facilities for surface water activities;
- Recreation;
- Kohanga reo;
- Education facilities;
- Public toilets;
- Camp site and associated car wash, grocery or boating store and marae;
- Restaurant;
- Conference facilities; and
- Travellers' accommodation.

Decision Reasons:

- The current (operative) rules reflect the aspirations of the Uri o Te Kopua 2B3 Trust shareholders.

Point Number

504.3

Summary of Decision Requested:

Retain and protect Maaori sites of significance in Schedule 30.3.

Decision Reasons:

- Supports the protection and retention of Maori sites of significance.

Point Number

504.4

Summary of Decision Requested:

Retain and protect Maaori areas of significance in Schedule 30.4.

Decision Reasons:

Supports the protection and retention of Maori areas of significance.

Submitter Number:

505

Submitter:

Keren Paekau

On behalf of:

Te Kopua 2B3 Incorporation

Point Number

505.1

Summary of Decision Requested:

Amend Section 2.2(a) Background, to apply the RMA definitions, as follows:

Tangata whenua: In relation to a particular area, means the iwi, or hapu, that holds mana whenua over that area.

Mana whenua: Means customary authority exercised by an iwi or hapu in an identified area.

AND

Amend Section 2.2 Background, which states that Waikato-Tainui is Tangata whenua of the Waikato District.

Decision Reasons:

- Waikato-Tainui is not 'the' Tangata whenua, as if to proclaim that they are an entity that is has a higher status than other iwi, hapu and marae.
- Waikato-Tainui Iwi Authority was established to receive settlement funds from the Crown as a result of Raupatu. Waikato District Council must not confuse authority exercised by an iwi or this entity with its obligation under the RMA to all Tangata whenua groupings within its district.
- On behalf of the Uri o Te Kopua 2B3, the only Tangata whenua in Whaingaroa are those that can whakapapa to Whaingaroa.

Ko Karioi te maunga
Ko Whaingaroa te Moana
Ko Tainui te Waka
Ko Tainui te Iwi
Ko Ngati Koata, Ngati Hounuku,
Ngati Te Ikaunahi, Ngati Kahu, Ngati Karu,
Ko Ngati Paetoka, Ngati Pukoro, Ngati Tira,
Ngati RuaAruhe, Ngati Heke, Ngati Tahau,
Ngati Te Kore nga hapu

Point Number

505.2

Summary of Decision Requested:

Amend the rules to provide for the following as permitted activities on Riria Kereopa Drive, Raglan:

- Facilities for surface water activities;
- Recreation;
- Kohanga reo;
- Education facilities;
- Public toilets;
- Camp site and associated car wash,
- Grocery or boating store and marae;
- Restaurant; Conference facilities; and Travellers' accommodation.

Decision Reasons:

- The current (operative) rules reflect the aspirations of the Uri o Te Kopua 2B3 Trust shareholders and align with the Tihei Mauriora Plan lodged with Council.

Point Number 505.3

Summary of Decision Requested: **Retain** and protect the Maori Sites of Significance in Schedule 30.3.

Decision Reasons:

- Supports the protection and retention of Maori sites of significance.

Point Number 505.4

Summary of Decision Requested: **Retain** and protect Maori Areas of Significance in Schedule 30.4.

Decision Reasons:

- Support the protection and retention of Maori Areas of Significance.

Submitter Number: 506 **Submitter:** Dean Hansen

Organisation: Hansens Farms Ltd

Point Number 506.1

Summary of Decision Requested: **Clarify** why an area of 83 Paulsen Road, Waerenga is identified as a Significant Amenity Landscape;
AND
Amend the District Plan to provide for track maintenance in the Significant Amenity Landscape.

Decision Reasons:

- The submitter has always wanted to build a small house in the vicinity of the Significant Amenity Landscape.
- Have camped up there in a tent.
- Need to continue maintaining the existing track as it is used for a community fundraising event every year.
- Too dangerous to fence, if fenced weeds and scrubs would take over and change the area for the worse.
- Questions the value of Significant Amenity Landscape to anyone other than the landowners and visitors.

Point Number 506.2

Summary of Decision Requested: **Clarify** why three Significant Natural Areas have been identified on 83 Paulsen Road, Waerenga.

Decision Reasons:

- Submitter has not been informed or convinced by Waikato District Council how they decided these were Significant Natural Areas or what makes them Significant Natural Areas.
- Two of the Significant Natural Areas are thin patches of T-Tree which you can see through.
- These areas do not warrant being called or identified as Significant Natural Areas.

Submitter Number: 507 **Submitter:** Whitford Farms Limited

Point Number 507.1

Summary of Decision Requested: **Retain** Objective 5.1.1 The Rural Environment, as notified.

Decision Reasons:

- The Waikato District has valuable areas of high class soils which are of primary importance for food production both regionally and nationally.
- Protecting these soils from adverse effects of inappropriate use and development is of national importance and is recognised with a National Policy Statement for Versatile Land and High Class Soils under consideration.
- Urban subdivision is an inefficient use of rural production land.
- Urban subdivision, particularly ad-hoc subdivision, may undermine the integrated development of identified townships and expansion areas.
- Agree that urban development in the rural environment is contrary to the intent of the Proposed District Plan and should be avoided.

Point Number 507.2

Summary of Decision Requested: **Retain** Objective 5.2.1 Rural resources, except for the amendments sought below
AND

Amend Objective 5.2.1 (a) (i) Rural resources, as follows:

(a) *Maintain or enhance the:*

(i) *Inherent life-supporting capacity, accessibility and versatility of soils, in particular high class soils...*

Decision Reasons:

- Accessibility to versatile land is also a key consideration in managing this resource and should be included in this policy.

Point Number 507.3

Summary of Decision Requested: **Retain** Policy 5.2.2 High class soils, as notified.

Decision Reasons:

- Policy 5.2.2 seeks to retain high class soils and ensure adverse effects do not compromise the life support properties of high class soil.

Point Number 507.4

Summary of Decision Requested: **Amend** Objective 5.3.1 Rural character and amenity, as follows:

Rural character and amenity are maintained while recognising the localised character of different parts of the district.

Decision Reasons:

- Supports the intent of the objective but needs recognition of the variation of what defines rural character and amenity values across a large District.
- The Waikato District encompasses coastal areas, hill country comprising large landholdings and primarily pastoral uses and smaller landholdings which is used for higher value production activities such as intensive cropping, greenhouses etc.
- Consideration of "Rural Character" should take into account the unique variables of the locality including land holding pattern, built form, landuse activities, vegetation and geomorphology.

Point Number 507.5

Summary of Decision Requested: **Retain** Rule 22.4.1.2(a)(i-iii) General Subdivision, as notified.

Decision Reasons:

- The submitter supports the inclusion of the General Subdivision rules.

Point Number 507.6

Summary of Decision Requested: **Add** a new discretionary activity to Rule 22.4.1.2 General subdivision as follows:

DI

(a) *General subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.2. (iv) RD I.*

(b) *General subdivision around established rural activities that does not comply with Rule 22.4.1.2. (iv) RD I.*

Decision Reasons:

- General Subdivision creating a child lot around an existing dwelling, where a curtilage is established and farming regime is already in place on the balance lot, should be provided flexibility in lot size to ensure that the existing farming regime can continue.
- Ensure the boundaries proposed are a practical outcome to ensure the most efficient ongoing management of the land. A lot size consistent with the established farming regime will avoid the redevelopment of farm tracks and fence lines to access what is a relatively small piece of land.
- A discretionary rule should also be provided for lots less than 8,000m² and greater than 1.6ha where they contain an existing dwelling.
- There may be site specific factors that create a unique situation that is conducive to the proposed lot size whilst remaining consistent with the objectives and policies.
- For lots smaller than 8000m², it is only necessary to confirm the provision of services within the lot boundaries.
- Lots greater than 1.6ha may need an assessment with respect to the productive potential of the land. If the land comprises existing curtilage around the house then the lot will not result in any unreasonable effects with respect to the productive potential of the balance land. If the land comprises productive potential, then a Farm Management report should be provided to demonstrate that the both the proposed lot and the balance lot are sized to ensure rural land uses continue to predominate.
- Creation of lots that accommodate existing and well-established rural activities where these are of a viable, sustainable and permanent nature, and it is appropriate for these to be subdivided from other rural activities on the site should be provided for.

Point Number 507.7

Summary of Decision Requested: **Delete** Rule 22.4.1.2(a)(v) General subdivision (80/20 Rule)

AND

Add a new matter of discretion to Rule 22.4.1.2(b) General subdivision as follows:

(b)(vi) Effects on rural productivity and fragmentation of high class soils.

Decision Reasons:

- The strict and arbitrary 80/20 requirement of this rule though may not necessarily result in the best layout, design or farming outcome for the site.
- The objectives and policies (5.1.1, 5.2) give primacy to the protection of high class soils.
- In addition to the objectives and policies (5.2), the submitter would like to see matters relating to the retention of high class soils and the maintenance of productivity/farming systems addressed as a matter of discretion for the General Subdivision provisions. The strength of the objectives and policies together with expanded matters of discretion are sufficiently strong to ensure adverse outcomes on high class soils are avoided.
- The requirement to demonstrate the 80/20 split will result in the necessary inclusion of Landuse Capability Reporting to demonstrate that this exact figure is met. This becomes an additional compliance cost that does not necessarily result in a better environmental outcome. Council's Consent Planners should have the discretion of where these are required in accordance with the recommended matter of discretion.

Point Number 507.8

Summary of Decision Requested: **Retain** Rule 22.4.1.2(a)(iv) General subdivision.

Decision Reasons:

- Creation of a vacant lot between 8,000m² and 1.6ha is supported as a Restricted Discretionary activity.

Point Number 507.9

Summary of Decision Requested: Amend Policy 5.3.8 Effects on rural character and amenity from rural subdivision, as follows:

...

~~(b) Ensure development does not compromise the predominant open space, character and amenity of rural areas:~~

...

(d) Rural hamlet subdivision and boundary relocations ensure the following:

(i) Protection of rural land for productive purposes;

(ii) Maintenance of the localised rural character and amenity of the surrounding rural environment;

(iii) Minimisation of cumulative effects.

(e) Subdivision, use and development opportunities ensure that localised rural character and amenity values are maintained.

Decision Reasons:

- Policy 5.3.8 (b) duplicates Policy 5.3.8(d)(ii) and 5.3.8(e) which both seek to ensure that rural character and amenity are maintained.
- Not all rural areas comprise open space character and amenity.
- The district's rural character is varied in nature and comprises landscapes, landforms and structures and are areas of active and dynamic primary production and associated activities rather than necessarily benign landscapes.
- Rural landscapes can be visually altered by structures and buildings such as greenhouses and packhouses and are recognised as important components of primary production activities which form part of the rural environment.

Point Number 507.10

Summary of Decision Requested: Amend the activity status for Rule 22.4.1.1 PR1, PR2, PR3, PR4 Prohibited subdivision, from Prohibited to Non-Complying Activities.

Decision Reasons:

- There may be circumstances where the subdivision of high class soils has overall positive effects that can be supported by the objectives and policies. Relocating consented lots within a holding (multiple Records of Title held in the same ownership) may produce a better outcome from a farming and landscape perspective.
- In some instances it may be unavoidable to create an additional Record of Title.
- The rule relies on a definition of "High Class Soils". High class soils as defined in the Proposed Plan (relying on soil classification only), may not be versatile due to a range of factors identified through case law.
- It is unreasonable to prohibit the creation of lots that accommodate existing and well-established rural activities which are viable and sustainable such as greenhouses, packhouse, packing sheds, intensive farming, poultry hatcheries or commercial orchards.
- Rural activities do not need to be held on the same certificate of title as other rural activities. Subdivision may enable more opportunities for economic wellbeing and the efficient and effective operation of the activity.
- Commercial reasons could necessitate subdivision including the desire to sell or lease the business, rather than disposal of the entire property or the need to invest more capital in the operation.
- This activity status prevents opportunities for subdivision where there is a significant capital investment, particularly in buildings, and the intensive rural activity will continue to be commercially viable and sustainable following separation from other rural activities on the site.
- PR4 unreasonably restricts subdivision potential over what is necessary to avoid undermining the intent of the rule under which these Record of Title were created. Rule 228 of the Franklin Section the donor certificates of title had to meet a minimum area of 1ha each, however, there is no maximum, with many donor Records of Title ranging upwards from 20ha prior to the amalgamation, under the Franklin Section of the District Plan there was no corresponding rule that limited any further subdivision of the donor lot. While subdividing lots amalgamated under Section 22b of the Franklin Section require closer scrutiny this should merit a Non-Complying Activity status. The land affected may contain qualifying Significant Natural Areas or may be able to relocate boundaries without creating an outcome that may compromise the prior transferable subdivision.
- The objectives and policies of the Proposed Plan should be sufficiently strong to ensure that the subdivision of land containing high class soils is protected and that subdivision in the Urban Expansion Zone does not undermine the integrated and efficient development of this zone.

Point Number 507.11

Summary of Decision Requested: Amend Rule 22.4.1.1 Prohibited subdivision to replace "lot" with "Record of Title".

Decision Reasons:

- It may be necessary to create multiple lots and hold them in one Record of Title. This may occur when a stream or a public road bisects land held together in one Record of Title.

Submitter Number: 508

Submitter: Robert Brown

On behalf of: Tui Ridge Limited

Point Number 508.1

Summary of Decision Requested: Amend the proposed zoning of Lot 2 DP 481971 and Lot 5 DP 481971 (western side of Hall Road, Te Kauwhata) from Rural Zone to Country Living Zone;

AND

Any other consequential amendments necessary to give effect to the matters raised and relief sought in the submission.

Decision Reasons:

- As noted in the Future Proof Strategy (November 2017) the growth pressures facing Waikato District include the significant influence of Auckland, the growth of Hamilton City and demographic and land use changes.
- The Proposed Plan provides for a large amount of additional residential land in and around Te Kauwhata, including the Lakeside Developments area to the west of Lake Waikare which was subject to a hearing for Proposed Private Plan Change 20 in early 2018.
- Over 200 ha of land on the north-western side of Te Kauwhata is also proposed as Country Living Zone within the Proposed Plan. However, the amount of land in this area zoned Country Living Zone within the Proposed Plan appears identical to that shown on the planning maps for the Operative Waikato District Plan (Waikato Section).
- Te Kauwhata is strategically important in terms of accommodating growth between Auckland and Hamilton, and given the expected continued development of the Te Kauwhata area a larger supply of lower density in this area will be required to meet the district's demands.
- Recent growth within the Waikato District has demonstrated a desire for lifestyle block properties which are self-serviced, contain adequate space for small scale agriculture or livestock raising and retain a peri-rural outlook and character.
- The site has good links to Te Kauwhata and the wider area via the Waikato Expressway; with the Te Kauwhata and Hampton Downs interchanges in the vicinity.
- A large farm-park development with a density similar to that provided for by the proposed Country Living Zone provisions of the Proposed Plan has also previously been approved within the site through a subdivision consent.

Point Number 509.1

Summary of Decision Requested: **Retain** Objective 5.1.1 The rural environment, as notified.

Decision Reasons:

- The Waikato District has valuable areas of high class soils which are of primary importance for food production both regionally and nationally.
- Protecting these soils from adverse effects of inappropriate use and development is of national importance and is recognised with a National Policy Statement for Versatile Land and High Class Soils under consideration.
- Urban subdivision is an inefficient use of rural production land.
- Urban subdivision, particularly ad-hoc subdivision, may undermine the integrated development of identified townships and expansion areas.
- Submitter supports strength of wording in this objective and agrees that urban development in the rural environment is contrary to the intent of the Proposed District Plan and should be avoided.

Point Number 509.2

Summary of Decision Requested: **Retain** Objective 5.2.1 Rural resources, except for the amendment sought below
AND
Amend Objective 5.2.1 Rural resources, as follows:
(a) *Maintain or enhance the:*
(i) *Inherent life-supporting capacity, accessibility and versatility of soils, in particular high class soils...*

Decision Reasons:

- Support sub policy (i) which seeks to maintain or enhance the life-supporting capacity and versatility of soils.
- Accessibility to versatile land is also a key consideration in managing this resource and should be included in this policy.

Point Number 509.3

Summary of Decision Requested: **Retain** Policy 5.2.2 High class soils, as notified.

Decision Reasons:

- Submitter supports Policy 5.2.2 which seeks to retain high class soils and ensure adverse effects do not compromise the life support properties of high class soil.

Point Number 509.4

Summary of Decision Requested: **Retain** Objective 5.3.1 Rural character and amenity, except for the amendment sought below
AND
Amend Objective 5.3.1 Rural character and amenity, as follows:
Rural character and amenity are maintained while recognising the localised character of different parts of the District.

Decision Reasons:

- Supports the intent of the objective but needs recognition of the variation of what defines rural character and amenity values across a large District.
- The Waikato District encompasses coastal areas, hill country comprising large landholdings and primarily pastoral uses and smaller landholdings particularly in the northern part of the district which is used for higher value production activities such as intensive cropping, greenhouses etc.
- Consideration of "Rural Character" should take into account the unique variables of the locality including land holding pattern, built form, landuse activities, vegetation and geomorphology.

Point Number 509.5

Summary of Decision Requested: **Retain** Rule 22.4.1.2(a)(i-iii) General Subdivision, as notified.

Decision Reasons:

- The submitter supports the inclusion of the General Subdivision rules.

Point Number 509.6

Summary of Decision Requested: **Retain** Rule 22.4.1.2 General subdivision, except for the amendments sought below
AND
Amend Rule 22.4.1.2 General subdivision to create new discretionary activities, as follows:
DI
(a) *General subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.2. (iv) RDI.*
(b) *General subdivision around established rural activities that does not comply with Rule 22.4.1.2. (iv) RDI.*

Decision Reasons:

- Support Rule 22.4.1.2 (s)(iv) in part.
- General Subdivision creating a child lot around an existing dwelling, where a curtilage is established and farming regime is already in place on the balance lot, should be provided flexibility in lot size to ensure that the existing farming regime can continue.
- Ensure the boundaries proposed are a practical outcome to ensure the most efficient on-going management of the land and not meet an arbitrary rule. A lot size consistent with the established farming regime will avoid the redevelopment of farm tracks and fence lines to access what is a relatively small piece of land.
- A discretionary rule should also be provided for lots less than 8,000m² and greater than 1.6ha where they contain an existing dwelling.
- There may be site specific factors that create a unique situation that is conducive to the proposed lot size whilst remaining consistent with the objectives and policies.
- For lots smaller than 8000m², it is only necessary to confirm the provision of services within the lot boundaries.
- Lots greater than 1.6ha may need an assessment with respect to the productive potential of the land. If the land comprises existing curtilage around the house then the lot will not result in any unreasonable effects with respect to the productive potential of the balance land. If the land comprises productive potential, then a Farm Management report should be provided to demonstrate that the both the proposed lot and the balance lot are sized to ensure rural land uses continue to predominate.

- Creation of lots should be provided for that accommodate existing and well-established rural activities where these are of a viable, sustainable and permanent nature, and it is appropriate for these to be subdivided from other rural activities on the site.

Point Number 509.7

Summary of Decision Requested: **Delete** Rule 22.4.1.2(a)(v) General Subdivision;
AND

Add a new matter of discretion to Rule 22.4.1.2(b) General subdivision as follows:

(b) (vi) Effects on rural productivity and fragmentation of high class soils.

Decision Reasons:

- Rule 22.4.1.2 (a)(v) id opposed. There is no analysis in s32 regarding the relevance or practicality of this rule.
- Submitter agrees with the intent of this rule which is to design subdivision to avoid fragmentation of the high class soils. However, the strict and arbitrary 80/20 requirement of this rule though may not necessarily result in the best layout, design or farming outcome for the site.
- The objectives and policies (5.1.1, 5.2) give primacy to the protection of high class soils.
- In addition to the objectives and policies (5.2), the submitter would like to see matters relating to the retention of high class soils and the maintenance of productivity/farming systems addressed as a matter of discretion for the General Subdivision provisions. The strength of the objectives and policies together with expanded matters of discretion are sufficiently strong to ensure adverse outcomes on high class soils are avoided.
- The requirement to demonstrate the 80/20 split will result in the necessary inclusion of Landuse Capability Reporting to demonstrate that this exact figure is met. This becomes an additional compliance cost that does not necessarily result in a better environmental outcome. Council's Consent Planners should have the discretion of where these are required in accordance with the recommended matter of discretion.

Point Number 509.8

Summary of Decision Requested: **Retain** Rule 22.4.1.2(a)(iv) General Subdivision.

Decision Reasons:

- Creation of a vacant lot between 8,000m² and 1.6ha is supported as a Restricted Discretionary Activity.

Point Number 509.9

Summary of Decision Requested: **Retain** Policy 5.3.8 Effects on rural character and amenity from rural subdivision, except for the amendments sought below
AND

Amend Policy 5.3.8 Effects on rural character and amenity from rural subdivision, as follows:

~~(b) Ensure development does not compromise the predominant open space, character and amenity of rural areas.~~

...

(d) Rural hamlet subdivision and boundary relocations ensure the following:

(i) Protection of rural land for productive purposes;

(ii) Maintenance of the localised rural character and amenity of the surrounding rural environment;

(iii) Minimisation of cumulative effects.

(e) Subdivision, use and development opportunities ensure that localised rural character and amenity values are maintained.

Decision Reasons:

- Policy is supported in part with amendments.
- Policy 5.3.8 (b) duplicates Policy 5.3.8(d)(ii) and 5.3.8(e) which both seek to ensure that rural character and amenity are maintained.
- Not all rural areas comprise open space character and amenity.
- The district's rural character is varied in nature and comprises landscapes, landforms and structures. These are also areas of active and dynamic primary production and associated activities rather than necessarily benign landscapes.
- It should be recognised that rural landscapes can be visually altered by structures and buildings such as greenhouses and packhouses. However these are recognised as important components of primary production activities, form part of the rural environment and are generally considered rural in appearance and value.

Point Number 509.10

Summary of Decision Requested: **Amend** the activity status for Rule 22.4.11 PR1, PR2, PR3 and PR4 Prohibited subdivision, from Prohibited to Non-Complying Activities.

Decision Reasons:

- Oppose the Prohibited Activity status for rural subdivision activities and should be considered as non-complying activities.
- With regards to PR2 and PR3, there may be circumstances where the subdivision of high class soils has overall positive effects that can be supported by the objectives and policies. Relocating consented lots within a holding (multiple Records of Title held in the same ownership) may produce a better outcome from a farming and landscape perspective.
- In some instances it may be unavoidable to create an additional Record of Title, i.e. where a title is limited as to parcels and hold together by covenant.
- The rule relies on a definition of "High Class Soils". High class soils as defined in the Proposed Plan (relying on soil classification only), may not be versatile due to a range of factors identified through case law.
- It is unreasonable to prohibit the creation of lots that accommodate existing and well-established rural activities where these are viable and sustainable and permanent nature and it is appropriate for these to be subdivided from other rural activities on the site. Established rural activities include greenhouses, packhouse, packing sheds, intensive farming, poultry hatcheries or commercial orchards.
- Rural activities do not need to be held on the same certificate of title as other rural activities. Subdivision may enable more opportunities for economic wellbeing and the efficient and effective operation of the activity.
- Commercial reasons could necessitate subdivision including the desire to sell or lease the business, rather than disposal of the entire property or the need to invest more capital in the operation.
- This activity status prevents opportunities for subdivision where there is a significant capital investment, particularly in buildings, and the intensive rural activity will continue to be commercially viable and sustainable following separation from other rural activities on the site.
- PR4 unreasonably restricts subdivision potential over what is necessary to avoid undermining the intent of the rule under which these Record of Title were created. Rule 22B of the Franklin Section the donor certificates of title had to meet a minimum area of 1ha each, however, there is no maximum, with many donor Records of Title ranging upwards from 20ha prior to the amalgamation. It is noted that under the Franklin Section of the District Plan there was no corresponding rule that limited any further subdivision of the donor lot. While subdividing lots amalgamated under Section 22b of the Franklin Section require closer scrutiny this should merit a Non-Complying Activity status. The land affected may contain qualifying Significant Natural Areas or may be able to relocate boundaries without creating an outcome that may compromise the prior transferable subdivision.
- The objectives and policies of the Proposed Plan should be sufficiently strong to ensure that the subdivision of land containing high class soils is protected and that subdivision in the Urban Expansion Zone does not undermine the integrated and efficient development of this zone.

Point Number 509.11

Summary of Decision Requested:	Amend Rule 22.4.1.1 Prohibited Subdivision, to replace 'lot' with 'Record of Title'.
Decision Reasons:	<ul style="list-style-type: none"> • Submitter seeks that the word 'lot' as used in these rules be changed for 'Record of Title.' • It may be necessary to create multiple lots and hold them in one Record of Title. This may occur when a stream or a public road bisects land held together in one Record of Title.

Submitter Number:	510	Submitter:	Bob Carter
Point Number	510.1		
Summary of Decision Requested:	Delete the Significant Natural Area from the property at 57 Upper Wainui Road, Raglan.		
Decision Reasons:	<ul style="list-style-type: none"> • This is perhaps due to aerial image distortion as the area is lawn. 		
Point Number	510.2		
Summary of Decision Requested:	Amend District Plan to detail all impacts of the Coastal Environment overlay.		
Decision Reasons:	<ul style="list-style-type: none"> • It is not clear what impact the Coastal Environment overlay has on a property. 		
Point Number	510.3		
Summary of Decision Requested:	Amend District Plan to clarify what impact Significant Amenity Landscapes has on a property.		
Decision Reasons:	<ul style="list-style-type: none"> • It is not clear what impact a Significant Amenity Landscape has on a property. 		
Point Number	510.4		
Summary of Decision Requested:	Amend planning maps to provide clearer symbols; AND Amend planning maps to not have overlays on top of one another.		
Decision Reasons:	<ul style="list-style-type: none"> • It is very hard to differentiate between overlays and items on the legend. • It is very hard to differentiate between mapped items including on the online maps. 		
Point Number	510.5		
Summary of Decision Requested:	Amend Rule 22.23.4 Earthworks - within landscape and natural character areas, by swapping around the area and volume figures of 50m ² and 250m ³ .		
Decision Reasons:	<ul style="list-style-type: none"> • These limits would be impossible if complying with batter rules. • Probably a typo. • Area should always be no less than volume. 		
Point Number	510.6		
Summary of Decision Requested:	Amend Rule 22.2.8 Indigenous vegetation clearance - outside a Significant Natural Area heading, as follows: <u>Naturally Occurring Vegetation Clearance outside a Significant Natural Area.</u>		
Decision Reasons:	<ul style="list-style-type: none"> • Council should not be involved with privately planted trees/vegetation, whether exotic or indigenous, unless they are part of a consent notice or conservation order. • There are number of reasons why trees may need removal such as size, storm damage, damage to private drainage and infrastructure and for maintaining view shafts, open-space and daylight. 		

Submitter Number:	511	Submitter:	Victoria Kemp
On behalf of:	Huntly Districts Residents and Ratepayers Association		
Point Number	511.1		
Summary of Decision Requested:	Amend the Rural Zone of 183ha on East Mine Road Huntly to a multi-purpose recreation and events zone alongside a residential zoning for the following properties: CFR 805391, CFR SA50A/762, CFR SA10D/800, CFR 1955501, CFR SA 61B/799, CFR SA 18B/1138, CFR SA30A/356, SA 40D/985, CFR SA251/176, SA 26C/345, SA 51/131.		
Decision Reasons:	<ul style="list-style-type: none"> • The rezoning will provide the following benefits: <ul style="list-style-type: none"> - Educational outcomes for youth; - Significant employment opportunities; - Improved recreational, living and lifestyle opportunities for residents through outdoor activities and water sports; 		

- A great opportunity for Huntly to become a destination for tourists; and
- This project has the ability to transform Huntly.

Submitter Number:	512	Submitter:	Enton Farms Limited
Point Number	512.1		
Summary of Decision Requested:	Retain Objective 5.1.1 The rural environment, as notified.		
Decision Reasons:	<ul style="list-style-type: none"> • The Waikato District has valuable areas of high class soils which are of primary importance for food production both regionally and nationally. • Protecting these soils from adverse effects of inappropriate use and development is of national importance and is recognised with a National Policy Statement for Versatile Land and High Class Soils under consideration. • Urban subdivision is an inefficient use of rural production land. • Urban subdivision, particularly ad-hoc subdivision, may undermine the integrated development of identified townships and expansion areas. • Submitter supports the strength of wording in the objective and agrees that urban development in the rural environment is contrary to the intent of the Proposed District Plan and should be avoided. 		
Point Number	512.2		
Summary of Decision Requested:	Retain Objective 5.2.1 Rural resources, except for the amendments sought below AND Amend Objective 5.2.1 Rural resources, as follows: (a) <i>Maintain or enhance the:</i> (i) <i>Inherent life-supporting capacity, <u>accessibility</u> and versatility of soils, in particular high class soils...</i>		
Decision Reasons:	<ul style="list-style-type: none"> • Supports sub-policy (i) which seeks to maintain or enhance the life supporting capacity and versatility of soils. • Accessibility to versatile land is also a key consideration in managing this resource and should be included in this policy. 		
Point Number	512.3		
Summary of Decision Requested:	Retain Policy 5.2.2 High class soils, as notified.		
Decision Reasons:	<ul style="list-style-type: none"> • Submitter supports Policy 5.2.2 which seeks to retain high class soils and ensure adverse effects do not compromise the life support properties of high class soil. 		
Point Number	512.4		
Summary of Decision Requested:	Amend Objective 5.3.1 Rural character and amenity, as follows: <i>Rural character and amenity are maintained <u>while recognising the localised character of different parts of the district.</u></i>		
Decision Reasons:	<ul style="list-style-type: none"> • Supports the intent of the objective but needs recognition of the variation of what defines rural character and amenity values across a large District. • The Waikato District encompasses coastal areas, hill country comprising large landholdings particularly in the Northern part of the district and primarily pastoral uses and smaller landholdings which is used for higher value production activities such as intensive cropping, greenhouses etc. • Consideration of "Rural Character" should take into account the unique variables of the locality including land holding pattern, built form, landuse activities, vegetation and geomorphology. 		
Point Number	512.5		
Summary of Decision Requested:	Retain Rule 22.4.1.2 General subdivision, except for the amendments sought below AND Amend Rule 22.4.1.2 General subdivision to create new discretionary activities, as follows: <u>DI</u> (a) <u>General subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.2. (iv) RDI.</u> (b) <u>General subdivision around established rural activities that does not comply with Rule 22.4.1.2. (iv) RDI.</u>		
Decision Reasons:	<ul style="list-style-type: none"> • Support Rule 22.4.1.2 (a)(iv) in part with amendments. • General Subdivision creating a child lot around an existing dwelling, where a curtilage is established and farming regime is already in place on the balance lot, should be provided flexibility in lot size to ensure that the existing farming regime can continue. • Ensure the boundaries proposed are a practical outcome to ensure the most efficient ongoing management of the land and note meet an arbitrary rule. A lot size consistent with the established farming regime will avoid the redevelopment of farm tracks and fence lines to access what is a relatively small piece of land. • A discretionary rule should also be provided for lots less than 8,000m² and greater than 1.6ha where they contain an existing dwelling. • There may be site specific factors that create a unique situation that is conducive to the proposed lot size whilst remaining consistent with the objectives and policies. • For lots smaller than 8000m², it is only necessary to confirm the provision of services within the lot boundaries. • Lots greater than 1.6ha may need an assessment with respect to the productive potential of the land. If the land comprises existing curtilage around the house then the lot will not result in any unreasonable effects with respect to the productive potential of the balance land. If the land comprises productive potential, then a Farm Management report should be provided to demonstrate that the both the proposed lot and the balance lot are sized to ensure rural land uses continue to predominate. • Creation of lots that accommodate existing and well-established rural activities where these are of a viable, sustainable and permanent nature, and it is appropriate for these to be subdivided from other rural activities on the site should be provided for. 		

Point Number 512.6

Summary of Decision Requested: **Delete** Rule 22.4.1.2(a)(v) General subdivision 80/20 Rule.
AND
Add a new matter of discretion to Rule 22.4.1.2 (b) General subdivision as follows:
(b),(vi) Effects on rural productivity and fragmentation of high class soils.

Decision Reasons:

- There is no analysis in s32 regarding the relevance or practicality of this rule.
- Submitter address with the intent of this rule which is to design subdivision to avoid the fragmentation of the high class soils.
- However, the strict and arbitrary 80/20 requirement of this rule though may not necessarily result in the best layout, design or farming outcome for the site.
- The objectives and policies (5.1.1, 5.2) give primacy to the protection of high class soils.
- In addition to the objectives and policies (5.2), the submitter would like to see matters relating to the retention of high class soils and the maintenance of productivity/farming systems addressed as a matter of discretion for the General Subdivision provisions. The strength of the objectives and policies together with expanded matters of discretion are sufficiently strong to ensure adverse outcomes on high class soils are avoided.
- The requirement to demonstrate the 80/20 split will result in the necessary inclusion of Landuse Capability Reporting to demonstrate that this exact figure is met. This becomes an additional compliance cost with every subdivision application under the General provisions that does not necessarily result in a better environmental outcome. Council's Consent Planners should have the discretion of where these are required in accordance with the recommended matter of discretion.

Point Number 512.7

Summary of Decision Requested: **Amend** Rule 22.4.1.1 Prohibited Subdivision, to replace "lot" with "Record of Title".

Decision Reasons:

- Submitter seeks that the word 'lot' as used in these rules be changed to 'Record of Title.'
- It may be necessary to create multiple lots and hold them in one Record of Title. This may occur when a stream or a public road bisects land held together in one Record of Title.

Point Number 512.8

Summary of Decision Requested: **Retain** Rule 22.4.1.2(a)(iv) General subdivision.

Decision Reasons:

- Creation of a vacant lot between 8,000m² and 1.6ha is supported as a Restricted Discretionary activity.

Point Number 512.9

Summary of Decision Requested: **Retain** Policy 5.3.8 Effects on rural character and amenity from rural subdivision, except for the amendments sought below
AND
Amend Policy 5.3.8 Effects on rural character and amenity from rural subdivision, as follows:
~~(b) Ensure development does not compromise the predominant open space, character and amenity of rural areas.~~
...
(d) Rural hamlet subdivision and boundary relocations ensure the following:
(i) Protection of rural land for productive purposes;
(ii) Maintenance of the localised rural character and amenity of the surrounding rural environment;
(iii) Minimisation of cumulative effects.
(e) Subdivision, use and development opportunities ensure that localised rural character and amenity values are maintained.

Decision Reasons:

- Policy is supported in part with amendments.
- Policy 5.3.8 (b) duplicates Policy 5.3.8(d)(ii) and 5.3.8.(e) which both seek to ensure that rural character and amenity are maintained.
- Not all rural areas comprise open space character and amenity.
- The district's rural character is varied in nature and comprises landscapes, landforms and structures. These are also areas of active and dynamic primary production and associated activities rather than necessarily benign landscapes.
- It should be recognised rural landscapes can be visually altered by structures and buildings such as greenhouses and pack houses, however these are recognised as important components of primary production activities, which form part of the rural environment, and are generally considered rural in appearance and value.

Point Number 512.10

Summary of Decision Requested: **Amend** the activity status for Rule 22.4.1.1 PR1, PR2, PR3 and PR4 Prohibited subdivision, from Prohibited to Non-Complying Activities.

Decision Reasons:

- Oppose the Prohibited Activity Status for the rural subdivision activities listed under Section 22.4.1.1.
- Submitter suggests the Prohibited Activities listed under 22.4.1.1 be considered as non-complying activities.
- There may be circumstances where the subdivision of high class soils has overall positive effects that can be supported by the objectives and policies. Relocating consented lots within a holding (multiple Records of Title held in the same ownership) may produce a better outcome from a farming and landscape perspective.
- There are circumstances where it may be unavoidable to create an additional Record of Title.
- The rule relies on a definition of "High Class Soils". High class soils as defined in the Proposed Plan (relying on soil classification only), may not be versatile due to a range of factors identified through case law.
- It is unreasonable to prohibit the creation of lots that accommodate existing and well-established rural activities where these are viable and sustainable and permanent nature and it is appropriate for those to be subdivided from other rural activities on the site. Established rural activities include greenhouses, packhouse, packing sheds, intensive farming, poultry hatcheries or commercial orchards.
- Rural activities do not need to be held on the same certificate of title as other rural activities. Subdivision may enable more opportunities for economic wellbeing and the efficient and effective operation of the activity.
- Commercial reasons could necessitate subdivision including the desire to sell or lease the business, rather than disposal of the entire property or the need to invest more capital in the operation.
- This activity status prevents opportunities for subdivision where there is a significant capital investment, particularly in buildings and the intensive rural activity will continue to be commercially viable and sustainable following separation from other rural activities on the site.
- PR4 unreasonably restricts subdivision potential over what is necessary to avoid undermining the intent of the rule under which these Record of Title were created. Rule 22B of the Franklin Section the donor certificates of title had to meet a minimum area of 1ha each,

however, there is no maximum, with many donor Records of Title ranging upwards from 20ha prior to the amalgamation. It is noted under the Franklin Section of the District Plan there was no corresponding rule that limited any further subdivision of the donor lot. While subdividing lots amalgamated under Section 22b of the Franklin Section require closer scrutiny this should merit a Non-Complying Activity status. The land affected may contain qualifying Significant Natural Areas or may be able to relocate boundaries without creating an outcome that may compromise the prior transferable subdivision.

- The objectives and policies of the Proposed Plan should be sufficiently strong to ensure that the subdivision of land containing high class soils is protected and that subdivision in the Urban Expansion Zone does not undermine the integrated and efficient development of this zone.

Point Number 512.11

Summary of Decision Requested: **Retain** Rule 22.4.1.2(a)(i-iii) General Subdivision, as notified.

Decision Reasons:

- The submitter supports the inclusion of the General Subdivision rules.

Submitter Number: 513 **Submitter:** Vanoo Limited

Point Number 513.1

Summary of Decision Requested: **Retain** Objective 5.1.1 The rural environment as notified.

Decision Reasons:

- The Waikato District has valuable areas of high class soils which are of primary importance for food production both regionally and nationally.
- Protecting these soils from adverse effects of inappropriate use and development is of national importance and is recognised with a National Policy Statement for Versatile Land and High Class Soils under consideration.
- Urban subdivision is an inefficient use of rural production land.
- Urban subdivision, particularly ad-hoc subdivision, may undermine the integrated development of identified townships and expansion areas.
- Submitter supports the strengthening of wording in this objective and agrees that urban development in the rural environment is contrary to the intent of the Proposed District Plan and should be avoided.

Point Number 513.2

Summary of Decision Requested: **Retain** Objective 5.2.1 Rural resources, except for the amendments sought below

AND

Amend Objective 5.2.1 Rural resources as follows:

(a) Maintain or enhance the:

(i) *Inherent life-supporting capacity, accessibility and versatility of soils, in particular high class soils;*

...

- Decision Reasons:**
- Supports sub-policy (i) which seeks to maintain or enhance the life supporting capacity and versatility of soils.
 - Accessibility to versatile land is also a key consideration in managing this resource and should be included in this policy.

Point Number 513.3

Summary of Decision Requested: **Retain** Policy 5.2.2 High class soils as notified.

Decision Reasons:

- Submitter supports Policy 5.2.2 which seeks to retain high class soils and ensure adverse effects do not compromise the life supporting properties of high class soil.

Point Number 513.4

Summary of Decision Requested: **Retain** Objective 5.3.1 Rural character and amenity, except for the amendments sought below

AND

Amend Objective 5.3.1 Rural character and amenity as follows:

Rural character and amenity are maintained while recognising the localised character of different parts of the District.

- Decision Reasons:**
- Supports the intent of the objective but needs recognition of the variation of what defines rural character and amenity values across a large District.
 - The Waikato District encompasses coastal areas, hill country comprising large landholdings particularly in the northern part of the district and primarily pastoral uses and smaller landholdings which is used for higher value production activities such as intensive cropping, greenhouses etc.
 - Consideration of "Rural Character" should take into account the unique variables of the locality including land holding pattern, built form, landuse activities, vegetation and geomorphology.

Point Number 513.5

Summary of Decision Requested: **Retain** Rule 22.4.1.2(a)(i-iii) General subdivision as notified.

Decision Reasons:

- The submitter supports the inclusion of the General Subdivision rules.

Point Number 513.6

Summary of Decision Requested: **Retain** Rule 22.4.1.2 General subdivision, except for the amendments sought below

AND

Amend Rule 22.4.1.2 General subdivision to create new discretionary activities as follows:

DI

(g) General subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.2. (iv) RDI.

(b) General subdivision around established rural activities that does not comply with Rule 22.4.1.2. (iv) RDI.

Decision Reasons:

- Supports Rule 22.4.1.2 (a)(iv) in part with amendments.
- General Subdivision creating a child lot around an existing dwelling, where a curtilage is established and farming regime is already in place on the balance lot, should be provided flexibility in lot size to ensure that the existing farming regime can continue.
- Ensure the boundaries proposed are a practical outcome to ensure the most efficient ongoing management of the land and not meet an arbitrary rule. A lot size consistent with the established farming regime will avoid the redevelopment of farm tracks and fence lines to access what is a relatively small piece of land.
- A discretionary rule should also be provided for lots less than 8,000m² and greater than 1.6ha where they contain an existing dwelling.
- There may be site specific factors that create a unique situation that is conducive to the proposed lot size whilst remaining consistent with the objectives and policies.
- For lots smaller than 8000m², it is only necessary to confirm the provision of services within the lot boundaries.
- Lots greater than 1.6ha may need an assessment with respect to the productive potential of the land. If the land comprises existing curtilage around the house then the lot will not result in any unreasonable effects with respect to the productive potential of the balance land. If the land comprises productive potential, then a Farm Management report should be provided to demonstrate that the both the proposed lot and the balance lot are sized to ensure rural land uses continue to predominate.
- Creation of lots that accommodate existing and well-established rural activities where these are of a viable, sustainable and permanent nature, and it is appropriate for these to be subdivided from other rural activities on the site should be provided for.

Point Number

513.7

Summary of Decision Requested:

Delete Rule 22.4.1.2(a)(v) General subdivision (80/20 Rule)

AND

Add a new matter of discretion to Rule 22.4.1.2(b) General subdivision as follows:

(b)(vi) Effects on rural productivity and fragmentation of high class soils.

Decision Reasons:

- There is no analysis in s32 regarding the relevance or practicality of this rule.
- Submitter agrees with the intent of this rules, which is to design and avoid fragmentation of the high class soils. However, the strict and arbitrary 80/20 requirement of this rule though may not necessarily result in the best layout, design or farming outcome for the site.
- The objectives and policies (5.1.1, 5.2) give primacy to the protection of high class soils.
- In addition to the objectives and policies (5.2), the submitter would like to see matters relating to the retention of high class soils and the maintenance of productivity/farming systems addressed as a matter of discretion for the General Subdivision provisions. The strength of the objectives and policies together with expanded matters of discretion are sufficiently strong to ensure adverse outcomes on high class soils are avoided.
- The requirement to demonstrate the 80/20 split will result in the necessary inclusion of Landuse Capability Reporting to demonstrate that this exact figure is met. This becomes an additional compliance cost that does not necessarily result in a better environmental outcome. Council's Consent Planners should have the discretion of where these are required in accordance with the recommended matter of discretion.

Point Number

513.8

Summary of Decision Requested:

Retain Rule 22.4.1.2(a)(iv) General subdivision.

Decision Reasons:

- Creation of a vacant lot between 8000m² and 1.6ha is supported as a restricted discretionary activity.

Point Number

513.9

Summary of Decision Requested:

Retain Policy 5.3.8 Effects on rural character and amenity from rural subdivision, except for the amendments sought below

AND

Amend Policy 5.3.8 Effects on rural character and amenity from rural subdivision as follows:

~~(b) Ensure development does not compromise the predominant open space, character and amenity of rural areas.~~

...

(d) Rural hamlet subdivision and boundary relocations ensure the following:

(i) Protection of rural land for productive purposes;

(ii) Maintenance of the localised rural character and amenity of the surrounding rural environment;

(iii) Minimisation of cumulative effects.

(e) Subdivision, use and development opportunities ensure that localised rural character and amenity values are maintained.

Decision Reasons:

- Policy is supported in part with amendments.
- Policy 5.3.8 (b) duplicates Policy 5.3.8(d)(ii) and 5.3.8(e) which both seek to ensure that rural character and amenity are maintained.
- Not all rural areas comprise open space character and amenity.
- The district's rural character is varied in nature and comprises landscapes, landforms and structures. These are also areas of active and dynamic primary production and associated activities rather than necessarily benign landscapes.
- It should be recognised that rural landscapes can be visually altered by structures and buildings such as greenhouses and packhouses. However these are recognised as important components of primary production activities, form part of the rural environment and are generally considered rural in appearance and value.

Point Number

513.10

Summary of Decision Requested:

Amend the activity status for Rule 22.4.1.1 PR1, PR2, PR3, PR4 Prohibited subdivision from Prohibited to Non-Complying Activities.

Decision Reasons:

- Oppose the Prohibited activity status for rural subdivision activities listed under Rule 22.4.1.1. Submitter suggests that these activities be considered as Non-Complying activities.
- With regards to PR2 and PR3 there may be circumstances where the subdivision of high class soils has overall positive effects that can be supported by the objectives and policies. Relocating consented lots within a holding (multiple Records of Title held in the same ownership) may produce a better outcome from a farming and landscape perspective.
- There are circumstances where it may be unavoidable to create an additional Record of Title i.e. where a title is limited to parcels and held together by covenant.

- The rule relies on a definition of "High Class Soils". High class soils as defined in the Proposed Plan (relying on soil classification only), may not be versatile due to a range of factors identified through case law.
- It is unreasonable to prohibit the creation of lots that accommodate existing and well-established rural activities where these are viable and sustainable and permanent nature and it is appropriate for these to be subdivided from other rural activities on the site. Established rural activities include greenhouses, packhouse, packing sheds, intensive farming, poultry hatcheries or commercial orchards.
- Rural activities do not need to be held on the same certificate of title as other rural activities. Subdivision may enable more opportunities for economic wellbeing and the efficient and effective operation of the activity.
- Commercial reasons could necessitate subdivision including the desire to sell or lease the business, rather than disposal of the entire property or the need to invest more capital in the operation.
- This activity status prevents opportunities for subdivision where there is a significant capital investment, particularly in buildings and the intensive rural activity will continue to be commercially viable and sustainable following separation from other rural activities on the site.
- PR4 unreasonably restricts subdivision potential over what is necessary to avoid undermining the intent of the rule under which these Record of Title were created. Rule 228 of the Franklin Section the donor certificates of title had to meet a minimum area of 1ha each, however, there is no maximum, with many donor Records of Title ranging upwards from 20ha prior to the amalgamation. Under the Franklin Section of the District Plan there was no corresponding rule that limited any further subdivision of the donor lot. While subdividing lots amalgamated under Section 22b of the Franklin Section require closer scrutiny this should merit a Non-Complying Activity status. The land affected may contain qualifying Significant Natural Areas or may be able to relocate boundaries without creating an outcome that may compromise the prior transferable subdivision.
- The objectives and policies of the Proposed Plan should be sufficiently strong to ensure that the subdivision of land containing high class soils is protected and that subdivision in the Urban Expansion Zone does not undermine the integrated and efficient development of this zone.

Point Number 513.11

Summary of Decision Requested: Amend Rule 22.4.1.1 Prohibited subdivision to replace "lot" with "Record of Title".

Decision Reasons:

- Submitter seeks that the word 'lot' as used in these rules be changed to 'Record of Title.'
- It may be necessary to create multiple lots and hold them in one Record of Title. This may occur when a stream or a public road bisects land held together in one Record of Title.

Submitter Number: 514 **Submitter:** DP & LJ Ramsey Limited

Point Number 514.1

Summary of Decision Requested: Retain Policy 3.2.8 Incentivise Subdivision, except for the amendments sought below
AND

Add to Policy 3.2.8 Incentivise Subdivision, as follows:

(b) Incentivise subdivision in the Rural Zone when there is the enhancement and/or restoration of biodiversity, legal and physical protection of areas that are of a suitable size and meet the Criteria for Determining Significance of Indigenous biodiversity.

Decision Reasons:

- Supports incentivising the protection of existing biodiversity with the ability to subdivide subject to meeting certain criteria.
- Seeks Policy 3.2.8 be expanded to include provision for the enhancement and/or restoration of areas, when once restored, would be of a suitable size and quality to achieve a functioning ecosystem. Appendix 2 of the Proposed Plan - 'Criteria for Determining Significance of Indigenous Biodiversity' could provide the basis for assessing the eligibility of these areas. Eligible areas would likely be wetlands and waterways which are degraded in the Waikato District due to farming activities such as stock and cropping. Incentivising restoration is in line with the Vision and Strategy for the Waikato River.

Point Number 514.2

Summary of Decision Requested: Retain Objective 5.1.1 The rural environment, as notified.

Decision Reasons:

- Protecting high class soils from adverse effects of inappropriate use and development is of national importance and is recognised with a NPS for Versatile Land and High Class Soils under consideration.
- Urban subdivision is an inefficient use of rural production land. Urban subdivision, particularly ad-hoc subdivision, may undermine the integrated development of identified townships and expansion areas.
- Submitter supports the strengthening of wording in the objective and agrees that urban development within the Rural Environment is an outcome contrary to the intent of the Proposed District Plan.

Point Number 514.3

Summary of Decision Requested: Retain Objective 5.2.1 (a)(i) Rural resources, except for the amendments sought below
AND

Amend Objective 5.2.1(a)(i) Rural resources, as follows:

(a) Maintain or enhance the:

(i) Inherent life-supporting capacity, accessibility and versatility of soils, in particular high class soils;

Decision Reasons:

- Supports sub-policy (i) which seeks to maintain or enhance the life supporting capacity and versatility of soils.
- Accessibility to versatile land is also a key consideration in managing this resource and that 'accessibility' should be included in this policy.

Point Number 514.4

Summary of Decision Requested: Retain Policy 5.2.2 High class soils, as notified.

Decision Reasons:

- Submitter supports Policy 5.2.2 which seeks to retain high class soils and ensure adverse effects do not compromise the life support properties of high class soil.

Point Number 514.5

Summary of Decision Requested: Retain Policy 5.2.3 Effects of subdivision and development on soils.

AND

Amend Policy 5.2.3(b) Effects of subdivision and development on soils, as follows:

Subdivision which provides a range of lifestyle options is directed away from high class soils and/or where indigenous biodiversity is being protected, enhanced, and/or restored (with plantings).

Decision Reasons:

- This policy only provides for subdivision where existing indigenous biodiversity is being protected. There are a number of waterways and wetlands in the Rural Zone that would benefit from stock exclusion and enhancement and/or restoration.
- Subdivision offers an incentive for landowners to undertake restoration works which they would un-likely do without a financial offset, restoration is around \$45,000 + GST / hectare.
- Allowing for the protection and/or restoration, particularly of waterways, would achieve Policy 5.2.1(a)(iii). It would also support Policy 3.1.2.
- Incentivising the fencing and restoration of waterways would contribute positively to the improvement of water quality and achieving the objectives of the Vision and Strategy.

Point Number

514.6

Summary of Decision Requested:

Retain Objective 5.3.1 Rural character and amenity, except for the amendments sought below

AND

Amend Objective 5.3.1 (a) Rural character and amenity, as follows:

Rural character and amenity are maintained while recognising the localised character of different parts of the District.

Decision Reasons:

- Recognition of the variation of what defines rural character and amenity values across a large District is needed.
- The Waikato District encompasses coastal areas, hill country comprising large landholdings and primarily pastoral uses and smaller landholdings which is used for higher value production activities such as intensive cropping, greenhouses etc.
- Consideration of 'Rural Character' should take into account the unique variables of the locality including land holding pattern, built form, landuse activities, vegetation and geomorphology.

Point Number

514.7

Summary of Decision Requested:

Retain Policy 5.3.8 Effects on rural character and amenity from rural subdivision, except for the amendments sought below

AND

Amend Policy 5.3.8 Effects on rural character and amenity from rural subdivision, as follows:

~~(b) Ensure development does not compromise the predominant open space, character and amenity of rural areas.~~

(d) Rural hamlet subdivision and boundary relocations ensure the following:

(i) Protection of rural land for productive purposes;

(ii) Maintenance of the localised rural character and amenity of the surrounding rural environment;

(iii) Minimisation of cumulative effects.

(e) Subdivision, use and development opportunities ensure that localised rural character and amenity values are maintained.

Decision Reasons:

- Policy is supported in part.
- There is duplication between Policy 5.3.8 (b), (d)(ii) and (e) which both seek to ensure that rural character and amenity are maintained.
- Not all rural areas comprise open space character and amenity. The district's rural character is varied in nature and comprises landscapes, landforms and structures and are areas of active and dynamic primary production and associated activities rather than necessarily benign landscapes.
- It should be recognised that Rural landscapes can be visually altered by structures and buildings such as greenhouses and packhouses, however these are recognised as important components of primary production activities, form part of the rural environment and are generally considered rural in appearance and value.

Point Number

514.8

Summary of Decision Requested:

Retain the definition for "Significant Natural Area" in Chapter 13 Definitions, except for the amendment sought below

AND

Amend the definition for "Significant Natural Area" in Chapter 13 Definitions, as follows:

Means an areas of significant indigenous biodiversity that is identified as a Significant Natural Area on the Planning maps or has been assessed as meeting one or more of the Criteria for Determining Significance of Indigenous Biodiversity (Appendix 2) by a suitably qualified Ecologist.

Decision Reasons:

- Support definition with amendments to be assessed by a suitably qualified ecologist.
- This would align with the wording of the Conservation Lot Subdivision provisions which allows for subdivision where an area meets the Criteria for Determining Significance of Indigenous Biodiversity.

Point Number

514.9

Summary of Decision Requested:

Amend the activity status for Rule 22.4.1.1 PR1, PR2, PR3, PR4 (Prohibited subdivision) from Prohibited to Non-Complying Activities.

Decision Reasons:

- Oppose the Prohibited Activity status for rural subdivision activities listed under Rule 22.4.1.1. Submitter suggests that these activities be considered as non-complying activities.
- With regards to PR2 and PR3, there may be circumstances where the subdivision of high class soils has overall positive effects that can be supported by the objectives and policies. Relocating consented lots within a holding (multiple Records of Title held in the same ownership) may produce a better outcome from a farming and landscape perspective.
- There are some circumstances where it may be unavoidable to create an addition Record of Title, i.e. where the title is limited as to parcels and held together by covenant.
- The rule relies on a definition of High Class Soils. High class soils as defined in the Proposed Plan, (relying on soil classification only), may not be versatile due to a range of factors identified through case law.
- It is unreasonable to prohibit the creation of lots that accommodate existing and well-established rural activities where these viable and sustainable and permanent nature and it is appropriate for these to be subdivided from other rural activities on the site. Established activities include greenhouses, pack house, packing sheds, intensive farming, poultry hatcheries or commercial orchards.
- Rural activities do not need to be held on the same certificate of title as other rural activities. Subdivision may enable more opportunities for economic wellbeing and the efficient and effective operation of the activity.
- Commercial reasons could necessitate subdivision including the desire to sell or lease the business rather than disposal of the entire property or the need to invest more capital in the operation.
- Prevents opportunities for subdivision where there is a significant capital investment, particularly in buildings and the intensive rural activity will continue to be commercially viable and sustainable following separation from other rural activities on the site.

- PR4 unreasonably restricts subdivision potential over what is necessary to avoid undermining the intent of the rule under which these Record of Title were created. Rule 228 of the Franklin Section the donor certificates of title had to meet a minimum area of 1ha each, however, there is no maximum, with many donor Records of Title ranging upwards from 20ha prior to the amalgamation. under the Franklin Section of the District Plan there was no corresponding rule that limited any further subdivision of the donor lot. While subdividing lots amalgamated under Section 22b of the Franklin Section require closer scrutiny this should merit a Non-Complying Activity status. The land affected may contain qualifying Significant Natural Areas or may be able to relocate boundaries without creating an outcome that may compromise the prior transferable subdivision.
- The objectives and policies of the Proposed Plan should be sufficiently strong to ensure that the subdivision of land containing high class soils is protected and that subdivision in the Urban Expansion Zone does not undermine the integrated and efficient development of this zone.

Point Number 514.10

Summary of Decision Requested: **Retain** Appendix 2 Criteria for determining significance of indigenous biodiversity.

Decision Reasons:

- Supports the inclusion of these criteria.

Point Number 514.11

Summary of Decision Requested: **Add** a new discretionary activity to Rule 22.4.1.6 Conservation lot subdivision, as follows:

- DI*
- a) Conservation lot subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.6(vi-vii) RDI.*
- b) Conservation lot subdivision around established rural activities that does not comply with Rule 22.4.1.6(vi-vii) RDI.*

Decision Reasons:

- Rule 22.4.1.6.vi requires a minimum area of 8000m², flexibility for lot area should be provided where the lot boundaries encompass an existing dwelling curtilage or established rural activities. This avoids unnecessary fragmentation of productive farming land. This could be addressed as a Matter of Discretion.

Point Number 514.12

Summary of Decision Requested: **Retain** Rule 22.4.1.2(a)(iv) General Subdivision as notified.

Decision Reasons:

- Creation of a vacant lot between 8,000m² and 1.6ha is supported as a Restricted Discretionary Activity.

Point Number 514.13

Summary of Decision Requested: **Amend** Rule 22.4.1.1 Prohibited Subdivision to replace references to 'lot' with 'Record of Title'

Decision Reasons:

- Submitter seeks that the word 'lot' as used in these rules be changed to 'Record of Title.'
- It may be necessary to create multiple lots and hold them in one Record of Title. This may occur when a stream or a public road bisects land held together in one Record of Title.

Point Number 514.14

Summary of Decision Requested: **Retain** Rule 22.4.1.2 (a)(i-iii) General Subdivision, as notified.

Decision Reasons:

- Supports the inclusion of the General Subdivision rules.

Point Number 514.15

Summary of Decision Requested: **Retain** Rule 22.4.1.2 General subdivision, except for the amendments sought below

- AND
- Amend** Rule 22.4.1.2 General Subdivision to add new discretionary activities, as follows;
- DI*
- a) General subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.2. (iv) RDI.*
- b) General subdivision around established rural activities that does not comply with Rule 22.4.1.2. (iv) RDI.*

Decision Reasons:

- Support Rule 22.4.1.2 (a) (iv) in part.
- General Subdivision creating a child lot around an existing dwelling, where a curtilage is established and farming regime is already in place on the balance lot, should be provided flexibility in lot size to ensure that the existing farming regime can continue.
- Ensure the boundaries proposed are a practical outcome to ensure the most efficient ongoing management of the land. A lot size consistent with the established farming regime will avoid the redevelopment of farm tracks and fence lines to access what is a relatively small piece of land.
- A discretionary rule should also be provided for lots less than 8,000m² and greater than 1.6ha where they contain an existing dwelling. There may be site specific factors that create a unique situation that is conducive to the proposed lot size whilst remaining consistent with the objectives and policies.
- For lots smaller than 8000m², it is only necessary to confirm the provision of services within the lot boundaries.
- Lots greater than 1.6ha may need an assessment with respect to the productive potential of the land. If the land comprises existing curtilage around the house then the lot will not result in any unreasonable effects with respect to the productive potential of the balance land. If the land comprises productive potential, then a Farm Management report should be provided to demonstrate that the both the proposed lot and the balance lot are sized to ensure rural land uses continue to predominate.
- Creation of lots that accommodate existing and well-established rural activities where these are of a viable, sustainable and permanent nature, and it is appropriate for these to be subdivided from other rural activities on the site should be provided for.

Point Number 514.16

Summary of Decision Requested: **Delete** Rule 22.4.1.2(a)(v) General Subdivision;

AND

Add a new matter of discretion to Rule 22.4.1.2 General Subdivision, as follows:

(b). (vi) Effects on rural productivity and fragmentation of high class soils.

Decision Reasons:

- There is no analysis in s32 regarding the relevance of practicality of this rule.
- Submitter agrees with the intent of this rule which is to design subdivision to avoid fragmentation of the high class soils. However, the strict and arbitrary 80/20 requirement of this rule though may not necessarily result in the best layout, design or farming outcome for the site.
- The objectives and policies (5.1.1, 5.2) give primacy to the protection of high class soils.
- Supports the inclusion of matters relating to the retention of high class soils and the maintenance of productivity/farming systems addressed as a matter of discretion for the General Subdivision provisions.
- The strength of the objectives and policies together with expanded matters of discretion are sufficiently strong to ensure adverse outcomes on high class soils are avoided.
- The requirement to demonstrate the 80/20 split will result in the necessary inclusion of Landuse Capability Reporting with every subdivision application under the general provisions to demonstrate that this exact figure is met. This becomes an additional compliance cost that does not necessarily result in a better environmental outcome. Council's Consent Planners should have the discretion of where these are required in accordance with the recommended matter of discretion.

Point Number

514.17

Summary of Decision Requested:

Retain Rule 22.4.1.5 Conservation lot subdivision, except for the amendments sought below

AND

Amend Rule 22.4.1.6 Conservation lot Subdivision, as follows:

(i) The lot must contain:

A. a contiguous area of existing Significant Natural Area either as shown on the planning maps or as determined by an experienced and suitably qualified ecologist which meets; or

B. a contiguous area, to be enhanced and/or restored;

in accordance with the table below:

(ii) The area of Significant Natural Area, or area to be enhanced and/or restored, is assessed by a suitably qualified person as satisfying at least one criteria in Appendix 2 (Criteria for Determining Significance of Indigenous Biodiversity);

(iii) The Significant Natural Area or area to be restored is not already subject to a conservation covenant pursuant to the Reserves Act 1977 or the Queen Elizabeth II National Trust Act legal protection.

iv) The subdivision proposes to legally protect all areas of Significant Natural Area or area to be restored by way of a covenant pursuant to the Reserves Act 1977 or the Queen Elizabeth II National Trust Act.

(v) An ecological management plan is prepared to address ongoing management of the covenant-protected area to ensure that the Significant Natural Area area to be protected is self sustaining and that plan:

A. Addresses fencing requirements for the covenant protected area;

B. Addresses ongoing pest plant and animal control;

C. Identifies any enhancement and/or restoration or edge-planting required within the covenant area to be protected;

(b) Council's discretion is restricted to the following matters:

(i) Subdivision layout and proximity of building platforms to Significant Natural Area the area to be protected;

(ii) Matters contained in an ecological management plan for the covenant protected area;

(iii) Effects of the subdivision on localised rural character and amenity values;

(iv) Extent of earthworks including earthworks for the location of building platforms and access ways.

(v) Mechanism of legal protection for the area to be protected.

Decision Reasons:

- Incentivising legal and physical protection of Significant Natural Areas and other areas of existing biodiversity offers positive benefits for the Region.
- Significant biodiversity and water quality benefits can be gained from ecological enhancement along waterways and wetland areas. Water quality is a key issue in the Regional Policy Statement and Vision and Strategy.
- Enhancement is also recognised in corresponding rural objectives and policies in regards to surface water and ground water quality and the natural character of waterways.
- The plan should be enabling of improving both biodiversity and water quality within the Waikato Catchment.
- Revegetation approximately costs \$45,000 per hectare, excluding fencing of revegetated areas from stock. Incentivising through subdivision would assist in offsetting costs associated with revegetation and fencing.
- Provisions for ecological enhancement and/or restoration of appropriate areas be included in the Conservation Lot Subdivision rules. Appropriate features to be restored should meet one or more criteria in Appendix 2: Criteria for Determining Significance of Indigenous Biodiversity, or areas identified as Significant Natural Areas that don't meet the minimum size requirements for subdivision without additional enhancement and/or restoration planting. Minimum areas for enhancement and/or restoration should be in accordance with Rule 22.4.1.6.
- Rule 22.4.1.6 does not cover all forms of legal protection. The rule should require legal protection only and leave the mechanism of protection to the discretion of Council (e.g. encumbrance, bond, consent notice, covenant or vesting as a reserve).
- Rule 22.4.1.6.vi requires a minimum area of 8000m², flexibility for lot area should be provided where the lot boundaries encompass an existing dwelling curtilage or established rural activities. This avoids unnecessary fragmentation of productive farming land. This could be addressed as a Matter of Discretion.

Submitter Number:

516

Submitter:

Anthony and Maureen Vazey

Point Number

516.1

Summary of Decision Requested:

Retain Objective 5.1.1 The rural environment, as notified.

Decision Reasons:

- Protecting high class soils from adverse effects of inappropriate use and development is of national importance and is recognised with a NPS for Versatile Land and High Class Soils under consideration.
- Urban subdivision is an inefficient use of rural production land. Urban subdivision, particularly ad-hoc subdivision, may undermine the integrated development of identified townships and expansion areas.
- Supports the objective and agrees that urban development within the rural environment should be avoided.

Point Number

516.2

Summary of Decision Requested:

Retain Objective 5.2.1 Rural resources, except for the amendments sought below

AND

Amend Objective 5.2.1 Rural resources, as follows:

(a) Maintain or enhance the:

Decision Reasons:

- Supports sub-policy (i) which seeks to maintain or enhance the life supporting capacity and versatility of soils.
- Accessibility to versatile land is also a key consideration in managing this resource and should be included in this policy.

Point Number 516.3

Summary of Decision Requested: Retain Policy 5.2.2 High class soils, as notified.

Decision Reasons:

- Submitter supports Policy 5.2.2 which seeks to retain high class soils and ensure adverse effects do not compromise the life support properties of high class soil.

Point Number 516.4

Summary of Decision Requested: Retain Objective 5.3.1 Rural character and amenity, except for the amendments sought below

AND

Amend Objective 5.3.1(a) Rural character and amenity as follows:

Rural character and amenity are maintained while recognising the localised character of different parts of the District.

Decision Reasons:

- Supports the intent of the objective but needs recognition of the variation of what defines rural character and amenity values across a large District.
- The Waikato District encompasses coastal areas, hill country comprising large landholdings particularly in the northern part of the district and primarily pastoral uses and smaller landholdings which is used for higher value production activities such as intensive cropping, greenhouses etc.
- Consideration of 'Rural Character' should take into account the unique variables of the locality including land holding pattern, built form, landuse activities, vegetation and geomorphology.

Point Number 516.5

Summary of Decision Requested: Retain Rule 22.4.1.2(a)(i), (ii) and (iii) General Subdivision, as notified.

Decision Reasons:

- Supports the inclusion of the General Subdivision rules.

Point Number 516.6

Summary of Decision Requested: Retain Rule 22.4.1.2 General subdivision, except for the amendments sought below

AND

Add a new discretionary activity to Rule 22.4.1.2 General subdivision, as follows:

D1

(a) General subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.2, (iv) RD1.

(b) General subdivision around established rural activities that does not comply with Rule 22.4.1.2, (iv) RD1.

Decision Reasons:

- Support Rule 22.4.1.2 (a)(iv) in part.
- General Subdivision creating a child lot around an existing dwelling, where a curtilage is established and farming regime is already in place on the balance lot, should be provided flexibility in lot size to ensure that the existing farming regime can continue.
- Ensure the boundaries proposed are a practical outcome to ensure the most efficient ongoing management of the land and not meet an arbitrary rule. A lot size consistent with the established farming regime will avoid the redevelopment of farm tracks and fence lines to access what is a relatively small piece of land.
- A discretionary rule should also be provided for lots less than 8,000m² and greater than 1.6ha where they contain an existing dwelling. There may be site specific factors that create a unique situation that is conducive to the proposed lot size whilst remaining consistent with the objectives and policies.
- For lots smaller than 8000m², it is only necessary to confirm the provision of services within the lot boundaries
- Lots greater than 1.6ha may need an assessment with respect to the productive potential of the land. If the land comprises existing curtilage around the house then the lot will not result in any unreasonable effects with respect to the productive potential of the balance land. If the land comprises productive potential, then a Farm Management report should be provided to demonstrate that the both the proposed lot and the balance lot are sized to ensure rural land uses continue to predominate.
- Creation of lots should be provided for that accommodate existing and well-established rural activities where these are of a viable, sustainable and permanent nature, and it is appropriate for these to be subdivided from other rural activities on the site.

Point Number 516.7

Summary of Decision Requested: Delete Rule 22.4.1.2(a)(v) General Subdivision (80/20 Rule);

AND

Add new matters of discretion to Rule 22.4.1.2(b) General subdivision, as follows:

(vi) Effects on rural productivity and fragmentation of high class soils.

Decision Reasons:

- Rule 22.4.1.2 (a)(v) is opposed.
- There is no analysis in the s32 regarding this relevance or practicality of this rule.
- The submitter agrees with the intent of this rule which is to design subdivision to avoid fragmentation of the high class soils. However, the strict and arbitrary 80/20 requirement of this rule though may not necessarily result in the best layout, design or farming outcome for the site.
- The objectives and policies (5.1.1, 5.2) give primacy to the protection of high class soils. In addition to the objectives and policies (5.2), the submitter would like to see matters relating to the retention of high class soils and the maintenance of productivity/farming systems addressed as a matter of discretion for the General Subdivision provisions. The strength of the objectives and policies together with expanded matters of discretion are sufficiently strong to ensure adverse outcomes on high class soils are avoided.
- The requirement to demonstrate the 80/20 split will result in the necessary inclusion of Landuse Capability Reporting with even subdivision application under the general provisions to demonstrate that this exact figure is met. This becomes an additional compliance cost that does not necessarily result in a better environmental outcome. Council's Consent Planners should have the discretion of where these are required in accordance with the recommended matter of discretion.

Point Number 516.8

Summary of Decision Requested: **Retain** Rule 22.4.1.2(a)(iv) General subdivision, which classifies creation of an additional lot between 8,000m² and 1.6ha as a restricted discretionary activity.

Decision Reasons:

- Creation of a vacant lot between 8,000m² and 1.6ha is supported as a Restricted Discretionary Activity.

Point Number 516.9

Summary of Decision Requested: **Retain** Policy 5.3.8 Effects on rural character and amenity from rural subdivision, except for the amendments sought below

AND

Amend Policy 5.3.8 Effects on rural character and amenity from rural subdivision, as follows:

~~(b) Ensure development does not compromise the predominant open space, character and amenity of rural areas.~~

...

(d) Rural hamlet subdivision and boundary relocations ensure the following:

(i) Protection of rural land for productive purposes;

(ii) Maintenance of the localised rural character and amenity of the surrounding rural environment;

(iii) Minimisation of cumulative effects.

(e) Subdivision, use and development opportunities ensure that localised rural character and amenity values are maintained.

Decision Reasons:

- Policy is supported in part.
- Policies 5.3.8(b), (d)(i) and (e) are duplicates which seek to ensure that rural character and amenity are maintained.
- Not all rural areas comprise open space character and amenity. The district's rural character is varied in nature and comprises landscapes, landforms and structures and are areas of active and dynamic primary production and associated activities rather than necessarily benign landscapes.
- It should be recognised that Rural landscapes can be visually altered by structures and buildings such as greenhouses and packhouses, however these are recognised as important components of primary production activities, form part of the rural environment, and are generally considered rural in appearance and value.

Point Number 516.10

Summary of Decision Requested: **Amend** the activity status for Rules 22.4.1.1 PR1, PR2, PR3 and PR4 Prohibited subdivision from prohibited activities to non-complying activities.

Decision Reasons:

- Oppose the Prohibited Activity status for rural subdivision activities under Rule 22.4.1.1.
- Submitter suggests that Prohibited Activities be considered as non-complying.
- With regards to PR2 and PR3 there may be circumstances where the subdivision of high class soils has overall positive effects that can be supported by the objectives and policies. Relocating consented lots within a holding (multiple Records of Title held in the same ownership) may produce a better outcome from a farming and landscape perspective.
- There are some circumstances it may be unavoidable to create an additional Record of Title, i.e. where it is limited to parcels and held together by covenant.
- The rule relies on a definition of High Class Soils. High class soils as defined in the Proposed Plan, (relying on soil classification only), may not be versatile due to a range of factors identified through case law.
- It is unreasonable to prohibit the creation of lots that accommodate existing and well-established rural activities are viable and sustainable and permanent nature and it is appropriate for these to be subdivided from other rural activities on the site. Established rural activities include greenhouses, packhouse, packing sheds, intensive farming, poultry hatcheries or commercial orchards.
- Rural activities do not need to be held on the same certificate of title as other rural activities. Subdivision may enable more opportunities for economic wellbeing and the efficient and effective operation of the activity.
- Commercial reasons could necessitate subdivision including the desire to sell or lease the business rather than disposal of the entire property or the need to invest more capital in the operation.
- Prevents opportunities for subdivision where there is a significant capital investment, particularly in buildings and the intensive rural activity will continue to be commercially viable and sustainable following separation from other rural activities on the site.
- PR4 unreasonably restricts subdivision potential over what is necessary to avoid undermining the intent of the rule under which these Record of Title were created. Rule 22B of the Franklin Section the donor certificates of title had to meet a minimum area of 1ha each, however, there is no maximum, with many donor Records of Title ranging upwards from 20ha prior to the amalgamation. It is noted that that under the Franklin Section of the District Plan there was no corresponding rule that limited any further subdivision of the donor lot. While subdividing lots amalgamated under Section 22b of the Franklin Section require closer scrutiny this should merit a Non-Complying Activity status. The land affected may contain qualifying Significant Natural Areas or may be able to relocate boundaries without creating an outcome that may compromise the prior transferable subdivision.
- The objectives and policies of the Proposed Plan should be sufficiently strong to ensure that the subdivision of land containing high class soils is protected and that subdivision in the Urban Expansion Zone does not undermine the integrated and efficient development of this zone

Point Number 516.11

Summary of Decision Requested: **Amend** Rule 22.4.1.1 Prohibited subdivision to replace the term 'lot' with 'Record of Title'.

Decision Reasons:

- Submitter seeks that the word 'lot' as used in these rules be changed to 'Record of Title.'
- It may be necessary to create multiple lots and hold them in one Record of Title. This may occur when a stream or a public road bisects land held together in one Record of Title.

Submitter Number: 517 **Submitter:** Amanda and Brian Billington

Point Number 517.1

Summary of Decision Requested: **Retain** Objective 5.1.1 The rural environment, as notified.

Decision Reasons:

- The Waikato District has valuable areas of high class soils which are of primary importance for food production both regionally and nationally.
- Protecting high class soils from adverse effects of inappropriate use and development is of national importance and is recognised with a NPS for Versatile Land and High Class Soils under consideration.
- Urban subdivision is an inefficient use of rural production land. Urban subdivision, particularly ad-hoc subdivision, may undermine the integrated development of identified townships and expansion areas.
- Supports the objective and agrees that urban development within the rural environment should be avoided.

Point Number 517.2

Summary of Decision Requested: **Retain** Objective 5.2.1 Rural resources, except for the amendments sought below
AND
Amend Objective 5.2.1 Rural resources, as follows:
(a) *Maintain or enhance the:*
(i) *Inherent life-supporting capacity, accessibility and versatility of soils, in particular high class soils...*

Decision Reasons:

- Supports sub policy (i) seeking to maintain or enhance the life-supporting capacity and versatility of soils.
- Accessibility to versatile land is also a key consideration in managing this resource and should be included in this policy.

Point Number 517.3

Summary of Decision Requested: **Retain** Policy 5.2.2 High class soils, as notified.

Decision Reasons:

- Supports Policy 5.2.2 seeking to retain high class soils and ensure adverse effects do not compromise the life support properties of high class soil.

Point Number 517.4

Summary of Decision Requested: **Amend** Objective 5.3.1(a) Rural character and amenity, as follows:
Rural character and amenity are maintained while recognising the localised character of different parts of the District.

Decision Reasons:

- Supports the intent of the rule but needs recognition of the variation of what defines rural character and amenity values across a large District.
- The Waikato District encompasses coastal areas, hill country comprising large landholdings and primarily pastoral uses and smaller landholdings, particularly in the northern part of the district, which is used for higher value production activities such as intensive cropping, greenhouses etc.
- Consideration of 'Rural Character' should take into account the unique variables of the locality including land holding pattern, built form, landuse activities, vegetation and geomorphology.

Point Number 517.5

Summary of Decision Requested: **Retain** Rule 22.4.1.2(a)(i), (ii) and (iii) General Subdivision, as notified.

Decision Reasons:

- Supports the inclusion of the General Subdivision rules.

Point Number 517.6

Summary of Decision Requested: **Retain** Rule 22.4.1.2 General subdivision, except for the amendments sought below
AND
Add a new discretionary activity to Rule 22.4.1.2 General subdivision, as follows:
DI
(a) *General subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.2. (iv) RD1.*
(b) *General subdivision around established rural activities that does not comply with Rule 22.4.1.2. (iv) RD1.*

Decision Reasons:

- Support Rule 22.4.2 (a)(iv) in part.
- General Subdivision creating a child lot around an existing dwelling, where a curtilage is established and farming regime is already in place on the balance lot, should be provided flexibility in lot size to ensure that the existing farming regime can continue.
- Ensure the boundaries proposed are a practical outcome to ensure the most efficient ongoing management of the land and not meet an arbitrary rule. A lot size consistent with the established farming regime will avoid the redevelopment of farm tracks and fence lines to access what is a relatively small piece of land.
- A discretionary rule should also be provided for lots less than 8,000m² and greater than 1.6ha where they contain an existing dwelling. There may be site specific factors that create a unique situation that is conducive to the proposed lot size whilst remaining consistent with the objectives and policies.
- For lots smaller than 8000m², it is only necessary to confirm the provision of services within the lot boundaries
- Lots greater than 1.6ha may need an assessment with respect to the productive potential of the land. If the land comprises existing curtilage around the house then the lot will not result in any unreasonable effects with respect to the productive potential of the balance land. If the land comprises productive potential, then a Farm Management report should be provided to demonstrate that the both the proposed lot and the balance lot are sized to ensure rural land uses continue to predominate.
- Creation of lots should be provided for that accommodate existing and well-established rural activities where these are of a viable, sustainable and permanent nature, and it is appropriate for these to be subdivided from other rural activities on the site.

Point Number 517.7

Summary of Decision Requested: **Delete** Rule 22.4.1.2(a)(v) General Subdivision (80/20 Rule);
AND
Add new matters of discretion to rule 22.4.1.2(b), as follows:
(vi) Effects on rural productivity and fragmentation of high class soils.

Decision Reasons:

- Rule 22.4.1.2 (a)(v) is opposed.
- There is no analysis in the s32 regarding this relevance or practicality of this rule.
- Submitter agrees with the intent of the rule, however the strict and arbitrary 80/20 requirement of this rule though may not necessarily result in the best layout, design or farming outcome for the site.
- The objectives and policies (5.1.1, 5.2) give primacy to the protection of high class soils. In addition to the objectives and policies (5.2), the submitter would like to see matters relating to the retention of high class soils and the maintenance of productivity/farming systems

addressed as a matter of discretion for the General Subdivision provisions. The strength of the objectives and policies together with expanded matters of discretion are sufficiently strong to ensure adverse outcomes on high class soils are avoided.

- The requirement to demonstrate the 80/20 split will result in the necessary inclusion of Landuse Capability Reporting with every subdivision application under the General provisions to demonstrate that this exact figure is met. This becomes an additional compliance cost that does not necessarily result in a better environmental outcome. Council's Consent Planners should have the discretion of where these are required in accordance with the recommended matter of discretion.

Point Number 517.8

Summary of Decision Requested: Retain Rule 22.4.1.2(a)(iv) General subdivision.

Decision Reasons:

- Creation of a vacant lot between 8,000m² and 1.6ha is supported as a restricted discretionary activity.

Point Number 517.9

Summary of Decision Requested: Retain Policy 5.3.8 Effects on rural character and amenity from rural subdivision, except for the amendments sought below
AND

Amend Policy 5.3.8 Effects on rural character and amenity from rural subdivision, as follows:

~~(b) Ensure development does not compromise the predominant open space, character and amenity of rural areas.~~

...

(d) Rural hamlet subdivision and boundary relocations ensure the following:

(i) Protection of rural land for productive purposes;

(ii) Maintenance of the localised rural character and amenity of the surrounding rural environment;

(iii) Minimisation of cumulative effects.

(e) Subdivision, use and development opportunities ensure that localised rural character and amenity values are maintained.

Decision Reasons:

- Policy is supported in part.
- Policies 5.3.8(b), (d)(ii) and (e) are duplicates which seek to ensure that rural character and amenity are maintained.
- Not all rural areas comprise open space character and amenity. The district's rural character is varied in nature and comprises landscapes, landforms and structures and are areas of active and dynamic primary production and associated activities rather than necessarily benign landscapes.
- It should be recognised that Rural landscapes can be visually altered by structures and buildings such as greenhouses and packhouses and are recognised as important components of primary production activities, however these form part of the rural environment and generally considered rural in appearance and value.

Point Number 517.10

Summary of Decision Requested: Amend the activity status for Rules 22.4.1.1 PR1, PR2, PR3 and PR4 Prohibited subdivision from prohibited activities to non-complying activities.

Decision Reasons:

- Oppose the Prohibited Activity Status for the rural subdivision activities in Rule 22.4.1.1.
- Prohibited activities as listed should be considered as non-complying activities.
- With regards to PR2 and PR3, there may be circumstances where the subdivision of high class soils has overall positive effects that can be supported by the objectives and policies. Relocating consented lots within a holding (multiple Records of Title held in the same ownership) may produce a better outcome from a farming and landscape perspective.
- There are circumstances where it may be unavoidable to create an additional Record of Title, i.e. where title is limited to parcels and held together by covenant.
- The rule relies on a definition of High Class Soils. High class soils as defined in the Proposed Plan, (relying on soil classification only), may not be versatile due to a range of factors identified through case law.
- It is unreasonable to prohibit the creation of lots that accommodate existing and well-established rural activities where these are viable and of permanent nature and it is appropriate for these to be subdivided from other rural activities on the site. Established rural activities include sustainable such as greenhouses, packhouse, packing sheds, intensive farming, poultry hatcheries or commercial orchards.
- Rural activities do not need to be held on the same certificate of title as other rural activities. Subdivision may enable more opportunities for economic wellbeing and the efficient and effective operation of the activity.
- Commercial reasons could necessitate subdivision including the desire to sell or lease the business rather than disposal of the entire property or the need to invest more capital in the operation.
- Prevents opportunities for subdivision where there is a significant capital investment, particularly in buildings and the intensive rural activity will continue to be commercially viable and sustainable following separation from other rural activities on the site.
- PR4 unreasonably restricts subdivision potential over what is necessary to avoid undermining the intent of the rule under which these Record of Title were created. Rule 22B of the Franklin Section the donor certificates of title had to meet a minimum area of 1ha each, however, there is no maximum, with many donor Records of Title ranging upwards from 20ha prior to the amalgamation. It is noted under the Franklin Section of the District Plan there was no corresponding rule that limited any further subdivision of the donor lot. While subdividing lots amalgamated under Section 22b of the Franklin Section require closer scrutiny this should merit a Non-Complying Activity status. The land affected may contain qualifying Significant Natural Areas or may be able to relocate boundaries without creating an outcome that may compromise the prior transferable subdivision.
- The objectives and policies of the Proposed Plan should be sufficiently strong to ensure that the subdivision of land containing high class soils is protected and that subdivision in the Urban Expansion Zone does not undermine the integrated and efficient development of this zone

Point Number 517.11

Summary of Decision Requested: Amend Rule 22.4.1.1 Prohibited subdivision to replace the term 'lot' with 'Record of Title'.

Decision Reasons:

- Submitter seeks that the word 'lot' as used in these rules be changed to 'Record of Title.'
- It may be necessary to create multiple lots and hold them in one Record of Title. This may occur when a stream or a public road bisects land held together in one Record of Title.

Submitter Number: 518

Submitter: Neville Ritchie

Organisation: Queen's Redoubt Trust

Point Number 518.1

Summary of Decision Requested: Develop a consent plan for development/beautification of 'Te Aukati Mangatawhiri Wahi Tapu' (and immediate surrounds along the banks of the Mangatawhiri Stream) as a significant historic place. This includes land between State Highway 1 and Pioneer Road, Pokeno in the vicinity of the Pioneer bridge including Mangatawhiri Stream.

Decision Reasons:

- The Mangatawhiri Stream in the vicinity of the Pioneer Road Bridge is a significant historic place.
- This site needs a concept plan in consultation with all parties
- The Mangatawhiri Stream is a significant historic place, particularly the section in the immediate vicinity of the Pioneer Road Bridge. On the 17 July 1863 General Cameron's forces crossed the Mangatawhiri Stream, initiating the military campaign against Waikato Tainui. This site was also the northern boundary of Waikato Tainui.
- The Queens Redoubt Trust is planning a display in its Visitors centre at the redoubt illustrating the significance of the Mangatawhiri Stream

Submitter Number: 519 **Submitter:** B and N Balle Limited

Point Number 519.1

Summary of Decision Requested: **Retain** Objective 5.1.1 The rural environment, as notified.

Decision Reasons:

- The Waikato District has valuable areas of high class soils which are of primary importance for food production both regionally and nationally.
- Protecting high class soils from adverse effects of inappropriate use and development is of national importance and is recognised with a NPS for Versatile Land and High Class Soils under consideration.
- Urban subdivision is an inefficient use of rural production land. Urban subdivision, particularly ad-hoc subdivision, may undermine the integrated development of identified townships and expansion areas.
- Supports the objective and agrees that urban development within the rural environment should be avoided.

Point Number 519.2

Summary of Decision Requested: **Retain** Objective 5.2.1 Rural resources, except for the amendments sought below

AND

Amend Objective 5.2.1 Rural resources, as follows:

(a) *Maintain or enhance the:*

(i) *Inherent life-supporting capacity, accessibility, and versatility of soils, in particular high class soils...*

Decision Reasons:

- Supports sub policy (i).
- Accessibility to versatile land is also a key consideration in managing this resource and should be included in this policy.

Point Number 519.3

Summary of Decision Requested: **Retain** Policy 5.2.2 High class soils, as notified.

Decision Reasons:

- Supports Policy 5.2.2 seeking to retain high class soils and ensure adverse effects do not compromise the life support properties of high class soil.

Point Number 519.4

Summary of Decision Requested: **Retain** Objective 5.3.1 (a) Rural character and amenity, except for the amendments sought below

AND

Amend Objective 5.3.1(a) Rural character and amenity, as follows:

Rural character and amenity are maintained while recognising the localised character of different parts of the District

Decision Reasons:

- Supports the intent of the policy but needs recognition of the variation of what defines rural character and amenity values across a large District.
- The Waikato District encompasses coastal areas, hill country comprising large landholdings particularly in the northern part of the district and primarily pastoral uses and smaller landholdings which is used for higher value production activities such as intensive cropping, greenhouses etc.
- Consideration of 'Rural Character' should take into account the unique variables of the locality including land holding pattern, built form, landuse activities, vegetation and geomorphology.

Point Number 519.5

Summary of Decision Requested: **Retain** Rule 22.4.1.2(a)(i), (ii) and (iii) General Subdivision, as notified.

Decision Reasons:

- Supports the inclusion of the General Subdivision rules.

Point Number 519.6

Summary of Decision Requested: **Retain** Rule 22.4.1.2 General subdivision except for the amendments sought below

AND

Add a new discretionary activity to Rule 22.4.1.2 General subdivision, as follows:

DI

(a) General subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.2, (iv) RDI.

(b) General subdivision around established rural activities that does not comply with Rule 22.4.1.2, (iv) RDI.

Decision Reasons:

- Support Rule 22.4.1.2 (a)(iv) in part.
- General Subdivision creating a child lot around an existing dwelling, where a curtilage is established and farming regime is already in place on the balance lot, should be provided flexibility in lot size to ensure that the existing farming regime can continue.
- Ensure the boundaries proposed are a practical outcome to ensure the most efficient ongoing management of the land and not meet an arbitrary rule. A lot size consistent with the established farming regime will avoid the redevelopment of farm tracks and fence lines to access what is a relatively small piece of land.
- A discretionary rule should also be provided for lots less than 8,000m² and greater than 1.6ha where they contain an existing dwelling. There may be site specific factors that create a unique situation that is conducive to the proposed lot size whilst remaining consistent with the objectives and policies.
- For lots smaller than 8000m², it is only necessary to confirm the provision of services within the lot boundaries
- Lots greater than 1.6ha may need an assessment with respect to the productive potential of the land. If the land comprises existing curtilage around the house then the lot will not result in any unreasonable effects with respect to the productive potential of the balance land. If the land comprises productive potential, then a Farm Management report should be provided to demonstrate that the both the proposed lot and the balance lot are sized to ensure rural land uses continue to predominate.
- Creation of lots should be provided for that accommodate existing and well-established rural activities where these are of a viable, sustainable and permanent nature, and it is appropriate for these to be subdivided from other rural activities on the site.

Point Number 519.7

Summary of Decision Requested: **Delete** Rule 22.4.1.2(a)(v) General Subdivision (80/20 Rule);
AND
Add new matters of discretion to Rule 22.4.1.2(b) General subdivision, as follows:
(vi) Effects on rural productivity and fragmentation of high class soils.

Decision Reasons:

- There is no analysis in the s32 regarding this relevance or practicality of this rule.
- Oppose Rule 22.4.1.2 (a)(v).
- Submitter agrees with the intent, however the strict and arbitrary 80/20 requirement of this rule though may not necessarily result in the best layout, design or farming outcome for the site.
- The objectives and policies (5.1.1, 5.2) give primacy to the protection of high class soils. In addition to the objectives and policies (5.2), the submitter would like to see matters relating to the retention of high class soils and the maintenance of productivity/farming systems addressed as a matter of discretion for the General Subdivision provisions. The strength of the objectives and policies together with expanded matters of discretion are sufficiently strong to ensure adverse outcomes on high class soils are avoided.
- The requirement to demonstrate the 80/20 split will result in the necessary inclusion of Landuse Capability Reporting with every subdivision application under general provisions to demonstrate that this exact figure is met. This becomes an additional compliance cost that does not necessarily result in a better environmental outcome. Council's Consent Planners should have the discretion of where these are required in accordance with the recommended matter of discretion.

Point Number 519.8

Summary of Decision Requested: **Retain** Rule 22.4.1.2(a)(iv) General subdivision.

Decision Reasons:

- Creation of a vacant lot between 8,000m² and 1.6ha is supported as a Restricted Discretionary activity.

Point Number 519.9

Summary of Decision Requested: **Retain** Policy 5.3.8 Effects on rural character and amenity from rural subdivision, except for the amendments sought below
AND
Amend Policy 5.3.8 Effects on rural character and amenity from rural subdivision, as follows:

~~(b) Ensure development does not compromise the predominant open space, character and amenity of rural areas.~~

...

(d) Rural hamlet subdivision and boundary relocations ensure the following:

(i) Protection of rural land for productive purposes;

(ii) Maintenance of the localised rural character and amenity of the surrounding rural environment;

(iii) Minimisation of cumulative effects.

(e) Subdivision, use and development opportunities ensure that localised rural character and amenity values are maintained.

Decision Reasons:

- Policy is supported in part.
- Policies 5.3.8(b), (d)(ii) and (e) are duplicates which seek to ensure that rural character and amenity are maintained.
- Not all rural areas comprise open space character and amenity. The district's rural character is varied in nature and comprises landscapes, landforms and structures and are areas of active and dynamic primary production and associated activities rather than necessarily benign landscapes.
- It should be recognised that Rural landscapes can be visually altered by structures and buildings such as greenhouses and packhouses, however these are recognised as important components of primary production activities, form part of the rural environment and are generally considered rural in appearance and value.

Point Number 519.10

Summary of Decision Requested: **Amend** the activity status for Rules 22.4.1.1 PR1, PR2, PR3 and PR4 Prohibited subdivision from prohibited activities to non-complying activities.

Decision Reasons:

- Oppose the Prohibited Activity Status for rural subdivision activities and should be considered as non-complying activities.
- With regards to PR2 and PR3, there may be circumstances where the subdivision of high class soils has overall positive effects that can be supported by the objectives and policies. Relocating consented lots within a holding (multiple Records of Title held in the same ownership) may produce a better outcome from a farming and landscape perspective.
- There are circumstances where it may be unavoidable to create an additional Record of Title.
- The rule relies on a definition of High Class Soils. High class soils as defined in the Proposed Plan, (relying on soil classification only), may not be versatile due to a range of factors identified through case law.
- It is unreasonable to prohibit the creation of lots that accommodate existing and well-established rural activities where these are viable and sustainable and permanent in nature and it is appropriate for these to be subdivided from other rural activities on the site. Established rural activities include such as greenhouses, packhouse, packing sheds, intensive farming, poultry hatcheries or commercial orchards.
- Rural activities do not need to be held on the same certificate of title as other rural activities. Subdivision may enable more opportunities for economic wellbeing and the efficient and effective operation of the activity.
- Commercial reasons could necessitate subdivision including the desire to sell or lease the business rather than disposal of the entire property or the need to invest more capital in the operation.
- Prevents opportunities for subdivision where there is a significant capital investment, particularly in buildings and the intensive rural activity will continue to be commercially viable and sustainable following separation from other rural activities on the site.

- PR4 unreasonably restricts subdivision potential over what is necessary to avoid undermining the intent of the rule under which these Record of Title were created. Rule 22B of the Franklin Section the donor certificates of title had to meet a minimum area of 1ha each, however, there is no maximum, with many donor Records of Title ranging upwards from 20ha prior to the amalgamation. It is noted that under the Franklin Section of the District Plan there was no corresponding rule that limited any further subdivision of the donor lot. While subdividing lots amalgamated under Section 22b of the Franklin Section require closer scrutiny this should merit a Non-Complying Activity status. The land affected may contain qualifying Significant Natural Areas or may be able to relocate boundaries without creating an outcome that may compromise the prior transferable subdivision.
- The objectives and policies of the Proposed Plan should be sufficiently strong to ensure that the subdivision of land containing high class soils is protected and that subdivision in the Urban Expansion Zone does not undermine the integrated and efficient development of this zone

Point Number 519.11

Summary of Decision Requested: **Amend** Rule 22.4.1.1 Prohibited subdivision to replace the term 'lot' with 'Record of Title'.

Decision Reasons:

- Submitter seeks that the word 'lot' as used in these rules be changed for 'Record of Title.'
- It may be necessary to create multiple lots and hold them in one Record of Title. This may occur when a stream or a public road bisects land held together in one Record of Title.

Submitter Number: 520 **Submitter:** Finlayson Farms Limited

Point Number 520.1

Summary of Decision Requested: **Retain** Objective 5.1.1 The rural environment, as notified.

Decision Reasons:

- The Waikato District has valuable areas of high class soils which are of primary importance for production both regionally and nationally.
- Protecting high class soils from adverse effects of inappropriate use and development is of national importance and is recognised with a NPS for Versatile Land and High Class Soils under consideration.
- Urban subdivision is an inefficient use of rural production land. Urban subdivision, particularly ad-hoc subdivision, may undermine the integrated development of identified townships and expansion areas.
- Supports the objective and agrees that urban development within the rural environment should be avoided.

Point Number 520.2

Summary of Decision Requested: **Retain** Objective 5.2.1 Rural resources, except for the amendments sought below
AND
Amend Objective 5.2.1 Rural resources, as follows:

- (a) Maintain or enhance the:
(i) *Inherent life-supporting capacity, accessibility, and versatility of soils, in particular high class soils...*

Decision Reasons:

- Supports sub policy (i) which seeks to maintain or enhance the life-supporting capacity and versatility of soils.
- Accessibility to versatile land is also a key consideration in managing this resource and should be included in this policy.

Point Number 520.3

Summary of Decision Requested: **Retain** Policy 5.2.2 High class soils, as notified.

Decision Reasons:

- Supports Policy 5.2.2 seeking to retain high class soils and ensure adverse effects do not compromise the life support properties of high class soil.

Point Number 520.4

Summary of Decision Requested: **Retain** Objective 5.3.1 Rural character and amenity, except for the amendments sought below
AND
Amend Objective 5.3.1(a) Rural character and amenity, as follows:

Rural character and amenity are maintained while recognising the localised character of different parts of the District.

Decision Reasons:

- Supports intent of the objective but needs recognition of the variation of what defines rural character and amenity values across a large District.
- The Waikato District encompasses coastal areas, hill country comprising large landholdings particularly in the northern part of the district and primarily pastoral uses and smaller landholdings which is used for higher value production activities such as intensive cropping, greenhouses etc.
- Consideration of 'Rural Character' should take into account the unique variables of the locality including land holding pattern, built form, landuse activities, vegetation and geomorphology.

Point Number 520.5

Summary of Decision Requested: **Retain** Rule 22.4.1.2(a)(i), (ii) and (iii) General Subdivision, as notified.

Decision Reasons:

- Supports the inclusion of the General Subdivision rules.

Point Number 520.6

Summary of Decision Requested: **Retain** Rule 22.4.1.2 General subdivision except for the amendments sought below

AND

Add a new discretionary activity to Rule 22.4.1.2 General subdivision, as follows:

DI

(g) General subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.2. (iv) RDI.

(b) General subdivision around established rural activities that does not comply with Rule 22.4.1.2. (iv) RDI.

Decision Reasons:

- Support Rule 22.4.1.2 (a)(iv) in part.
- General Subdivision creating a child lot around an existing dwelling, where a curtilage is established and farming regime is already in place on the balance lot, should be provided flexibility in lot size to ensure that the existing farming regime can continue.
- Ensure the boundaries proposed are a practical outcome to ensure the most efficient ongoing management of the land and not meet an arbitrary rule. A lot size consistent with the established farming regime will avoid the redevelopment of farm tracks and fence lines to access what is a relatively small piece of land.
- A discretionary rule should also be provided for lots less than 8,000m² and greater than 1.6ha where they contain an existing dwelling. There may be site specific factors that create a unique situation that is conducive to the proposed lot size whilst remaining consistent with the objectives and policies.
- For lots smaller than 8000m², it is only necessary to confirm the provision of services within the lot boundaries
- Lots greater than 1.6ha may need an assessment with respect to the productive potential of the land. If the land comprises existing curtilage around the house then the lot will not result in any unreasonable effects with respect to the productive potential of the balance land. If the land comprises productive potential, then a Farm Management report should be provided to demonstrate that the both the proposed lot and the balance lot are sized to ensure rural land uses continue to predominate.
- Creation of lots should be provided for that accommodate existing and well-established rural activities where these are of a viable, sustainable and permanent nature, and it is appropriate for these to be subdivided from other rural activities on the site.

Point Number

520.7

Summary of Decision Requested:

Delete Rule 22.4.1.2(a)(v) General Subdivision (80/20 Rule);

AND

Add new matters of discretion to Rule 22.4.1.2(b) General subdivision, as follows:

(vi) Effects on rural productivity and fragmentation of high class soils.

Decision Reasons:

- Oppose Rule 22.4.1.2 (a)(v).
- Submitter agrees with intent of this rule, however there is no analysis in the s32 regarding this relevance or practicality of this rule.
- The strict and arbitrary 80/20 requirement of this rule though may not necessarily result in the best layout, design or farming outcome for the site.
- The objectives and policies (5.1.1, 5.2) give primacy to the protection of high class soils. In addition to the objectives and policies (5.2), the submitter would like to see matters relating to the retention of high class soils and the maintenance of productivity/farming systems addressed as a matter of discretion for the General Subdivision provisions. The strength of the objectives and policies together with expanded matters of discretion are sufficiently strong to ensure adverse outcomes on high class soils are avoided.
- The requirement to demonstrate the 80/20 split will result in the necessary inclusion of Landuse Capability Reporting with every subdivision application under the General provisions to demonstrate that this exact figure is met. This becomes an additional compliance cost that does not necessarily result in a better environmental outcome. Council's Consent Planners should have the discretion of where these are required in accordance with the recommended matter of discretion.

Point Number

520.8

Summary of Decision Requested:

Retain Rule 22.4.1.2(a)(iv) General subdivision.

Decision Reasons:

- Creation of a vacant lot between 8,000m² and 1.6ha is supported as a Restricted Discretionary Activity.

Point Number

520.9

Summary of Decision Requested:

Retain Policy 5.3.8 Effects on rural character and amenity, except for the amendments sought below

AND

Amend Policy 5.3.8 Effects on rural character and amenity from rural subdivision, as follows:

~~(b) Ensure development does not compromise the predominant open space, character and amenity of rural areas.~~

...

(d) Rural hamlet subdivision and boundary relocations ensure the following:

(i) Protection of rural land for productive purposes;

(ii) Maintenance of the localised rural character and amenity of the surrounding rural environment;

(iii) Minimisation of cumulative effects.

(e) Subdivision, use and development opportunities ensure that localised rural character and amenity values are maintained.

Decision Reasons:

- Policy is supported in part.
- Policies 5.3.8(b), (d)(ii) and (e) are duplicates which seek to ensure that rural character and amenity are maintained.
- Not all rural areas comprise open space character and amenity. The district's rural character is varied in nature and comprises landscapes, landforms and structures and are areas of active and dynamic primary production and associated activities rather than necessarily benign landscapes.
- It should be recognised that Rural landscapes can be visually altered by structures and buildings such as greenhouses and packhouses. However these are recognised as important components of primary production activities, form part of the rural environment and generally considered rural in appearance and value.

Point Number

520.10

Summary of Decision Requested:

Amend the activity status for Rules 22.4.1.1 PR1, PR2, PR3 and PR4 Prohibited subdivision from prohibited activities to non-complying activities.

Decision Reasons:

- Oppose the Prohibited Activity status for rural subdivision activities and should be considered as non-complying activities.
- With regards to PR2 and PR3 there may be circumstances where the subdivision of high class soils has overall positive effects that can be supported by the objectives and policies. Relocating consented lots within a holding (multiple Records of Title held in the same ownership) may produce a better outcome from a farming and landscape perspective.
- There are circumstances where it may be unavoidable to create an additional Record of Title, i.e. where a title is limited as to parcels and held together by a covenant.
- The rule relies on a definition of High Class Soils. High class soils as defined in the Proposed Plan, (relying on soil classification only), may not be versatile due to a range of factors identified through case law.

- It is unreasonable to prohibit the creation of lots that accommodate existing and well-established rural activities where these are viable and sustainable and permanent in nature and it is appropriate for those to be subdivided from other rural activities on the site. Established rural activities include greenhouses, packhouse, packing sheds, intensive farming, poultry hatcheries or commercial orchards.
- Rural activities do not need to be held on the same certificate of title as other rural activities. Subdivision may enable more opportunities for economic wellbeing and the efficient and effective operation of the activity.
- Commercial reasons could necessitate subdivision including the desire to sell or lease the business rather than disposal of the entire property or the need to invest more capital in the operation.
- Prevents opportunities for subdivision where there is a significant capital investment, particularly in buildings and the intensive rural activity will continue to be commercially viable and sustainable following separation from other rural activities on the site.
- PR4 unreasonably restricts subdivision potential over what is necessary to avoid undermining the intent of the rule under which these Record of Title were created. Rule 22B of the Franklin Section the donor certificates of title had to meet a minimum area of 1ha each, however, there is no maximum, with many donor Records of Title ranging upwards from 20ha prior to the amalgamation. It is noted that under the Franklin Section of the District Plan there was no corresponding rule that limited any further subdivision of the donor lot. While subdividing lots amalgamated under Section 22b of the Franklin Section require closer scrutiny this should merit a Non-Complying Activity status. The land affected may contain qualifying Significant Natural Areas or may be able to relocate boundaries without creating an outcome that may compromise the prior transferable subdivision.
- The objectives and policies of the Proposed Plan should be sufficiently strong to ensure that the subdivision of land containing high class soils is protected and that subdivision in the Urban Expansion Zone does not undermine the integrated and efficient development of this zone

Point Number 520.11

Summary of Decision Requested: Amend Rule 22.4.1.1 Prohibited subdivision to replace the term 'lot' with 'Record of Title'.

Decision Reasons:

- Submitter seeks that the word 'lot' as used in these rules be changed to 'Record of Title.'
- It may be necessary to create multiple lots and hold them in one Record of Title. This may occur when a stream or a public road bisects land held together in one Record of Title.

Submitter Number: 521 **Submitter:** Max and Denise Irwin

Organisation: A Irwin & Son Limited

Point Number 521.1

Summary of Decision Requested: Retain Objective 5.1.1 The rural environment, as notified.

Decision Reasons:

- The Waikato District has valuable areas of high class soils which are of primary importance for food production both regionally and nationally.
- Protecting high class soils from adverse effects of inappropriate use and development is of national importance and is recognised with a NPS for Versatile Land and High Class Soils under consideration.
- Urban subdivision is an inefficient use of rural production land. Urban subdivision, particularly ad-hoc subdivision, may undermine the integrated development of identified townships and expansion areas.
- Supports the objective and agrees that urban development within the rural environment should be avoided.

Point Number 521.2

Summary of Decision Requested: Retain Objective 5.2.1 Rural resources, except for the amendment sought below

AND

Amend Objective 5.2.1 Rural resources, as follows:

(a) Maintain or enhance the:

(i) Inherent life-supporting capacity, accessibility and versatility of soils, in particular high class soils...

Decision Reasons:

- Support sub policy (i) which seeks to maintain or enhance the life-supporting capacity and versatility of soils.
- Accessibility to versatile land is also a key consideration in managing this resource and should be included in this policy.

Point Number 521.3

Summary of Decision Requested: Retain Policy 5.2.2 High class soils, as notified.

Decision Reasons:

- Submitter supports Policy 5.2.2 seeking to retain high class soils and ensure adverse effects do not compromise the life support properties of high class soil.

Point Number 521.4

Summary of Decision Requested: Retain Objective 5.3.1 Rural character and amenity, except for the amendments sought below

AND

Amend Objective 5.3.1(a) Rural character and amenity, as follows:

Rural character and amenity are maintained while recognising the localised character of different parts of the District.

Decision Reasons:

- Supports intent of the objective but needs recognition of the variation of what defines rural character and amenity values across a large District.
- The Waikato District encompasses coastal areas, hill country comprising large landholdings and primarily pastoral uses and smaller landholdings particularly in the northern part of the district which is used for higher value production activities such as intensive cropping, greenhouses etc.
- Consideration of 'Rural Character' should take into account the unique variables of the locality including land holding pattern, built form, landuse activities, vegetation and geomorphology.

Point Number 521.5

Summary of Decision Requested: Retain Rule 22.4.1.2(a)(i), (ii) and (iii) General Subdivision, as notified.

Decision Reasons:

- Supports the inclusion of the General Subdivision rules.

Point Number

521.6

Summary of Decision Requested:

Retain Rule 22.4.1.2 General subdivision, except for the amendments sought below

AND

Add a new discretionary activity to Rule 22.4.1.2 General subdivision, as follows:

DI

(a) General subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.2. (iv) RDI.

(b) General subdivision around established rural activities that does not comply with Rule 22.4.1.2. (iv) RDI.

Decision Reasons:

- Support Rule 22.4.1.2 (a)(iv) in part.
- General Subdivision creating a child lot around an existing dwelling, where a curtilage is established and farming regime is already in place on the balance lot, should be provided flexibility in lot size to ensure that the existing farming regime can continue.
- Ensure the boundaries proposed are a practical outcome to ensure the most efficient ongoing management of the land and not meet an arbitrary rule. A lot size consistent with the established farming regime will avoid the redevelopment of farm tracks and fence lines to access what is a relatively small piece of land.
- A discretionary rule should also be provided for lots less than 8,000m² and greater than 1.6ha where they contain an existing dwelling. There may be site specific factors that create a unique situation that is conducive to the proposed lot size whilst remaining consistent with the objectives and policies.
- For lots smaller than 8000m², it is only necessary to confirm the provision of services within the lot boundaries
- Lots greater than 1.6ha may need an assessment with respect to the productive potential of the land. If the land comprises existing curtilage around the house then the lot will not result in any unreasonable effects with respect to the productive potential of the balance land. If the land comprises productive potential, then a Farm Management report should be provided to demonstrate that the both the proposed lot and the balance lot are sized to ensure rural land uses continue to predominate.
- Creation of lots should be provided for that accommodate existing and well-established rural activities where these are of a viable, sustainable and permanent nature, and it is appropriate for these to be subdivided from other rural activities on the site.

Point Number

521.7

Summary of Decision Requested:

Delete Rule 22.4.1.2(a)(v) General Subdivision (80/20 Rule);

AND

Add new matters of discretion to rule 22.4.1.2(b), as follows:

(vi) Effects on rural productivity and fragmentation of high class soils.

Decision Reasons:

- Rule 22.4.1.2 (a)(v) is opposed.
- There is no analysis in the s32 regarding this relevance or practicality of this rule.
- Submitter agrees with the intent of this rule however the strict and arbitrary 80/20 requirement of this rule though may not necessarily result in the best layout, design or farming outcome for the site.
- The objectives and policies (5.1.1, 5.2) give primacy to the protection of high class soils. In addition to the objectives and policies (5.2), the submitter would like to see matters relating to the retention of high class soils and the maintenance of productivity/farming systems addressed as a matter of discretion for the General Subdivision provisions. The strength of the objectives and policies together with expanded matters of discretion are sufficiently strong to ensure adverse outcomes on high class soils are avoided.
- The requirement to demonstrate the 80/20 split will result in the necessary inclusion of Landuse Capability Reporting with every subdivision application under the General provision to demonstrate that this exact figure is met. This becomes an additional compliance cost that does not necessarily result in a better environmental outcome. Council's Consent Planners should have the discretion of where these are required in accordance with the recommended matter of discretion.

Point Number

521.8

Summary of Decision Requested:

Retain Rule 22.4.1.2(a)(iv) General subdivision.

Decision Reasons:

- Creation of an vacant lot between 8,000m² and 1.6ha as a Restricted Discretionary Activity is supported.

Point Number

521.9

Summary of Decision Requested:

Amend Policy 5.3.8 Effects on rural character and amenity from rural subdivision, as follows:

~~*(b) Ensure development does not compromise the predominant open space, character and amenity of rural areas.*~~

...

(d) Rural hamlet subdivision and boundary relocations ensure the following:

(i) Protection of rural land for productive purposes;

(ii) Maintenance of the localised rural character and amenity of the surrounding rural environment;

(iii) Minimisation of cumulative effects.

(e) Subdivision, use and development opportunities ensure that localised rural character and amenity values are maintained.

Decision Reasons:

- Policy is supported in part.
- Policies 5.3.8(b), (d)(ii) and (e) are duplicates which seek to ensure that rural character and amenity are maintained.
- Not all rural areas comprise open space character and amenity. The district's rural character is varied in nature and comprises landscapes, landforms and structures and are areas of active and dynamic primary production and associated activities rather than necessarily benign landscapes.
- It should be recognised that Rural landscapes can be visually altered by structures and buildings such as greenhouses and packhouses. However these are recognised as important components of primary production activities, form part of the rural environment and are generally considered rural in appearance and value.

Point Number

521.10

Summary of Decision Requested:

Amend the activity status for Rules 22.4.1.1 PR1, PR2, PR3 and PR4 Prohibited subdivision from prohibited activities to non-complying activities.

Decision Reasons:

- Oppose the Prohibited Activity Status for rural subdivision activities and should be considered as non-complying activities.
- With regard to PR2 and PR3 there may be circumstances where the subdivision of high class soils has overall positive effects that can be supported by the objectives and policies. Relocating consented lots within a holding (multiple Records of Title held in the same ownership) may produce a better outcome from a farming and landscape perspective.
- There are circumstances where it may be unavoidable to create an additional Record of Title, i.e. where a title is limited as to parcels and held together by covenant.
- The rule relies on a definition of High Class Soils. High class soils as defined in the Proposed Plan, (relying on soil classification only), may not be versatile due to a range of factors identified through case law.
- It is unreasonable to prohibit the creation of lots that accommodate existing and well-established rural activities where these are viable and sustainable and a permanent nature and it is appropriate for those to be subdivided from other rural activities on site. Established rural activities include greenhouses, packhouse, packing sheds, intensive farming, poultry hatcheries or commercial orchards.
- Rural activities do not need to be held on the same certificate of title as other rural activities. Subdivision may enable more opportunities for economic wellbeing and the efficient and effective operation of the activity.
- Commercial reasons could necessitate subdivision including the desire to sell or lease the business rather than disposal of the entire property or the need to invest more capital in the operation.
- Prevents opportunities for subdivision where there is a significant capital investment, particularly in buildings and the intensive rural activity will continue to be commercially viable and sustainable following separation from other rural activities on the site.
- PR4 unreasonably restricts subdivision potential over what is necessary to avoid undermining the intent of the rule under which these Record of Title were created. Rule 22B of the Franklin Section the donor certificates of title had to meet a minimum area of 1ha each, however, there is no maximum, with many donor Records of Title ranging upwards from 20ha prior to the amalgamation. It is noted that under the Franklin Section of the District Plan there was no corresponding rule that limited any further subdivision of the donor lot. While subdividing lots amalgamated under Section 22b of the Franklin Section require closer scrutiny this should merit a Non-Complying Activity status. The land affected may contain qualifying Significant Natural Areas or may be able to relocate boundaries without creating an outcome that may compromise the prior transferable subdivision.
- The objectives and policies of the Proposed Plan should be sufficiently strong to ensure that the subdivision of land containing high class soils is protected and that subdivision in the Urban Expansion Zone does not undermine the integrated and efficient development of this zone

Point Number 521.11

Summary of Decision Requested: Amend Rule 22.4.1.1 Prohibited subdivision to replace the term 'lot' with 'Record of Title'.

Decision Reasons:

- Submitter seeks that the word 'lot' as used in these rules be changed for 'Record of Title.'
- It may be necessary to create multiple lots and hold them in one Record of Title. This may occur when a stream or a public road bisects land held together in one Record of Title.

Submitter Number: 522 **Submitter:** Joy & Wayne Chapman

Point Number 522.1

Summary of Decision Requested: Retain Objective 5.1.1 The rural environment, as notified.

Decision Reasons:

- The Waikato District has valuable areas of high class soils which are of primary importance for food production both regionally and nationally.
- Protecting high class soils from adverse effects of inappropriate use and development is of national importance and is recognised with a NPS for Versatile Land and High Class Soils under consideration.
- Urban subdivision is an inefficient use of rural production land. Urban subdivision, particularly ad-hoc subdivision, may undermine the integrated development of identified townships and expansion areas.
- Supports the objective and agrees that urban development within the rural environment should be avoided.

Point Number 522.2

Summary of Decision Requested: Retain Objective 5.2.1 Rural resources, except for the amendments sought below

AND

Amend Objective 5.2.1 Rural resources, as follows:

(a) Maintain or enhance the:

(i) *Inherent life-supporting capacity, accessibility, and versatility of soils, in particular high class soils...*

Decision Reasons:

- Support sub-policy (i) which seeks to maintain and enhance the life supporting capacity and versatility of soils.
- Accessibility to versatile land is also a key consideration in managing this resource and should be included in this policy.

Point Number 522.3

Summary of Decision Requested: Retain Policy 5.2.2 High class soils, as notified.

Decision Reasons:

- Supports Policy 5.2.2 seeking to retain high class soils and ensure adverse effects do not compromise the life support properties of high class soil.

Point Number 522.4

Summary of Decision Requested: Retain Objective 5.3.1 (a) Rural character and amenity, except for the amendments sought below

AND

Amend Objective 5.3.1(a) Rural character and amenity, as follows:

Rural character and amenity are maintained while recognising the localised character of different parts of the District.

Decision Reasons:

- Needs recognition of the variation of what defines rural character and amenity values across a large District.
- The Waikato District encompasses coastal areas, hill country comprising large landholdings particularly in the northern part of the district and primarily pastoral uses and smaller landholdings which is used for higher value production activities such as intensive cropping, greenhouses etc.
- Consideration of 'Rural Character' should take into account the unique variables of the locality including land holding pattern, built form, landuse activities, vegetation and geomorphology.

Point Number 522.5
Summary of Decision Requested: **Retain** Rule 22.4.1.2(a)(i), (ii) and (iii) General Subdivision, as notified.

Decision Reasons:

- Supports the inclusion of the General Subdivision rules.

Point Number 522.6
Summary of Decision Requested: **Retain** Rule 22.4.1.2 General subdivision except for the amendments sought below
AND

Add a new discretionary activity to Rule 22.4.1.2 General subdivision, as follows:

DI

(a) General subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.2. (iv) RD1.

(b) General subdivision around established rural activities that does not comply with Rule 22.4.1.2. (iv) RD1.

Decision Reasons:

- Support Rule 22.4.1.2 (a)(iv) in part.
- General Subdivision creating a child lot around an existing dwelling, where a curtilage is established and farming regime is already in place on the balance lot, should be provided flexibility in lot size to ensure that the existing farming regime can continue.
- Ensure the boundaries proposed are a practical outcome to ensure the most efficient ongoing management of the land and not meet an arbitrary rule. A lot size consistent with the established farming regime will avoid the redevelopment of farm tracks and fence lines to access what is a relatively small piece of land.
- A discretionary rule should also be provided for lots less than 8,000m² and greater than 1.6ha where they contain an existing dwelling. There may be site specific factors that create a unique situation that is conducive to the proposed lot size whilst remaining consistent with the objectives and policies.
- For lots smaller than 8000m², it is only necessary to confirm the provision of services within the lot boundaries
- Lots greater than 1.6ha may need an assessment with respect to the productive potential of the land. If the land comprises existing curtilage around the house then the lot will not result in any unreasonable effects with respect to the productive potential of the balance land. If the land comprises productive potential, then a Farm Management report should be provided to demonstrate that the both the proposed lot and the balance lot are sized to ensure rural land uses continue to predominate.
- Creation of lots should be provided for that accommodate existing and well-established rural activities where these are of a viable, sustainable and permanent nature, and it is appropriate for these to be subdivided from other rural activities on the site.

Point Number 522.7
Summary of Decision Requested: **Delete** Rule 22.4.1.2(a)(v) General Subdivision (80/20 Rule);
AND

Add new matters of discretion to Rule 22.4.1.2(b) General subdivision as follows:

(vi) Effects on rural productivity and fragmentation of high class soils.

Decision Reasons:

- Rule 22.4.1.2 (a)(v) is opposed.
- There is no analysis in the s32 regarding this relevance or practicality of this rule.
- Submitter agrees with the intent of the rule, however the strict and arbitrary 80/20 requirement of this rule though may not necessarily result in the best layout, design or farming outcome for the site.
- The objectives and policies (5.1.1, 5.2) give primacy to the protection of high class soils. In addition to the objectives and policies (5.2), the submitter would like to see matters relating to the retention of high class soils and the maintenance of productivity/farming systems addressed as a matter of discretion for the General Subdivision provisions. The strength of the objectives and policies together with expanded matters of discretion are sufficiently strong to ensure adverse outcomes on high class soils are avoided.
- The requirement to demonstrate the 80/20 split will result in the necessary inclusion of Landuse Capability Reporting with every subdivision application under the general provisions to demonstrate that this exact figure is met. This becomes an additional compliance cost that does not necessarily result in a better environmental outcome. Council's Consent Planners should have the discretion of where these are required in accordance with the recommended matter of discretion.

Point Number 522.8
Summary of Decision Requested: **Retain** Rule 22.4.1.2 (a) (iv) General subdivision.

Decision Reasons:

- Creation of an additional lot between 8,000m² and 1.6ha as a Restricted Discretionary Activity is supported.

Point Number 522.9
Summary of Decision Requested: **Retain** Policy 5.3.8 Effects on rural character and amenity from rural subdivision, except for the amendments sought below
AND

Amend Policy 5.3.8 Effects on rural character and amenity from rural subdivision, as follows:

~~(b) Ensure development does not compromise the predominant open space, character and amenity of rural areas.~~

...

(d) Rural hamlet subdivision and boundary relocations ensure the following:

(i) Protection of rural land for productive purposes;

(ii) Maintenance of the localised rural character and amenity of the surrounding rural environment;

(iii) Minimisation of cumulative effects.

(e) Subdivision, use and development opportunities ensure that localised rural character and amenity values are maintained.

Decision Reasons:

- Policy is supported in part.
- Policies 5.3.8(b), (d)(ii) and (e) are duplicates which seek to ensure that rural character and amenity are maintained.
- Not all rural areas comprise open space character and amenity. The district's rural character is varied in nature and comprises landscapes, landforms and structures and are areas of active and dynamic primary production and associated activities rather than necessarily benign landscapes.
- It should be recognised that Rural landscapes can be visually altered by structures and buildings such as greenhouses and packhouses. However these are recognised as important components of primary production activities, form part of the rural environment and are generally considered rural in appearance and value.

Point Number 522.10

Summary of Decision Requested: **Amend** the activity status for Rules 22.4.1.1 PR1, PR2, PR3 and PR4 Prohibited subdivision from prohibited activities to non-complying activities.

Decision Reasons:

- Oppose the Prohibited Activity status for rural subdivision activities and should be considered as non-complying activities.
- With regards to PR2 and PR3 there may be circumstances where the subdivision of high class soils has overall positive effects that can be supported by the objectives and policies. Relocating consented lots within a holding (multiple Records of Title held in the same ownership) may produce a better outcome from a farming and landscape perspective.
- There are circumstances where it may be unavoidable to create an additional Record of Title, i.e. where a title is limited as to parcels and held together by covenant.
- The rule relies on a definition of High Class Soils. High class soils as defined in the Proposed Plan, (relying on soil classification only), may not be versatile due to a range of factors identified through case law.
- It is unreasonable to prohibit the creation of lots that accommodate existing and well-established rural activities where these are viable and sustainable and of a permanent nature and it is appropriate for these to be subdivided from other rural activities on the site. Established rural activities include greenhouses, packhouse, packing sheds, intensive farming, poultry hatcheries or commercial orchards.
- Rural activities do not need to be held on the same certificate of title as other rural activities. Subdivision may enable more opportunities for economic wellbeing and the efficient and effective operation of the activity.
- Commercial reasons could necessitate subdivision including the desire to sell or lease the business rather than disposal of the entire property or the need to invest more capital in the operation.
- Prevents opportunities for subdivision where there is a significant capital investment, particularly in buildings and the intensive rural activity will continue to be commercially viable and sustainable following separation from other rural activities on the site.
- PR4 unreasonably restricts subdivision potential over what is necessary to avoid undermining the intent of the rule under which these Record of Title were created. Rule 22B of the Franklin Section the donor certificates of title had to meet a minimum area of 1ha each, however, there is no maximum, with many donor Records of Title ranging upwards from 20ha prior to the amalgamation. It is noted that under the Franklin Section of the District Plan there was no corresponding rule that limited any further subdivision of the donor lot. While subdividing lots amalgamated under Section 22b of the Franklin Section require closer scrutiny this should merit a Non-Complying Activity status. The land affected may contain qualifying Significant Natural Areas or may be able to relocate boundaries without creating an outcome that may compromise the prior transferable subdivision.
- The objectives and policies of the Proposed Plan should be sufficiently strong to ensure that the subdivision of land containing high class soils is protected and that subdivision in the Urban Expansion Zone does not undermine the integrated and efficient development of this zone

Point Number 522.11

Summary of Decision Requested: **Amend** Rule 22.4.1.1 Prohibited subdivision to replace the term 'lot' with 'Record of Title'.

Decision Reasons:

- Submitter seeks that the word 'lot' as used in these rules be changed for 'Record of Title.'
- It may be necessary to create multiple lots and hold them in one Record of Title. This may occur when a stream or a public road bisects land held together in one Record of Title.

Submitter Number: 523 **Submitter:** R & B Litchfield Limited

Point Number 523.1

Summary of Decision Requested: **Retain** Objective 5.1.1 The rural environment, as notified.

Decision Reasons:

- The Waikato District has valuable areas of high class soils which are of primary importance for food production both regionally and nationally.
- Protecting high class soils from adverse effects of inappropriate use and development is of national importance and is recognised with a NPS for Versatile Land and High Class Soils under consideration.
- Urban subdivision is an inefficient use of rural production land. Urban subdivision, particularly ad-hoc subdivision, may undermine the integrated development of identified townships and expansion areas.
- Supports the objective and agrees that urban development within the rural environment should be avoided.

Point Number 523.2

Summary of Decision Requested: **Retain** Objective 5.2.1 Rural resources, except for the amendments sought below
AND
Amend Objective 5.2.1 Rural resources, as follows:
(a) *Maintain or enhance the:*
(i) *Inherent life-supporting capacity, accessibility, and versatility of soils, in particular high class soils...*

Decision Reasons:

- Supports sub policy (i) which seeks to maintain and enhance the life supporting capacity and versatility of soils.
- Accessibility to versatile land is also a key consideration in managing this resource and should be included in this policy.

Point Number 523.3

Summary of Decision Requested: **Retain** Policy 5.2.2 High class soils, as notified.

Decision Reasons:

- Supports Policy 5.2.2 seeking to retain high class soils and ensure adverse effects do not compromise the life support properties of high class soil.

Point Number 523.4

Summary of Decision Requested: **Retain** Objective 5.3.1 Rural character and amenity, except for the amendments sought below
AND
Amend Objective 5.3.1(a) Rural character and amenity, as follows:
Rural character and amenity are maintained while recognising the localised character of different parts of the District.

Decision Reasons:

- Needs recognition of the variation of what defines rural character and amenity values across a large District.
- The Waikato District encompasses coastal areas, hill country comprising large landholdings and primarily pastoral uses and smaller landholdings which is used for higher value production activities such as intensive cropping, greenhouses etc.
- Consideration of 'Rural Character' should take into account the unique variables of the locality including land holding pattern, built form, landuse activities, vegetation and geomorphology.

Point Number 523.5

Summary of Decision Requested: Retain Rule 22.4.1.2(a)(i), (ii) and (iii) General Subdivision, as notified.

Decision Reasons:

- Supports the inclusion of the General Subdivision rules.

Point Number 523.6

Summary of Decision Requested: Retain Rule 22.4.1.2 General subdivision, except for the amendments sought below
AND
Add a new discretionary activity to Rule 22.4.1.2 General subdivision, as follows:
DL
(g) General subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.2. (iv) RD1.
(b) General subdivision around established rural activities that does not comply with Rule 22.4.1.2. (iv) RD1.

Decision Reasons:

- Support Rule 22.4.1.2 (a)(iv) in part.
- General Subdivision creating a child lot around an existing dwelling, where a curtilage is established and farming regime is already in place on the balance lot, should be provided flexibility in lot size to ensure that the existing farming regime can continue.
- Ensure the boundaries proposed are a practical outcome to ensure the most efficient ongoing management of the land and not need to meet an arbitrary rule. A lot size consistent with the established farming regime will avoid the redevelopment of farm tracks and fence lines to access what is a relatively small piece of land.
- A discretionary rule should also be provided for lots less than 8,000m² and greater than 1.6ha where they contain an existing dwelling. There may be site specific factors that create a unique situation that is conducive to the proposed lot size whilst remaining consistent with the objectives and policies.
- For lots smaller than 8000m², it is only necessary to confirm the provision of services within the lot boundaries
- Lots greater than 1.6ha may need an assessment with respect to the productive potential of the land. If the land comprises existing curtilage around the house then the lot will not result in any unreasonable effects with respect to the productive potential of the balance land. If the land comprises productive potential, then a Farm Management report should be provided to demonstrate that the both the proposed lot and the balance lot are sized to ensure rural land uses continue to predominate.
- Creation of lots should be provided for that accommodate existing and well-established rural activities where these are of a viable, sustainable and permanent nature, and it is appropriate for these to be subdivided from other rural activities on the site.

Point Number 523.7

Summary of Decision Requested: Delete Rule 22.4.1.2(a)(v) General Subdivision (80/20 Rule);
AND
Add new matters of discretion to Rule 22.4.1.2(b) General subdivision as follows:
(vi) Effects on rural productivity and fragmentation of high class soils.

Decision Reasons:

- Rule 22.4.1.2 (a)(v) is opposed.
- There is no analysis in the s32 regarding this relevance or practicality of this rule.
- Submitter agrees with the intent of the rule however the strict and arbitrary 80/20 requirement of this rule though may not necessarily result in the best layout, design or farming outcome for the site.
- The objectives and policies (5.1.1, 5.2) give primacy to the protection of high class soils. In addition to the objectives and policies (5.2), the submitter would like to see matters relating to the retention of high class soils and the maintenance of productivity/farming systems addressed as a matter of discretion for the General Subdivision provisions. The strength of the objectives and policies together with expanded matters of discretion are sufficiently strong to ensure adverse outcomes on high class soils are avoided.
- The requirement to demonstrate the 80/20 split will result in the necessary inclusion of Landuse Capability Reporting with every subdivision application under the General provisions to demonstrate that this exact figure is met. This becomes an additional compliance cost that does not necessarily result in a better environmental outcome. Council's Consent Planners should have the discretion of where these are required in accordance with the recommended matter of discretion.

Point Number 523.8

Summary of Decision Requested: Retain Rule 22.4.1.2(a)(iv) General subdivision.

Decision Reasons:

- Creation of a vacant lot between 8,000m and 1.6ha is supported as a Restricted Discretionary Activity.

Point Number 523.9

Summary of Decision Requested: Retain Policy 5.3.8 Effects on rural character and amenity from rural subdivision, except for the amendments sought below
AND
Amend Policy 5.3.8 Effects on rural character and amenity from rural subdivision, as follows:
~~(b) Ensure development does not compromise the predominant open space, character and amenity of rural areas.~~
...
(d) Rural hamlet subdivision and boundary relocations ensure the following:
(i) Protection of rural land for productive purposes;
(ii) Maintenance of the localised rural character and amenity of the surrounding rural environment;
(iii) Minimisation of cumulative effects.
(e) Subdivision, use and development opportunities ensure that localised rural character and amenity values are maintained.

Decision Reasons:

- Policy is supported in part.

- Policies 5.3.8(b), (d)(ii) and (e) are duplicates which seek to ensure that rural character and amenity are maintained.
- Not all rural areas comprise open space character and amenity. The district's rural character is varied in nature and comprises landscapes, landforms and structures and are areas of active and dynamic primary production and associated activities rather than necessarily benign landscapes.
- It should be recognised that rural landscapes can be visually altered by structures and buildings such as greenhouses and packhouses. However these are recognised as important components of primary production activities, form part of the rural environment and are generally considered rural in appearance and value.

Point Number 523.10

Summary of Decision Requested: Amend the activity status for Rules 22.4.1.1 PR1, PR2, PR3 and PR4 Prohibited subdivision from prohibited activities to non-complying activities.

Decision Reasons:

- Oppose the Prohibited Activity status for the rural subdivision activities and should be considered as non-complying activities.
- With regards to PR2 and PR3 there may be circumstances where the subdivision of high class soils has overall positive effects that can be supported by the objectives and policies. Relocating consented lots within a holding (multiple Records of Title held in the same ownership) may produce a better outcome from a farming and landscape perspective.
- There are circumstances where it may be unavoidable to create an additional Record of Title, i.e. where a title is limited as to parcels and held together by a covenant.
- The rule relies on a definition of High Class Soils. High class soils as defined in the Proposed Plan, (relying on soil classification only), may not be versatile due to a range of factors identified through case law.
- It is unreasonable to prohibit the creation of lots that accommodate existing and well-established rural activities where these are viable and sustainable and permanent in nature and it is appropriate for those to be subdivided from other rural activities on the site. Established rural activities include greenhouses, packhouse, packing sheds, intensive farming, poultry hatcheries or commercial orchards.
- Rural activities do not need to be held on the same certificate of title as other rural activities. Subdivision may enable more opportunities for economic wellbeing and the efficient and effective operation of the activity.
- Commercial reasons could necessitate subdivision including the desire to sell or lease the business rather than disposal of the entire property or the need to invest more capital in the operation.
- Prevents opportunities for subdivision where there is a significant capital investment, particularly in buildings and the intensive rural activity will continue to be commercially viable and sustainable following separation from other rural activities on the site.
- PR4 unreasonably restricts subdivision potential over what is necessary to avoid undermining the intent of the rule under which these Record of Title were created. Rule 22B of the Franklin Section the donor certificates of title had to meet a minimum area of 1ha each, however, there is no maximum, with many donor Records of Title ranging upwards from 20ha prior to the amalgamation. It is noted under the Franklin Section of the District Plan there was no corresponding rule that limited any further subdivision of the donor lot. While subdividing lots amalgamated under Section 22b of the Franklin Section require closer scrutiny this should merit a Non-Complying Activity status. The land affected may contain qualifying Significant Natural Areas or may be able to relocate boundaries without creating an outcome that may compromise the prior transferable subdivision.
- The objectives and policies of the Proposed Plan should be sufficiently strong to ensure that the subdivision of land containing high class soils is protected and that subdivision in the Urban Expansion Zone does not undermine the integrated and efficient development of this zone

Point Number 523.11

Summary of Decision Requested: Amend Rule 22.4.1.1 Prohibited subdivision to replace the term 'lot' with 'Record of Title'.

Decision Reasons:

- Submitter seeks that the word 'lot' as used in these rules be changed for 'Record of Title.'
- It may be necessary to create multiple lots and hold them in one Record of Title. This may occur when a stream or a public road bisects land held together in one Record of Title.

Submitter Number: 524 **Submitter:** Anna Noakes

Point Number 524.6

Summary of Decision Requested: Defer hearing of submission until after the National Planning Standards have been adopted and/or stage 2 of the review of Future Proof/updated Waikato Regional Policy Statement.

Decision Reasons:

- New National Planning Standards, potential changes in land use patterns through the adoption of revisions in Future Proof that will then inform the Waikato Regional Policy Statement, all raise question marks regarding the timing of the review as subsequent changes to the Proposed District Plan brought about by these documents will be unnecessarily time consuming and expensive.
- Deferring the Proposed District Plan will also allow for more thorough editing of the document.

Point Number 524.7

Summary of Decision Requested: Retain Section 1.4.4 The urban environment, except for the amendments sought below
AND
Amend Section 1.4.4. (a) The urban environment, as follows:
A key issue for the district is to maintain and enhance the productive capacity...

Decision Reasons:

- The impact of urban development on the rural environment should not restrict the productive capacity of the rural resource to existing levels. The policy should allow for enhanced rural productivity.

Point Number 524.8

Summary of Decision Requested: Retain Section 1.5.2 Planning for urban growth and development, except for the amendments sought below
AND
Amend Section 1.5.2. (a) Planning for urban growth and development, as follows:
Defined growth areas have been zoned and their development will be guided through the application of objectives and policies and through processes such as the development of master plans, comprehensive structure plans, within the district plan and any future changes to the district plan. The agreed Future Proof settlement pattern for urban growth and development is to assist to avoid unplanned encroachment ...

Decision Reasons:

- Oppose in part.
- The Environment Court has questioned the legality of the use of Structure Plans/Master Plans and the like where the activity status of a proposal is determined through such documents.

- The need for owners of properties within a 'Structure Plan' area to collaborate over development in accordance with 'required' Structure Plan provisions is questionable.
- Future Proof is a dynamic document and will undergo change throughout the term of the plan and reference to the current document may be misleading.

Point Number 524.9

Summary of Decision Requested: **Retain** Section 1.10.1.1 Waikato District Development Strategy, except for the amendments sought below
AND
Amend Section 1.10.1.1 (a) Waikato District Development Strategy 2015, as follows:
The Waikato District Development Strategy (WDDS) provides a high-level thirty year strategic and spatial development guide for the district. The strategy replaces and integrates the Waikato District Growth Strategy (2009) and the Franklin District Growth Strategy (2008). However, the latter document remains live by virtue of Policy 6.1.1 in the Waikato Regional Policy Statement ...

Decision Reasons:

- Oppose in part.
- Refers to wrong WRPS Policy in the second line.

Point Number 524.10

Summary of Decision Requested: **Retain** Section 1.12.1 Strategic direction, except for the amendments sought below
AND
Delete Section 1.12.1.(b) and (c) Strategic direction.

Decision Reasons:

- Oppose in part.
- The policy relating to the use of Master Plans where adherence to the Plans may change the activity status of a proposal is questioned.
- The Environment has questioned the legality of the use of Structure Plans/Master Plans and the like where the activity status of a proposal is determined through such documents.
- The need for owners of properties within a 'Structure Plan' area to collaborate over development in accordance with 'required' Structure Plan provisions is questionable.
- Future Proof is a dynamic document and will undergo change throughout the term of the plan and reference to the current document may be misleading.
- It is not clear in the document what is meant by Master Plans and where they are referenced in the rules

Point Number 524.11

Summary of Decision Requested: **Retain** Objective 4.1.1 Strategic, except for the amendments sought below
AND
Amend the policies associated with Objective 4.1.1 (a) and (b) Strategic, to provide policies and support for additional residential zoning opportunities to cater for anticipated demand for the next 27 years;
AND
Amend the Planning Maps to increase the residential zoned areas around existing established communities in line with Future Proof expectations.

Decision Reasons:

- 4.1.1 (a) and (b) Support sustainable communities and the objective of providing for 13,300 - 17,500 additional dwellings with the District 2018-2045.

Point Number 524.12

Summary of Decision Requested: **Retain** Objective 4.1.2 (a) Urban growth and development, as notified.

Decision Reasons:

- Support Objective 4.1.2 (a) in consolidating growth around existing towns/villages.

Point Number 524.13

Summary of Decision Requested: **Amend** Policy 4.1.3 (b) Location of development, as follows:
Locate urban growth areas only where they are consistent with legislative requirements and strategic documents such as Future Proof the Future Proof Strategy Planning for Growth 2017.

Decision Reasons:

- Urban Growth should align with the Waikato Regional Policy Statement informed through Future Proof, however the Future Proof settlement patterns are to be updated 2018/19 to take into account legislative reforms such as the National Policy Statement and Urban Development Capacity and strategic requirements.

Point Number 524.14

Summary of Decision Requested: **Amend** Policy 4.7.3 Residential subdivision, to clarify position regarding guidelines and activity status and/or process for changes to guidelines.

Decision Reasons:

- The subdivision development responds to the outcomes of the Urban Design Guidelines is supported-but it is noted that the document reference directs users to the Operative Plan provisions rather than Proposed Plan. The status of this document forming part of the Proposed Plan is also questionable with regard to the ability of the public to submit on changes to the guidelines.

Point Number 524.15

Summary of Decision Requested:	Delete reference to Structure Plans in Policy 4.7.6(a)(ii) and (iii) Coordination between servicing development and subdivision.
Decision Reasons:	<ul style="list-style-type: none"> • Opposes reference to Structure Plans for the following reasons: • The policy relating to the use of Master Plans where adherence to the Plans may change the activity status of a proposal is questioned as per submission point 524.8. as per below; • The Environment Court has questioned the legality of the use of Structure Plans/Master Plans and the like where the activity status of a proposal is determined through such documents. • The need for owners of properties within a 'Structure Plan' area to collaborate over development in accordance with 'required' Structure Plan provisions is questionable.
Point Number	524.16
Summary of Decision Requested:	Retain Policy 4.7.7 Achieving sufficient development density to support the provision of infrastructure services.
Decision Reasons:	<ul style="list-style-type: none"> • No reasons provided.
Point Number	524.17
Summary of Decision Requested:	Retain Policy 4.7.8 Staging of subdivision.
Decision Reasons:	<ul style="list-style-type: none"> • No reasons provided.
Point Number	524.18
Summary of Decision Requested:	Retain Policy 4.7.9 Connected neighbourhoods.
Decision Reasons:	<ul style="list-style-type: none"> • No reasons provided.
Point Number	524.19
Summary of Decision Requested:	Retain Policy 4.7.10 Recreation and access.
Decision Reasons:	<ul style="list-style-type: none"> • No reasons provided.
Point Number	524.20
Summary of Decision Requested:	Retain Policy 4.7.11 Reverse sensitivity, except for the amendments sought below AND Amend the Proposed District Plan to encourage new residential areas to be developed where topographical or physical constraints provide a natural separation between conflicting land uses.(eg roads/rails lines, significant planted areas as the buffer) in accordance with Policy 4.7.11(a) and (b) Reverse sensitivity.
Decision Reasons:	<ul style="list-style-type: none"> • Support in part • While the Policies discuss protecting against reverse sensitivity, identified areas for Residential development with communities such as Pokeno do not contain any buffer between the proposed residential and existing rural environment. Residential development, has the potential to impact on existing farming operations whether or not they are intensive in nature, and/or may be negatively impacted by existing farming practices.
Point Number	524.21
Summary of Decision Requested:	Delete from Policy 4.7.14 Structure and master planning the references to Structure Plans and Master Plans.
Decision Reasons:	<ul style="list-style-type: none"> • Opposed to the reference to Structure Plans/Master Plans. • The Environment Court has questioned the legality of the use of Structure Plans/Master Plans and the like where the activity status of a proposal is determined through such documents. • The need for owners of properties within a 'Structure Plan' area to collaborate over development in accordance with 'required' Structure Plan provisions is questionable. • It is not clear in the document what is meant by Master plans and where they are referenced in the rules.
Point Number	524.22
Summary of Decision Requested:	Retain Objective 6.4.1 Integration of infrastructure with subdivision, land use and development.
Decision Reasons:	<ul style="list-style-type: none"> • Submission supports the objective of the integration of the infrastructure with subdivision and development.
Point Number	524.23
Summary of Decision Requested:	Retain Policy 6.4.2 Provide adequate infrastructure.

Decision Reasons:

- Support the Policy 6.4.2.

Point Number 524.24

Summary of Decision Requested: Retain Policy 6.4.3 Infrastructure location and services.

Decision Reasons:

- Support Policy 6.4.3.

Point Number 524.25

Summary of Decision Requested: Retain Policy 6.4.4 Road and rail network.

Decision Reasons:

- Support Policy 6.4.4.

Point Number 524.26

Summary of Decision Requested: Retain Policy 6.4.5 Roading infrastructure.

Decision Reasons:

- Support Policy 6.4.5.

Point Number 524.27

Summary of Decision Requested: Retain Objective 6.4.6 Stormwater and drainage.

Decision Reasons:

- Support Objective 6.4.6.

Point Number 524.28

Summary of Decision Requested: Retain Policy 6.4.7 Stormwater.

Decision Reasons:

- Support Policy 6.4.7.

Point Number 524.29

Summary of Decision Requested: Amend planning maps to remove indicative walkway cycleways unless the underlying land has been earmarked for residential or commercial/industrial development.

Decision Reasons:

- While supporting pedestrian and off road cycleways, the identification and location of such should not impact on property rights without Council Designating land for such purposes.

Point Number 524.30

Summary of Decision Requested: Retain definition of "Fill material" except for the amendments sought below

AND

Amend the definition of "Fill material" in Chapter 13 Definitions, as follows:

Means material used for filling activities including, but not limited to, materials such as sand, soil, clay or aggregate.

Decision Reasons:

- Support in part.
- Clarify that the list is not inclusive - other materials could be fill such as sand.

Point Number 524.31

Summary of Decision Requested: Amend the definition for "Impervious surface" in Chapter 13 Definitions, as follows:

Means a surface such as a road, rooftop, footpath, paving, decking, swimming pool, patio, driveway, vehicle access and manoeuvring area or highly-compacted soil that is not vegetated and does not infiltrate runoff.

It excludes wooden decks with spacing between boards of 4mm or more, or surfaces such as gobi paving, where water is allowed to drain through to a permeable surface below the deck.

Decision Reasons:

- Support in part.
- Definition is unduly restrictive and does not cater for 'pervious' materials that may be used for driveways etc.

Point Number 524.32

Summary of Decision Requested: Amend terminology used in Overlays on the Planning Maps and provisions to provide consistency between maps and text.

Decision Reasons:

- There is inconsistency in terminology used in the Overlays on the Planning Maps v provisions within the text for example in the Rural zone reference Outstanding Natural Character v Maps Natural Character.

Point Number 524.33

Summary of Decision Requested: Amend the Proposed District Planning maps (inclusive of Legend) to provide explanation as to what is meant by Stage 1.

Decision Reasons:

- There is no explanation as to what is meant by Stage 1.

Point Number 524.34

Summary of Decision Requested: Amend Map 07 Tuakau/Pokeno and Environs, to examine all zoning options for growth within land in Pokeno and surrounds to provide for the required level of Residential for the next 30 year period as detailed within the Future Proof Strategy;

AND

Delay zoning the land until new legislative planning requirements, and revised regional growth strategies have been determined.

Decision Reasons:

- Submission refers to the proposed Residential Zoning of the 160 ha block identified on attachment VI hatched in purple known as Pokeno West. The zoning of this block appears to have been developed as a private plan change and then added to the DP review and therefore has not gone through the consultative processes normally anticipated from Plan changes. Council has not completed an independent Section 32 to ensure robust decision making under the RMA.
- There has been no analysis of alternative sites for residential zoning on the periphery of Pokeno particularly with regard to the proposed Objectives and Policies of the Residential Zone. For example, while the proposed zoning provides for a degree of residential growth needed for Pokeno, the constraints within the land make achieving the density targets likely unachievable.
- It is unclear as to the nature and ownership of the large areas of 'open space' with the indicative 'Master Plan' for the development. If it is in public ownership, such a high level of public open space will place a potentially excessive burden on the rate payer for development and ongoing maintenance.
- Areas chosen for residential growth should be consistent with the Objectives and Policies of the Residential Zone, as well as Regional and National Legislative and Strategic documents. Further analysis is needed prior to determining that this area should be the 'next off the block'.

Point Number 524.35

Summary of Decision Requested: Amend the zoning of the property at Lot 2 DP 176205, Pokeno from Rural Zone on to Residential Zone (see submission for map)

Decision Reasons:

- Council has not identified enough land within Pokeno and the immediate surrounds to meet the residential growth expectations within Future Proof.
- Lot 2 DP 176205 is a 23.5 ha block immediately west of the exiting residential zone boundary of Pokeno and adjoins the Pokeno Village Estate subdivision. (see attachment VI and VI.1). The property is proposed Rural Zoning and this is inconsistent with the residential growth expectations and is not consistent with the Objectives and Policies of either the proposed Rural Zone or Residential Zone growth expectations.
- The block can be serviced from the east, is in proximity to new water infrastructure (is 250m away from a current development) and includes a future walkway cycleway.
- The geographical location of the site, separated from rural land to the north by the east west rail line and to the south by a substantial covenanted bush block, makes the property ideal for Residential Zoning.
- The site provides a logical extension of the residential development of the adjoining land, offering connectivity, access and development options that otherwise may be difficult to in the future if connectivity is lost through a lack of appropriate zoning to facilitate development options.

Point Number 524.36

Summary of Decision Requested: Amend subdivision rules to enable the required outcomes of Policies 4.7.7-4.7.10.

Decision Reasons:

- No reason provided.

Point Number 524.37

Summary of Decision Requested: Amend the rules relating to subdivision to give effect to policies 6.4.2-6.4.7 and ensure greenfield sites for urban growth are investigated through section 32 analysis to assess the ability to appropriately, effectively and efficiently service these areas in comparison to other areas.

Decision Reasons:

- No reasons provided.

Point Number 524.38

Summary of Decision Requested: Retain Policy 6.5.2 (a)(iv) Construction and operation of the land transport network, where land is earmarked for residential or commercial/industrial development

Decision Reasons:

- No reason provided.

Point Number 524.39

Summary of Decision Requested: Retain Policy 4.1.4 Staging of development

Decision Reasons:

- Supports the integrated and staged approach to development where infrastructure supports such development

Point Number	524.40
Summary of Decision Requested:	Retain Policy 4.1.5 (b) Density.
Decision Reasons:	<ul style="list-style-type: none"> Support the minimum density requirements but notes that physical/geotechnical limitation and market trends may impede achieving minimum requirements especially when existing land holdings are in fragmented ownership.
Point Number	524.41
Summary of Decision Requested:	Retain Policy 4.1.11 (a) (ii) Pokeno, where walking and cycling networks form part of the urban framework.
Decision Reasons:	<ul style="list-style-type: none"> Submission references the proposed walkway/cycleway at Lot 2 DP176205, Pokeno.
Point Number	524.42
Summary of Decision Requested:	No specific decision sought, but submission opposes policy 4.1.11 (a) (ii), Pokeno where the underlying land is not part of the planned urban area.
Decision Reasons:	<ul style="list-style-type: none"> Opposed policy 4.1.11 (a) (ii) which may lead to walkway, cycleways impinging on property rights where the underlying land is not part of the planned urban area. Submission refers to Lot 2 DP 176205, as identified in the submission.
Point Number	524.43
Summary of Decision Requested:	Retain Objective 4.2.14 Earthworks, as notified.
Decision Reasons:	<ul style="list-style-type: none"> Earthworks that facilitate residential subdivision is supported

Submitter Number:	525	Submitter:	Gillian Marie
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Point Number	525.1
Summary of Decision Requested:	Add a resource management framework for the management of GMOs that is regional specific taking into account environmental, economic and social well-being considerations.
Decision Reasons:	<ul style="list-style-type: none"> Provisions are allowed under the Resource Management Act 1991 and pursuant to the ruling in Federated Farmers of New Zealand v Northland Regional Council [2015] NZEnC 89. Release of GMOs has a potential to cause significant adverse effects on the environment, including the following: <ul style="list-style-type: none"> Biological or ecosystem harm Harm to tangata whenua cultural values such as mauri and tikanga Harm to the cultural values and lifestyle decisions of people and communities at a local level concerning what constitutes their wellbeing Harm from GMO contamination to existing or potential forms of land use including farming, bee keeping, forestry and other primary production activities dependant on an uncontaminated environmental brand. Adverse effects to these land uses could include: loss of organic and GMO-free certification, reputational damage, loss of markets and premiums paid for GMO free produce and loss of livelihood. The Waikato has three major milk suppliers which have a GMO Free requirement for the milk products. The ability to control the grass genetic pollution is a major concern. There are several organic producers in Waikato Conditions of consent may be breached by poor management, human error, natural events. Once GMOs have been released they would be very difficult, if not impossible to eradicate. The GE Free status of the district potentially would be lost permanently along with the market advantage of that status. This along with the potential health hazards to all living things as the long term impact of GMO's has not been ascertained. Application of integrated management and precautionary approach to GMOs under the RMA is the best technique for managing potential adverse effects. It is consistent with the sustainable management purpose and Part II of the RMA to establish district plan provisions that manage the release, location and management of GMOs where they have the potential to adversely affect the environment.

Point Number	525.2
Summary of Decision Requested:	Add strong precautionary and prohibitive policies and rules relating to the management of genetically modified organisms that are the same (or similar) as those in the Far North District Plan, Whangarei District Plan and the Auckland Unitary Plan.
Decision Reasons:	<ul style="list-style-type: none"> Provisions are allowed under the Resource Management Act 1991 and pursuant to the ruling in Federated Farmers of New Zealand v Northland Regional Council [2015] NZEnC 89. Release of GMOs has a potential to cause significant adverse effects on the environment, including the following: <ul style="list-style-type: none"> Biological or ecosystem harm Harm to tangata whenua cultural values such as mauri and tikanga Harm to the cultural values and lifestyle decisions of people and communities at a local level concerning what constitutes their wellbeing Harm from GMO contamination to existing or potential forms of land use including farming, bee keeping, forestry and other primary production activities dependant on an uncontaminated environmental brand.

- Adverse effects to these land uses could include: loss of organic and GMO-free certification, reputational damage, loss of markets and premiums paid for GMO free produce and loss of livelihood.
- The Waikato has three major milk suppliers which have a GMO Free requirement for the milk products. The ability to control the grass genetic pollution is a major concern.
- There are several organic producers in Waikato
- Conditions of consent may be breached by poor management, human error, natural events.
- Once GMOs have been released they would be very difficult, if not impossible to eradicate. The GE Free status of the district potentially would be lost permanently along with the market advantage of that status. This along with the potential health hazards to all living things as the long term impact of GMO's has not been ascertained.
- Application of integrated management and precautionary approach to GMOs under the RMA is the best technique for managing potential adverse effects.
- It is consistent with the sustainable management purpose and Part II of the RMA to establish district plan provisions that manage the release, location and management of GMOs where they have the potential to adversely affect the environment.

Point Number 525.3

Summary of Decision Requested: Amend the Proposed District Plan to required all consent applications to be automatically publicly notified, regardless of whether the application is regarding genetically modified organisms or not.

Decision Reasons:

- Provisions are allowed under the Resource Management Act 1991 and pursuant to the ruling in Federated Farmers of New Zealand v Northland Regional Council [2015] NZEnC 89.
- Release of GMOs has a potential to cause significant adverse effects on the environment, including the following:
 - Biological or ecosystem harm
 - Harm to tangata whenua cultural values such as mauri and tikanga
 - Harm to the cultural values and lifestyle decisions of people and communities at a local level concerning what constitutes their wellbeing
 - Harm from GMO contamination to existing or potential forms of land use including farming, bee keeping, forestry and other primary production activities dependant on an uncontaminated environmental brand.
- Adverse effects to these land uses could include: loss of organic and GMO-free certification, reputational damage, loss of markets and premiums paid for GMO free produce and loss of livelihood.
- The Waikato has three major milk suppliers which have a GMO Free requirement for the milk products. The ability to control the grass genetic pollution is a major concern.
- There are several organic producers in Waikato
- Conditions of consent may be breached by poor management, human error, natural events.
- Once GMOs have been released they would be very difficult, if not impossible to eradicate. The GE Free status of the district potentially would be lost permanently along with the market advantage of that status. This along with the potential health hazards to all living things as the long term impact of GMO's has not been ascertained.
- Application of integrated management and precautionary approach to GMOs under the RMA is the best technique for managing potential adverse effects.
- It is consistent with the sustainable management purpose and Part II of the RMA to establish district plan provisions that manage the release, location and management of GMOs where they have the potential to adversely affect the environment.

Point Number 525.4

Summary of Decision Requested: Cease using toxic sprays for weed control and stop the requirement to opt out of having their berm sprayed; and replace with a system where people to pay for this service and have to opt in.

Decision Reasons:

- Strongly object to the proposal that if you do not want your berm to be sprayed you must pay a fee to the council to go on the No Spray Register, ie you must pay for a non-service. The tradition of cutting grass along roadside dates back to when cars backfired which may cause fires, or people threw cigarettes out the car window. Cars no longer backfire and peoples behaviour regarding cigarettes has changed.

Point Number 525.5

Summary of Decision Requested: WDC to monitor water quality more closely and look at innovative ways of dealing with Whaingaroa sewage and waste water, preferably in a land based system.

Decision Reasons:

- WDC should be doing more to monitor and improve the quality of water entering waterways and harbour
- Piping water from the sewage pond into the ocean is a highly irresponsible and toxic way of dealing with sewage water waste.

Submitter Number: 526

Submitter: Roy & Lesley Wright

Point Number 526.1

Summary of Decision Requested: Retain Objective 5.1.1 The rural environment, as notified.

Decision Reasons:

- The Waikato District has valuable areas of high class soils which are of primary important for food production both regionally and nationally.
- Protecting high class soils from adverse effects of inappropriate use and development is of national importance and is recognised with a NPS for Versatile Land and High Class Soils under consideration.
- Urban subdivision is an inefficient use of rural production land. Urban subdivision, particularly ad-hoc subdivision, may undermine the integrated development of identified townships and expansion areas.
- Supports the objective and agrees that urban development within the rural environment should be avoided.

Point Number 526.2

Summary of Decision Requested: Retain Objective 5.2.1 Rural resources, except for the amendments sought below

AND

Amend Objective 5.2.1 Rural resources, as follows:

(a) *Maintain or enhance the:*

(i) *Inherent life-supporting capacity, accessibility, and versatility of soils, in particular high class soils...*

Decision Reasons:

- Support sub policy (i) which seeks to maintain or enhance the life supporting capacity and versatility of soils.
- Accessibility to versatile land is also a key consideration in managing this resource and should be included in this policy.

Point Number 526.3

Summary of Decision Requested: **Retain** Policy 5.2.2 High class soils, as notified.

Decision Reasons:

- Supports Policy 5.2.2 seeking to retain high class soils and ensure adverse effects do not compromise the life support properties of high class soil.

Point Number 526.4

Summary of Decision Requested: **Retain** Objective 5.3.1 (a) Rural character and amenity, except for the amendments sought below

AND

Amend Objective 5.3.1(a) Rural character and amenity, as follows:

Rural character and amenity are maintained while recognising the localised character of different parts of the District.

Decision Reasons:

- Needs recognition of the variation of what defines rural character and amenity values across a large District.
- The Waikato District encompasses coastal areas, hill country comprising large landholdings and primarily pastoral uses and smaller landholdings, particularly in the northern part of the district which is used for higher value production activities such as intensive cropping, greenhouses etc.
- Consideration of 'Rural Character' should take into account the unique variables of the locality including land holding pattern, built form, landuse activities, vegetation and geomorphology.

Point Number 526.5

Summary of Decision Requested: **Retain** Rule 22.4.1.2(a)(i), (ii) and (iii) General Subdivision, as notified.

Decision Reasons:

- Supports the inclusion of the General Subdivision rules.

Point Number 526.6

Summary of Decision Requested: **Retain** Rule 22.4.1.2 General subdivision, except for the amendments sought below

AND

Add a new discretionary activity to Rule 22.4.1.2 General subdivision, as follows:

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(a) *General subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.2. (iv) RD 1.*

(b) *General subdivision around established rural activities that does not comply with Rule 22.4.1.2. (iv) RD 1.*

Decision Reasons:

- Support Rule 22.4.1.2 (a)(iv) in part.
- General Subdivision creating a child lot around an existing dwelling, where a curtilage is established and farming regime is already in place on the balance lot, should be provided flexibility in lot size to ensure that the existing farming regime can continue.
- Ensure the boundaries proposed are a practical outcome to ensure the most efficient ongoing management of the land and not meet an arbitrary rule. A lot size consistent with the established farming regime will avoid the redevelopment of farm tracks and fence lines to access what is a relatively small piece of land.
- A discretionary rule should also be provided for lots less than 8,000m² and greater than 1.6ha where they contain an existing dwelling. There may be site specific factors that create a unique situation that is conducive to the proposed lot size whilst remaining consistent with the objectives and policies.
- For lots smaller than 8000m², it is only necessary to confirm the provision of services within the lot boundaries
- Lots greater than 1.6ha may need an assessment with respect to the productive potential of the land. If the land comprises existing curtilage around the house then the lot will not result in any unreasonable effects with respect to the productive potential of the balance land. If the land comprises productive potential, then a Farm Management report should be provided to demonstrate that the both the proposed lot and the balance lot are sized to ensure rural land uses continue to predominate.
- Creation of lots should be provided for that accommodate existing and well-established rural activities where these are of a viable, sustainable and permanent nature, and it is appropriate for these to be subdivided from other rural activities on the site.

Point Number 526.7

Summary of Decision Requested: **Delete** Rule 22.4.1.2(a)(v) General Subdivision (80/20 Rule);

AND

Add new matters of discretion to rule 22.4.1.2(b), as follows:

(v) Effects on rural productivity and fragmentation of high class soils.

Decision Reasons:

- Oppose Rule 22.4.1.2 (a)(v).
- There is no analysis in the s32 regarding this relevance or practicality of this rule.
- Submitter agrees with the intent of the rule however the strict and arbitrary 80/20 requirement of this rule though may not necessarily result in the best layout, design or farming outcome for the site.
- The objectives and policies (5.1.1, 5.2) give primacy to the protection of high class soils. In addition to the objectives and policies (5.2), the submitter would like to see matters relating to the retention of high class soils and the maintenance of productivity/farming systems addressed as a matter of discretion for the General Subdivision provisions. The strength of the objectives and policies together with expanded matters of discretion are sufficiently strong to ensure adverse outcomes on high class soils are avoided.
- The requirement to demonstrate the 80/20 split will result in the necessary inclusion of Landuse Capability Reporting with every subdivision application under the General provisions to demonstrate that this exact figure is met. This becomes an additional compliance

cost that does not necessarily result in a better environmental outcome. Council's Consent Planners should have the discretion of where these are required in accordance with the recommended matter of discretion.

Point Number 526.8

Summary of Decision Requested: Retain Rule 22.4.1.2(a)(iv) General subdivision.

Decision Reasons:

- Creation of an additional lot between 8,000m² and 1.6ha is supported as a Restricted Discretionary Activity.

Point Number 526.9

Summary of Decision Requested: Retain Policy 5.3.8 Effects on rural character and amenity from rural subdivision, except for the amendments sought below
AND

Amend Policy 5.3.8 Effects on rural character and amenity from rural subdivision, as follows:

~~(b) Ensure development does not compromise the predominant open space, character and amenity of rural areas.~~

...

(d) Rural hamlet subdivision and boundary relocations ensure the following:

(i) Protection of rural land for productive purposes;

(ii) Maintenance of the localised rural character and amenity of the surrounding rural environment;

(iii) Minimisation of cumulative effects.

(e) Subdivision, use and development opportunities ensure that localised rural character and amenity values are maintained.

Decision Reasons:

- Policy is supported in part.
- Policies 5.3.8(b), (d)(i) and (e) are duplicates which seek to ensure that rural character and amenity are maintained.
- Not all rural areas comprise open space character and amenity. The district's rural character is varied in nature and comprises landscapes, landforms and structures. These are also areas of active and dynamic primary production and associated activities rather than necessarily benign landscapes.
- It should be recognised that rural landscapes can be visually altered by structures and buildings such as greenhouses and packhouses and are recognised as important components of primary production activities, form part of the rural environment and are generally considered rural in appearance and value.

Point Number 526.10

Summary of Decision Requested: Amend the activity status for Rules 22.4.1.1 PR1, PR2, PR3 and PR4 Prohibited subdivision, from prohibited activities to non-complying activities.

Decision Reasons:

- Oppose the Prohibited Activity status for rural subdivision activities and these should be considered as non-complying activities.
- With regards to PR2 and PR3 there may be circumstances where the subdivision of high class soils has overall positive effects that can be supported by the objectives and policies. Relocating consented lots within a holding (multiple Records of Title held in the same ownership) may produce a better outcome from a farming and landscape perspective.
- There are circumstances where it may be unavoidable to create an additional Record of Title, i.e. where a title is limited as to parcels and held together by covenant.
- The rule relies on a definition of High Class Soils. High class soils as defined in the Proposed Plan, (relying on soil classification only), may not be versatile due to a range of factors identified through case law.
- It is unreasonable to prohibit the creation of lots that accommodate existing and well-established rural activities where these are viable and sustainable and permanent in nature and it is appropriate for these to be subdivided from other rural activities on the site. Established rural activities include greenhouses, packhouse, packing sheds, intensive farming, poultry hatcheries or commercial orchards.
- Rural activities do not need to be held on the same certificate of title as other rural activities. Subdivision may enable more opportunities for economic wellbeing and the efficient and effective operation of the activity.
- Commercial reasons could necessitate subdivision including the desire to sell or lease the business rather than disposal of the entire property or the need to invest more capital in the operation.
- Prevents opportunities for subdivision where there is a significant capital investment, particularly in buildings and the intensive rural activity will continue to be commercially viable and sustainable following separation from other rural activities on the site.
- PR4 unreasonably restricts subdivision potential over what is necessary to avoid undermining the intent of the rule under which these Record of Title were created. Rule 22B of the Franklin Section the donor certificates of title had to meet a minimum area of 1ha each, however, there is no maximum, with many donor Records of Title ranging upwards from 20ha prior to the amalgamation. It is noted that under the Franklin Section of the District Plan there was no corresponding rule that limited any further subdivision of the donor lot. While subdividing lots amalgamated under Section 22b of the Franklin Section require closer scrutiny this should merit a Non-Complying Activity status. The land affected may contain qualifying Significant Natural Areas or may be able to relocate boundaries without creating an outcome that may compromise the prior transferable subdivision.
- The objectives and policies of the Proposed Plan should be sufficiently strong to ensure that the subdivision of land containing high class soils is protected and that subdivision in the Urban Expansion Zone does not undermine the integrated and efficient development of this zone.

Point Number 526.11

Summary of Decision Requested: Amend Rule 22.4.1.1 Prohibited subdivision to replace the term 'lot' with 'Record of Title'.

Decision Reasons:

- Submitter seeks that the word 'lot' as used in these rules be changed for 'Record of Title.'
- It may be necessary to create multiple lots and hold them in one Record of Title. This may occur when a stream or a public road bisects land held together in one Record of Title.

Submitter Number: 527

Submitter: Mark Scobie

Point Number 527.1

Summary of Decision Requested: Retain Objective 5.1.1 The rural environment, as notified.

Decision Reasons:

- The Waikato District has valuable areas of high class soils which are of primary importance for food production both regionally and nationally.
- Protecting high class soils from adverse effects of inappropriate use and development is of national importance and is recognised with a NPS for Versatile Land and High Class Soils under consideration.
- Urban subdivision is an inefficient use of rural production land. Urban subdivision, particularly ad-hoc subdivision, may undermine the integrated development of identified townships and expansion areas.
- Supports the objective and agrees that urban development within the rural environment should be avoided.

Point Number 527.2

Summary of Decision Requested: **Retain** Objective 5.2.1 Rural resources, except for the amendments sought below
AND

Amend Objective 5.2.1 Rural resources, as follows:

(a) *Maintain or enhance the:*

(i) *Inherent life-supporting capacity, accessibility, and versatility of soils, in particular high class soils...*

Decision Reasons:

- Support sub policy (i) which seeks to maintain or enhance the life supporting capacity and versatility of soils.
- Accessibility to versatile land is also a key consideration in managing this resource and should be included in this policy.

Point Number 527.3

Summary of Decision Requested: **Retain** Policy 5.2.2 High class soils, as notified.

Decision Reasons:

- Supports Policy 5.2.2 seeking to retain high class soils and ensure adverse effects do not compromise the life support properties of high class soil.

Point Number 527.4

Summary of Decision Requested: **Retain** Objective 5.3.1 Rural character and amenity, except for the amendments sought below
AND

Amend Objective 5.3.1(a) Rural character and amenity, as follows:

Rural character and amenity are maintained while recognising the localised character of different parts of the District.

Decision Reasons:

- Supports the intent of the objective.
- Needs recognition of the variation of what defines rural character and amenity values across a large District.
- The Waikato District encompasses coastal areas, hill country comprising large landholdings particularly in the northern part of the district and primarily pastoral uses and smaller landholdings which is used for higher value production activities such as intensive cropping, greenhouses etc.
- Consideration of 'Rural Character' should take into account the unique variables of the locality including land holding pattern, built form, landuse activities, vegetation and geomorphology.

Point Number 527.5

Summary of Decision Requested: **Retain** Rule 22.4.1.2(a)(i), (ii) and (iii) General Subdivision, as notified.

Decision Reasons:

- Supports the inclusion of the General Subdivision rules.

Point Number 527.6

Summary of Decision Requested: **Retain** Rule 22.4.1.2 General subdivision except for the amendments sought below
AND

Add a new discretionary activity to Rule 22.4.1.2 General subdivision, as follows:

DI

(a) *General subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.2. (iv) RD1.*

(b) *General subdivision around established rural activities that does not comply with Rule 22.4.1.2. (iv) RD1.*

Decision Reasons:

- Support Rule 22.4.1.2 (a)(iv) in part.
- General Subdivision creating a child lot around an existing dwelling, where a curtilage is established and farming regime is already in place on the balance lot, should be provided flexibility in lot size to ensure that the existing farming regime can continue.
- Ensure the boundaries proposed are a practical outcome to ensure the most efficient ongoing management of the land and not meet an arbitrary rule. A lot size consistent with the established farming regime will avoid the redevelopment of farm tracks and fence lines to access what is a relatively small piece of land.
- A discretionary rule should also be provided for lots less than 8,000m² and greater than 1.6ha where they contain an existing dwelling. There may be site specific factors that create a unique situation that is conducive to the proposed lot size whilst remaining consistent with the objectives and policies.
- For lots smaller than 8000m², it is only necessary to confirm the provision of services within the lot boundaries
- Lots greater than 1.6ha may need an assessment with respect to the productive potential of the land. If the land comprises existing curtilage around the house then the lot will not result in any unreasonable effects with respect to the productive potential of the balance land. If the land comprises productive potential, then a Farm Management report should be provided to demonstrate that the both the proposed lot and the balance lot are sized to ensure rural land uses continue to predominate.
- Creation of lots should be provided for that accommodate existing and well-established rural activities where these are of a viable, sustainable and permanent nature, and it is appropriate for these to be subdivided from other rural activities on the site.

Point Number 527.7

Summary of Decision Requested: **Delete** Rule 22.4.1.2(a)(v) General Subdivision (80/20 Rule);
AND

Add new matters of discretion to rule 22.4.1.2(b) as follows:

(vi) Effects on rural productivity and fragmentation of high class soils.

Decision Reasons:

- Oppose Rule 22.4.1.2 (a)(v).
- There is no analysis in the s32 regarding this relevance or practicality of this rule.
- Submitter agrees with the intent of this rule however the strict and arbitrary 80/20 requirement of this rule though may not necessarily result in the best layout, design or farming outcome for the site.
- The objectives and policies (5.1.1, 5.2) give primacy to the protection of high class soils. In addition to the objectives and policies (5.2), the submitter would like to see matters relating to the retention of high class soils and the maintenance of productivity/farming systems addressed as a matter of discretion for the General Subdivision provisions. The strength of the objectives and policies together with expanded matters of discretion are sufficiently strong to ensure adverse outcomes on high class soils are avoided.
- The requirement to demonstrate the 80/20 split will result in the necessary inclusion of Landuse Capability Reporting with every subdivision application under the General provisions to demonstrate that this exact figure is met. This becomes an additional compliance cost that does not necessarily result in a better environmental outcome. Council's Consent Planners should have the discretion of where these are required in accordance with the recommended matter of discretion.

Point Number 527.8

Summary of Decision Requested: Retain Rule 22.4.1.2(a)(iv) General subdivision.

Decision Reasons:

- Creation of an additional lot between 8,000m² and 1.6ha is supported as a Restricted Discretionary Activity.

Point Number 527.9

Summary of Decision Requested: Retain Policy 5.3.8 Effects on rural character and amenity from rural subdivision, except for the amendments sought below
AND

Amend Policy 5.3.8 Effects on rural character and amenity from rural subdivision, as follows:

~~(b) Ensure development does not compromise the predominant open space, character and amenity of rural areas.~~

...

(d) Rural hamlet subdivision and boundary relocations ensure the following:

(i) Protection of rural land for productive purposes;

(ii) Maintenance of the localised rural character and amenity of the surrounding rural environment;

(iii) Minimisation of cumulative effects.

(e) Subdivision, use and development opportunities ensure that localised rural character and amenity values are maintained.

Decision Reasons:

- Policy is supported in part.
- Policies 5.3.8(b), (d)(ii) and (e) are duplicates which seek to ensure that rural character and amenity are maintained.
- Not all rural areas comprise open space character and amenity. The district's rural character is varied in nature and comprises landscapes, landforms and structures. These are also areas of active and dynamic primary production and associated activities rather than necessarily benign landscapes.
- It should be recognised that rural landscapes can be visually altered by structures and buildings such as greenhouses and packhouses. However these are recognised as important components of primary production activities, form part of the rural environment and are generally considered rural in appearance and value.

Point Number 527.10

Summary of Decision Requested: Amend the activity status for Rules 22.4.1.1 PR1, PR2, PR3 and PR4 Prohibited subdivision, from prohibited activities to non-complying activities.

Decision Reasons:

- Oppose the Prohibited Activity status for the rural subdivision activities and should be considered non-complying.
- With regards to PR2 and PR3 here may be circumstances where the subdivision of high class soils has overall positive effects that can be supported by the objectives and policies. Relocating consented lots within a holding (multiple Records of Title held in the same ownership) may produce a better outcome from a farming and landscape perspective.
- There are circumstances where it may be unavoidable to create an additional Record of Title, i.e. where a title is limited as to parcels and held together by a covenant.
- The rule relies on a definition of High Class Soils. High class soils as defined in the Proposed Plan, (relying on soil classification only), may not be versatile due to a range of factors identified through case law.
- It is unreasonable to prohibit the creation of lots that accommodate existing and well-established rural activities where these are viable and sustainable, permanent in nature and it is appropriate for these to be subdivided from other rural activities on the site. Established rural activities include greenhouses, packhouse, packing sheds, intensive farming, poultry hatcheries or commercial orchards.
- Rural activities do not need to be held on the same certificate of title as other rural activities. Subdivision may enable more opportunities for economic wellbeing and the efficient and effective operation of the activity.
- Commercial reasons could necessitate subdivision including the desire to sell or lease the business rather than disposal of the entire property or the need to invest more capital in the operation.
- Prevents opportunities for subdivision where there is a significant capital investment, particularly in buildings and the intensive rural activity will continue to be commercially viable and sustainable following separation from other rural activities on the site.
- PR4 unreasonably restricts subdivision potential over what is necessary to avoid undermining the intent of the rule under which these Record of Title were created. Rule 22B of the Franklin Section the donor certificates of title had to meet a minimum area of 1ha each, however, there is no maximum, with many donor Records of Title ranging upwards from 20ha prior to the amalgamation. It is noted that under the Franklin Section of the District Plan there was no corresponding rule that limited any further subdivision of the donor lot. While subdividing lots amalgamated under Section 22b of the Franklin Section require closer scrutiny this should merit a Non-Complying Activity status. The land affected may contain qualifying Significant Natural Areas or may be able to relocate boundaries without creating an outcome that may compromise the prior transferable subdivision.
- The objectives and policies of the Proposed Plan should be sufficiently strong to ensure that the subdivision of land containing high class soils is protected and that subdivision in the Urban Expansion Zone does not undermine the integrated and efficient development of this zone

Point Number 527.11

Summary of Decision Requested: Amend Rule 22.4.1.1 Prohibited subdivision, to replace the term 'lot' with 'Record of Title'.

Decision Reasons:

- Submitter seeks that the word 'lot' as used in these rules be changed for 'Record of Title.'
- It may be necessary to create multiple lots and hold them in one Record of Title. This may occur when a stream or a public road bisects land held together in one Record of Title.

Submitter Number:	528	Submitter:	Amanda Schaake
On behalf of:	Internal Communications NZ Ltd		
Point Number	528.1		
Summary of Decision Requested:	Retain Chapter 9.2 Te Kowhai Airpark, as notified.		
Decision Reasons:	<ul style="list-style-type: none"> • Submitter supports the proposed development as they considered it will be good for the Te Kowhai community. Te Kowhai Airfield has been an integral and valuable contributing community group. • The submitter is keen to see a unique and valuable asset of an airpark in the community. 		
Point Number	528.2		
Summary of Decision Requested:	Retain Chapter 27 Te Kowhai Airpark Zone, as notified.		
Decision Reasons:	<ul style="list-style-type: none"> • Submitter supports the proposed development as they considered it will be good for the Te Kowhai community. Te Kowhai Airfield has been an integral and valuable contributing community group. • The submitter is keen to see a unique and valuable asset of an airpark in the community. 		

Submitter Number:	529	Submitter:	Wilcox Properties Limited
Point Number	529.1		
Summary of Decision Requested:	Retain Policy 3.2.8 Incentivise subdivision, except for the amendments sought below AND Add to Policy 3.2.8(b) Incentivise subdivision, as follows: <i>(b) Incentivise subdivision in the Rural Zone when there is the enhancement and/or restoration of biodiversity, legal and physical protection of areas that are of a suitable size and meet the Criteria for Determining Significance of Indigenous Biodiversity.</i>		
Decision Reasons:	<ul style="list-style-type: none"> • Supports the policy in part. • Seeks that Policy 3.2.8 be expanded to include provision for the enhancement/restoration of areas as this is in line with the Vision and Strategy for the Waikato River. • Supports incentivising the protection of existing biodiversity with subdivision subject to meeting certain criteria. Appendix 2 of the Proposed District Plan Criteria for Determining Significance of Indigenous Biodiversity could provide the basis for determining eligibility. 		
Point Number	529.2		
Summary of Decision Requested:	Retain Objective 5.1.1 The rural environment, as notified.		
Decision Reasons:	<ul style="list-style-type: none"> • The Waikato District has valuable areas of high class soils which are of primary importance for food production both regionally and nationally. • Protecting high class soils from adverse effects of inappropriate use and development is of national importance and is recognised with a NPS for Versatile Land and High Class Soils under consideration. • Urban subdivision is an inefficient use of rural production land. Urban subdivision, particularly ad-hoc subdivision, may undermine the integrated development of identified townships and expansion areas. • Supports the objective and agrees that urban development within the Rural Environment should be avoided. 		
Point Number	529.3		
Summary of Decision Requested:	Retain Objective 5.2.1 Rural resources, except for the amendments sought below AND Amend Objective 5.2.1 Rural resources, as follows: (a) <i>Maintain or enhance the:</i> (i) <i>Inherent life-supporting capacity, accessibility and versatility of soils, in particular high class soils;</i>		
Decision Reasons:	<ul style="list-style-type: none"> • Accessibility to versatile land is also a key consideration in managing this resource and should be included in this policy. • Support the sub-parts ii,iii and iv of the policy. Providing for conservation lot subdivision via enhancement/restoration would enable this policy. • Support sub-parts (i) which seeks to maintain or enhance the life-supporting capacity and versatility of soils. 		
Point Number	529.4		
Summary of Decision Requested:	Retain Policy 5.2.2 High class soils, as notified.		
Decision Reasons:	<ul style="list-style-type: none"> • Supports Policy 5.2.2 which seeks to retain high class soils and ensure adverse effects do not compromise the life support properties of high class soil. 		
Point Number	529.5		

Summary of Decision Requested: **Retain** Policy 5.2.3 Effects of subdivision and development on soils, except for the amendments sought below
AND
Amend Policy 5.2.3. (b) Effects of subdivision and development on soils, as follows:
(b) Subdivision which provides a range of lifestyle options is directed away from high class soils and/ or where indigenous biodiversity is being protected, enhanced, and/or restored (with plantings).

Decision Reasons:

- This policy only provides for subdivision where existing indigenous biodiversity is being protected. There are waterways and wetlands in the Rural Zone that would benefit from stock exclusion and enhancement/restoration.
- The cost of restoration is approximately \$45,000 per ha. Subdivision offers an incentive for landowners to undertake restoration works.
- To allow for protection/restoration would achieve Policy 5.2.1(a)(iii) and Policy 3.1.2.
- Incentivising restoration would achieve the objectives of the Vision and Strategy for the Waikato River, improving water quality.

Point Number 529.6

Summary of Decision Requested: **Retain** Objective 5.3.1 Rural character and amenity, except for the amendments sought below
AND
Amend Objective 5.3.1(a) Rural character and amenity, as follows:
Rural character and amenity are maintained while recognising the localised character of different parts of the District.

Decision Reasons:

- Support the intent of the objective but needs recognition of the variation of what defines rural character and amenity values across a large District.
- The Waikato District encompasses coastal areas, hill country comprising large landholdings and primarily pastoral uses and smaller landholdings particularly in the northern part of the district which is used for higher value production activities such as intensive cropping, greenhouses etc.
- Consideration of 'Rural Character' should take into account the unique variables of the locality including land holding pattern, built form, landuse activities, vegetation and geomorphology.

Point Number 529.7

Summary of Decision Requested: **Retain** Policy 5.3.8 Effects on rural character and amenity from rural subdivision, except for the amendments sought below
AND
Amend Policy 5.3.8 Effects on rural character and amenity from rural subdivision, as follows:
~~*(b) Ensure development does not compromise the predominant open space, character and amenity of rural areas.*~~
...
(d) Rural hamlet subdivision and boundary relocations ensure the following:
(i) Protection of rural land for productive purposes;
(ii) Maintenance of the localised rural character and amenity of the surrounding rural environment;
(iii) Minimisation of cumulative effects.
...
(e) Subdivision, use and development opportunities ensure that localised rural character and amenity values are maintained.

Decision Reasons:

- Supported in part.
- Policies 5.3.8 (b),(d)(ii) and (e) are duplicates which seek to ensure that rural character and amenity are maintained.
- Not all rural areas comprise open space character and amenity. The district's rural character is varied in nature and comprises landscapes, landforms and structures and are areas of active and dynamic primary production and associated activities rather than necessarily benign landscapes.
- It should be recognised that rural landscapes can be visually altered by structures and buildings such as greenhouses and pack houses. However these are recognised as important components of primary production activities, form part of the rural environment and are generally considered rural in appearance value.

Point Number 529.8

Summary of Decision Requested: **Retain** the definition for "Significant Natural Area" in Chapter 13: Definitions, except for the amendments sought below
AND
Amend the definition for "Significant Natural Area" in Chapter 13: Definitions, as follows:
Means an area of significant indigenous biodiversity that is identified as a Significant Natural Area on the planning maps or has been assessed as meeting one or more of the Criteria for Determining Significance of Indigenous Biodiversity, (Appendix 2) by a suitably qualified Ecologist

Decision Reasons:

- Support definition in part.
- Definition for Significant Natural Area needs to be expanded to include areas assessed by a suitably qualified Ecologist. This would align with the wording of the Conservation Lot Subdivision provisions.

Point Number 529.9

Summary of Decision Requested: **Amend** the activity status for Rules 22.4.1.1 PR1, PR2, PR3, PR4 Prohibited subdivision, from prohibited to non-complying activities.

Decision Reasons:

- Oppose the Prohibited Activity status for rural subdivision activities and they should be considered non-complying activities.
- There may be circumstances where the subdivision of high class soils has overall positive effects that can be supported by the objectives and policies. Relocating consented lots within a holding (multiple Records of Title held in the same ownership) may produce a better outcome from a farming and landscape perspective.
- In some instances it may be unavoidable to create an addition of Record of Title.
- The rule relies on a definition of High Class Soils. High class soils as defined in the Proposed Plan, (relying on soil classification only), may not be versatile due to a range of factors identified through case law.

- It is unreasonable to prohibit the creation of lots that accommodate existing and well-established rural activities which are viable and sustainable such as greenhouses, packhouse, packing sheds, intensive farming, poultry hatcheries or commercial orchards.
- Rural activities do not need to be held on the same certificate of title as other rural activities. Subdivision may enable more opportunities for economic wellbeing and the efficient and effective operation of the activity.
- Commercial reasons could necessitate subdivision including the desire to sell or lease the business rather than disposal of the entire property or the need to invest more capital in the operation.
- Prevents opportunities for subdivision where there is a significant capital investment, particularly in buildings and the intensive rural activity will continue to be commercially viable and sustainable following separation from other rural activities on the site.
- PR4 unreasonably restricts subdivision potential over what is necessary to avoid undermining the intent of the rule under which these Record of Title were created. Rule 22B of the Franklin Section the donor certificates of title had to meet a minimum area of 1ha each, however, there is no maximum, with many donor Records of Title ranging upwards from 20ha prior to the amalgamation. It is noted that under the Franklin Section of the District Plan there was no corresponding rule that limited any further subdivision of the donor lot. While subdividing lots amalgamated under Section 22b of the Franklin Section require closer scrutiny this should merit a Non-Complying Activity status. The land affected may contain qualifying Significant Natural Areas or may be able to relocate boundaries without creating an outcome that may compromise the prior transferable subdivision.
- The objectives and policies of the Proposed Plan should be sufficiently strong to ensure that the subdivision of land containing high class soils is protected and that subdivision in the Urban Expansion Zone does not undermine the integrated and efficient development of this zone.

Point Number 529.10

Summary of Decision Requested: **Retain** Appendix 2 Criteria for Determining Significance of Indigenous Biodiversity, as notified.

Decision Reasons:

- Submission supports the inclusion of Appendix 2 in the Proposed District Plan.

Point Number 529.11

Summary of Decision Requested: Add a new discretionary activity to Rule 22.4.1.6 Conservation lot subdivision, as follows:

DI

- Conservation lot subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.6 (vi-vii) RDI.
- Conservation lot subdivision around established rural activities that does not comply with Rule 22.4.1.6 (vi-vii) RDI.

Decision Reasons:

- Rule 22.4.1.6 vi requires a minimum area of 8000m², flexibility for lot area should be provided where the lot boundaries encompass an existing dwelling curtilage or established rural activities. This avoids unnecessary fragmentation of productive farming land. This could be addressed as a Matter of Discretion.

Point Number 529.12

Summary of Decision Requested: **Retain** Rule 22.4.1.2(a)(iv) General subdivision, which classifies creation of an additional lot between 8,000m² and 1.6ha as a restricted discretionary activity.

Decision Reasons:

- The creation of any additional lots is supported as a Restricted Discretionary Activity.

Point Number 529.13

Summary of Decision Requested: **Amend** Rule 22.4.1.1 Prohibited subdivision, to replace the term 'lot' with 'Record of Title'.

Decision Reasons:

- Submitter seeks that the word 'lot' as used in these rules be changed to 'Record of Title.'
- It may be necessary to create multiple lots and hold them in one Record of Title. This may occur when a stream or a public road bisects land held together in one Record of Title.

Point Number 529.14

Summary of Decision Requested: **Retain** Rule 22.4.1.2(a)(i-iii) General Subdivision, as notified.

Decision Reasons:

- Support the inclusion of the General Subdivision rules.

Point Number 529.15

Summary of Decision Requested: **Retain** Rule 22.4.1.2 General subdivision, except for the amendments sought below

AND

Add a new discretionary activity to Rule 22.4.1.2 General subdivision, as follows:

DI

(a) General subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.2. (iv) RDI.

(b) General subdivision around established rural activities that does not comply with Rule 22.4.1.2. (iv) RDI.

Decision Reasons:

- Support Rule 22.4.1.2 (a)(iv) in part.
- General Subdivision creating a child lot around an existing dwelling, where a curtilage is established and farming regime is already in place on the balance lot, should be provided flexibility in lot size to ensure that the existing farming regime can continue.
- Ensure the boundaries proposed are a practical outcome to ensure the most efficient ongoing management of the land and not meet an arbitrary rule. A lot size consistent with the established farming regime will avoid the redevelopment of farm tracks and fence lines to access what is a relatively small piece of land.

- A discretionary rule should also be provided for lots less than 8,000m² and greater than 1.6ha where they contain an existing dwelling. There may be site specific factors that create a unique situation that is conducive to the proposed lot size whilst remaining consistent with the objectives and policies.
- For lots smaller than 8000m², it is only necessary to confirm the provision of services within the lot boundaries
- Lots greater than 1.6ha may need an assessment with respect to the productive potential of the land. If the land comprises existing curtilage around the house then the lot will not result in any unreasonable effects with respect to the productive potential of the balance land. If the land comprises productive potential, then a Farm Management report should be provided to demonstrate that the both the proposed lot and the balance lot are sized to ensure rural land uses continue to predominate.
- Creation of lots should be provided for that accommodate existing and well-established rural activities where these are of a viable, sustainable and permanent nature, and it is appropriate for these to be subdivided from other rural activities on the site.

Point Number 529.16

Summary of Decision Requested: **Delete** Rule 22.4.1.2(a)(v) General Subdivision (80/20 Rule);
AND

Add new matter of discretion to Rule (b), as follows:

(b)(vi) Effects on rural productivity and fragmentation of high class soils.

Decision Reasons:

- Rule 22.4.1.2 (a)(v) is opposed.
- There is no analysis in the s32 regarding this relevance or practicality of this rule.
- Submitter agrees with the intent of the rule, however, the strict and arbitrary 80/20 requirement of this rule though may not necessarily result in the best layout, design or farming outcome for the site.
- The objectives and policies (5.1.1, 5.2) give primacy to the protection of high class soils. In addition to the objectives and policies (5.2), the submitter would like to see matters relating to the retention of high class soils and the maintenance of productivity/farming systems addressed as a matter of discretion for the General Subdivision provisions. The strength of the objectives and policies together with expanded matters of discretion are sufficiently strong to ensure adverse outcomes on high class soils are avoided.
- The requirement to demonstrate the 80/20 split will result in the necessary inclusion of Landuse Capability Reporting with every subdivision application under the General provisions to demonstrate that this exact figure is met. This becomes an additional compliance cost that does not necessarily result in a better environmental outcome. Council's Consent Planners should have the discretion of where these are required in accordance with the recommended matter of discretion.

Point Number 529.17

Summary of Decision Requested: **Retain** Rule 22.4.1.6 Conservation lot subdivision, except for the amendments sought below
AND

Amend Rule 22.4.1.6 Conservation lot subdivision as follows:

The lot must contain:

A. a contiguous area of existing Significant Natural Area either as shown on the planning maps or as determined by an experienced and suitably qualified ecologist which meets; or

B. a contiguous area, to be enhanced and/or restored

in accordance with the table below: (see table in PDP)

- The area of Significant Natural Area, or area to be enhanced and/or restored is assessed by a suitably qualified person as satisfying at least one criteria in Appendix 2 (Criteria for Determining Significance of Indigenous Biodiversity);
- The Significant Natural Area, or area to be restored is not already subject to a conservation covenant pursuant to the Reserves Act 1977 or the Queen Elizabeth II National Trust Act 1977 legal protection.
- The subdivision proposes to legally protect all areas of Significant Natural Area or area to be restored, by way of a conservation covenant pursuant to the Reserves Act 1977 or the Queen Elizabeth II National Trust Act 1977;
- An ecological management plan is prepared to address ongoing management of the covenant protected area to ensure that the Significant Natural Area area to be protected is self-sustaining and that plan:
 - Addresses fencing requirements for the covenant protected area;
 - Addresses ongoing pest plant and animal control;
 - Identifies any enhancement and/or restoration or edge planting required within the covenant area to be protected.

(b) Council's discretion is restricted to the following matters:

- Subdivision layout and proximity of building platforms to Significant Natural Area-the area to be protected;
- Matters contained in an ecological management plan for the covenant protected area;
- Effects of the subdivision on localised rural character and amenity values;
- Extent of earthworks including earthworks for the location of building platforms and access ways.
- Mechanism of legal protection for the area to be protected

Decision Reasons:

- Support rules 22.4.1.6 in part.
- Incentivisation of the protection of Significant Natural Area and existing biodiversity offer positive benefits.
- There is no provision for ecological enhancement/restoration in the Conservation Lot Rules. There are significant biodiversity and water quality benefits to be gained by enhancement.
- Water quality is a key issue identified in the Regional Policy Statement and The Vision and Strategy.
- It is recognised in the Rural Objectives and Policies which seek enhancement of surface and ground water quality and the natural characteristics of waterways.
- Incentivising through subdivision would assist in offsetting the cost of enhancement/restoration.

Submitter Number: 530

Submitter: John Van Lieshout

Point Number 530.1

Summary of Decision Requested: **Retain** Objective 5.1.1 - The rural environment as notified.

Decision Reasons:

- The Waikato District has valuable areas of high class soils which are of primary importance for food production both regionally and nationally.

- Protecting high class soils in the Waikato District is a matter of national importance which is now being recognised with the development of the National Policy Statement for Versatile Land and High Class Soils.
- Urban subdivision, particularly ad hoc development, in the rural environment should be avoided because this is an inefficient use of productive rural land which may undermine the integrated development of identified townships and expansion areas.
- Submitter agrees that urban development in the rural environment is contrary to the intent of the Proposed District Plan and should be avoided.

Point Number 530.2

Summary of Decision Requested: **Retain** Objective 5.2.1 Objective - Rural Resources, except for the amendment sought below
AND
Amend Objective 5.2.1 Rural Resources, as follows:
(a) *Maintain or enhance the:*
(i) *Inherent life-supporting capacity, accessibility, and versatility of soils, in particular high class soils;*

Decision Reasons:

- Support sub policy (i) which seeks to maintain or enhance the life supporting capacity and versatility of soils.
- Accessibility to versatile land is also a key consideration in managing the soil resource.

Point Number 530.3

Summary of Decision Requested: **Retain** Policy 5.2.2 Policy - High class soils as notified.

Decision Reasons:

- Submitter supports this policy seeking to retain high class soils and ensure that adverse effects do not compromise their life-supporting properties.

Point Number 530.4

Summary of Decision Requested: **Retain** Objective 5.3.1 - Rural character and amenity, except for the amendments sought below
AND
Amend Objective 5.3.1 - Rural character and amenity, as follows:
(a) *Rural character and amenity are maintained while recognising the localised character of different parts of the District.*

Decision Reasons:

- The variation in rural character and amenity values needs to be recognised.
- The Waikato District encompasses coastal areas, hill country comprising large landholdings used primarily for pastoral use, and smaller landholdings (particularly in the north) used for higher value productive activities such as intensive cropping and greenhouses.
- Rural character varies depending on local landholding patterns, built form, land uses, vegetation and geomorphology.

Point Number 530.5

Summary of Decision Requested: **Retain** Rule 22.4.1.2 General subdivision, except for the amendments sought below
AND
Add a new discretionary activity to Rule 22.4.1.2 General subdivision, as follows:
DI (a) General subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.2 (iv) RD1.
(b) General subdivision around established rural activities that does not comply with Rule 22.4.1.2 (iv) RD1.

Decision Reasons:

- Support Rule 22.4.1.2 (a)(iv) in part.
- This rule should enable a lot to be created around an existing dwelling and curtilage so that the farming regime can continue.
- This will avoid redevelopment of farm tracks and fencelines for a relatively small lot.
- There may be situations where it is appropriate to create a new lot that is less than 8000m² or larger than 1.6ha which is consistent with objectives and policies.
- For lots smaller than 8000m², it is only necessary to confirm that services can be provided.
- A farm management report may be provided that confirms productive rural capacity for any lot greater than 1.6ha and the balance lot.

Point Number 530.6

Summary of Decision Requested: **Delete** Rule 22.4.1.2 (a)(v) General subdivision
AND
Add a matter of discretion to Rule 22.4.1.2(b) General subdivision as follows:
(vi) Effects on rural productivity and fragmentation of high class soils.

Decision Reasons:

- Rule 22.4.1.2 (a)(v) is opposed.
- The section 32 analysis does not justify this rule.
- Submitter agrees with the intent of the rule, however the 80/20 percentage requirement may not result in the best layout, design or farming outcome.
- Objectives and policies (5.1.1 and 5.2) and the expanded matters of discretion are sufficiently strong to avoid adverse outcomes on high class soils.
- The rule will mean that every subdivision application will require a land use capability report to demonstrate compliance with the 80/20 percentage requirement which is costly and this should be a matter of discretion rather than necessary.

Point Number 530.7

Summary of Decision Requested: **Retain** Rule 22.4.1.2 (a)(iv) General Subdivision.

Decision Reasons:

- The creation of an additional vacant lot between 8000m2 and 1.6ha is supported.
- The creation of any additional lot between 8000m2 and 1.6ha as a restricted discretionary activity is supported.

Point Number 530.8

Summary of Decision Requested: Retain Rule 22.4.1.2 (a)(i)-(iii) General Subdivision.

Decision Reasons:

- Submitter supports the inclusion of the General Subdivision rules.

Point Number 530.9

Summary of Decision Requested: Retain Policy 5.3.8 - Effects on rural character and amenity from rural subdivision, except for amendments sought below
AND

Amend Policy 5.3.8 - Effects on rural character and amenity from rural subdivision as follows:

...

~~(b) Ensure development does not compromise the predominant open space, character and amenity of rural areas.~~

...

(d) Rural hamlet subdivision and boundary relocations ensure the follow:

...

(ii) Maintenance of the localised rural character and amenity of the surrounding rural environment;

...

(e) Subdivision, use and development opportunities ensure that localised rural character and amenity values are maintained.

Decision Reasons:

- Policy is supported in part.
- Clause (b) should be deleted as it duplicates the statements in clauses (d)(ii) and (e) which also seek to maintain rural character and amenity.
- Not all rural areas comprise open space character and amenity as they can include active and dynamic primary productive activities.
- It should be recognised that rural landscapes can therefore be altered by structure and buildings such as greenhouses and packhouses. These are recognised as important components of primary activities, form part of the rural environment and are generally considered rural in appearance and value.

Point Number 530.10

Summary of Decision Requested: Amend the activity status of Rule 22.4.1.1 Prohibited subdivision PR1, PR2, PR3 and PR4, from prohibited activities to non-complying activities.

Decision Reasons:

- Oppose the Prohibited activity status for the rural subdivision activities and should be considered as non-complying activities.
- With regards to PR2 and PR3 there may be circumstances where a subdivision of high class soils has overall positive effects supported by objectives and policies. Relocating consented lots within a landholding may produce a better outcome from farming and landscape perspectives.
- There are circumstances where it may be unavoidable to create an additional Record of Title. For example, where a title is limited as to parcels and the land parcels are held together by a covenant.
- The subdivision rule relies on a definition of high class soils which are defined in the Proposed Plan, yet they may not be versatile due to a range of factors (not just the classification of soil).
- It is unfair to prohibit the creation of lots that accommodate well-established, viable and sustainable rural activities (such as greenhouses, packhouses, packing sheds, intensive farming, poultry hatcheries and commercial orchards) which are appropriate to separate from other rural activities on the site. This can result in economic wellbeing and a more efficient and effective operation of those types of activities.
- Commercial reasons could necessitate subdivision, such as selling or leasing the business, rather than having no other option but to sell the entire property or invest more capital.
- PR4 may unreasonably restrict subdivision over and above what is necessary to avoid undermining the intent of the operative Franklin Section Rule 22B and therefore a non-complying activity status is more appropriate. For example, the land may be able to be subdivided using a Significant Natural Area or the boundary relocation rule without compromising the intent of the transferable development right subdivision rule.
- Objectives and policies should be sufficiently strong to protect high class soils from inappropriate subdivision and development and not compromise future urban development in the Urban Expansion Area.

Point Number 530.11

Summary of Decision Requested: Amend Rule 22.4.1.1 Prohibited subdivision, by replacing the term "lot" with 'Record of Title'.

Decision Reasons:

- Submitter seeks that the term 'lot' is changed for 'Record of Title.'
- It may be necessary to create multiple lots and hold them together in one Record of Title. This may occur where a stream or a public road physically separates land parcels that are held in one Record of Title.

Submitter Number: 532

Submitter: Joanne & Kevin Sands

Point Number 532.1

Summary of Decision Requested: Retain Objective 5.1.1 - The rural environment as notified.

Decision Reasons:

- Protecting high class soils in the Waikato District is a matter of national importance which is now being recognised with the development of the National Policy Statement for Versatile Land and High Class Soils. Urban subdivision, particularly ad hoc development, in the rural environment should be avoided because this is an inefficient use of productive rural land which may undermine the integrated development of identified townships and expansion areas.
- Submitter agrees that urban development in the rural environment is contrary to the intent of the Proposed District Plan and should be avoided.

Point Number 532.2

Summary of Decision Requested:	<p>Retain Objective 5.2.1 Rural resources, except for the amendments sought below</p> <p>AND</p> <p>Amend Objective 5.2.1 (a)(i) Rural Resources as follows:</p> <p><i>(i) Inherent life-supporting capacity, <u>accessibility</u>, and versatility of soils, in particular high class soils;</i></p>
Decision Reasons:	<ul style="list-style-type: none"> • Support sub policy (i) in part. • Accessibility to versatile land is also a key consideration in managing the soil resource.
Point Number	532.3
Summary of Decision Requested:	Retain Policy 5.2.2 High class soils as notified.
Decision Reasons:	<ul style="list-style-type: none"> • Supports this policy seeking to retain high class soils and ensure that adverse effects do not compromise their life-supporting properties.
Point Number	532.4
Summary of Decision Requested:	<p>Retain Policy 5.3.1 Rural character and amenity, except for the amendments sought below</p> <p>AND</p> <p>Amend Objective 5.3.1 (a) Rural character and amenity as follows:</p> <p><i>(a) Rural character and amenity are maintained <u>while recognising the localised character of different parts of the District</u>.</i></p>
Decision Reasons:	<ul style="list-style-type: none"> • Supports the intent of the objective but the variation in rural character and amenity values needs to be recognised. • The Waikato District encompasses coastal areas, hill country comprising large landholdings used primarily for pastoral use, and smaller landholdings (particularly in the north) used for higher value productive activities such as intensive cropping and greenhouses. • Rural character varies depending on local landholding patterns, built form, land uses, vegetation and geomorphology.
Point Number	532.5
Summary of Decision Requested:	<p>Retain Rule 22.4.1.2 General subdivision except for the amendments sought below</p> <p>AND</p> <p>Add a new discretionary activity (D1) to Rule 22.4.1.2 General subdivision as follows:</p> <p><i><u>D1 (a) General subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.2 (iv) RD1.</u></i></p> <p><i><u>(b) General subdivision around established rural activities that does not comply with Rule 22.4.1.2 (iv) RD1.</u></i></p>
Decision Reasons:	<ul style="list-style-type: none"> • Support rule 22.4.1.2 (a) (iv) in part. • This rule should enable a lot to be created around an existing dwelling and curtilage so that the farming regime can continue. • This will avoid redevelopment of farm tracks and fencelines for a relatively small lot. • There may be situations where it is appropriate to create a new lot that is less than 8000m² or larger than 1.6ha which is consistent with objectives and policies. • For lots smaller than 8000m², it is only necessary to confirm that services can be provided. • A farm management report may be provided that confirms productive rural capacity for any lot greater than 1.6ha and the balance lot.
Point Number	532.6
Summary of Decision Requested:	<p>Delete Rule 22.4.1.2 (a)(v) General subdivision</p> <p>AND</p> <p>Add a new matter of discretion to Rule 22.4.1.2 (b) General subdivision as follows:</p> <p><i><u>(v) Effects on rural productivity and fragmentation of high class soils.</u></i></p>
Decision Reasons:	<ul style="list-style-type: none"> • Rule 22.4.1.2 (a)(v) is opposed. • The section 32 analysis does not justify this rule. • Submitter agrees with intent however the 80/20 percentage requirement may not result in the best layout, design or farming outcome. • Objectives and policies (5.1.1 and 5.2) and the expanded matters of discretion are sufficiently strong to avoid adverse outcomes on high class soils. • The rule will mean that every subdivision application will require a land use capability report to demonstrate compliance with the 80/20 percentage requirement which is costly and this should be discretionary rather than necessary.
Point Number	532.7
Summary of Decision Requested:	Retain Rule 22.4.1.2 (a)(i-iii) General subdivision as notified.
Decision Reasons:	<ul style="list-style-type: none"> • The submitter supports the inclusion of general subdivision provisions.
Point Number	532.8
Summary of Decision Requested:	Retain Rule 22.4.1.2 (a)(iv) General subdivision, as notified.
Decision Reasons:	

- The creation of an additional vacant lot between 8,000m2 and 1.6ha is supported.
- The creation of any additional lot between 8,000 and 1.6ha as a restricted discretionary activity is supported.

Point Number 532.9

Summary of Decision Requested: **Retain** Policy 5.3.8 Effects on rural character and amenity from rural subdivision, except for the amendments sought below

AND

Amend Policy 5.3.8 Effects on rural character and amenity from rural subdivision as follows:

...

~~(b) Ensure development does not compromise the predominant open space, character and amenity of rural areas.~~

...

(d) Rural hamlet subdivision and boundary relocations ensure the follow:

...

(ii) Maintenance of the localised rural character and amenity of the surrounding rural environment;

...

(e) Subdivision, use and development opportunities ensure that localised rural character and amenity values are maintained.

Decision Reasons:

- Policy is supported in part.
- Clause (b) should be deleted as it duplicates the statements in clauses (d)(ii) and (e) which also seek to maintain rural character and amenity.
- Not all rural areas comprise open space character and amenity as they can include active and dynamic primary productive activities.
- It should be recognised that rural landscapes can therefore be altered by structure and buildings such as greenhouses and packhouses, these are recognised as important components of primary production activities, form part of the rural environment and are generally considered rural in appearance and value.

Point Number 532.10

Summary of Decision Requested: **Amend** Rule 22.4.1.1 PR1, PR2, PR3 and PR4 Prohibited subdivision from Prohibited to non-complying activities.

Decision Reasons:

- Oppose the Prohibited activity status for rural subdivision activities and these should be considered non-complying activities.
- With regards to PR2 and P43 there may be circumstances where a subdivision of high-class soils has overall positive effects supported by objectives and policies. Relocating consented soils within a landholding may produce a better outcome from farming and landscape perspectives.
- There may be circumstances where the creation of an additional Record of Title is unavoidable. For example, where a title is limited as to parcels and the land parcels are held together by a covenant.
- The subdivision rule relies on a definition of high-class soils, which are defined in the Proposed District Plan, yet they may not be versatile due to a range of factors (not just the classification of soil).
- It is unreasonable to prohibit the creation of lots that accommodate well-established, viable and sustainable rural activities (such as greenhouses, packhouses, packing sheds, intensive farming, poultry hatcheries and commercial orchards) which are appropriate to separate from other rural activities on the site. Subdivision may enable more opportunities for economic wellbeing and a more efficient and effective operation of those types of activities.
- Commercial reasons could necessitate subdivision, such as selling or leasing the business, rather than having no other option but to sell the entire property or invest in more capital.
- PR4 may unreasonably restrict subdivision over and above what is necessary to avoid undermining the intent of Franklin Section Rule 22B in the Operative District Plan and therefore a non-complying activity status is more appropriate. For example, the land may be able to subdivide using a Significant Natural Area or the boundary relocation rule without compromising the intent of the transferable development right subdivision rule.
- Objectives and policies should be sufficiently strong to protect high class soils from inappropriate subdivision and development and not compromise future urban development the Urban Expansion Area.

Point Number 532.11

Summary of Decision Requested: **Amend** Rule 22.4.1.1 Prohibited subdivision, by replacing the term "lot" with "Record of Title".

Decision Reasons:

- Submitter seeks that the word 'lot' is changed for 'Record of Title.'
- It may be necessary to create multiple lots and hold them together in one Record of Title. This may occur where a stream or a public road physically separates land parcels that are held in one Record of Title.

Submitter Number: 533 **Submitter:** Colin & Rae Hedley

Point Number 533.1

Summary of Decision Requested: **Retain** Objective 5.1.1 The rural environment, as notified.

Decision Reasons:

- Protecting high class soils in the Waikato District is a matter of national importance which is now being recognised with the development of the National Policy Statement for Versatile Land and High Class Soils. Urban subdivision, particularly ad hoc development, in the rural environment should be avoided because this is an inefficient use of productive rural land which may undermine the integrated development of identified townships and expansion areas.
- Submitter agrees that urban development in the rural environment is contrary to the intent of the Proposed District Plan and should be avoided.

Point Number 533.2

Summary of Decision Requested: **Retain** Objective 5.2.1 Rural resources, except for the amendments sought below

AND

Amend Objective 5.2.1 (a)(i) Rural Resources, as follows:

(i) Inherent life-supporting capacity, accessibility, and versatility of soils, in particular high class soils;

Decision Reasons:

- Support sub policy (i) in part.
- Accessibility to versatile land is also a key consideration in managing the soil resource.

Point Number 533.3

Summary of Decision Requested: **Retain** Policy 5.2.2 High class soils, as notified.

Decision Reasons:

- This policy seeks to retain high class soils and ensure that adverse effects do not compromise their life-supporting properties.

Point Number 533.4

Summary of Decision Requested: **Retain** Policy 5.3.1 Rural character and amenity, except for the amendments sought below

AND

Amend Objective 5.3.1 (a) Rural character and amenity, as follows:

(a) Rural character and amenity are maintained while recognising the localised character of different parts of the District.

Decision Reasons:

- Supports the intent of the objective but the variation in rural character and amenity values needs to be recognised.
- The Waikato District encompasses coastal areas, hill country comprising large landholdings used primarily for pastoral use, and smaller landholdings (particularly in the north) used for higher value productive activities such as intensive cropping and greenhouses.
- Rural character varies depending on local landholding patterns, built form, land uses, vegetation and geomorphology.

Point Number 533.5

Summary of Decision Requested: **Retain** Rule 22.4.1.2 General subdivision, except for the amendments sought below

AND

Add a new discretionary activity (DI) to Rule 22.4.1.2 General subdivision, as follows:

DI (a) General subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.2 (iv) RD1.

(b) General subdivision around established rural activities that does not comply with Rule 22.4.1.2 (iv) RD1.

Decision Reasons:

- Supports rule 22.4.1.2 (a)(iv) in part.
- This rule should enable a lot to be created around an existing dwelling and curtilage so that the farming regime can continue.
- This will avoid redevelopment of farm tracks and fencelines for a relatively small lot.
- There may be situations where it is appropriate to create a new lot that is less than 8000m² or larger than 1.6ha which is consistent with objectives and policies.
- For lots smaller than 8000m², it is only necessary to confirm that services can be provided.
- A farm management report may be provided that confirms productive rural capacity for any lot greater than 1.6ha and the balance lot.

Point Number 533.6

Summary of Decision Requested: **Delete** Rule 22.4.1.2 (a)(v) General subdivision;

AND

Add a new matter of discretion to Rule 22.4.1.2 (b) General subdivision, as follows:

(vi) Effects on rural productivity and fragmentation of high class soils.

Decision Reasons:

- Rule 22.4.1.2 (a)(iv) is opposed.
- The section 32 analysis does not justify this rule.
- Submitter agrees with intent however the 80/20 percentage requirement may not result in the best layout, design or farming outcome.
- Objectives and policies (5.1.1 and 5.2) and the expanded matters of discretion are sufficiently strong to avoid adverse outcomes on high class soils.
- The rule will mean that every subdivision application will require a land use capability report to demonstrate compliance with the 80/20 percentage requirement which is costly and this should be discretionary rather than necessary.

Point Number 533.7

Summary of Decision Requested: **Retain** Rule 22.4.1.2 (a)(i-iii) General subdivision, as notified.

Decision Reasons:

- The submitter supports the inclusion of general subdivision provisions.

Point Number 533.8

Summary of Decision Requested: **Retain** Rule 22.4.1.2 (a)(iv) General subdivision, as notified.

Decision Reasons:

- The creation of an additional vacant lot between 8,000m2 and 1.6ha is supported.
- The creation of any additional lot between 8,000 and 1.6ha as a restricted discretionary activity is supported.

Point Number 533.9

Summary of Decision Requested: **Retain** Policy 5.3.8 Effects on rural character and amenity from rural subdivision, except for the amendments sought below

AND

Amend Policy 5.3.8 Effects on rural character and amenity from rural subdivision, as follows:

...

~~(b) Ensure development does not compromise the predominant open space, character and amenity of rural areas.~~

...

(d) Rural hamlet subdivision and boundary relocations ensure the follow:

...

(ii) Maintenance of the localised rural character and amenity of the surrounding rural environment;

...

(e) Subdivision, use and development opportunities ensure that localised rural character and amenity values are maintained.

Decision Reasons:

- Policy is supported in part.
- Clause (b) should be deleted as it duplicates the statements in clauses (d)(ii) and (e) which also seek to maintain rural character and amenity.
- Not all rural areas comprise open space character and amenity as they can include active and dynamic primary productive activities.
- It should be recognised that rural landscapes can therefore be altered by structure and buildings such as greenhouses and packhouses. These are recognised as important components of primary production activities, part of the rural environment and are generally considered rural in appearance and value.

Point Number 533.10

Summary of Decision Requested: **Amend** Rule 22.4.1.1 PR1, PR2, PR3 and PR4 Prohibited subdivision from Prohibited to non-complying activities.

Decision Reasons:

- Oppose the Prohibited activity status for rural subdivision activities and these should be considered non-complying activities.
- There may be circumstances where a subdivision of high class soils has overall positive effects supported by objectives and policies. Relocating consented lots within a landholding may produce a better outcome from farming and landscape perspectives. There may be circumstances where the creation of an additional Record of Title is unavoidable. For example, where a title is limited as to parcels and the land parcels are held together by a covenant.
- The subdivision rule relies on a definition of high class soils which are defined in the Proposed Plan, yet they may not be versatile due to a range of factors (not just the classification of soil).
- It is unreasonable to prohibit the creation of lots that accommodate well-established, viable and sustainable rural activities (such as greenhouses, packhouses, packing sheds, intensive farming, poultry hatcheries and commercial orchards) which are appropriate to separate from other rural activities on the site. Subdivision may enable more opportunities for economic wellbeing and a more efficient and effective operation of those types of activities.
- Commercial reasons could necessitate subdivision, such as selling or leasing the business, rather than having no other option but to sell the entire property or invest more capital.
- PR4 may unreasonably restrict subdivision over and above what is necessary to avoid undermining the intent of the operative Franklin Section Rule 22B and therefore a non-complying activity status is more appropriate. For example, the land may be able to subdivided using a Significant Natural Area or the boundary relocation rule without compromising the intent of the transferable development right subdivision rule.
- Objectives and policies should be sufficiently strong to protect high class soils from inappropriate subdivision and development and not compromise future urban development in the Urban Expansion Area.

Point Number 533.11

Summary of Decision Requested: **Amend** Rule 22.4.1.1 Prohibited subdivision, by replacing the term "lot" with "Record of Title".

Decision Reasons:

- Submitter seeks that the word 'lot' is changed for 'Record of Title.'
- It may be necessary to create multiple lots and hold them together in one Record of Title. This may occur where a stream or a public road physically separates land parcels that are held in one Record of Title.

Submitter Number: 534 **Submitter:** Sven Seddon

Point Number 534.1

Summary of Decision Requested: **Delete** the prohibition on horse access to Ngarunui Beach via the northern end carpark.

Decision Reasons:

- There is a lack of suitable alternative beach accesses for horses located on northern Wainui Road.

Submitter Number: 535 **Submitter:** Lance Vervoort

Organisation: Hamilton City Council

Point Number 535.1

Summary of Decision Requested: **Retain** the intent of Section 1.5.5(f) Services and general infrastructure except for the amendments sought below;
AND
Amend Section 1.5.5(f) Services and general infrastructure to strengthen when and with whom.
AND
Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The submitter would invite stronger direction being stated to ensure a clear understanding of the importance of having dialogue with both iwi and adjoining councils.
- The submitter is particularly seeking direction from the Proposed District Plan on when users and potential consent applicants are to engage with the City on proposals within the City's Area of Interest.

Point Number 535.2

Summary of Decision Requested: **Retain** Section 1.5.5(g) Services and general infrastructure.

Decision Reasons:

- The submitter supports an integrated approach to growth and the need for greater planning for infrastructure, services, transportation and facilities.
- The submitter welcomes dialogue on how cross-boundary services (such as public transport) are provided to Huntly or Raglan residents who work in Hamilton, to minimise single car trips.

Point Number 535.3

Summary of Decision Requested: **Retain** the intent of Section 1.5.6 Transport and logistics, except for the amendments sought below.

AND

Amend Section 1.5.6(a) Transport and logistics, by placing greater emphasis on the regional management of transport.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The submitter supports the intent of issue 1.5.6 Transport and logistics but considers that greater emphasis needs to be placed on the regional management of transport.
- The submitter supports the statement that reads: "There is a need to promote a more regional and holistic consideration of the interactions between land use and transport infrastructure."

Point Number 535.4

Summary of Decision Requested: **Retain** Section 1.5.7(a) Natural Environment, except for the amendments sought below.

AND

Amend 1.5.7(a) Natural environment, by deleting the reference to "adjoining authorities" and replacing with "adjoining territorial authorities".

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The term "adjoining authorities" is ambiguous whereas "adjoining territorial authorities" may provide clarity.

Point Number 535.5

Summary of Decision Requested: **Amend** Section 1.12.1 Strategic direction, to provide an understanding of the location and forms of development that are sought and how the district will accommodate the growth projected in the National Policy Statement - Urban Development Capacity.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- This section of the Proposed Plan is one of the key opportunities for Council to signal how it wishes to manage and grow its district.
- While there are some general references to the Future Proof Strategy, the need for master planning and the need to consider the National Policy Statement - Urban Development Capacity, this section could be strengthened to help the reader better understand any particular geographical focus and what forms of development Council wishes to foster. In particular - how Council intends on prioritising growth in its towns and villages, how it intends to accommodate the growth projected in work that has responded to the National Policy Statement - Urban Development Capacity and what way it is building in commitments to a compact urban form.

Point Number 535.6

Summary of Decision Requested: **Amend** Section 1.12.3 Built environment, by identifying the growth areas and articulate the variety and location of housing types.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The three objectives provide a good starting point relating to a quality, planned built environment. However, these need to be strengthened and expanded to better articulate, for example, what variety of housing is sought, where and why.
- Without specifically identifying growth areas, there is the perception that a large variety of villages and towns are all earmarked for growth which may prove difficult to manage to avoid an 'anything, everywhere' built environment.

Point Number 535.7

Summary of Decision Requested: **Retain** Policy 3.2.4 - Biodiversity Offsetting.

AND

Add to Chapter 22 Rural Zone a new subdivision rule that provides specifically for biodiversity offsetting, does not set a minimum lot size and requires the lot and any areas subdivided under such a framework to be restored and protected in perpetuity.

AND

Add to Chapter 23 Country Living Zone a new subdivision rule that provides specifically for biodiversity offsetting, does not set a minimum lot size and requires the lot and any areas subdivided under such a framework to be restored and protected in perpetuity.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The submitter supports the concept and use of a biodiversity offsetting tool when in line with the criteria in the Waikato Regional Policy Statement and Appendix 6 in the Proposed Plan.
- Dialogue is also welcomed between Waikato District Council, Hamilton City Council and Waikato Region to investigate opportunities for potentially placing offsets generated within Hamilton City to locate within Waikato District, where appropriate rather than within Hamilton City.
- This type of subdivision rule would be a type of biodiversity offsetting tool.

Point Number 535.8

Summary of Decision Requested: **Delete** Policy 3.2.6 (a)(iv) Providing for vegetation clearance.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Any vegetation clearance within a Significant Natural Area is inappropriate because the protection of significant vegetation and significant habitats of indigenous fauna is a matter of national importance and should therefore not be eroded through a harvesting activity.

Point Number 535.9

Summary of Decision Requested: **Retain** Chapter 4 Urban Environment subject to ensuring alignment between objectives, policies, rules and methods, including those that control the type and rate of development use with Hamilton's 'Area of Interest' (shown as a map attached to submission) in order to be consistent with Hamilton City Council's strategic land use plans and urban growth strategies, except for the amendments sought below

AND

Amend Chapter 4 Urban Environment to include objectives and policies which ensure that land use within the 'Area of Interest' (shown as a map attached to submission) is controlled and enabled at a rate which is consistent with and prioritises Hamilton City's strategic land use plans and urban growth strategies including avoidance of urban sprawl, inefficient land use and infrastructure and non-rural land uses.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Sustainable management requires a cross boundary and integrated approach to strategic land use issues to ensure consistency with Hamilton City Council's strategic land use plans and urban growth strategies.

Point Number 535.10

Summary of Decision Requested: **Amend** Section 4.1 Strategic Direction, by creating a separate strategic direction for towns and villages.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The objective and policy framework does not adequately differentiate between towns and villages. A Residential Zone and Village Zone create different forms of development and different ranges of effects. While there are some specific objectives and policies for various places, the overall strategic direction for villages and towns appears to be interchangeable and both are the primary focus of growth.
- The proposed Village zoning addressed in Chapter 4 would result in densities and characteristics that are similar to the Country Living Zone. This zoning is problematic for Te Kowhai, in particular, because the provisions will enable a large area of rural residential development near Hamilton's boundary with potential pressure on this city's infrastructure and services.

Point Number 535.11

Summary of Decision Requested: **Retain** Objective 4.1.1(b) Strategic Direction except for the amendments sought below

AND

Amend Objective 4.1.1(b) - Strategic Direction, so that it aligns with the medium and long term housing targets in the National Policy Statement - Urban Development Capacity plus a buffer for the 2018-2046 period.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The submitter supports the intent of this objective but it needs to reflect the requirements of the National Policy Statement - Urban Development Capacity for housing over the medium and long term, including the required buffer.

Point Number 535.12

Summary of Decision Requested: **Retain** Objective 4.1.2 Urban growth and development except for the amendments sought below.

AND

Add to Objective 4.1.2 Urban growth and development, a table/map that identifies growth areas.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The Proposed Plan appears to be relatively permissive for growth in and around all existing towns and villages. A map/table that identifies growth areas will provide parameters as to where these growth locations are.

Point Number 535.13

Summary of Decision Requested: **Retain** Policy 4.1.3(a) Location of development except for the amendments sought below.

AND

Amend Policy 4.1.3(a) Location of development as follows:

(a) Subdivision and development of a residential, commercial and industrial nature is to occur within towns and villages where infrastructure and services can be efficiently and economically provided; in a coordinated manner with other development; and

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The requested expansion of Policy 4.1.3(a) will ensure that the Proposed Plan recognises that, even if infrastructure can be provided, this should be in the context of all other existing and planned infrastructure investment to ensure that growth is coordinated.
- Both clauses (a) and (b) need to be satisfied when considering the location of development.

Point Number 535.14

Summary of Decision Requested: **Retain** Policy 4.1.3(b) Location of development except for the amendments sought below.

AND

Add to Policy 4.1.3(b) Location of development a table/map that identifies the growth areas.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Clarification could be provided as to what the urban growth location areas are.
- The reference to Future Proof is welcomed.

Point Number 535.15

Summary of Decision Requested: **Retain** Policy 4.1.4 Staging of development.

Decision Reasons:

- The submitter supports the intent of this policy.

Point Number 535.16

Summary of Decision Requested: **Retain** Policy 4.1.5 Density except for the amendments sought below.

AND

Amend Policy 4.1.5 Density, by including a greater range of densities, canvassing growth in both greenfield and fill areas;

AND

Amend subdivision rules as a consequential amendment.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- One of the key principles of the Waikato Regional Policy Statement and Future Proof is accommodating residential growth in existing towns. The submitter supports opportunities to grow these towns rather than additional greenfield areas.
- While the density targets are supported, the policy needs to respond to the Housing and Business Development Capacity Assessment by including a greater range of densities.
- The proposed densities should reflect greenfield growth and create infill opportunities within existing towns, including higher density housing in existing centres.
- This amended policy could affect subdivision rules and multi-unit standards.

Point Number 535.17

Summary of Decision Requested: **Amend** Policy 4.1.6 Commercial and industrial activities, so that it reads as a policy and reflects the difference between commercial and industrial activities, their intended location and management of effects.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- At present the wording does not provide clear directive to link into the Objective for Urban Environment.
- The submitter seeks clarity through a well defined set of policies within 4.1.6 to reflect the difference between Commercial and Industrial activities, the intended locations for such activities, and management of effects.

Point Number 535.18

Summary of Decision Requested: **Amend** Policy 4.1.16 Horotiu, to ensure that cross boundary impacts are included, particularly involving infrastructure, physical and social impacts on Hamilton;

AND

Amend the relevant objectives and policies to ensure that land around existing industrial nodes is safeguarded for future industrial use.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The proposed zoning changes within Horotiu to accommodate additional residential development is opposed because the policy does not recognise Horotiu's location directly on the boundary with Hamilton. Instead, the focus is on connections with the existing village, avoiding impacts on the existing road networks and minimising or avoiding reverse sensitivity effects from strategic transport infrastructure that does not impact on the existing local road network.
- Horotiu is one of the strategic industrial nodes identified in the Waikato Regional Policy Statement and Future Proof and the Proposed Plan does not appear to provide for any additional industrial land supply. Recent work to satisfy the requirements of the National Policy Statement - Urban Development Capacity suggests that additional industrial land is needed in Waikato in the longer term and it may therefore be prudent to safeguard land for future industrial use around these industrial nodes.

Point Number 535.19

Summary of Decision Requested: Amend Policy 4.1.17 Te Kowhai, to ensure the type and quantum of growth at Te Kowhai is in accordance with the Waikato Regional Policy Statement and Future Proof and avoids effects on Hamilton.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The submitter is concerned that the type and quantum of growth proposed for Te Kowhai is not in accordance with either Waikato Regional Policy Statement or Future Proof requirements.
- The impact of growth in this area has also not been considered with regards to potential impact on Hamilton's infrastructure, or how such effects would be mitigated.
- The policy is referring to residential development in the Village zoning, being with lower density (3000m² sections) serviced by on site non-reticulated wastewater, water and storm water networks, or higher density (1000m² sections) serviced by public reticulated networks.
- The policy also refers to the need to maintain open space character and rural landscape, while the village is still a key area of 'residential growth'.
- The policy, with its size requirements, reads more like a rule or implementation method.
- The quantum of potential development increases significantly from the existing plan and introduces a range of new areas including an Air Park subdivision, which were previously either zoned Rural or Country living.
- The submitter was not able to locate, within either in the Proposed Plan or the accompanying supporting information, what this quantum of new development could be.
- It would be helpful if Waikato District Council could supply data and its understanding as to how much growth will be provided for in this area, which would help us to better understand the impacts of the proposals.
- There is a mixed message created by the term 'residential growth', when in reality, the proposals appear to create a much bigger Country Living enclave on the outskirts of Hamilton is of concern to Hamilton City Council.
- Such large section sizes do not create the densities required for efficient, affordable and practical infrastructure such as reticulated networks or public transport. The lot sizes, even with the desire to control the location of future dwellings, will also not avoid issues with land fragmentation, should the area ever be fully urbanised in the future. The large increase in housing, has not been matched with a policy setting focused on place-making.
- The policy framework does not include mention of the need to consider cross-boundary effects, even though the village is very near the boundary with Hamilton.
- There is a significant difference between the subdivision rules, based on whether sites can or cannot be serviced with public infrastructure.
- It would therefore be helpful to understand what work has been done in terms of providing servicing solutions for 3-waters and what modelling and/or assessment has been undertaken to understand transport/traffic impacts of the two subdivision options. Such an analysis would provide better information as to how much subdivision can be expected in the area.

Point Number 535.20

Summary of Decision Requested: Retain Objective 4.2.16 Housing options.

Decision Reasons:

- The submitter supports the focus on a range of housing options within the Residential Zone.

Point Number 535.21

Summary of Decision Requested: Amend Policy 4.2.17 Housing types, by introducing a suite of policies including those on other housing types and high design quality.

AND

Amend the wider zone provisions as a consequential amendment.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- As Future Proof and the Waikato Regional Policy Statement seek compact development in existing towns and villages.
- The submitter seeks to better understand how and where growth will be accommodated.
- However the objective and policies are focused on maintaining the character of the Residential Zone.
- Duplex or multi-unit development may not necessarily maintain the status quo. Additional policies would allow focus on positive changes in terms of affordability and choice of housing.

Point Number 535.22

Summary of Decision Requested: Amend Section 4.3 Village Zone, to better define the purpose of the Village Zone which has more alignment with the objectives and policies relating to rural amenity. The Village Zone needs to better consider cross-boundary impacts of growth.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The submitter is concerned that the overall strategic direction of the Proposed Plan directs growth similarly to towns and villages.
- Preferably there would be a strong objective and policy framework to direct growth opportunities to existing towns, rather than comparatively large lots within the villages which would weaken sub-regional infrastructure planning for public transport and 3-waters.
- It would create densities that may make accommodating future growth projections difficult.
- Policies in Section 4.3 (e.g. 4.3.2- Character) are very similar to the those of section 5.6 Country living Zone.
- In many ways, the purpose of these two separate zones are very similar, and both, if occurring in the outskirts of Hamilton, cause some concern for Hamilton City Council. In the past, development within the Country living Zone has caused cross-boundary issues within Hamilton, including the road networks, provided little impetus to improve passenger transport patronage and placed strain on existing facilities. The new Village Zone, particularly when located in the outskirts of Hamilton, has the potential to have the same cross boundary issues.
- Given the Village Zone (1000m² to 3000m²) accommodates smaller lot sizes than the Country Living Zone (5,000m²), the cross boundary impacts are arguably exacerbated.

Point Number 535.23

Summary of Decision Requested: No specific decision sought, but submission opposes further growth in Te Kowhai and Policy 4.3.3 Future development Tuakau and Te Kowhai.

Decision Reasons:

- Growth is not opposed per se, just the type and amount included in the current proposal.
- The policy encourages future development in Te Kowhai when services are available, however the submitter questions if further growth as identified is appropriate at Te Kowhai.

Point Number 535.24

Summary of Decision Requested: **Retain** Policy 4.6.3 Maintain a sufficient supply of industrial land.

Decision Reasons:

- As signalled in the Future Proof Strategy, industrial land supply for employment and economic benefit should be maintained to support the wider sub-regional needs.
- The National Policy Statement - Urban Development Capacity identifies the potential need, in the longer term, for additional industrial land in the Waikato.

Point Number 535.25

Summary of Decision Requested: **Retain** Policy 4.6.4 Maintain industrial land for industrial purposes.

Decision Reasons:

- The policy supports the sub-regional need for industrial land to be managed and maintained and not lost to other non-industrial purposes, such as large format retail.

Point Number 535.26

Summary of Decision Requested: **Retain** the intent of the objectives and polices in Section 4.7 Urban Subdivision and development subject to amendments to other rules.

Decision Reasons:

- The submitter supports the approach of Section 4.7 however the submitter is also submitting on a number of rules that relate directly to the intent of this suite of policies.
- Any changes to the rules may impact on the principles as set out in these policies.

Point Number 535.27

Summary of Decision Requested: **Retain** Chapter 5 Rural Environment subject to ensuring alignment and giving effect to the Hamilton City Council 'Area of Interest' (shown as a map attached to submission) and the supporting objectives, policies, rules and methods. Objectives and policies are sought which ensure that land use within the 'Area of Interest' (shown as a map attached to submission) is controlled and enabled at a rate which is consistent with and prioritises Hamilton City Council's strategic land use plans and urban growth strategies including avoidance of urban sprawl, inefficient use of land and infrastructure and non-rural land uses.

Decision Reasons:

- Sustainable management requires a cross boundary and integrated approach to strategic land use issues.
- Objectives and policies are sought to ensure that land use within Hamilton's 'Area of Interest' is controlled and enabled at a rate which is consistent with the submitter's strategic land use plans and urban growth strategies that address the avoidance of urban sprawl, inefficient land use and infrastructure and non-rural land uses.

Point Number 535.28

Summary of Decision Requested: **Retain** Objective 5.1.1 The rural environment, subject to ensuring alignment and giving effect to Hamilton's 'Area of Interest' and supporting objectives, policies, rules and methods. Objectives and policies are sought to ensure that activities within the 'Area of Interest' are controlled and enabled at a rate which is consistent with Hamilton City Council's strategic land use plans and urban growth strategies that address the avoidance of urban sprawl, inefficient land use and non-rural land uses.

Decision Reasons:

- The submitter supports the intent of this objective which is to protect rural land.

Point Number 535.29

Summary of Decision Requested: **Retain** Objective 5.2.1 Rural resources.

Decision Reasons:

- The submitter supports the intent of this objective which is to protect rural land.

Point Number 535.30

Summary of Decision Requested: **Retain** Policy 5.2.2 High class soils.

Decision Reasons:

- The submitter supports the intent of this policy which is to protect rural land.

Point Number 535.31

Summary of Decision Requested: **Retain** Policy 5.2.3 Effects of subdivision and development on soils as notified.

Decision Reasons:

- The submitter supports the intent of this policy which is to protect rural land.

Point Number 535.32

Summary of Decision Requested: **Amend** the structure of the entire Proposed Plan and include usable cross-referencing between the objectives, policies and rules to enable easier use by the reader.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The general layout is supported although there are opportunities for refinement and amendment.

Point Number 535.33

Summary of Decision Requested: **Amend** the Proposed District Plan to reflect and relate to sub-regional growth data including the National Policy Statement on Urban Development Capacity.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Work by Future Proof on the Housing and Business Development Capacity Assessment, as required by the National Policy Statement - Urban Development Capacity, is underway and there is an opportunity to amend the Proposed Plan to include the recent work on resulting growth projections and articulate the management of that growth.

Point Number 535.34

Summary of Decision Requested: **Amend** Section 1.2 What is the purpose of the Waikato District Plan, by correcting the population figure for Hamilton City, so that the second to last sentence in clause (c) reads as follows:

(c) ... The district is located between two large urban centres - Auckland, with a population of over 1 million and lies to the north, and Hamilton with a population of ~~over 110,000~~ more than 165,000, which lies to the south.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The notified population figure of 110,000 is outdated as the 2017 figure for Hamilton City has been estimated to be more than 165,000.

Point Number 535.35

Summary of Decision Requested: **Retain** Section 1.4.3.1(b) The Rural environment, except for the amendment sought below.

AND

Amend Section 1.4.3.1(b) The Rural environment, to include fragmentation of rural land.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Ad hoc development on the city boundary can also have an adverse effect on future urban use and therefore the fragmentation of rural land needs to be included as an effect.
- The submitter agrees that excessive rural lifestyle development can have adverse effects which should be avoided.

Point Number 535.36

Summary of Decision Requested: **Retain** Section 1.4.3.2 (b) Protecting the rural environment.

Decision Reasons:

- The submitter supports the level of control on subdivision in the Rural and Country Living Zones within the 'Area of Interest' identified in the map provided with the submission.
- It also supports the prevention of rural land fragmentation near the city boundary and limiting the extent of non-rural activities within the Rural Zone so that they instead establish within towns and villages where growth is anticipated.
- Ad hoc development on the city's boundary impacts on existing infrastructure and creates demand for infrastructure that is not planned or funded which may then compromise efficient urbanisation.

Point Number 535.37

Summary of Decision Requested: **Retain** the intent of Section 1.5.1 Compact urban development, except for the amendments sought below

AND

Amend Section 1.5.1(a) Compact urban development, italics below and either list or include a map of those towns and villages where growth is anticipated:

(a) The Future Proof Strategy seeks a shift in the existing pattern of land use towards accommodating growth through a more compact urban form ~~based on concentrating growth in and around Hamilton~~ (67%) and the larger settlements of the district (21%).

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The Future Proof Strategy seeks that growth is emphasised in towns and selected villages, however Section 1.5.1 needs to make it clear that growth in the Waikato District is not intended to be concentrated around Hamilton's boundaries.
- The submitter supports the approach of ensuring compact urban development.

Point Number 535.38

Summary of Decision Requested: **Retain** Section 1.5.1(b) Compact urban development.

Decision Reasons:

- The expressed settlement pattern is consistent with Future Proof and the Waikato Regional Policy Statement.

Point Number 535.39

Summary of Decision Requested: **Retain** Section 1.5.1 (c) Compact urban development.

Decision Reasons:

- The submitter supports an integrated approach to growth and greater planning for infrastructure, services, transportation and facilities.
- Dialogue is welcomed on how cross boundary services (such as public transport) are provided, including the support of Huntly and Raglan residents who work in Hamilton, to minimise single car trips.

Point Number 535.40

Summary of Decision Requested: **Retain** Section 1.5.2 Planning for urban growth and development.

Decision Reasons:

- The expressed settlement pattern is consistent with Future Proof and the Waikato Regional Policy Statement.

Point Number 535.41

Summary of Decision Requested: **Retain** Section 1.5.3 Cross-boundary issues.

Decision Reasons:

- The need to work collaboratively is a significant sub-regional issue.
- The submitter endorses the approach of section 1.5.3 on this matter.

Point Number 535.42

Summary of Decision Requested: **Amend** Section 1.5.4 (a) Urban growth, by deleting the phrase "harmonious cross boundary development" in the last sentence of clause (a), and reword in a way that provides greater clarity on how growth demands will not impact on or be caused by adjoining councils.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The submitter is fully supportive of planned and integrated provision of regional services and the sustainable management of effects of development by neighbouring councils through strong and effect RMA planning mechanisms.

Point Number 535.43

Summary of Decision Requested: **Retain** Section 1.5.4 (b) Urban growth.

Decision Reasons:

- The submitter fully agrees with the last sentence in clause (b) which reads: "*Uncoordinated urban growth can adversely affect the quality, character and vitality of urban environments and undermine the efficient provision and utilisation of infrastructure and services.*"

Point Number 535.44

Summary of Decision Requested: **Retain** Section 1.5.4(c) Urban growth.

Decision Reasons:

- Hamilton City Council supports the settlement pattern as it is consistent with Future Proof and the Waikato Regional Policy Statement.

Point Number 535.45

Summary of Decision Requested: **Amend** Section 1.5.5(a) Services and general infrastructure, by clarifying what core services are anticipated to be shared and actively work together to discuss intentions and their implications for Hamilton City Council.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The submitter is concerned what is meant by the sentence in clause (a) which reads: "Development patterns that promote the efficient use of new and existing infrastructure and services across boundaries can contribute significantly to improved cost effectiveness, to the general health and wellbeing of communities and help safeguard the environment ..."
- Separate service agreements and funding mechanisms agreed with Hamilton City Council would need to be secured if services are to be shared and there should be no assumption that this will occur.

Point Number 535.46

Summary of Decision Requested: **Amend** Section 1.5.5(b) Services and general infrastructure, by clarifying what core services are anticipated to be shared and actively work together to understand what core services are anticipated to be shared and the implications of this on Hamilton City Council.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The submitter is concerned what is implied by the sentence in clause (b) which reads: "It is important that the district share the provision of core services with neighbouring council service providers, particularly in the north and south."

- Separate service agreements and funding mechanisms agreed with Hamilton City Council would need to be secured if services are to be shared and there should be no assumption that this will occur.

Point Number 535.47

Summary of Decision Requested: **Retain** Section 1.5.5(c) Services and general infrastructure.

Decision Reasons:

- The submitter supports a consistent approach to infrastructure and the effects of it across territorial boundaries.

Point Number 535.48

Summary of Decision Requested: **Retain** Section 1.5.5 (d) Services and general infrastructure.

Decision Reasons:

- The submitter supports the need for a consistent approach to infrastructure and the effects of it across territorial boundaries.

Point Number 535.49

Summary of Decision Requested: **Retain** Section 1.5.5(e) Services and infrastructure.

Decision Reasons:

- The submitter supports consultation between relevant parties when cross-boundary issues are considered.

Point Number 535.50

Summary of Decision Requested: **Retain** Policy 5.3.3 Industrial and commercial activities.

Decision Reasons:

- The submitter supports the intent of this policy to protect rural land from industrial and commercial development, particularly within Hamilton's 'Area of Interest'.

Point Number 535.51

Summary of Decision Requested: **Retain** Policy 5.3.8 Effects on rural character and amenity from rural subdivision.

Decision Reasons:

- The submitter supports the intent of this policy which is to protect rural character and amenity.

Point Number 535.52

Summary of Decision Requested: **Retain** Policy 5.3.9 Non-rural activities.

Decision Reasons:

- The submitter supports the intent of this policy which is to manage non-rural activities in the Rural zone, particularly within Hamilton's 'Area of Interest'.

Point Number 535.53

Summary of Decision Requested: **Retain** Objective 5.5.1 Hamilton's Urban Expansion Area.

Decision Reasons:

- The submitter supports this objective as it sets out a key mechanism to ensure the future urban development potential of the land in the identified areas is not compromised.

Point Number 535.54

Summary of Decision Requested: **Amend** Objective 5.5.1 (a) Hamilton's Urban Expansion Area, as follows:

(a) ~~Manage~~ **Avoid** subdivision, use and development within Hamilton's Urban Expansion Area to ensure that future urban development is not compromised.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The current wording 'manage' does not provide appropriate direction and ability to protect land in the Urban Expansion Area from inappropriate subdivision, development and use and therefore future urban use can be compromised.
- The Urban Expansion area, with its objectives, policies and activity controls are key to ensuring a greater development potential in the future to occur in an integrated and functional manner.

Point Number 535.55

Summary of Decision Requested: **Retain** Policy 5.6.8 Non-residential activities.

Decision Reasons:

- The submitter supports the intent of this policy which is to limit the establishment of non-residential activities in the Country Living Zone and therefore ensure that existing commercial centres are maintained.

Point Number 535.56

Summary of Decision Requested: **Amend** Section 6.4 Infrastructure, Subdivision and Development, to add specific objectives and policies for wastewater and water after Policy 6.4.7.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The Proposed District Plan does not contain specific policies on wastewater or water.
- Including policies relevant to waste and waste water are required to provide certainty during subdivision, land use or development.

Point Number 535.57

Summary of Decision Requested: No specific decision sought, but submission opposes the objectives and policies in Chapter 9.2 Te Kowhai Airpark.

Decision Reasons:

- The range of activities proposed will not provide an appropriate level of development given the uncertainty of service availability.
- The range of activities proposed are not adequately justified or controlled by the associated rules.

Point Number 535.58

Summary of Decision Requested: **Amend** Activity specific condition 14.11.1.1(a)(ii) relating to P1 Stormwater systems for new development or subdivision, to include a higher standard that is aligned with Hamilton City Council's requirements.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The attenuation standard (10% annual exceedance probability (AEP)) is inadequate. Attenuation to at least 1% AEP of pre-development rates should be used when discharging upstream of a catchment shared with Hamilton City.
- If there are existing downstream/flooding issues, then further mitigation should be required so that Hamilton City Council's requirements are not compromised (such as its Comprehensive Stormwater Discharge Consent).

Point Number 535.59

Summary of Decision Requested: **Amend** Activity specific condition 14.11.1.1(a)(iv) relating to P1 Stormwater systems for new development or subdivision, to clarify the meaning of the phrase "specific to the area".

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- It is unclear whether the phrase "specific to the area" creates a requirement to undertake local rainfall gauging where existing data is not "specific" enough, or whether the intent is to allow for the use of the "most relevant existing rainfall data".

Point Number 535.60

Summary of Decision Requested: **Amend** Activity specific condition 14.11.1.1 (a)(v) relating to P1 Stormwater systems for new development or subdivision, to clarify how the hierarchical permitted condition will be implemented. For example, what and who determines how the choice of stormwater measure moves down the hierarchy.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Given the use of permitted conditions, there is no certainty that the stormwater treatment measures are appropriate to the particular catchment and its values. For example, what type of contaminants are an issue and will the treatment measures address them). The provision also needs to allow measures which ensure the protection and enhancement of the Waikato and Waipa rivers.

Point Number 535.61

Summary of Decision Requested: **Amend** Activity specific control 14.11.1.3 relating to P3 Wastewater servicing for new development or subdivision, to clarify that the options are a hierarchy: clause (ii) - connection to a community-scale wastewater system and clause (iii) - a site-contained alternative method that complies with AS/NZS 1547:2012, are not allowed if the method set out in clause (i) - connection to a public, reticulated wastewater network is available.

AND

Add an equivalent rule for water servicing.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Amend rule to ensure that if a reticulated wastewater network is available, this should be required before considering the other options set out in clauses (ii) and (iii).
- If development exceeds the capacity of the existing system, upgrades should be required before other options are used.
- An equivalent rule for water servicing would give clear guidance on water management at the time of subdivision.

Point Number 535.62

Summary of Decision Requested: **Amend** Activity Specific condition 14.11.1.8 relating to P8 Stormwater ponds or wetlands, so it is relevant to the control of stormwater infrastructure.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The sizing/design of stormwater infrastructure should not be constrained by building coverage rules in a zone which have not been developed with infrastructure in mind.
- The area to be calculated needs to be made clear. For example, there is uncertainty as to whether the surface area of standing water during normal flow should be calculated up to a design level (e.g. 10% annual exceedance probability), including all slopes, batters, etc.

Point Number

535.63

Summary of Decision Requested:

Amend Activity specific condition 14.12.1.8 (a)(i) relating to P8 Off-road pedestrian and cycle facilities, to provide for instances when the minimum width of 2 metres is not appropriate.

AND

Amend Activity specific condition 14.12.1.8 (a)(i) relating to P8 off-road pedestrian and cycle facilities, to define/clarify what is meant by "off-road pedestrian and cycling facilities".

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- There are some circumstances when off-road pedestrian and cycle facilities need to be wider than 2 metres (such as along arterial corridors or when forming, or connecting to, part of a wider network with a wider standard). Shared facilities should be at least 2.5 metres.
- The rule is unclear as to whether the conditions only apply to facilities outside the road corridor or whether it also includes off-carriageway facilities located inside the road corridor.

Point Number

535.64

Summary of Decision Requested:

Amend Activity specific condition 14.12.1.8 (a)(iii) relating to P8 off-road pedestrian and cycle facilities, to clarify what effects this rule is managing.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Pedestrian and cycling facilities do not generate bulk or dominance related effects.
- Having to comply with a zone setback (particularly if off-road facilities are still within the road corridor) is an inefficient use of land.

Point Number

535.65

Summary of Decision Requested:

Amend Table 14.12.5.1 - Separation distances, to require compliance with more onerous district plan provisions of an adjoining District Plan.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The amendment will improve consistency and avoid potential cross-boundary related effects, such as new vehicle accesses in the vicinity of an adjoining local authority.

Point Number

535.66

Summary of Decision Requested:

Amend Table 14.12.5.3 - Minimum sight distances, to require compliance with more onerous district plan provisions of an adjoining District Plan.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The amendment will improve consistency and avoid potential cross-boundary related effects, such as new vehicle accesses in the vicinity of an adjoining local authority.

Point Number

535.67

Summary of Decision Requested:

Amend Table 14.12.5.6 - Road Hierarchy list, as follows:

- Clarifying whether the "Gordonton Road" length identified as a regional arterial is different to, or a duplicate of, the "Gordonton Road" length identified as an arterial;
- Adding the following roads as arterials: Kay Road (River Road to Borman Road (west)), Horsham Downs Road (Kay Road to Waikato Expressway/HCC boundary);
- Adding these roads as collectors: Exelby Road (SH39 to Hamilton City Council boundary), Rotokauri Road (Bagust Road to Hamilton City Council boundary), Kay Road (Borman Road (west) to Horsham Downs Road), Brymer Road (Rotokauri Road to Hamilton City Council boundary).

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Inclusion of the listed roads as arterials or collectors will align with the road hierarchy in Hamilton City.

Point Number

535.68

Summary of Decision Requested:

Delete 20.1.2 'D6 An office' and 'D7 A retail activity' from the list of discretionary activities.

AND

Add an office and a retailing activity to Rule 20.1.3 Non-Complying Activities, so that they are instead considered as non-complying activities.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The relevant objective and policy contained in Chapter 4: Urban Environment are relatively directive that industrial land should not be lost to non-industrial activities, therefore it is more appropriate to match this with a non-complying status in the rules.
- Commercial activity should be directed to the town centres and business zones.
- The Hamilton City District Plan has a strong emphasis on keeping Industrial zones for industrial purposes.
- While it is not the expectation that adjoining districts have matching rules, in this instance, it would be preferable for a similar zoning approach be taken by Waikato District. It would seem appropriate there be some policy alignment to deliver on the Regional Policy Statement and Future Proof principles, by ensuring Hamilton remains the primary commercial hub of the sub-region.
- In industrial areas in Hamilton, industrial and office activities are non-complying activities to support the 'centres based' approach to business areas within the City are not impacted.

Point Number

535.69

Summary of Decision Requested:

Retain Chapter 22: Rural Zone subject to ensuring alignment and giving effect to the submitter's 'Area of Interest' (shown in map attached to submission) and supporting objectives, policies, rules and methods. Objectives and policies are sought which ensure that land use within the 'Area of Interest' (shown in map attached to submission) is controlled and enabled at a rate which is consistent with and prioritises Hamilton City Council's strategic land use plans and urban growth strategies including avoidance of urban sprawl, inefficient use of land and infrastructure and non-rural land uses.

Decision Reasons:

- Sustainable management requires a cross boundary and integrated approach to these strategic land use issues.
- Objectives and policies are therefore required to ensure that land use within Hamilton's 'Area of Interest' is controlled and enabled at a rate which is consistent with Hamilton City Council's strategic land use plans and urban growth strategies that address the avoidance of urban sprawl, inefficient land use and infrastructure and non-rural land uses.

Point Number

535.70

Summary of Decision Requested:

Delete the non-rural activities from Rule 22.1.5 NC4 Non-Complying Activities as they relate to the Urban Expansion Area.
AND
Add these activities to Rule 22.1.1 Prohibited as prohibited activities.
AND
Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Land within the Urban Expansion Area needs to be protected from incompatible land use otherwise it will compromise future urban development.
- This aim is supported by the 2005 Strategic Agreement on Future Urban Boundaries between Hamilton City Council and Waikato District Council.
- The section 32 analysis offers no sound reasoning as to why the status of these activities is proposed to be non-complying (rather than prohibited as per the Operative Waikato District Plan).
- Under the Operative Waikato District Plan, the Urban Expansion Policy Area has a number of prohibited activities to ensure that the future development of the areas is not compromised. During the consultation of the draft district plan, the prohibited activity list was reviewed and amended in consultation with HCC staff, increasing the activity status of some activities to a stricter prohibited activity status within the area.
- The notified Proposed Plan has not retained the prohibited activity status with the exception of subdivision, where an extra lot is created, with all non-rural activities now either non-complying or discretionary activities.
- The section 32 offers no sound reasoning as to why the activity status has been changed. HCC strongly disagrees with approach and the assumption for how the different non-rural activities were 'allocated' either non-complying or discretionary status.
- Non-complying activities were because of adverse effects, reverse sensitivity and incompatibility with urban uses in the future. Discretionary activities were applied where the use would be compatible with future urban use. The submitter does not consider this approach satisfactory at all because such activities have the potential to impact on the future ability to comprehensively plan for the area as a whole.

Point Number

535.71

Summary of Decision Requested:

Delete Rule 22.2.7 P2 Indigenous vegetation clearance inside a Significant Natural Area;
AND
Delete Rule 22.2.7 P6 Indigenous vegetation clearance inside a Significant Natural Area.
AND
Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Any vegetation clearance from a Significant Natural Area is not appropriate because the protection of significant vegetation and significant habitats of indigenous fauna is a matter of national importance and this should not be eroded through a harvesting activity.

Point Number

535.72

Summary of Decision Requested:

Retain the prohibited activity status for Rule 22.4.1.1 PRI Prohibited Subdivision.
AND
Add a clause to Rule 22.4.1.1 PI Prohibited subdivision as follows:
Any boundary relocation or rural hamlet subdivision.
AND
Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- A prohibited activity status is imperative in the Urban Expansion Area to ensure that the objectives and policies for this area are achieved.
- The submitter supports prohibiting subdivision which results in the creation of any additional lots as this ensures the future urban development of the land is not compromised.
- Boundary relocations and rural hamlet subdivisions do not create additional lots but they still result in land fragmentation that will impede comprehensive future urban development.

Point Number

535.73

Summary of Decision Requested:

Amend Rule 22.4.1.2 RD1 (a) (ii) General subdivision, as follows:

(a)(ii) The Record of Title to be subdivided must be at least ~~20~~ 40 hectares in area;

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Further fragmentation of land, particularly near Hamilton's boundary, is inappropriate because of impact on the city's infrastructure and demand for unplanned services.
- It is estimated that approximately 254 properties could be subdivided within Hamilton's 'Area of Interest' if the 20 ha parent lot size is retained.
- This number would reduce to approximately 119 properties using a 40 ha parent lot size.
- Increasing the threshold to 40 ha would be in line with Waipa District and would ensure the sustainable management of the 'Area of Interest' for future urban growth.

Point Number

535.74

Summary of Decision Requested:

Retain Chapter 23: Country Living Zone subject to ensuring alignment and giving effect to the submitter's 'Area of Interest' (shown in map attached to submission) and supporting objectives, policies, rules and methods. Objectives and policies are sought which ensure that land use within the 'Area of Interest' (shown in map attached to submission) is controlled and enabled at a rate which is consistent with and prioritises Hamilton City Council's strategic land use plans and urban growth strategies including avoidance of urban sprawl, inefficient use of land and infrastructure and non-rural land uses.

Decision Reasons:

- Sustainable management requires a cross boundary and integrated approach to strategic land use issues.
- Objectives and policies are sought to ensure that land use within this area if controlled and enabled at a rate which is consistent with Hamilton City Council's strategic land use plans and urban growth strategies that address the avoidance of urban sprawl, inefficient land use and infrastructure and non-rural land uses.

Point Number

535.75

Summary of Decision Requested:

Amend Rule 23.1.3 Discretionary Activities, to ensure existing commercial centres are maintained (currently listed as D3) in the Country Living Zone;

AND

Add objectives and policies as a consequential amendment.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Almost all of the Country Living zone is located near Hamilton or main towns.
- It is therefore important to maintain the primacy of existing commercial centres in Hamilton and the main towns by restricting commercial activities in this zone or add objectives and policies that better direct commercial activities to zones that are more appropriate than the Country Living Zone.

Point Number

535.76

Summary of Decision Requested:

Delete Rule 23.2.8 P2 Indigenous vegetation clearance inside a Significant Natural Area.

AND

Delete Rule 23.2.8 P6 Indigenous vegetation clearance inside a Significant Natural Area.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Any vegetation clearance from a Significant Natural Area is not appropriate.
- The protection of significant vegetation and significant habitats of indigenous fauna is a matter of national importance and therefore such vegetation should not be eroded through a harvesting activity.

Point Number

535.77

Summary of Decision Requested:

Retain the Prohibited Activity status of Rule 23.4.1 Prohibited subdivision, as notified.

Decision Reasons:

- A prohibited activity status for subdivision is imperative in the Urban Expansion Area to ensure that the objectives and policies for this area are achieved.

Point Number

535.78

Summary of Decision Requested:

Retain Chapter 24: Village Zone subject to ensuring alignment and giving effect to the submitter's 'Area of Interest' and supporting objectives, policies and rules and methods.

Decision Reasons:

- Objectives and policies are sought which ensure that land use within the Area of Interest is controlled and enabled at a rate which is consistent with the priorities of Hamilton City Council's strategic land use plans and urban growth strategies including avoidance of urban sprawl, inefficient use of land and infrastructure and non-rural land uses.
- Sustainable management requires a cross boundary and integrated approach to strategic land use issues.
- Objectives and policies are sought to ensure that land use within this area is controlled and managed at a rate that is consistent with Hamilton City Council's strategic land use plans and urban growth strategies that address the avoidance of urban sprawl, inefficient land use and infrastructure and non-rural land uses.

Point Number

535.79

Summary of Decision Requested:

Delete Rule 24.2.8 P2 Indigenous vegetation clearance inside a Significant Natural Area.

AND

Delete Rule 24.2.8 P6 Indigenous vegetation clearance inside a Significant Natural Area.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The submitter does not consider any vegetation clearance within a Significant Natural Area is not appropriate.
- The protection of significant vegetation and significant habitats of indigenous fauna is a matter of national importance and therefore such vegetation should not be eroded through a harvesting activity.

Point Number

535.80

Summary of Decision Requested:

No specific decision sought, but submission opposes the subdivision provisions for Te Kowhai in Rule 24.4.2 Subdivision Te Kowhai and Tuakau.

Decision Reasons:

- The uncertainty about the servicing of these areas, makes quantifying and understanding the effects of the proposals on Hamilton's own infrastructure and the sub-regional land use pattern, difficult. The proposed low densities of the area, may make meeting the District's growth projections difficult.
- New areas have been included within the Village Zone which were previously zoned Rural or Country living without sufficient justification or comfort that the impacts of such development can be managed; or that the built form will deliver best results for delivering sustainable growth with a compact built urban form.
- Issues have been created in the past for Hamilton City, by the creation of rural residential enclaves on the City boundary - while this particular zone has a different name (i.e. Village Zone), it will still have the same, if not greater impacts across the boundary.

Point Number

535.81

Summary of Decision Requested:

No specific decision sought, but submission opposes the rules for Te Kowhai Airpark in Chapter 27: Te Kowhai Airpark Zone.

Decision Reasons:

- The submitter does not believe the range of activities proposed will provide an appropriate level of development in such an uncertain servicing setting. The range of activities proposed are not adequately justified or controlled by the associate rules (also refer to the submission point on Chapter 9).

Point Number

535.82

Summary of Decision Requested:

Amend Rule 27.1.1 P31 and P32 Activity Status Table, to ensure commercial zoning at the airpark does not increase in scale and risk impacting on established commercial centres within Hamilton City.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Cafes and Restaurants, and Retail (up to 300m² within the four precincts), are provided for as a permitted activity in this zone on the outskirts of Hamilton.
- The submitter questions how this commercial hub fits within Waikato District's own aspirations for the main village of Te Kowhai and how well integrated these will be with the existing community.
- The submitter has concerns about the impact the Commercial zoning at the airpark will have on the nearby established commercial centres, particularly in relation to the permitted activity status of retail in the Airpark.
- It is also not immediately clear whether this is 300m² in total spread between the 4 precincts, or whether it is 1200m² of retail. Nevertheless, both of the quantum are questioned, but most particularly the larger one.
- Te Kowhai is not a major commercial centre, and any commercial activities proposed should be of a scale to serve the community within which it is located.

Point Number

535.83

Summary of Decision Requested:

Amend Rule 27.4.2 Subdivision Allotment Size, to simplify the subdivision framework and clarify what the infrastructure implications are, what quantum of development can occur and what effects are anticipated from subdivision within this zone.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- As this area is located very close to the boundary of Hamilton any subdivision increasing the number of urban lots has a strong potential for cross boundary impacts, particularly to Hamilton's roading, waters and community infrastructures.
- The proposal to allow a range of allotment sizes, ranging in size from 450m², to 1000m² to 2500m² and 800m² (depending on the reticulation available, and the location within the precincts) indicates an intensity that may prove unacceptable when there is difficulty in providing all necessary services to the future intended residential of the area.
- There is no clear way to determine the overall maximum allotment number or what infrastructure would be provided.

Point Number

535.84

Summary of Decision Requested:

Delete Appendix 9 Te Kowhai Airfield Precincts Zoning.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The proposal does not appear well connected to the Te Kowhai Village.
- The s32 mentions that the design has been altered to ensure better connectivity, but this is not immediately obvious from the plans contained within Appendix 9.
- It would be helpful for the development to better define itself in terms of integration and connectivity with Te Kowhai, particularly from an infrastructure and community services perspective. For example, at present the location of the access to the development potentially lends itself more to connectivity to Hamilton than it does to Te Kowhai.

Point Number

535.85

Summary of Decision Requested: Add to Schedule 30.1 Historic Heritage Items St Paul's Methodist Church (which is to be shifted from its present location at London Street in Hamilton to Te Kowhai).

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Resource consent has issued to develop the site at Te Kowhai with this church which is to be relocated from London Street in Hamilton.
- This building is currently listed in the Hamilton City District Plan as a heritage item (H61) and has regional heritage significance (refer to submission for details from Hamilton City Council's Built Heritage Inventory Form).

Point Number 535.86

Summary of Decision Requested: Retain the extent of Country Living Zone as notified on the Planning Maps.

Decision Reasons:

- The submitter supports the amount of land zoned Country Living remaining static.

Point Number 535.87

Summary of Decision Requested: Amend the planning maps by adding an overlay that illustrates the submitters 'Area of Interest' (shown as a map attached to submission) and potentially integrate this with Hamilton's Urban Expansion Area, and if appropriate the mapped Urban Expansion Area can be extended to give effect to the submitters 'Area of Interest' (shown as a map attached to submission).

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The planning maps need to illustrate Hamilton City Council's 'Area of Interest' to support objectives, policies and rules sought for this area to ensure that land use within this area is controlled and enabled at a rate which is consistent with Hamilton City Council's strategic land use plans and urban growth strategies that address the avoidance of urban sprawl, inefficient land use and infrastructure and inappropriate land uses.
- Integration of Hamilton's Urban Expansion Area with this mapped 'Area of Interest' could be an efficient method of giving effect to this strategic land use intent.

Point Number 535.88

Summary of Decision Requested: No specific decision sought, but the submission opposes the Te Kowhai Airpark Zoning.

Decision Reasons:

- The uncertainty about the servicing of these areas, makes quantifying and understanding the effects of the proposals on Hamilton's own infrastructure and the sub-regional land use pattern, difficult.
- The proposed low densities of the area, may make meeting the District's growth projections difficult.
- New areas have been included within the Village Zone which were previously zoned Rural or Country Living, without sufficient justification or comfort that the impacts of such development can be managed; or that the built form will deliver best results for delivering sustainable growth with a compact built urban form.
- Issues have been created in the past for Hamilton City, by the creation of rural residential enclaves on the City boundary - while this particular zone has a different name (i.e. Village Zone), it will still have the same, if not greater impacts across the boundary.

Point Number 535.89

Summary of Decision Requested: No specific decision sought, but submission opposes the Te Kowhai Village Zoning.

Decision Reasons:

- The submitter opposes both the Airpark and Village Zoning. The uncertainty about the servicing of these areas, makes quantifying and understanding the effects of the proposals on Hamilton's own infrastructure and the sub regional land use pattern, difficult. The proposed low densities of the area, may make meeting the District's growth projections difficult.
- The Airpark does not appear well connected to the Village and would relate more to Hamilton than Te Kowhai due to ease of accessibility and connection.
- New areas have been included within the Village Zone which were previously zoned Rural or Country Living, without sufficient justification or comfort that the impacts of such development can be managed; nor that the built form will deliver best results for delivering sustainable growth with a compact built urban form.
- Issues have been created in the past for Hamilton City, by the creation of rural residential enclaves on the City boundary - while this particular zone has a different name (i.e. Village Zone), it will still have the same, if not greater impacts across the boundary.

Point Number 535.90

Summary of Decision Requested: Retain the notified extent of residential growth at Ngaruawahia, provided that no further residential growth occurs along former State Highway 1.

Decision Reasons:

- The submitter supports new residential growth within Ngaruawahia, being one of the major towns within the District. However, the town has been gradually stretching and growing along the former State Highway. This has created a situation whereby Ngaruawahia is nearly contiguous with Horotiu, which over time will become contiguous with Hamilton as it grows to its Urban Limit.
- While not opposing the current Proposed Plan, it is requested that in accordance with the Waikato Regional Policy Statement and the Future Proof Strategy, which seek to avoid ribbon development along the road network; and plan for obvious gaps between towns, that no further growth along former State Highway 1 should be enabled.

Point Number 535.91

Summary of Decision Requested: Retain the intent of Section 1.5.4 Urban growth except for the amendments outlined elsewhere in the submission.

Decision Reasons:

- The submitter supports the District's settlement pattern as it is consistent with Future Proof and the Regional Policy Statement.

Point Number	535.92
Summary of Decision Requested:	Retain the intent of Section 1.5.5 Services and general infrastructure, except for the amendments outlined elsewhere in the submission.
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports the intent of the issue subject to the specific amendments sought below.
Point Number	535.93
Summary of Decision Requested:	No specific decision sought, but the submission opposes the extent of new residential zoning from Country Living Zone on Map 26.1 Horotiu, pending the satisfactory resolution of infrastructure implications, and addressing how future industrial needs in the southern areas of Waikato District will be met.
Decision Reasons:	<ul style="list-style-type: none"> The 'live' Residential zoning at Horotiu is of concern to the submitter. It is not clear how the new growth will be serviced, and we wish to understand more about the intentions here. The proposed zoning change is directly adjacent to the City boundary and we feel it is appropriate to understand how the area will be serviced with wastewater and water supply, and how stormwater will be managed. The quantum of people living in the town could significantly increase, and given the proximity to the City, could place pressures on the City's physical and social infrastructure. Horotiu is one of the Strategic Employment Nodes in the sub-region, yet there are no plans to include any industrial growth in this location. The submitter acknowledges that the somewhat uncertain planning situation in the adjoining part of Hamilton, being Te Awa lakes, is probably contributing to some uncertainty for the future planning of Horotiu. While the City has signalled it supports a Special Housing Area at Te Awa Lakes, this has yet to be formally gazetted and a Plan Change process is currently on hold. It is not yet clear how these proposals will progress and over what timeframe.
Point Number	535.94
Summary of Decision Requested:	Add the Hamilton City Council 'Area of Interest' map into the Proposed District Plan (as attached to the submission). This could take the form of an overlay; AND Add objectives and policies specific to the 'Area of Interest' which seek to avoid urban subdivision and development in rural zones and provide only for rural land uses in that zone; AND Add a supporting set of rules and methods including deploying a prohibited activity status for certain non-rural land uses and subdivision. AND Any consequential amendments and/or additional relief required to address the matters raised in the submission.
Decision Reasons:	<ul style="list-style-type: none"> This Area of interest has been determined to be a rough indicator the area of the City's economic and social influence and represents its various communities of interest. This will enable the submitter to have an enhanced level of control and input into strategic land use planning and resource consenting of land uses within a defined area adjacent to the Hamilton City Council boundary within the Waikato District. The extent of the areas will be fine tuned as further analysis is undertaken. Objectives and policies area sought which ensure that land use within the Area of Interest is controlled and enabled at a rate which is consistent with and prioritises Hamilton City Council's strategic land use plans and urban growth strategies including avoidance of sprawl.

Submitter Number:	536	Submitter:	LJ & TM McWatt Limited
Point Number	536.1		
Summary of Decision Requested:	Retain Objective 5.1.1 The rural environment as notified.		
Decision Reasons:	<ul style="list-style-type: none"> Protecting high class soils in the Waikato District is a matter of national importance which is now being recognised with the development of the National Policy Statement for Versatile Land and High Class Soils. Urban subdivision, particularly ad hoc development, in the rural environment should be avoided because this is an inefficient use of productive rural land which may undermine the integrated development of identified townships and expansion areas. Submitter agrees that urban development in the rural environment is contrary to the intent of the Proposed District Plan and should be avoided. 		
Point Number	536.2		
Summary of Decision Requested:	Retain Objective 5.2.1 Rural resource, except for the amendments sought below AND Amend Objective 5.2.1(a)(i) Rural Resources as follows: <i>(i) Inherent life-supporting capacity, accessibility, and versatility of soils, in particular high class soils;</i>		
Decision Reasons:	<ul style="list-style-type: none"> Support sub-policy (i). Accessibility to versatile land is also a key consideration in managing the soil resource. 		
Point Number	536.3		
Summary of Decision Requested:	Retain Policy 5.2.2 High class soils as notified.		

Decision Reasons:

- Supports this policy seeking to retain high class soils and ensure that adverse effects do not compromise their life-supporting properties.

Point Number

536.4

Summary of Decision Requested:

Retain Objective 5.3.1 Rural character and amenity, except for the amendments sought below

AND

Amend Objective 5.3.1 Rural character and amenity as follows:

(a) Rural character and amenity are maintained while recognising the localised character of different parts of the District

Decision Reasons:

- Supports the intent of the objective but the variation in rural character and amenity values needs to be recognised. The Waikato District encompasses coastal areas, hill country comprising large landholdings used primarily for pastoral use, and smaller landholdings (particularly in the north) used for higher value productive activities such as intensive cropping and greenhouses.
- Rural character varies depending on local landholding patterns, built form, land uses, vegetation and geomorphology.

Point Number

536.5

Summary of Decision Requested:

Retain Rule 22.4.1.2 General subdivision, except for the amendments sought below

AND

Add a new discretionary activity to Rule 22.4.1.2 General subdivision, as follows:

DI (a) General subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.2 (iv) RDI.

(b) General subdivision around established rural activities that does not comply with Rule 22.4.1.2 (iv) RDI.

Decision Reasons:

- Support rule 22.4.1.2 (a)(iv) in part.
- This rule should enable a lot to be created around an existing dwelling and curtilage so that the farming regime can continue. This will avoid redevelopment of farm tracks and fencelines for a relatively small lot. There may be situations where it is appropriate to create a new lot that is less than 8000m² or larger than 1.6ha which is consistent with objectives and policies. For lots smaller than 8000m², it is only necessary to confirm that services can be provided.
- A farm management report may be provided that confirms productive rural capacity for any lot greater than 1.6ha and the balance lot.

Point Number

536.6

Summary of Decision Requested:

Delete Rule 22.4.1.2(a)(v) General subdivision;

AND

Add a new matter of discretion to Rule 22.4.1.2(b) General subdivision, as follows:

(b) Council's discretion is restricted to the following matters:

...

(vi) Effects on rural productivity and fragmentation of high class soils.

Decision Reasons:

- Oppose rule 22.4.1.2 (a)(v).
- The section 32 analysis does not justify this rule.
- Submitter agrees with the intent however the 80/20 percentage requirement may not result in the best layout, design or farming outcome. Objectives and policies (5.1.1 and 5.2) and the expanded matters of discretion are sufficiently strong to avoid adverse outcomes on high class soils. The rule will mean that every subdivision application will require a land use capability report to demonstrate compliance with the 80/20 percentage requirement which is costly and this should be discretionary rather than necessary.

Point Number

536.7

Summary of Decision Requested:

Retain Rule 22.4.1.2(a)(i)-(ii) General Subdivision.

Decision Reasons:

- Supports the inclusion of the General subdivision rules.

Point Number

536.8

Summary of Decision Requested:

Retain Rule 22.4.1.2 RDI(a)(iv) General subdivision, which classifies creation of an additional lot between 8,000m² and 1.6ha as a restricted discretionary activity.

Decision Reasons:

- The creation of an additional vacant lot between 8000m² and 1.6ha is supported.
- The creation of an additional lot between 8000m² and 1.6ha as a restricted discretionary activity is supported.

Point Number

536.9

Summary of Decision Requested:

Retain Policy 5.3.8 Effects on rural character and amenity from rural subdivision, except for the amendments sought below

AND

Amend Policy 5.3.8 Policy Effects on rural character and amenity from rural subdivision, so that it reads as follows:

~~*(b) Ensure development does not compromise the predominant open space, character and amenity of rural areas*~~

...

(d) Rural hamlet subdivision and boundary relocations ensure the follow:

...

(ii) Maintenance of the localised rural character and amenity of the surrounding rural environment;

...

(e) Subdivision, use and development opportunities ensure that localised rural character and amenity values are maintained.

Decision Reasons:

- Policy is supported in part.
- Clause (b) should be deleted as it duplicates the statements in clauses (d)(ii) and (e) which also seek to maintain rural character and amenity. Not all rural areas comprise open space character and amenity as they can include active and dynamic primary productive activities.
- It should be recognised that rural landscapes can therefore be altered by structure and buildings such as greenhouses and packhouses. These are recognised as important primary production activities, form part of the rural environment and are generally considered rural in appearance and value.

Point Number

536.10

Summary of Decision Requested:

Amend Rule 22.4.1.1 PR1, PR2, PR3 and PR4 Prohibited subdivision from Prohibited to Non-Complying Activities.

Decision Reasons:

- Oppose the prohibited activity status.
- With regards to PR2 and PR3 and there may be circumstances where a subdivision of high class soils has overall positive effects supported by objectives and policies. Relocating consented lots within a landholding may produce a better outcome from farming and landscape perspectives.
- There are circumstances where the creation of an additional Record of Title is unavoidable. For example, where a title is limited as to parcels and the land parcels are held together by a covenant.
- The subdivision rule relies on a definition of high class soils which are defined in the Proposed Plan, yet they may not be versatile due to a range of factors (not just the classification of soil).
- It is unreasonable to prohibit the creation of lots that accommodate well-established, viable and sustainable rural activities (such as greenhouses, packhouses, packing sheds, intensive farming, poultry hatcheries and commercial orchards) which are appropriate to separate from other rural activities on the site. Subdivision may enable more opportunities for economic wellbeing and a more efficient and effective operation of the activity.
- Commercial reasons could necessitate subdivision, such as selling or leasing the business, rather than having no other option but to sell the entire property or invest more capital.
- PR4 may unreasonably restrict subdivision over and above what is necessary to avoid undermining the intent of the operative Franklin Section Rule 22B and therefore a non-complying activity status is more appropriate. For example, the land may be able to subdivided using a Significant Natural Area or the boundary relocation rule without compromising the intent of the transferable development right subdivision rule.
- Objectives and policies should be sufficiently strong to protect high class soils from inappropriate subdivision and development and not compromise future urban development in the Urban Expansion Area.

Point Number

536.11

Summary of Decision Requested:

Amend Rule 22.4.1.1 Prohibited subdivision, by replacing the term "lot" with "Record of Title".

Decision Reasons:

- Submitter seeks that the word 'lot' is changed to 'Record of Title.'
- It may be necessary to create multiple lots and hold them together in one Record of Title. This may occur where a stream or a public road physically separates land parcels that are held in one Record of Title.

Submitter Number:

537

Submitter:

Kelvin & Joy Smith

Point Number

537.1

Summary of Decision Requested:

Amend the zoning of the property at 116 Swan Road, Te Kauwhata from the Rural Zone to Country Living Zone.

Decision Reasons:

- The recent Residential zoning nearby will adversely affect the submitter's farming practices (spraying and machinery use).
- The property at 116 Swan Road is suitable for country living because it has rolling to flat topography and is close to Te Kauwhata village.
- Due to the deterioration of Hawke Road, the adjoining properties off that road could be better serviced by a new road through this submitter's property.

Point Number

537.2

Summary of Decision Requested:

Amend the Proposed District Plan to allow the subdivision of the property at 116 Swan Road, Te Kowhai into two blocks.

Decision Reasons:

- For selling options.

Submitter Number:

538

Submitter:

Paul Brydon

Point Number

538.1

Summary of Decision Requested:

Retain Chapter 9.2: Te Kowhai Airpark Zone, as notified.

Decision Reasons:

- The provisions provide for and safeguard the needs of the aviation community.
- The aerodrome will be safer.
- Recognises the amount of aviation infrastructure that already exists.
- Future-proofs the aerodrome.

Point Number 538.2

Summary of Decision Requested: **Retain** Chapter 27: Te Kowhai Airpark Zone, as notified.

Decision Reasons:

- The provisions provide for and safeguard the needs of the aviation community.
- The aerodrome will be safer.
- Recognises the amount of aviation infrastructure that already exists.
- Future-proofs the aerodrome.

Submitter Number: 539

Submitter:

Garyowen Properties (2008) Limited

Point Number 539.1

Summary of Decision Requested: **Retain** Objective 5.1.1 The rural environment, as notified.

Decision Reasons:

- Protecting high class soils in the Waikato District is a matter of national importance which is now being recognised with the development of the National Policy Statement for Versatile Land and High Class Soils. Urban subdivision, particularly ad hoc development, in the rural environment should be avoided because this is an inefficient use of productive rural land which may undermine the integrated development of identified townships and expansion areas.
- Submitter agrees that urban development in the rural environment is contrary to the intent of the Proposed District Plan and should be avoided.

Point Number 539.2

Summary of Decision Requested: **Retain** Objective 5.2.1 Rural resources, except for the amendment sought below;

AND

Amend Objective 5.2.1 (a)(i) Rural Resources as follows:

(i) Inherent life-supporting capacity, accessibility, and versatility of soils, in particular high class soils;

Decision Reasons:

- Support sub policy (i) in part.
- Accessibility to versatile land is also a key consideration in managing the soil resource.

Point Number 539.3

Summary of Decision Requested: **Retain** Policy 5.2.2 High class soils, as notified.

Decision Reasons:

- Supports this policy seeking to retain high class soils and ensure that adverse effects do not compromise their life-supporting properties.

Point Number 539.4

Summary of Decision Requested: **Retain** Objective 5.3.1 (a) Rural character and amenity, except for the amendments sought below

AND

Amend Objective 5.3.1 (a) Rural character and amenity, as follows:

(a) Rural character and amenity are maintained while recognising the localised character of different parts of the District

AND

Retain Policy 5.3.1 Rural character and amenity as notified.

Decision Reasons:

- Supports the intent of the objective but the variation in rural character and amenity values needs to be recognised.
- The Waikato District encompasses coastal areas, hill country comprising large landholdings used primarily for pastoral use, and smaller landholdings (particularly in the north) used for higher value productive activities such as intensive cropping and greenhouses.
- Rural character varies depending on local landholding patterns, built form, land uses, vegetation and geomorphology.

Point Number 539.5

Summary of Decision Requested: **Retain** Rule 22.4.1.2 General subdivision, except for the amendments sought below

AND

Add a new discretionary activity (D1) to Rule 22.4.1.2 General subdivision, as follows:

D1. (a) General subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.2 (iv) RD1.

(b) General subdivision around established rural activities that does not comply with Rule 22.4.1.2 (iv) RD1.

Decision Reasons:

- Support rule 22.4.1.2 (a)(iv) in part.
- This rule should enable a lot to be created around an existing dwelling and curtilage so that the farming regime can continue.
- This will avoid redevelopment of farm tracks and fencelines for a relatively small lot.
- There may be situations where it is appropriate to create a new lot that is less than 8000m² or larger than 1.6ha which is consistent with objectives and policies.
- For lots smaller than 8000m², it is only necessary to confirm that services can be provided.
- A farm management report may be provided that confirms productive rural capacity for any lot greater than 1.6ha and the balance lot.

Point Number 539.6

Summary of Decision Requested: Delete Rule 22.4.1.2 (a)(v) General subdivision;
AND
Add a new matter of discretion to Rule 22.4.1.2 (b) General subdivision as follows:
(vi) Effects on rural productivity and fragmentation of high class soils.

Decision Reasons:

- Rule 22.4.1.2 (a)(v) is opposed.
- The section 32 analysis does not justify this rule.
- Submitter agrees with intent however the 80/20 percentage requirement may not result in the best layout, design or farming outcome.
- Objectives and policies (5.1.1 and 5.2) and the expanded matters of discretion are sufficiently strong to avoid adverse outcomes on high class soils.
- The rule will mean that every subdivision application will require a land use capability report to demonstrate compliance with the 80/20 percentage requirement which is costly and this should be discretionary rather than necessary.

Point Number 539.7

Summary of Decision Requested: Retain Rule 22.4.1.2 (a)(i-iii) General subdivision, as notified.

Decision Reasons:

- The submitter supports the inclusion of general subdivision provisions.

Point Number 539.8

Summary of Decision Requested: Retain Rule 22.4.1.2 (a)(iv) General subdivision, as notified.

Decision Reasons:

- The creation of an additional vacant lot between 8,000m² and 1.6ha is supported.
- The creation of any additional lot between 8,000 and 1.6ha as a restricted discretionary activity is supported.

Point Number 539.9

Summary of Decision Requested: Retain Policy 5.3.8 Effects on rural character and amenity from rural subdivision, except for the amendments sought below
AND
Amend Policy 5.3.8 Effects on rural character and amenity from rural subdivision, as follows:
...
~~(b) Ensure development does not compromise the predominant open space, character and amenity of rural areas.~~
...
(d) Rural hamlet subdivision and boundary relocations ensure the follow:
...
(ii) Maintenance of the localised rural character and amenity of the surrounding rural environment;
...
(e) Subdivision, use and development opportunities ensure that localised rural character and amenity values are maintained.

Decision Reasons:

- Policy is supported in part.
- Clause (b) should be deleted as it duplicates the statements in clauses (d)(ii) and (e) which also seek to maintain rural character and amenity.
- Not all rural areas comprise open space character and amenity as they can include active and dynamic primary productive activities.
- It should be recognised that rural landscapes can be altered by structure and buildings such as greenhouses and packhouses. These are recognised as important component of primary production activities, form part of the rural environment and are generally considered rural in appearance and value.

Point Number 539.10

Summary of Decision Requested: Amend Rule 22.4.1.1 PR1, PR2, PR3 and PR4 Prohibited subdivision from Prohibited to Non-Complying Activities.

Decision Reasons:

- Oppose the prohibited activity status for rural subdivision activities, and these should be considered as non-complying activities.
- With regards to PR2 and PR3 there may be circumstances where a subdivision of high class soils has overall positive effects supported by objectives and policies. Relocating consented lots within a landholding may produce a better outcome from farming and landscape perspectives.
- There may be circumstances where the creation of an additional Record of Title is unavoidable. For example, where a title is limited as to parcels and the land parcels are held together by a covenant.
- The subdivision rule relies on a definition of high class soils which are defined in the Proposed Plan, yet they may not be versatile due to a range of factors (not just the classification of soil).
- It is unfair to prohibit the creation of lots that accommodate well-established, viable and sustainable rural activities (such as greenhouses, packhouses, packing sheds, intensive farming, poultry hatcheries and commercial orchards) which are appropriate to separate from other rural activities on the site. Subdivision may enable more opportunities for economic wellbeing and a more efficient and effective operation of these activities.
- Commercial reasons could necessitate subdivision, such as selling or leasing the business, rather than having no other option but to sell the entire property or invest more capital.
- PR4 may unreasonably restrict subdivision over and above what is necessary to avoid undermining the intent of the operative Franklin Section Rule 22B and therefore a non-complying activity status is more appropriate. For example, the land may be able to subdivided using a Significant Natural Area or the boundary relocation rule without compromising the intent of the transferable development right subdivision rule.
- Objectives and policies should be sufficiently strong to protect high class soils from inappropriate subdivision and development and not compromise future urban development in the Urban Expansion Area.

Point Number 539.11

Summary of Decision Requested: Amend Rule 22.4.1.1 Prohibited subdivision, by replacing the term 'lot' with 'Record of Title'.

Decision Reasons:

- Submitter seeks that the word 'lot' is changed for 'Record of Title.'
- It may be necessary to create multiple lots and hold them together in one Record of Title. This may occur where a stream or a public road physically separates land parcels that are held in one Record of Title.

Submitter Number:

540

Submitter:

Glen Alvon Farms Limited

Point Number

540.1

Summary of Decision Requested:

Retain Policy 3.2.8 Incentivise Subdivision as notified except for the amendments sought below
AND

Add a new clause (b) to Policy 3.2.8 Incentivise Subdivision as follows:

(b) Incentivise subdivision in the Rural Zone when there is the enhancement and/or restoration of biodiversity, legal and physical protection of areas that are of a suitable size and meet the Criteria for Determining Significance of Indigenous Biodiversity.

Decision Reasons:

- Policy 3.2.8 needs to be expanded to provide for the enhancement and/or restoration of areas that achieve a functioning ecosystem and allow for subdivision on the basis of compliance with Appendix 2 (Criteria for Determining Significance of Indigenous Biodiversity). Eligible areas would likely be wetlands and waterways which have become degraded due to stock farming and cropping and restoring these would be in line with the Vision and Strategy for the Waikato River.
- Supports incentivising the protection of existing biodiversity with the ability to subdivide subject to meeting certain criteria.
- Incentivising restoration is in line with the vision and strategy for the Waikato River.

Point Number

540.2

Summary of Decision Requested:

Retain Objective 5.1.1 The rural environment, as notified.

Decision Reasons:

- Protecting high class soils in the Waikato District is a matter of national importance which is now being recognised with the development of the National Policy Statement for Versatile Land and High Class Soils. Urban subdivision, particularly ad hoc development, in the rural environment should be avoided because this is an inefficient use of productive rural land which may undermine the integrated development of identified townships and expansion areas.
- Support the strength of wording in this objective and agree that urban development within the Rural Environment is an outcome contrary to the intent of the Proposed Plan and should be avoided.

Point Number

540.3

Summary of Decision Requested:

Retain Objective 5.2.1 Rural Resources, except for the amendments sought below;
AND

Amend Objective 5.2.1 (a) (i)- Rural Resources as follows:

(a) Maintain or enhance the:

(i) Inherent life-supporting capacity, accessibility and versatility of soils, in particular high class soils;

Decision Reasons:

- Accessibility to versatile land is also a key consideration in managing the soil resource.

Point Number

540.4

Summary of Decision Requested:

Retain Policy 5.2.2 High class soils.

Decision Reasons:

- This policy seeks to retain high class soils and ensure that adverse effects do not compromise their life-supporting properties.

Point Number

540.5

Summary of Decision Requested:

Retain Policy 5.2.3 Effects of subdivision and development on soils, except for the amendment sought below;
AND

Amend Policy 5.2.3- effects of subdivision and development on soils as follows:

(b) Subdivision which provides a range of lifestyle options is directed away from high class soils and/or where indigenous biodiversity is being protected, enhanced, and/or restored (with plantings).

Decision Reasons:

- Policy is supported in part.
- The notified policy only provides for subdivision where existing indigenous biodiversity is protected. There are a number of waterways and wetland in the Rural Zone that would benefit from stock exclusion (through fencing), enhancement and/or restoration.
- The cost of full restoration is approximately \$45,000+GST per ha (excluding fencing to revegetated areas). Subdivision offers an incentive for landowners to undertake restoration works which would unlikely occur unless there was a financial offset.
- Protection and/or restoration (particularly waterways) would achieve the outcome sought in Policy 5.2.1 (a)(iii) which is to enhance water quality and support Policy 3.1.2 which seeks enhancement of indigenous biodiversity values through planting, pest control and other biosecurity measures.
- The Vision and Strategy for the Waikato River seeks restoration of the health and wellbeing of the Waikato River catchment over time. Incentivising the fencing and restoration of waterways would contribute positively to the improvement of water quality and achieve the objective of the Vision and Strategy.

Point Number

540.6

Summary of Decision Requested: **Amend** Objective 5.3.1 Rural character and amenity, by adding text shown in underlined italics, as follows:

(a) Rural character and amenity are maintained while recognising the localised character of different parts of the District.

Decision Reasons:

- Support in part however the variation in rural character and amenity values needs to be recognised.
- The Waikato District encompasses coastal areas, hill country comprising large landholdings used primarily for pastoral use, and smaller landholdings (particularly in the north) used for higher value productive activities such as intensive cropping and greenhouses.
- Rural character varies depending on local landholding patterns, built form, land uses, vegetation and geomorphology.

Point Number 540.7

Summary of Decision Requested: **Retain** Policy 5.3.8 Effects on rural character and amenity from rural subdivision except for the amendments sought below

AND

Amend 5.3.8 Policy - Effects on rural character and amenity from rural subdivision, as follows:

...

~~*(b) Ensure development does not compromise the predominant open space, character and amenity of rural areas.*~~

...

(d) Rural hamlet subdivision and boundary relocations ensure the following:

...

(ii) Maintenance of the localised rural character and amenity of the surrounding rural environment;

...

(e) Subdivision, use and development opportunities ensure that localised rural character and amenity values are maintained

Decision Reasons:

- Policy supported in part.
- Clause (b) should be deleted as it duplicates the statements in clauses (d)(ii) and (e) which also seek to maintain rural character and amenity. Not all rural areas comprise open space character and amenity as they can include active and dynamic primary productive activities.
- It should be recognised that rural landscapes can be altered by structure and buildings such as greenhouses and packhouses. However these are recognised as important components of primary production activities, form part of the rural environment and are generally considered rural in appearance and value.

Point Number 540.8

Summary of Decision Requested: **Amend** the definition of "Significant Natural Area" in Chapter 13 Definitions, as follows:

Means an area of significant indigenous biodiversity that is identified as a Significant Natural Area on the planning maps or has been assessed as meeting one or more of the Criteria for Determining Significance of Indigenous Biodiversity, (Appendix 2) by a suitably qualified Ecologist.

Decision Reasons:

- Supports the inclusion of Significant Natural Area's definition.
- This definition needs to be expanded to include areas that have been assessed by a suitably qualified ecological as meeting the criteria in Appendix 2 of the Proposed Plan (*Criteria for Determining Significance of Indigenous Biodiversity*).
- This would align with the wording of the subdivision rule for conservation lots.

Point Number 540.9

Summary of Decision Requested: **Amend** Rule 22.4.1.1 PR1, PR2, PR3 and PR4 Prohibited subdivision from Prohibited Activities to Non-Complying Activities.

Decision Reasons:

- Oppose the prohibited activity status for rural subdivision activities and should be considered non-complying activities.
- With regard to PR2 and PR3 there may be circumstances where a subdivision of high class soils has overall positive effects supported by objectives and policies. Relocating consented lots within a landholding may produce a better outcome from farming and landscape perspectives.
- There may be circumstances where the creation of an additional Record of Title is unavoidable. For example, where a title is limited as to parcels and the land parcels are held together by a covenant.
- The subdivision rule relies on a definition of high class soils which are defined in the Proposed Plan, yet they may not be versatile due to a range of factors (not just the classification of soil).
- It is unfair to prohibit the creation of lots that accommodate well-established, viable and sustainable rural activities (such as greenhouses, packhouses, packing sheds, intensive farming, poultry hatcheries and commercial orchards) which are appropriate to separate from other rural activities on the site. This can result in economic wellbeing and a more efficient and effective operation of those types of activities.
- Commercial reasons could necessitate subdivision, such as selling or leasing the business, rather than having no other option but to sell the entire property or invest more capital.
- PR4 may unreasonably restrict subdivision over and above what is necessary to avoid undermining the intent of the operative Franklin Section Rule 22B and therefore a non-complying activity status is more appropriate. For example, the land may be able to be subdivided using a Significant Natural Area or the boundary relocation rule without compromising the intent of the transferable development right subdivision rule.
- Objectives and policies should be sufficiently strong to protect high class soils from inappropriate subdivision and development and not compromise future urban development in the Urban Expansion Area.

Point Number 540.10

Summary of Decision Requested: **Retain** Rule 22.4.1.6 Conservation lot subdivision, except for the amendments sought below

AND

Add a new discretionary activity to Rule 22.4.1.6 Conservation lot subdivision, as follows:

DI

(a) Conservation lot subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.6(vi-vii) RD1.

(b) Conservation lot subdivision around established rural activities that does not comply with Rule 22.4.1.6(vi-vii) RD1.

Decision Reasons:

- There may be instances where it is not appropriate for the area of a conservation lot to be at least 8000m² due to an existing curtilage for a dwelling or established rural activities.

Point Number	540.11
Summary of Decision Requested:	Retain Appendix 2 Criteria for Determining Significance of Indigenous Biodiversity.
Decision Reasons:	<ul style="list-style-type: none"> • Supports the inclusion of the criteria.
Point Number	540.12
Summary of Decision Requested:	Retain Rule 22.4.1.2 (a) (i)-(iii) General subdivision.
Decision Reasons:	<ul style="list-style-type: none"> • Submitter supports inclusion of the General Subdivision rules.
Point Number	540.13
Summary of Decision Requested:	Retain Rule 22.4.1.2 RD1 (a) (iv) General subdivision.
Decision Reasons:	<ul style="list-style-type: none"> • The creation of an additional vacant lot between 8,000m² and 1.6ha as a restricted discretionary activity is supported.
Point Number	540.14
Summary of Decision Requested:	Amend Rule 22.4.1.1 Prohibited subdivision, by replacing the term "lot" with "Record of Title."
Decision Reasons:	<ul style="list-style-type: none"> • Submitter seeks that the word 'lot' is changed to 'Record of Title.' • It may be necessary to create multiple lots and hold them together in one Record of Title. This may occur where a stream or a public road physically separates land parcels that are held in one Record of Title.
Point Number	540.15
Summary of Decision Requested:	<p>Retain Rule 22.4.1.2 General subdivision, except for the amendments sought below</p> <p>AND</p> <p>Add a new discretionary activity to Rule 22.4.1.2 General subdivision, as follows:</p> <p><i>D1 (a) General subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.2 (iv) RD1.</i></p> <p><i>(b) General subdivision around established rural activities that does not comply with Rule 22.4.1.2 (iv) RD1.</i></p>
Decision Reasons:	<ul style="list-style-type: none"> • This rule should enable a lot to be created around an existing dwelling and curtilage so that the farming regime can continue. • This will avoid redevelopment of farm tracks and fencelines for a relatively small lot. • There may be situations where it is appropriate to create a new lot that is less than 8000m² or larger than 1.6ha which is consistent with objectives and policies. For lots smaller than 8000m², it is only necessary to confirm that services can be provided. • A farm management report may be provided that confirms productive rural capacity for any lot greater than 1.6ha and the balance lot.
Point Number	540.16
Summary of Decision Requested:	<p>Delete Rule 22.4.1.2 (a) (v) General subdivision;</p> <p>AND</p> <p>Add a new matter of discretion in Rule 22.4.1.2 RD1 as follows:</p> <p><i>(v) Effects on rural productivity and fragmentation of high class soils.</i></p>
Decision Reasons:	<ul style="list-style-type: none"> • Oppose rule 22.4.1.2 General subdivision. • The section 32 analysis does not justify this rule. • Submitter agrees with the intent however the 80/20 percentage requirement may not result in the best layout, design or farming outcome. Objectives and policies (5.1.1 and 5.2) and the expanded matters of discretion are sufficiently strong to avoid adverse outcomes on high class soils. • The rule will mean that every subdivision application will require a land use capability report to demonstrate compliance with the 80/20 percentage requirement which is costly and this should be discretionary rather than necessary.
Point Number	540.17
Summary of Decision Requested:	<p>Retain Rule 22.4.1.6 Conservation lot subdivision, except for the amendments sought below</p> <p>AND</p> <p>Amend Rule 22.4.1.6 Conservation lot subdivision, as follows:</p> <p><i>RD1 (a) The subdivision must comply with all of the following conditions:</i></p> <p><i>(i) The lot must contain:</i></p> <p><i>A. a contiguous area of existing Significant Natural Area either as shown on the planning maps or as determined by an experienced and suitably qualified ecologist which meets; or</i></p> <p><i>B. a contiguous area, to be enhanced and/or restored;</i></p> <p><i>in accordance with the table below:</i></p> <p>...</p> <p><i>(ii) The area of Significant Natural Area, or area to be enhanced and/or restored, is assessed by a suitably qualified person as satisfying at least one criteria in Appendix 2 (Criteria for Determining Significance of Indigenous Biodiversity);</i></p>

(iii) The Significant Natural Area or area to be restored is not already subject to a ~~conservation covenant pursuant to the Reserves Act 1992 or the Queen Elizabeth II National Trust Act 1977~~; legal protection.

(iv) The subdivision proposes to legally protect all areas of Significant Natural Area or area to be restored by way of a ~~conservation covenant pursuant to the Reserves Act 1992 or the Queen Elizabeth II National Trust Act 1977~~;

(v) An ecological management plan is prepared to address ongoing management of the covenant protected area to ensure that the Significant Natural Area area to be protected is self-sustaining and that plan:

A. Addresses fencing requirements for the covenant protected area;

B. Addresses ongoing pest plant and animal control;

C. Identifies any enhancement and/or restoration or edge-planting required within the covenant area to be protected;

(vi) All proposed lots are a minimum size of 8000m²;

(vii) All proposed lots excluding the balance lot, must each have a maximum area of 1.6ha;

(viii) This rule or its equivalent in a previous district plan has not previously been used to gain an additional subdivision entitlement;

Decision Reasons:

- Protecting Significant Natural Areas and other areas of existing biodiversity offer positive benefits to the region.
- Significant biodiversity and water quality benefits can be gained from ecological enhancements, particularly along waterways and wetlands and these are actions identified by the Waikato Regional Policy Statement, the Vision and Strategy and the objectives and policies for the Rural Zone.
- Revegetation costs would be offset by providing further subdivision opportunities.
- A covenant is not the only legal protection mechanism available as vesting in Council or managing the conservation area through a section 221 consent notice may be appropriate alternatives.

Point Number

540.18

Summary of Decision Requested:

Retain Rule 22.4.1.6 Conservation lot subdivision, except for the amendments sought below

AND

Amend Rule 22.4.1.6 RD1 (b) Conservation lot subdivision, as follows:

(b) Council's discretion is restricted to the following matters:

(i) Subdivision layout and proximity of building platforms to ~~Significant Natural Area~~ the area to be protected;

(ii) Matters contained in an ecological management plan for the covenant protected area;

(iii) Effects of the subdivision on localised rural character and amenity values;

(iv) Extent of earthworks including earthworks for the location of building platforms and access ways.

(v) Mechanism of legal protection for the area to be protected.

Decision Reasons:

- Support in part.
- Apart from a covenant, there are alternative methods for legal protection of a conservation area such as vesting in Council or a section 221 consent notice.
- There may be instances where it is not appropriate for the area of a conservation lot to be at least 8000m² due to an existing curtilage for a dwelling or established rural activities.

Submitter Number:

541

Submitter:

Jack Schaae

Point Number

541.1

Summary of Decision Requested:

Retain Chapter 9.2 Te Kowhai Airpark Zone, as notified.

Decision Reasons:

- This submitter owns a hangar and aircraft based at Te Kowhai.
- The provisions will keep the aerodrome in operation as a unique feature of Te Kowhai.
- The Obstacle Surface Limitation is important for safety reasons.

Point Number

541.2

Summary of Decision Requested:

Retain Chapter 27 Te Kowhai Airpark Zone, as notified.

Decision Reasons:

- This submitter owns a hangar and aircraft based at Te Kowhai.
- The provisions will keep the aerodrome in operation.
- It is a unique feature of Te Kowhai.
- The Obstacle Surface Limitation is important for safety reasons.

Submitter Number:

542

Submitter:

Mark Silence

Point Number

542.1

Summary of Decision Requested:

Retain the Proposed Residential zoning of properties on the eastern side of Geraghtys Road, Tuakau.

Decision Reasons:

- No reasons provided.

Point Number

542.2

Summary of Decision Requested:

Amend the Proposed zoning of properties on the western side of Geraghtys Road, Tuakau from the Rural Zone to Residential Zone.

Decision Reasons:

- No reasons provided.

Point Number 542.3

Summary of Decision Requested: **Amend** Chapter 16: Residential Zone, so that the existing old quarter acre titles on the eastern side of Geraghtys Road, Tuakau that already contain a dwelling remain without change but possibly enable every 5th or 6th title in this location to contain no more than two dwellings.

Decision Reasons:

- Development in this location should be in keeping with the spacious residential environments located on McEvoy Avenue, Coolen Place, St Johns Avenue and Thorn Road, Tuakau.

Submitter Number: 543

Submitter:

Fellrock Developments Limited and TTT Products Limited

Point Number 543.1

Summary of Decision Requested: **Retain** the proposed Industrial Zone of the property at 42-97 Bollard Road, Tuakau (comprising Lot 1 and Part Lot 2 DP 32049 – NA51D/1149, Lot 1 DP 41468, Lot 2 DP 96093, Lot 1 DP 97810 and Part Lot 3 DP 32049 – NA53B/720 and Lot 1 DP 96093 – NA52A/673) with amendments to Rules 20.2.1 and 20.3.1 as sought in the submission;

OR

Amend the zoning of property located at 42 to 97 Bollard Road, Tuakau from Industrial to Heavy Industrial Zone if the amendments sought to the Industrial Zone, as sought in the submission, are not accepted.

Decision Reasons:

- The site currently sits within Business Zoned land occupied by a range of business and employment-based activities. We generally support the zoning of the site and land adjoining to Industrial. However, the overly restrictive requirements on hours of operation (Rule 20.2.1) and height of buildings (Rule 20.3.1) would mean a Heavy Industrial zoning may be more appropriate for the TTT Products Ltd site. Heavy Industrial zoning would enable the continued operation and growth of the TTT Products Ltd business.

Point Number 543.2

Summary of Decision Requested: **Amend** the definition of 'industrial activity' in Chapter 13 Definitions, as follows:

Means the production, processing, bulk moving or storage in bulk of any materials, goods or products: and other accessory activities:

...

Decision Reasons:

- Supports the inclusion of a definition for industrial activities.
- This definition needs to be expanded to include activities that are accessory or incidental to the primary industrial activities such as fuel tanks, lunch rooms, etc.

Point Number 543.3

Summary of Decision Requested: **Retain** ancillary retail (P6) and offices ancillary to an industrial activity (P4) being permitted activities (Rule 20.1.1);

AND

Amend Rule 20.1.1 P4 and P6 Permitted Activities, as follows:

Activity		Activity-specific conditions
...	Office ancillary to an industrial activity	Less than 100m² gfa; or
P4		Does not exceed 30% of all buildings on the site; Nil
...	Ancillary retail	Does not exceed 10% of all buildings on the site; Nil
P6		

Decision Reasons:

- Many industrial activities involve outdoor processing and storage and the only buildings that may occupy the site are for offices and retail transactions. Retention of the work 'ancillary' is sufficient to ensure that the retail and office activities are secondary to the primary industrial activities on the site.
- Supports retail and office activities to the industrial use of the site being permitted activities within the Industrial Zone.
- Do not support the limitations on size.

Point Number 543.4

Summary of Decision Requested: **Delete** Rule 20.2.1 Servicing and hours of operation.

Decision Reasons:

- This rule is overly restrictive and the environmental outcome that it seeks is already addressed by other rules (such as those relating to noise and glare).
- Many industrial based business operate with shift work and/or require incoming and outgoing deliveries during off peak times. This trend is increasing given the need to minimise transport costs and delays from inadequate roading infrastructure. The restrictions in this rule may therefore hinder efficient operations by not enabling them to expand and adapt to markets.
- It is unreasonable to allow a courier to deliver to a residence at 7.00am but not to a nearby industrial business.

Point Number 543.5

Summary of Decision Requested: **Amend** Rule 20.2.2 C1 Landscape planting, as follows:

(a) Any new activity on a lot that has a side and/or rear boundary adjoining any Residential, Village, Country Living or Reserve Zone shall provide a ~~3m~~ 1m wide landscaped strip running parallel with the side and/or rear boundary; and

(b) Any new activity on a lot that contains, or is adjacent to, a river or a permanent ~~or intermittent~~ stream shall provide an 8m wide landscaped strip measured from the top edge of the closes bank and extending across the entire length of the watercourse.

Decision Reasons:

- Supports the inclusion of landscaping strips adjoining sensitive receiver and permanent waterways.
- The landscaping requirements should only apply to new developments as existing activities may not be able to comply with this rule.
- A 3m wide landscaped strip is unnecessarily wide and will result in a considerable loss of land that could otherwise be used for industrial development or car parking.
- Maintenance of this landscaped width also places an unreasonable burden and cost on the owner/operator.
- A 1m landscaped strip is more appropriate and would provide for a well maintained hedge in an urban setting. Applying this rule to intermittent streams is onerous and may raise concerns in regard to overland flows and potentially restrict development.

Point Number 543.6

Summary of Decision Requested: **Retain** Rule 20.2.5.1 Earthworks, except for the amendments outlined below;
AND

Amend Rule 20.2.5.1 PI (a) Earthworks - General, as follows:

(a) Earthworks (excluding the importation of fill material) within a site must meet all of the following conditions:

(i) be located more than 1.5 m horizontally from any waterway, open drain or overland flow path;

(ii) not exceed a volume of more than ~~250m³~~ 2000m³;

(iii) not exceed an area of more than ~~1000m²~~ 10,000m² over any consecutive 12 month period;

~~(iv) the total depth of any excavation or filling does not exceed 1.5m above or below ground level;~~

...

Decision Reasons:

- The notified area, volume and depth limits are too low given that most industrial sites are typically large and require a high degree of land modification for the installation of services, stormwater retention devices for hard stand, the high percentage of building coverage and hard surfaces.
- If the Industrial Zone was subdivided into lots with a minimum area of 1000m² and average area of 2000m², this earthworks rule would likely be breached with every new development. For instance, a 1000m² site with 0.2m of topsoil would create 200m³ of earthworks for just the stripping of the topsoil.
- Controls on volume and areas are sufficient to manage environmental effects, so limit on excavation/fill depth are not needed.

Point Number 543.7

Summary of Decision Requested: **Retain** Rule 20.2.6 Hazardous Substances;
AND
Retain Appendix 5 Hazardous Substances.

Decision Reasons:

- Supports the proposed volumes and weights of hazardous substances specified in Appendix 5, and they should not be reduced.

Point Number 543.8

Summary of Decision Requested: **Retain** notified Rule 20.2.7.1 Signs - General.

Decision Reasons:

- The submitter states that this proposed rule is workable.

Point Number 543.9

Summary of Decision Requested: **Amend** Rule 20.2.8 PI Outdoor storage of goods or materials, as follows:

PI (a) Outdoor storage of goods or materials must comply with all the following conditions:

...

~~(iv) not exceed 30% site coverage;~~

...

(v) be set back at least ~~3m~~ 1.5m from the boundary of any:

...

Decision Reasons:

- The maximum site coverage of 30% is too restrictive as it does not enable appropriate industrial activities to be established in the Industrial Zone.
- A setback of 3m is excessive, particularly given that outdoor storage is addressed elsewhere in the daylight admission rule (Rule 20.3.3) that ensures that neighbouring properties retain sufficient access to daylight.

Point Number 543.10

Summary of Decision Requested: **Amend** Rule 20.3.4.2 PI (a)(i)(B) Building setback - water bodies, as follows:

PI (a) A building must be set back a minimum of 30m from:

(i) the margin of any:

A. lake;

B. wetland identified as a Significant Natural Area of the planning maps; and

...

Decision Reasons:

- Supports Rule 20.3.4.2 PI in part, with the exception of 30m setback from wetlands.
- There is a wide variation as to what may meet the definition of a wetland and this may include any area inundated with water for a period of time with minimal vegetation, irrespective of its ecological function or biodiversity.
- A man-made wetland has been established on the property owned by Tuakau Timber Treatment Products Limited to assist with stormwater disposal from the industrial activity.
- It would be unreasonable to require a 30m setback in this instance as it would restrict development and potentially discourage wetlands being used for stormwater disposal and treatment.
- This disposal method is supported by local iwi groups.

Point Number 543.11

Summary of Decision Requested: **Retain** Rule 20.4.1 Subdivision General, except for the amendments outlined below;

AND

Delete Rule 20.4.1 RD1 (a)(iii) Subdivision - General;

AND

Amend Rule 20.4.1 RD1 (b) Subdivision- General to add additional matters of discretion related to the design, layout and number of rear lots (or include this as a requirement where more than 5 lots are being created).

AND

Add a new Controlled Activity to Rule 20.4.1 Subdivision General for subdivision around an existing development with the matters of control being limited to design, layout, access and servicing.

Decision Reasons:

- Most small scale subdivision creating 1-3 additional lots could not satisfy this rule and would therefore become non-complying activities. Council could potentially address design and layout as a matter of restricted discretion to minimise rear lots or apply this to proposals that create more than 5 lots.

Point Number 543.12

Summary of Decision Requested: **Retain** Rule 20.4.2 Subdivision - Boundaries for Records of Title.

Decision Reasons:

- The submitter supports the flexibility afforded by this rule to relocate boundaries in order to accommodate industrial activities.

Point Number 543.13

Summary of Decision Requested: **Retain** Rule 20.2.9 Indigenous vegetation clearance inside a Significant Natural Area.

Decision Reasons:

- The submitter states that all Significant Natural Areas need to be protected.

Point Number 543.14

Summary of Decision Requested: **Amend** Rule 20.3.1 PI(a)(i) Building height, as follows:

PI (a) The maximum height of a building must not exceed:

(i) ~~15m~~ 20m; or

Decision Reasons:

- The proposed maximum building height of 15m is too restrictive and not appropriate for the type of activities seeking to locate in the Industrial Zone (such as manufacturing and warehousing). Shading and privacy in adjoining zones will remain protected through the daylight admission and setback rules (Rules 20.3.3 and 20.3.4.1).

Point Number 543.15

Summary of Decision Requested: **Retain** Rule 20.3.2 Building height in an Outstanding Natural Feature, Outstanding Natural Landscape or Significant Amenity Landscape.

Decision Reasons:

- More onerous controls over building height are required to preserve these identified areas within the Waikato District.

Point Number 543.16

Summary of Decision Requested: **Retain** Rule 20.3.3 Daylight admission, except for the amendments outlined below;

AND

Amend Rule 20.3.3 Daylight Admission to exclude boundaries with the Heavy Industrial Zone.

Decision Reasons:

- Supports the daylight admission provisions and considers that these are workable.
- Seeks an exclusion of the Heavy Industrial Zone as well as Industrial Zone.

Point Number 543.17

Summary of Decision Requested: **Retain** Rule 20.3.4.1 Building setbacks.

Decision Reasons:

- The submitter considers that this rule is workable and that it is appropriate that side and rear setbacks not apply to buildings on sites that adjoin other sites in the Industrial or Heavy Industrial Zones.

Submitter Number: 544 **Submitter:** KR & BC Summerville

Point Number 544.1

Summary of Decision Requested: **Retain** Objective 5.1.1 The rural environment as notified.

Decision Reasons:

- Protecting high class soils in the Waikato District is a matter of national importance which is now being recognised with the development of the National Policy Statement for Versatile Land and High Class Soils.
- Urban subdivision, particularly ad hoc development, in the rural environment should be avoided because this is an inefficient use of productive rural land which may undermine the integrated development of identified townships and expansion areas.
- Supports the strength of wording in this objective and agrees that urban development within the rural environment is an outcome contrary to the intent of the Proposed Plan and should be avoided.

Point Number

544.2

Summary of Decision Requested:

Retain Objective 5.2.1 Rural Resources, except for the amendments sought below;
AND

Amend Objective 5.2.1 Rural Resources (a)(i) as follows:

(a) *Maintain or enhance the:*

(i) *Inherent life-supporting capacity, accessibility, and versatility of soils, in particular high class soils;*

Decision Reasons:

- Accessibility to versatile land is also a key consideration in managing the soil resource.
- Supports the enhancement and/or restoration of natural ecosystems, surface and groundwater quality and the natural characteristics of fresh water bodies and coastal waters in clauses (ii),(iii) and (iv).

Point Number

544.3

Summary of Decision Requested:

Retain Policy 5.2.2 High class soils as notified.

Decision Reasons:

- Supports this policy which seeks to retain high class soils and ensure that adverse effects do not compromise their life-supporting properties.

Point Number

544.4

Summary of Decision Requested:

Retain Policy 5.2.3 Effects of subdivision and development on soils, except for the amendments sought below;
AND

Amend Policy 5.2.3 (b) as follows:

(b) *Subdivision which provides a range of lifestyle options is directed away from high class soils and/or where indigenous biodiversity is being protected, enhanced, and/or restored (with plantings).*

Decision Reasons:

- The notified policy only provides for subdivision where existing indigenous biodiversity is protected. There are a number of waterways and wetland in the Rural Zone that would benefit from stock exclusion (through fencing), enhancement and/or restoration.
- The cost of full restoration is approximately \$45,000 + GST per ha (excluding fencing to revegetated areas). Subdivision offers an incentive for landowners to undertake restoration works which would unlikely occur unless there was a financial offset.
- Protection and/or restoration (particularly waterways) would achieve the outcome sought in Policy 5.2.1 (a)(iii) which is to enhance water quality and support Policy 3.1.2 which seeks enhancement of indigenous biodiversity values through planting, pest control and other biosecurity measures.
- The Vision and Strategy for the Waikato River seeks restoration of the health and welling of the Waikato River catchment over time. Incentivising the fencing and restoration of waterways would contribute positively to the improvement of water quality and achieve the objectives of the Vision and Strategy.

Point Number

544.5

Summary of Decision Requested:

Retain Objective 5.3.1 Rural character and amenity, except for the amendments sought below
AND

Amend Objective 5.3.1 - Rural character and amenity as follows:

(a) *Rural character and amenity are maintained while recognising the localised character of different parts of the District.*

Decision Reasons:

- Supports in part the intent of this objective but considers that the variation in rural character and amenity values needs to be recognised.
- The Waikato District encompasses coastal areas, hill country comprising large landholdings used primarily for pastoral use, and smaller landholdings (particularly in the north) used for higher value productive activities such as intensive cropping and greenhouses.
- Rural character should take into account the unique variables, including local landholding patterns, built form, land uses, vegetation and geomorphology.

Point Number

544.6

Summary of Decision Requested:

Retain Policy 5.3.8 Effects on rural character and amenity from rural subdivision, except for the amendments sought below
AND

Amend Policy 5.3.8 Effects on rural character and amenity from rural subdivision, as follows:

...

~~(b) *Ensure development does not compromise the predominant open space, character and amenity of rural areas.*~~

...

(d) *Rural hamlet subdivision and boundary relocations ensure the following:*

...

(ii) *Maintenance of the localised rural character and amenity of the surrounding rural environment;*

...
(e) Subdivision, use and development opportunities ensure that localised rural character and amenity values are maintained.

Decision Reasons:

- Policy is supported in part.
- Clause (b) should be deleted as it duplicates the statements in clauses (d)(ii) and (e) which also seek to maintain rural character and amenity.
- Not all rural areas comprise open space character and amenity as they can include active and dynamic primary productive activities.
- It should be recognised that rural landscapes can be altered by structure and buildings such as greenhouses and packhouses. These are recognised as important components of primary production activities, form part of the rural environment and are generally considered rural in appearance and value.

Point Number

544.7

Summary of Decision Requested:

Amend Rule 22.4.1.1 PR1, PR2, PR3 and PR4 Prohibited subdivision, from Prohibited Activities to Non-Complying activities.

Decision Reasons:

- Oppose the Prohibited Activity status for rural subdivision activities and should be considered as non-complying activities.
- With regards to PR2 and PR3 there may be circumstances where a subdivision of high class soils has overall positive effects supported by objectives and policies. Relocating consented lots within a landholding may produce a better outcome from farming and landscape perspectives.
- There are circumstances where the creation of an additional Record of Title is unavoidable. For example, where a title is limited as to parcels and the land parcels are held together by a covenant.
- The subdivision rule relies on a definition of high class soils which are defined in the Proposed Plan, yet they may not be versatile due to a range of factors (not just the classification of soil).
- It is unreasonable to prohibit the creation of lots that accommodate well-established, viable and sustainable rural activities (such as greenhouses, packhouses, packing sheds, intensive farming, poultry hatcheries and commercial orchards) which are appropriate to separate from other rural activities on the site. This can result in economic wellbeing and a more efficient and effective operation of those types of activities.
- Commercial reasons could necessitate subdivision, such as selling or leasing the business, rather than having no other option but to sell the entire property or invest more capital.
- PR4 may unreasonably restrict subdivision over and above what is necessary to avoid undermining the intent of the operative Franklin Section Rule 22B and therefore a non-complying activity status is more appropriate. For example, the land may be able to subdivided using a Significant Natural Area or the boundary relocation rule without compromising the intent of the transferable development right subdivision rule.
- Objectives and policies should be sufficiently strong to protect high class soils from inappropriate subdivision and development and not compromise future urban development in the Urban Expansion Area.

Point Number

544.8

Summary of Decision Requested:

Amend Rule 22.4.1.1 Prohibited subdivision, by replacing the term "lot" with "Record of Title".

Decision Reasons:

- Submitter seeks that the word 'lot' is changed for 'Record of Title.'
- It may be necessary to create multiple lots and hold them together in one Record of Title. This may occur where a stream or a public road physically separates land parcels that are held in one Record of Title.

Point Number

544.9

Summary of Decision Requested:

Retain Rule 22.4.1.2 General subdivision except for the amendments sought below

AND

Add a new discretionary activity to Rule 22.4.1.2 General subdivision, as follows:

D1 (a) General subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.2 (iv) RD1.

(b) General subdivision around established rural activities that does not comply with Rule 22.4.1.2 (iv) RD1.

Decision Reasons:

- Support rule 22.4.1.2 (a)(iv) in part.
- This rule should enable a lot to be created around an existing dwelling and curtilage so that the farming regime can continue. This will avoid redevelopment of farm tracks and fencelines for a relatively small lot.
- There may be situations where it is appropriate to create a new lot that is less than 8000m² or larger than 1.6ha which is consistent with objectives and policies.
- For lots smaller than 8000m², it is only necessary to confirm that services can be provided.
- A farm management report may be provided that confirms productive rural capacity for any lot greater than 1.6ha and the balance lot.

Point Number

544.10

Summary of Decision Requested:

Retain Rule 22.4.1.4 Boundary relocation, except for the amendment sought below

AND

Add a new matter of discretion to Rule 22.4.1.4 RD1 (b) Boundary relocation, as follows:

(v) Effects on high class soils, farm management and productivity.

Decision Reasons:

- Support in part.
- The relocation of a lot created under the previous transferable lot rules from an area that contains no high class soils to an area of high class soils would create an adverse outcome.
- The inclusion of high class soils as a matter of discretion would provide Council with a robust framework to ensure that adverse effects on high class soils are avoided.

Point Number

544.11

Summary of Decision Requested: Retain Rule 22.4.1.2 (a)(iv) General subdivision.

Decision Reasons:

- The creation of an additional vacant lot between 8,000m² and 1.6ha is supported as a restricted discretionary activity.

Point Number 544.12

Summary of Decision Requested: Delete Rule 22.4.1.2 General subdivision clause (a)(v);

AND

Add a new matter of discretion to Rule 22.4.1.2 (b) General subdivision, as follows:

(vi) Effects on rural productivity and fragmentation of high class soils.

Decision Reasons:

- Rule 22.4.1.2 (a)(v) is opposed.
- The section 32 analysis does not justify this rule.
- Submitter agrees with the intent however the 80/20 percentage requirement may not result in the best layout, design or farming outcome.
- Objectives and policies (5.1.1 and 5.2) and the expanded matters of discretion are sufficiently strong to avoid adverse outcomes on high class soils.
- The rule will mean that every subdivision application will require a land use capability report to demonstrate compliance with the 80/20 percentage requirement which is costly and this should be discretionary rather than necessary.

Point Number 544.13

Summary of Decision Requested: Retain Rule 22.4.1.5 Rural Hamlet Subdivision, except for the amendments sought below

AND

Amend Rule 22.4.1.5 RD1 Rural Hamlet Subdivision, as follows:

(a) Subdivision to create a Rural Hamlet must comply with all of the following conditions:

- (i) it results in 3 to 5 proposed lots being clustered together;*
- (ii) All existing Records of Title and/or consented lots form one continuous landholding;*
- (iii) Each proposed lot has a minimum area of ~~8000m²~~ 5000m²;*
- (iv) Each proposed lot has a maximum area of ~~1.6ha~~ 1.0ha;*
- (v) The proposed balance lot has a minimum area of 20 ha; and*
- (vi) It does not create any additional lots beyond the number of existing Records of Title.*

Decision Reasons:

- Supported in part.
- The inclusion of 'consented lots' in this rule (such as general lots and conservation lots) would have positive outcomes through shared infrastructure and enhancement of production systems.
- It would also limit the wide dispersal of lots and enable the subdivision layout to account for effects from intensive farming or mineral extraction activities.
- The subdivision design needs to specifically respond to site circumstances and it may be more appropriate to have smaller sized lots to result in a compact design within a rural setting where dwellings within a hamlet can borrow their rural character and amenity from adjoining rural productive land.
- If 5 lots were created, this could potentially result in a total of 8ha of land being taken up, resulting in dispersed rural housing rather than being characterised as a hamlet.

Point Number 544.14

Summary of Decision Requested: Retain Rule 22.4.1.5 Rural Hamlet Subdivision, except for the amendments sought below

AND

Amend Rule 22.4.1.5 RD1 (b) Rural Hamlet Subdivision, as follows:

(b) Council's discretion is restricted to the following matters:

(i) subdivision layout and design including dimension, shape and orientation of the proposed lots and specified building areas;

...

(vi) effects on rural productivity and fragmentation of high class soils.

Decision Reasons:

- Supported in part.
- The hamlet provisions should require a response to the landscape context that is more important than meeting the performance standards relating to lot size. This is because rural character and amenity values will be maintained by the 20ha balance lot surrounding the hamlet.

Point Number 544.15

Summary of Decision Requested: Retain Rule 22.4.1.4 Boundary relocation, and the flexibility to allow rural properties to rationalise large landholdings to provide a logical lot arrangement that better supports the farming activity;

AND

Amend Rule 22.4.1.4 (a)(i) as follows:

RD1 (a) The boundary relocation must:

(i) Relocate a common boundary or boundaries between two or more existing Records of Title or consented lots that existed prior to 18 July 2018;

...

Decision Reasons:

- Support in part.
- Many farms in the district are held in multiple Records of Titles which have the ability to be relocated. The boundary relocation rule should reflect the operative Franklin Section rule which enables an existing title or consented lot to be relocated within a property or, alternatively, within properties where boundaries are shared and are in common ownership.

- These types of boundary relocations typically result in positive effects by enhancing the productive farming system and allowing for the relocation of potential house sites to more favourable locations.
- Considers the retention of the 18 July 2018 date is appropriate as this allows closer scrutiny and a higher activity status for those Records of Title and consented lots created under the transferable and environmental lot rules.

Point Number 544.16

Summary of Decision Requested: Retain Rule 22.4.1.2(a)(i)-(iii) General subdivision.

Decision Reasons:

- No reasons provided.

Submitter Number: 545

Submitter: Bryce Mounsey

Point Number 545.1

Summary of Decision Requested: Amend the proposed Rural zoning of the 183ha area on East Mine Road, Huntly, comprising the following 11 titles to enable development of a recreation and events zone alongside a residential zone:

CFR 805391, CFR SA 50A/762, CFR SA 10D/800, CFR 1955501, CFR SA 61B/799, CFR SA 18B/1138, CFR SA 30A/356, SA 40D/985, CFR SA 251/176, SA 26C/345 and SA 51/131

Decision Reasons:

- The proposal will provide the following activities and outcomes:
- Educational outcomes for youth;
- Significant employment opportunities;
- Improved recreational living and lifestyle for residents through outdoor activities and water sports; and
- Will transform Huntly and enable it to become a tourist destination. It is time that Council gave 100% support, endorsement and commitment to the beautification of Huntly.

Submitter Number: 546

Submitter: Lynne Adrienne

Point Number 546.1

Summary of Decision Requested: Add strong precautionary and prohibitive policies and rules relating to the management of genetically modified organisms that are the same (or similar) as those in the Far North District Plan, the Whangarei District Plan and the Auckland Unitary Plan.

Decision Reasons:

- Provided for under the Resource Management Act 1991 and pursuant to the ruling in Federated Farmers of New Zealand v Northland Regional Council.
- Concerns about the potential risks posed by the release of GMO's into the environment.
- GMO's have the potential to adversely affect ecological, economic, and resource management values, and the social and cultural wellbeing of people, communities and tangata whenua.
- There is a risk that conditions of consent may be breached by poor management, human error, natural events.
- Once GMO's have been released into the environment they would be difficult if not impossible to eradicate.
- The GE status of a district would likely be lost permanently along with the market advantages with that status.
- Integrated management and a precautionary approach to GMO's under the RMA 1991 is the best available technique for managing the potential adverse effects posed for GMO's within the region.
- It is consistent with the purpose and Part II of the RMA to establish plan provisions e.g. issues, objectives, policies, rules and methods that manage the release, location and management of GMO's where they have the potential to adversely affect the environment and other land use activities.
- Further adverse effects are elaborated on in the submission.

Point Number 546.2

Summary of Decision Requested: Add the requirement to use the Raglan Naturally document as guiding principles for all future decisions on development of Raglan.

Decision Reasons:

- Strongly reflects the input and wishes of the diverse groups that make up the Raglan community.
- The residents of Raglan are empowered through decision making.
- This would help prevent poor decisions that have recently been made.

Point Number 546.3

Summary of Decision Requested: Amend Policy 7.1.4 Matangi and Huntly Heritage Precinct, to include the redesign of new buildings and structures and external alterations or additions in Raglan.

Decision Reasons:

- Buildings should be compatible with the setting, scale, detailing, style, materials, character of the precinct and protect the heritage values.
- New and existing buildings within the town centre and coastal strips need to have a height limit of two-storeys to retain the seaside village character (no higher than the Raglan hotel).
- There needs to be a much stronger focus on the character of the CBD area that retains and enhances Raglans simple, modest architecture rather than commercial development recently approved.
- Sustainability and alternative design should be a requirement for all developers and buildings.

Point Number 546.4

Summary of Decision Requested: Add provisions to ensure adequate provision is being made for social/affordable housing and that a high proportion of housing are not holiday homes and occupied for a small proportion of the year.

Decision Reasons:

- No reasons provided.

Point Number	546.5
Summary of Decision Requested:	Amend the Proposed District Plan to require public notification of all consents, whether it concerns genetically modified organisms or any other matter.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	546.6
Summary of Decision Requested:	Amend the Proposed District Plan to require notification of residents of any Waikato District Council-approved departure from the rules protecting the district's environment, heritage and special character.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	546.7
Summary of Decision Requested:	Add the requirement for Council to take into account advice received from the Raglan Community Board in any future growth and development decisions made by council and decision-making be devolved to the Community Board.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	546.8
Summary of Decision Requested:	Amend the Proposed District Plan rules to have a height limit of two-storeys in the Raglan town centre and coastal strips in Raglan (no higher than the Raglan Hotel.)
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	546.9
Summary of Decision Requested:	Amend the Proposed District Plan to require all developers and buildings to provide sustainability and alternative designs.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	546.10
Summary of Decision Requested:	Amend the Proposed District Plan to strengthen the focus on the character of Raglan's CBD, and to retain and enhance Raglan's simple, modest architecture.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	546.11
Summary of Decision Requested:	Add a network of cycleways and walking routes in the District.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	546.12
Summary of Decision Requested:	Add a resource management framework for the management of genetically modified organisms that is regional specific taking into account environmental, economic and social well-being considerations.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.

Submitter Number:	547	Submitter:	Murray Farrand
On behalf of:	Dargaville Aero Club		
Point Number	547.1		
Summary of Decision Requested:	Retain Chapter 9.2 Te Kowhai Airpark as notified.		
Decision Reasons:	<ul style="list-style-type: none"> Dargaville Aero Club recognises the significance of Te Kowhai Airfield for recreational aircraft and the Aviation community. 		
Point Number	547.2		

Summary of Decision Requested: Retain Chapter 27 Te Kowhai Airpark Zone as notified.

Decision Reasons:

- Dargaville Aero Club recognises the significance of Te Kowhai Airfield for recreational aircraft and the Aviation community.

Submitter Number: 548 **Submitter:** Murray & Cathy McWatt

Organisation: Grander Investments Limited

Point Number 548.1

Summary of Decision Requested: Amend the zoning of the property at 62 Bluff Road, Pokeno, from Rural Zone to Heavy Industrial Zone.

Decision Reasons:

- Site purchased because of the Aggregate Extraction and Processing zoning in the Operative District Plan.
- Resource consent application for clean filling and topsoil/concrete recycling has been lodged in accordance with the level of effects and land modification anticipated in that zone.
- Given the pressure for growth and expansion in the northern part of the District, identifying suitable sites for the disposal of surplus material is a necessary part of enabling that growth.
- Clean filling and recycling activities can generate noise and dust effects and heavy truck movements.
- These activities are better placed in industrial areas where such effects are tolerated due to the lower expected levels of amenity and the absence of sensitive receivers (dwellings, accommodation, and educational facilities etc.).
- The subject site adjoins industrial activities to the north (proposed Heavy Industrial Zone) that contribute to the Pokeno economy and that of the wider region.
- Zoning of the site to Heavy Industrial would potentially allow for some expansion of industrial activities that border site to the north (Hynds, Synlait), and would enhance Pokeno as an 'Industrial Node'.
- Negotiations are currently being undertaken to obtain access to the site through to McDonald Road which is located within the proposed Heavy Industrial Zone and to also exchange land with another land owner in the proposed Heavy Industrial Zone to accommodate future industrial uses in this location.

Point Number 548.2

Summary of Decision Requested: Delete the Significant Natural Area on the property at 62 Bluff Road, Pokeno, identified as a wetland.

AND

Retain the Significant Natural Area on the property at 62 Bluff Road, Pokeno identified as boulder stream (see diagram attached to the submission).

Decision Reasons:

- The wetland does not drain freely into the Mangatawhiri wetlands and the culverts are clogged.
- Ecological assessment provided with submission.
- The boulder stream is relatively unique and merits inclusion as a Significant Natural Area.

Point Number 548.3

Summary of Decision Requested: Amend the definition of "cleanfill" in Chapter 13 Definitions, to be more consistent with WasteMINZ definition.

Decision Reasons:

- Support the inclusion of a definition of cleanfill.
- Amend definition to define what material can be used for cleanfill activities (e.g. re-contouring for roads and building platforms) to minimise risk of contamination of land and water from the use of inappropriate material.
- Definition of cleanfill is inconsistent with the national technical document for waste management in New Zealand - WasteMINZ Technical Guidelines for Disposal to Land.
- Different cleanfill standards can lead to inconsistencies between the Regional and District council acceptance criteria.
- The proposed District Plan definition of cleanfill is more akin to 'Controlled Cleanfill' in the WasteMINZ guidelines.
- See submission for full comparison of the definitions.

Point Number 548.4

Summary of Decision Requested: Amend the definition for "Waste management facility" in Chapter 13 Definitions, as follows:

waste management facilities include: ~~disposal of waste to land (excluding cleanfill), landfills, cleanfills, commercial composting operations, recovery operations, transfer stations, recycling centres and resource recovery centres.~~

Decision Reasons:

- Definition needs to be in accordance with the WasteMINZ Technical Guidelines for Disposal to Land.
- The current definition only refers to Landfill and Cleanfill.
- Amend definition to accept cleanfill for disposal, distinct from where cleanfill is imported for rural production purposes, or to form building sites, roads etc.
- Cleanfill facilities should be provided for in appropriate zones (Rural and Industrial Zones) where the effects can be managed.
- Refer to submission for suggested waste management definition.

Point Number 548.5

Summary of Decision Requested: Retain Policy 4.1.6 (a) Commercial and Industrial Activities, as notified.

Decision Reasons:

- Industrial and commercial activities are enabled by appropriate zoning and provisions.

Point Number 548.6

Summary of Decision Requested: Amend Policy 4.1.6 (b) Commercial and Industrial Activities, as follows:

"Industry is ~~only to be located in~~ enabled in identified Industrial Zones and the industrial strategic growth nodes of..."

Decision Reasons:

- Wording of the policy too restrictive.

- Industry outside these nodes may have a local function or support an already established operation.
- Refer to submission for suggested policy amendment.

Point Number 548.7

Summary of Decision Requested: **Retain** Objective 4.6.1 Economic Growth of Industry, as notified.

Decision Reasons:

- Support zones that provide for industrial uses.

Point Number 548.8

Summary of Decision Requested: **Retain** Policy 4.6.2 Provide Industrial Zones with different functions, except for the amendments sought below

AND

Amend Policy 4.6.2 Provide Industrial Zones with different functions as follows:

(a) Recognise and provide for a variety of industrial activities within two industrial zones that have different functions depending on their purpose and effects as follows:

(i) Industrial Zone

A. Recognise and provide for a range of industrial, waste management and other compatible activities that can operate in close proximity to more sensitive zones due to the nature and relatively limited effects of these activities, including visual impact from buildings and associated parking and loading spaces, outdoor storage, lighting, noise, odour and traffic, subject to appropriate separation distances.

(ii) Heavy Industrial Zone

A. Recognise and provide for a range of industrial, waste management and other compatible activities that generate potentially significant effects on more sensitive zones, including relatively high levels of visual impact from buildings and associated parking and loading spaces, outdoor storage, lighting, noise, odour and heavy traffic, subject to appropriate separation distances.

Decision Reasons:

- Zoning appropriate for waste management and recycling activities.
- Industrial Zoning appropriate for waste management and recycling activities.
- Heavy Industrial Zoning appropriate for waste management and recycling activities.
- Waste management processes and facilities are compatible with outcomes sought for the Industrial Zone.

Point Number 548.9

Summary of Decision Requested: **Retain** Policy 4.6.3 Maintain a sufficient supply of Industrial Land.

Decision Reasons:

- Policy 4.1.6 identifies Pokeno as an "Industrial Strategic Growth node".
- Zoning the subject site Heavy Industrial is in keeping with policy 4.6.3 and the strategic direction of PDP.

Point Number 548.10

Summary of Decision Requested: **Add** a new definition for "Cleanfill facility" in Chapter 13 Definitions, as follows:

A facility where clean fill material is accepted for disposal

Excludes:

- *Storage and use of clean fill material within an earthworks site for the purpose of engineering contours for specific activities;*
- *Placement of clean fill material associated with road construction and road maintenance activities; and*
- *Onsite storage and use of overburden or aggregate by-product that is clean fill material associated with mineral extraction activities.*

Decision Reasons:

Point Number 548.11

Summary of Decision Requested: **Retain** Policy 4.6.5 Recognition of Industrial Activities Outside of Urban Areas, as notified.

Decision Reasons:

- No reason provided.

Point Number 548.12

Summary of Decision Requested: **Amend** Policy 5.3.13(a) Waste Management Activities, as follows:

Provide for the ~~rehabilitation of existing quarry sites, including~~ landfill and cleanfill activities, where siting is appropriate, environmental effects are managed and there is environmental gain...

Decision Reasons:

- There is a surplus of fill material making it difficult to dispose of waste.
- The Proposed Plan does not recognise disposal of surplus of material as an essential part of the construction process or need to provide within the Rural Zone.
- Seeks to revise Policy to provide for Landfills Classes 1-5 in the Rural Zone to recognise the economic and social wellbeing of the District.

Point Number 548.13

Summary of Decision Requested: **Add** P7 Waste Management Facility to Rule 21.1.1 Permitted activities and one new Activity Specific Condition as follows:

Excludes disposal of waste to land.

Decision Reasons:

- Industrial activities should be incentivised to locate in Industrial Zones by way of a permitted activity status.

- Waste management facilities that do not dispose of waste to land (i.e. landfill, managed fill, cleanfill) should be permitted in the Heavy Industrial Zone.
- Recycling of materials is no different to the processing of materials.
- The effects of waste management processes and facilities are within the anticipated outcomes for the Heavy Industrial Zone and should be provided for in that zone.

Point Number 548.14

Summary of Decision Requested: Delete Rule 21.1.2 D2 Cleanfill as a Discretionary Activity;
AND
Add a new Restricted Discretionary Activity for Cleanfill in Rule 21.1 Industrial Zone Heavy;
AND
Add the following matters of discretion:

- Waste acceptance
- Design and construction
- Site operation procedures
- Response to natural hazards
- Management of non-complying material and monitoring.
- Monitoring

Decision Reasons:

- Activities within the Waste Management Facility definition are appropriate within the Heavy Industrial Zone without Resource Consent.
- Cleanfill does not generate objectionable odour, contamination or high dust emissions unlike other activities that involve disposal of material to land.
- Activity status for Cleanfill should be Restricted Discretionary in the Heavy Industrial Zone.
- With matters of discretion and assessment criteria restricted to waste acceptance, design and construction, site operation procedures, water quality, response to natural hazards, management of non-complying material and monitoring.

Point Number 548.15

Summary of Decision Requested: Delete Rule 22.1.5 D4 Waste Management facilities as a Discretionary Activity;
AND
Add a new Restricted Discretionary activity for Cleanfill outside of an Outstanding Natural Landscape; an Outstanding Natural Feature, an Outstanding Natural Character Area; and a High Natural Character Area in Rule 22.1.5 Discretionary Activities;
AND
Add the following matters of discretion:

- Waste acceptance
- Design and construction
- Site operation procedures
- Response to natural hazards
- Management of non-complying material
- Landscape
- Dust
- Noise
- Biodiversity
- Water quality
- Traffic effects
- Monitoring

Decision Reasons:

- Cleanfill facility should be a Restricted Discretionary Activity.
- Refer to submission for full suggestion.
- Activities within the Waste Management Facility definition are appropriate within the Rural Zone without Resource Consent.
- Cleanfill does not generate objectionable odour, contamination or high dust emissions unlike other activities that involve disposal of material to land.
- Activity status for Cleanfill should be Restricted Discretionary in the Rural Zone.
- With matters of discretion and assessment criteria restricted to waste acceptance, design and construction, site operation procedures, water quality, response to natural hazards, management of non-complying material and monitoring.
- See full submission for Assessment of Ecological Effects report for 62 Bluff Road, Pokeno.

Submitter Number: 549 **Submitter:** Shanon Eyre

On behalf of: Matamata Aero Club

Point Number 549.1

Summary of Decision Requested: Retain Chapter 9.2 Te Kowhai Airpark, as notified.

Decision Reasons:

- Restricting housing heights and locations in the Te Kowhai Aerodrome area will help maintain the safety of both the pilots and residents.

Point Number 549.2

Summary of Decision Requested: Retain Chapter 27 Te Kowhai Airpark Zone, as notified.

Decision Reasons:

- Restricting housing heights and locations in the Te Kowhai Aerodrome area will help maintain the safety of both the pilots and residents.

Submitter Number: 551 **Submitter:** Dinah Robcke

Point Number 551.1

Summary of Decision Requested: Amend the zoning of approximately 16ha on the property at 859 Waingaro Road, Glen Massey from Rural Zone to Village Zone or Country Living Zone (as it was in the Operative District Plan);

AND

Amend the Proposed District Plan to make consequential changes to give effect to the zone change.

Decision Reasons:

- Further development in and around Glen Massey will enable better use and improvements to be made to existing infrastructure.
- Operative District Plan zoning provides for logical extension of the Glen Massey village and community.
- Development will increase stock and diversity of dwellings/lifestyle choices.
- The proposed net site area in the Country Living Zone is 5000m², which makes development in Glen Massey marginal/uneconomic.
- Retaining a larger area as Country Living Zone enables innovative development designs to be explored with the potential for steeper areas to be set aside within the overall development.

Point Number 551.2

Summary of Decision Requested: Amend Rule 23.4.2(a)(i) General Subdivision requiring a 5000m² minimum net site area to enable greater flexibility in subdivision development standards as they relate to the Country Living Zone in Glen Massey e.g. minimum net site area of 2500m² with an average of 5000m²;

OR

Amend the zoning of the land on 859 and 889 Waingaro Road, Glen Massey that was zoned Country Living Zone in the Operative District Plan to Village Zone;

AND

Amend the Proposed District Plan to make consequential changes.

Decision Reasons:

- Introduce greater flexibility in subdivision development standards in Glen Massey.
- 5000m² development in the Country Living Zone is marginal/uneconomic.
- 2500m² lots are able to be serviced onsite.
- Careful design will ensure character and amenity values can be maintained and enhanced.
- Land in and around Glen Massey is poor quality in terms of productive capacity.
- 5000m² net site area is inappropriate for available land resource and creates pressure for 'infill' subdivision.
- Opportunity to develop subdivision standards for the Country Living Zone to enable innovative development designs to be explored (e.g. averaging, reduced minimum lot sizes).

Point Number 551.3

Summary of Decision Requested: Amend Rule 23.4.8(a)(i) Subdivision – Building Platform requiring 1000m² minimum building platform sizes to enable greater flexibility in subdivision development standards e.g. building platform of 500m² as they relate to the Country Living Zone in Glen Massey.

Decision Reasons:

- Careful design will ensure character and amenity values can be maintained and enhanced.

Point Number 551.4

Summary of Decision Requested: Amend Rule 23.4.8(a)(ii) Subdivision – Building Platform requiring average gradients to be no steeper than 1:8, to enable greater flexibility in building development standards as they relate to the Country Living Zone in Glen Massey;

OR

Amend the zoning of the land on 859 and 889 Waingaro Road, Glen Massey that was previously zoned Country Living Zone in the Operative District Plan to Village Zone;

AND

Amend the Proposed District Plan to make consequential changes.

Decision Reasons:

- Opportunity to develop subdivision standards for the Country Living Zone to enable innovative development designs to be explored (e.g. averaging, reduced minimum lot sizes).
- Potential for steeper areas to be set aside from development.

Submitter Number: 552

Submitter: Stephanie Henderson

Point Number 552.1

Summary of Decision Requested: Add a rule to Chapter 22 Rural Zone to ensure wetlands do not become a dam, stopping the flow of water and flooding neighbouring properties.

Decision Reasons:

- There is no rule to maintain effects from wetlands on neighbouring properties.
- Nearby wetland floods submitters property as the natural flow of water is hampered.

Submitter Number: 553

Submitter: Malibu Hamilton

Point Number 553.1

Summary of Decision Requested: Add strong precautionary and prohibitive provisions, policies and rules relating to Genetically Modified Organisms. The same or similar to those in the Far North District Plan, Whangarei District Plan and the Auckland Unitary Plan.

Decision Reasons:

- Submitter has concerns about the potential risks by the release of GMOs into the environment.
- GMOs have the potential to adversely affect ecological, economic and resource management values, and the social and cultural wellbeing of people, communities and Tangata Whenua.
- The release of GMOs has a potential to cause significant adverse effects on the environment, which could include:
 - (a) biological or ecosystem harm;
 - (b) harm to Tangata whenua cultural values such as mauri and tikanga;

- (c) harm to the cultural values and lifestyle decisions of people and communities at a local level concerning what constitutes their wellbeing; and
- (d) harm from GMO contamination to existing or potential forms of land use including farming, forestry, beekeeping, marine farming and other primary production activities dependant on an uncontaminated environmental brand. Adverse effects to these land uses could include loss of organic and GMO-free certification;
- (i) reputational damage;
- (ii) loss of markets and premiums paid for GMO free produce;
- (iii) loss of livelihood; and
- (iv) The Waikato has three major milk suppliers. Tātua, Fonterra and Miraka Milks have a GMO Free requirement for their milk products and rely on shareholders farmers milk supply. The ability to control the grass genetic pollution is a major concern and it is important to have a precautionary approach to any escape and release of GM until the negative effects are known in the region. Additionally there are also several other organic producers in the Waikato.

- No matter how carefully conditions of consent for GMOs are crafted, there inevitably remains a risk, even if small, that conditions may be breached by poor management, human error, natural events such as severe storms and even the sabotage of projects.
- Once GMOs have been release into the environment, they would be very difficult if not impossible to eradicate. In the case of a food product, the "GE free" status of a district would likely be lost permanently along with the market advantages of that status.
- Application of integrated management and a precautionary approach to GMOs under the RMA is the best available technique for managing the potential adverse effects posed by GMOs within the region.
- It is consistent with the sustainable management purpose and Part II of the RMA to establish District Plan provisions that manage the release, location and management of GMOs where they have the potential to adversely affect the environment and other land use activities.

Point Number 553.2

Summary of Decision Requested: **Amend** Objective 6.3.1(a) Renewable energy, as follows:
Energy efficient design and an increase in renewable electricity generation activities are ~~promoted~~ established.

Decision Reasons:

- Promoting only is in conflict with other policies that are more proactive.

Point Number 553.3

Summary of Decision Requested: **Amend** Policy 4.1.18(a)(iii) Raglan, as follows:
Rangitahi is the only area that provides for the medium term future growth and is developed in a manner that connects to the existing town and maintains and enhances the natural environment.

Decision Reasons:

- The policy is restrictive for other areas to be developed in residential zones.
- Several infill sections available along with Lorezen Bay Structure Plan area will contribute to medium term growth.

Point Number 553.4

Summary of Decision Requested: **Amend** the home stay provisions to consider wastewater effects on the environment.

Decision Reasons:

- A more targeted approach is needed to ascertain whether areas that do have septic tank systems can cope with extra people onsite.
- Many areas with septic tanks such as Whale Bay are under pressure from overcrowding.
- Adverse effects on the environment, including the awa and the moana.

Point Number 553.5

Summary of Decision Requested: **Amend** Policy 6.4.7(a)(i) Stormwater, as follows:
Adopts, ~~where appropriate~~, a best-practice low impact design approach to the management of stormwater

Decision Reasons:

- The use of "where appropriate" is not required and is not defined.

Point Number 553.6

Summary of Decision Requested: **Add** a new clause (iv) to Policy 3.3.2 Recognising values and qualities, as follows:

...~~(iv)~~ The Whaanga Coastline

Decision Reasons:

- Nationally significant surf breaks form a unique set of coastal reserve area that are comprised of volcanic boulders approximately 6m in depth.
- The characteristics on the Whaanga coast create some of the best surf breaks in Aotearoa.
- The Whaanga Coast surf breaks are recognised in the New Zealand Coastal Policy Statement 2012 as being Nationally Significant along with being world renowned.
- NZCPS Policy 13(2)(c) states: natural landforms such as headlands, peninsulas, cliffs, dunes, wetlands, reefs, freshwater springs and surf breaks and Policy 15 seeks protection of those features and landscapes.
- Those natural features form part of the Coastal Marine Area that District Council has jurisdiction of to mean high water mark.

Point Number 553.7

Summary of Decision Requested: **Add** a new clause (iv) to Policy 4.5.38(a)(iv) Artificial outdoor lighting, as follows:
(iv) Artificial outdoor lighting is installed and operated so that light spill does not contribute to pollution of the night sky,
 or similar wording.

Decision Reasons:

- Light pollution can cause adverse impacts to wildlife and migratory birds and disrupt their normal patterns of behaviour.
- Villages and towns contribute to wider adverse impacts.
- All exterior lighting should have shields to force lighting towards the ground.
- There are no policies dealing with adverse effects of night sky pollution.
- LED lights need to be coated with phosphor that converts the blue light to yellow to avoid adverse effects of blue light.

Point Number	553.8
Summary of Decision Requested:	Retain Rule 18.3.1.1 Building height, restricting the maximum building height limit to 10m in the Whaingaroa Township.
Decision Reasons:	<ul style="list-style-type: none"> • Supports the 10m max height limit. • New development should be carefully designed to fit the existing main street height, scale and form and align with the corresponding immediate surroundings. • Maintaining the existing character of the historic buildings is crucial.
Point Number	553.9
Summary of Decision Requested:	Add a resource management framework for the management of genetically modified organisms that is regional-specific, taking into account the environmental, economic and social well-being considerations.
Decision Reasons:	<ul style="list-style-type: none"> • No reasons provided.
Point Number	553.10
Summary of Decision Requested:	Amend the Proposed District Plan to require public notification of all consents, whether the rules are on genetically modified organisms, or any other matter.
Decision Reasons:	<ul style="list-style-type: none"> • No reasons provided.
Point Number	553.11
Summary of Decision Requested:	Retain Policy 2.16.1 Whaanga Coast Specific Area.
Decision Reasons:	<ul style="list-style-type: none"> • The New Zealand Coastal Policy Statement 2010 in Policy (d) recognises tangata whenua needs for papakāinga, marae. • The Waikato Regional Policy Statement, 2016 also has Policy 6.4 Marae and papakāinga provisions. • The Future Proof Strategy Planning for Growth November 2017 has Priority 15 that seeks developments of papakāinga housing that meets the needs and aspirations in the sub-region. • RMA sections 6(e), 7(a), and 8 set out legal obligations when managing the natural and physical resources of the region to Tangata Whenua.
Point Number	553.12
Summary of Decision Requested:	Retain Policy 2.16.2 Aahuatanga Motuhake (special features).
Decision Reasons:	<ul style="list-style-type: none"> • The New Zealand Coastal Policy Statement 2010 in Policy (d) recognises Tangata whenua needs for papakāinga, marae. • The Waikato Regional Policy Statement, 2016 also has Policy 6.4 Marae and papakāinga provisions. • The Future Proof Strategy Planning for Growth November 2017 has Priority 15 that seeks developments of papakāinga housing that meets the needs and aspirations in the sub-region. • RMA sections 6(e), 7(a), and 8 set out legal obligations when managing the natural and physical resources of the region to Tangata whenua.
Point Number	553.13
Summary of Decision Requested:	Retain Policy 3.2.6(b) Providing for vegetation clearance.
Decision Reasons:	<ul style="list-style-type: none"> • The New Zealand Coastal Policy Statement 2010 in Policy (d) recognises Tangata whenua needs for papakāinga, marae. • The Waikato Regional Policy Statement, 2016 also has Policy 6.4 Marae and papakāinga provisions. • The Future Proof Strategy Planning for Growth November 2017 has Priority 15 that seeks developments of papakāinga housing that meets the needs and aspirations in the sub-region. • RMA sections 6(e), 7(a), and 8 set out legal obligations when managing the natural and physical resources of the region to Tangata whenua.
Point Number	553.14
Summary of Decision Requested:	Retain Rule 16.2.4.2 Earthworks – Maaori Sites and Maaori Areas of Significance.
Decision Reasons:	<ul style="list-style-type: none"> • The New Zealand Coastal Policy Statement 2010 in Policy (d) recognises Tangata whenua needs for papakāinga, marae. • The Waikato Regional Policy Statement, 2016 also has Policy 6.4 Marae and papakāinga provisions. • The Future Proof Strategy Planning for Growth November 2017 has Priority 15 that seeks developments of papakāinga housing that meets the needs and aspirations in the sub-region. • RMA sections 6(e), 7(a), and 8 set out legal obligations when managing the natural and physical resources of the region to Tangata whenua.
Point Number	553.15
Summary of Decision Requested:	Retain Rule 17.1.2 P16, P17 and P18 Permitted Activities.
Decision Reasons:	<ul style="list-style-type: none"> • The New Zealand Coastal Policy Statement 2010 in Policy (d) recognises Tangata whenua needs for papakāinga, marae. • The Waikato Regional Policy Statement, 2016 also has Policy 6.4 Marae and papakāinga provisions. • The Future Proof Strategy Planning for Growth November 2017 has Priority 15 that seeks developments of papakāinga housing that meets the needs and aspirations in the sub-region. • RMA sections 6(e), 7(a), and 8 set out legal obligations when managing the natural and physical resources of the region to Tangata whenua.

Point Number 553.16

Summary of Decision Requested: Retain Rule 17.2.5.2 Earthworks – Maaori Sites and Maaori Areas of Significance.

Decision Reasons:

- The New Zealand Coastal Policy Statement 2010 in Policy (d) recognises Tangata whenua needs for papakāinga, marae.
- The Waikato Regional Policy Statement, 2016 also has Policy 6.4 Marae and papakāinga provisions.
- The Future Proof Strategy Planning for Growth November 2017 has Priority 15 that seeks developments of papakāinga housing that meets the needs and aspirations in the sub-region.
- RMA sections 6(e), 7(a), and 8 set out legal obligations when managing the natural and physical resources of the region to Tangata whenua.

Point Number 553.17

Summary of Decision Requested: Retain Rule 17.2.9 P2, P4, P5, and P6 Indigenous vegetation clearance inside a Significant Natural Area.

Decision Reasons:

- The New Zealand Coastal Policy Statement 2010 in Policy (d) recognises Tangata whenua needs for papakāinga, marae.
- The Waikato Regional Policy Statement, 2016 also has Policy 6.4 Marae and papakāinga provisions.
- The Future Proof Strategy Planning for Growth November 2017 has Priority 15 that seeks developments of papakāinga housing that meets the needs and aspirations in the sub-region.
- RMA sections 6(e), 7(a), and 8 set out legal obligations when managing the natural and physical resources of the region to Tangata whenua.

Point Number 553.18

Summary of Decision Requested: Retain Rule 18.2.4.2 Earthworks – Maaori Sites and Maaori Areas of Significance.

Decision Reasons:

- The New Zealand Coastal Policy Statement 2010 in Policy (d) recognises Tangata whenua needs for papakāinga, marae.
- The Waikato Regional Policy Statement, 2016 also has Policy 6.4 Marae and papakāinga provisions.
- The Future Proof Strategy Planning for Growth November 2017 has Priority 15 that seeks developments of papakāinga housing that meets the needs and aspirations in the sub-region.
- RMA sections 6(e), 7(a), and 8 set out legal obligations when managing the natural and physical resources of the region to Tangata whenua.

Point Number 553.19

Summary of Decision Requested: Retain Rule 18.4.5 Subdivision – Title boundaries – Maaori Sites and Areas of significance to Maaori.

Decision Reasons:

- The New Zealand Coastal Policy Statement 2010 in Policy (d) recognises Tangata whenua needs for papakāinga, marae.
- The Waikato Regional Policy Statement, 2016 also has Policy 6.4 Marae and papakāinga provisions.
- The Future Proof Strategy Planning for Growth November 2017 has Priority 15 that seeks developments of papakāinga housing that meets the needs and aspirations in the sub-region.
- RMA sections 6(e), 7(a), and 8 set out legal obligations when managing the natural and physical resources of the region to Tangata whenua.

Point Number 553.20

Summary of Decision Requested: Retain Rule 20.2.9 P2, P4, P5, and P6 Indigenous vegetation clearance inside a Significant Natural Area.

Decision Reasons:

- The New Zealand Coastal Policy Statement 2010 in Policy (d) recognises Tangata whenua needs for papakāinga, marae.
- The Waikato Regional Policy Statement, 2016 also has Policy 6.4 Marae and papakāinga provisions.
- The Future Proof Strategy Planning for Growth November 2017 has Priority 15 that seeks developments of papakāinga housing that meets the needs and aspirations in the sub-region.
- RMA sections 6(e), 7(a), and 8 set out legal obligations when managing the natural and physical resources of the region to Tangata whenua.

Point Number 553.21

Summary of Decision Requested: Retain Rule 22.1.2 P1, P2, P3, and P4 Permitted Activities.

Decision Reasons:

- The New Zealand Coastal Policy Statement 2010 in Policy (d) recognises Tangata whenua needs for papakāinga, marae.
- The Waikato Regional Policy Statement, 2016 also has Policy 6.4 Marae and papakāinga provisions.
- The Future Proof Strategy Planning for Growth November 2017 has Priority 15 that seeks developments of papakāinga housing that meets the needs and aspirations in the sub-region.
- RMA sections 6(e), 7(a), and 8 set out legal obligations when managing the natural and physical resources of the region to Tangata whenua.

Point Number 553.22

Summary of Decision Requested: Retain Rule 22.2.3.2 Earthworks – Maaori Sites and Maaori Areas of Significance.

Decision Reasons:

- The New Zealand Coastal Policy Statement 2010 in Policy (d) recognises Tangata whenua needs for papakāinga, marae.
- The Waikato Regional Policy Statement, 2016 also has Policy 6.4 Marae and papakāinga provisions.
- The Future Proof Strategy Planning for Growth November 2017 has Priority 15 that seeks developments of papakāinga housing that meets the needs and aspirations in the sub-region.
- RMA sections 6(e), 7(a), and 8 set out legal obligations when managing the natural and physical resources of the region to Tangata whenua.

Point Number 553.23

Summary of Decision Requested: Retain the following rules in Rule 22.7 Specific Area – Whaanga Coast Development Areas:

- 22.7.1.1 Permitted Activities
- 22.7.1.2 Discretionary Activities (1)
- 22.7.1.3 Earthworks within a Development Area
- 22.7.1.4 Building height within a Development Area
- **22.7.1.5 Accessory building within a Development Area**
- **22.7.1.6 Building setback within a Development Area**
- **22.7.1.7 Papakainga Building – Gross Floor Area**
- **22.7.1.8 Dwelling – Gross Floor Area**

Decision Reasons:

- The New Zealand Coastal Policy Statement 2010 in Policy (d) recognises Tangata whenua needs for papakāinga, marae.
- The Waikato Regional Policy Statement, 2016 also has Policy 6.4 Marae and papakāinga provisions.
- The Future Proof Strategy Planning for Growth November 2017 has Priority 15 that seeks developments of papakāinga housing that meets the needs and aspirations in the sub-region.
- RMA sections 6(e), 7(a), and 8 set out legal obligations when managing the natural and physical resources of the region to Tangata whenua.

Point Number 553.24

Summary of Decision Requested: Retain Rule 22.2.7 P4, P5 and P6 Indigenous vegetation clearance inside a Significant Natural Area.

Decision Reasons:

- The New Zealand Coastal Policy Statement 2010 in Policy (d) recognises Tangata whenua needs for papakāinga, marae.
- The Waikato Regional Policy Statement, 2016 also has Policy 6.4 Marae and papakāinga provisions.
- The Future Proof Strategy Planning for Growth November 2017 has Priority 15 that seeks developments of papakāinga housing that meets the needs and aspirations in the sub-region.
- RMA sections 6(e), 7(a), and 8 set out legal obligations when managing the natural and physical resources of the region to Tangata whenua.

Point Number 553.25

Summary of Decision Requested: Retain Rule 22.2.8 P1 (vi), P1 (vii), P2, and P3 Indigenous vegetation clearance outside a Significant Natural Area.

Decision Reasons:

- The New Zealand Coastal Policy Statement 2010 in Policy (d) recognises Tangata whenua needs for papakāinga, marae.
- The Waikato Regional Policy Statement, 2016 also has Policy 6.4 Marae and papakāinga provisions.
- The Future Proof Strategy Planning for Growth November 2017 has Priority 15 that seeks developments of papakāinga housing that meets the needs and aspirations in the sub-region.
- RMA sections 6(e), 7(a), and 8 set out legal obligations when managing the natural and physical resources of the region to Tangata whenua.

Point Number 553.26

Summary of Decision Requested: Retain Rule 22.4.1.3 Subdivision of Maaori Freehold Land.

Decision Reasons:

- The New Zealand Coastal Policy Statement 2010 in Policy (d) recognises Tangata whenua needs for papakāinga, marae.
- The Waikato Regional Policy Statement, 2016 also has Policy 6.4 Marae and papakāinga provisions.
- The Future Proof Strategy Planning for Growth November 2017 has Priority 15 that seeks developments of papakāinga housing that meets the needs and aspirations in the sub-region.
- RMA sections 6(e), 7(a), and 8 set out legal obligations when managing the natural and physical resources of the region to Tangata whenua.

Point Number 553.27

Summary of Decision Requested: Retain Rule 22.8.2 P1, P2, P3, and P4 Permitted Activities.

Decision Reasons:

- The New Zealand Coastal Policy Statement 2010 in Policy (d) recognises Tangata whenua needs for papakāinga, marae.
- The Waikato Regional Policy Statement, 2016 also has Policy 6.4 Marae and papakāinga provisions.
- The Future Proof Strategy Planning for Growth November 2017 has Priority 15 that seeks developments of papakāinga housing that meets the needs and aspirations in the sub-region.
- RMA sections 6(e), 7(a), and 8 set out legal obligations when managing the natural and physical resources of the region to Tangata whenua.

Point Number 553.28

Summary of Decision Requested: Retain Rule 23.2.8 P3, P4, P5, and P6 Indigenous vegetation clearance inside a Significant Natural Area.

Decision Reasons:

- The New Zealand Coastal Policy Statement 2010 in Policy (d) recognises Tangata whenua needs for papakāinga, marae.
- The Waikato Regional Policy Statement, 2016 also has Policy 6.4 Marae and papakāinga provisions.
- The Future Proof Strategy Planning for Growth November 2017 has Priority 15 that seeks developments of papakāinga housing that meets the needs and aspirations in the sub-region.
- RMA sections 6(e), 7(a), and 8 set out legal obligations when managing the natural and physical resources of the region to Tangata whenua.

Point Number 553.29

Summary of Decision Requested: Retain Rule 23.2.9 P1 (a)(vi), P1 (a)(vii), P2, and P3 Indigenous vegetation clearance outside a Significant Natural Area.

Decision Reasons:

- The New Zealand Coastal Policy Statement 2010 in Policy (d) recognises Tangata whenua needs for papakāinga, marae.
- The Waikato Regional Policy Statement, 2016 also has Policy 6.4 Marae and papakāinga provisions.
- The Future Proof Strategy Planning for Growth November 2017 has Priority 15 that seeks developments of papakāinga housing that meets the needs and aspirations in the sub-region.

- RMA sections 6(e), 7(a), and 8 set out legal obligations when managing the natural and physical resources of the region to Tangata whenua.

Point Number 553.30

Summary of Decision Requested: Retain Rule 24.1.1 Permitted Activities.

Decision Reasons:

- The New Zealand Coastal Policy Statement 2010 in Policy (d) recognises Tangata whenua needs for papakāinga, marae.
- The Waikato Regional Policy Statement, 2016 also has Policy 6.4 Marae and papakāinga provisions.
- The Future Proof Strategy Planning for Growth November 2017 has Priority 15 that seeks developments of papakāinga housing that meets the needs and aspirations in the sub-region.
- RMA sections 6(e), 7(a), and 8 set out legal obligations when managing the natural and physical resources of the region to Tangata whenua.

Point Number 553.31

Summary of Decision Requested: Retain Rule 24.2.4.2 Earthworks for Maaori Sites and Maaori areas of Significance.

Decision Reasons:

- The New Zealand Coastal Policy Statement 2010 in Policy (d) recognises Tangata whenua needs for papakāinga, marae.
- The Waikato Regional Policy Statement, 2016 also has Policy 6.4 Marae and papakāinga provisions.
- The Future Proof Strategy Planning for Growth November 2017 has Priority 15 that seeks developments of papakāinga housing that meets the needs and aspirations in the sub-region.
- RMA sections 6(e), 7(a), and 8 set out legal obligations when managing the natural and physical resources of the region to Tangata whenua.

Point Number 553.32

Summary of Decision Requested: Retain Rule 24.2.8 P1 (a)(v), P4, P5, and P6 Indigenous vegetation clearance inside a Significant Natural Area.

Decision Reasons:

- The New Zealand Coastal Policy Statement 2010 in Policy (d) recognises Tangata whenua needs for papakāinga, marae.
- The Waikato Regional Policy Statement, 2016 also has Policy 6.4 Marae and papakāinga provisions.
- The Future Proof Strategy Planning for Growth November 2017 has Priority 15 that seeks developments of papakāinga housing that meets the needs and aspirations in the sub-region.
- RMA sections 6(e), 7(a), and 8 set out legal obligations when managing the natural and physical resources of the region to Tangata whenua.

Point Number 553.33

Summary of Decision Requested: Retain Rule 28.2.4.2 Earthworks – Maaori Sites and Maaori Areas of Significance.

Decision Reasons:

- The New Zealand Coastal Policy Statement 2010 in Policy (d) recognises Tangata whenua needs for papakāinga, marae.
- The Waikato Regional Policy Statement, 2016 also has Policy 6.4 Marae and papakāinga provisions.
- The Future Proof Strategy Planning for Growth November 2017 has Priority 15 that seeks developments of papakāinga housing that meets the needs and aspirations in the sub-region.
- RMA sections 6(e), 7(a), and 8 set out legal obligations when managing the natural and physical resources of the region to Tangata whenua.

Point Number 553.34

Summary of Decision Requested: Retain Rule 28.2.8 P4, P5, and P6 Indigenous vegetation clearance inside a Significant Natural Area.

Decision Reasons:

- The New Zealand Coastal Policy Statement 2010 in Policy (d) recognises tangata whenua needs for papakāinga, marae.
- The Waikato Regional Policy Statement, 2016 also has Policy 6.4 Marae and papakāinga provisions.
- The Future Proof Strategy Planning for Growth November 2017 has Priority 15 that seeks developments of papakāinga housing that meets the needs and aspirations in the sub-region.
- RMA sections 6(e), 7(a), and 8 set out legal obligations when managing the natural and physical resources of the region to Tangata Whenua.

Point Number 553.35

Summary of Decision Requested: Retain Policy 3.3.4 The relationships of Maaori with natural resources and land.

Decision Reasons:

- The New Zealand Coastal Policy Statement 2010 in Policy (d) recognises Tangata whenua needs for papakāinga, marae.
- The Waikato Regional Policy Statement, 2016 also has Policy 6.4 Marae and papakāinga provisions.
- The Future Proof Strategy Planning for Growth November 2017 has Priority 15 that seeks developments of papakāinga housing that meets the needs and aspirations in the sub-region.
- RMA sections 6(e), 7(a), and 8 set out legal obligations when managing the natural and physical resources of the region to Tangata whenua.

Point Number 553.36

Summary of Decision Requested: Retain Policy 5.3.18 Specific area – Whanga Coast Development Areas.

Decision Reasons:

- The New Zealand Coastal Policy Statement 2010 in Policy (d) recognises Tangata whenua needs for papakāinga, marae.
- The Waikato Regional Policy Statement, 2016 also has Policy 6.4 Marae and papakāinga provisions.
- The Future Proof Strategy Planning for Growth November 2017 has Priority 15 that seeks developments of papakāinga housing that meets the needs and aspirations in the sub-region.
- RMA sections 6(e), 7(a), and 8 set out legal obligations when managing the natural and physical resources of the region to Tangata whenua.

Point Number 553.37

Summary of Decision Requested: Retain Policy 5.3.7 (a)(v) Reverse sensitivity effects.

Decision Reasons:

- The New Zealand Coastal Policy Statement 2010 in Policy (d) recognises Tangata whenua needs for papakāinga, marae.
- The Waikato Regional Policy Statement, 2016 also has Policy 6.4 Marae and papakāinga provisions.
- The Future Proof Strategy Planning for Growth November 2017 has Priority 15 that seeks developments of papakāinga housing that meets the needs and aspirations in the sub-region.
- RMA sections 6(e), 7(a), and 8 set out legal obligations when managing the natural and physical resources of the region to Tangata whenua.

Point Number 553.38

Summary of Decision Requested: Retain Rule 16.1.2 P2, P4, and P6 Permitted Activities.

Decision Reasons:

- The New Zealand Coastal Policy Statement 2010 in Policy (d) recognises Tangata whenua needs for papakāinga, marae.
- The Waikato Regional Policy Statement, 2016 also has Policy 6.4 Marae and papakāinga provisions.
- The Future Proof Strategy Planning for Growth November 2017 has Priority 15 that seeks developments of papakāinga housing that meets the needs and aspirations in the sub-region.
- RMA sections 6(e), 7(a), and 8 set out legal obligations when managing the natural and physical resources of the region to Tangata whenua.

Point Number 553.39

Summary of Decision Requested: Retain Rule 16.2.8 P2, P4 and P5 Indigenous vegetation clearance inside a Significant Natural Area.

Decision Reasons:

- The New Zealand Coastal Policy Statement 2010 in Policy (d) recognises Tangata whenua needs for papakāinga, marae.
- The Waikato Regional Policy Statement, 2016 also has Policy 6.4 Marae and papakāinga provisions.
- The Future Proof Strategy Planning for Growth November 2017 has Priority 15 that seeks developments of papakāinga housing that meets the needs and aspirations in the sub-region.
- RMA sections 6(e), 7(a), and 8 set out legal obligations when managing the natural and physical resources of the region to Tangata whenua.

Submitter Number: 554 **Submitter:** Gaylene Himona

Point Number 554.1

Summary of Decision Requested: Add a specific zone called Kimihia Lakes Recreation and Events Zone, with a new Chapter 9.5 containing objectives and policies and a new Chapter 29 containing rules, and new definitions in Chapter 13 Definitions (as outlined in the submission from Louise Feathers Planning on behalf of Allen Fabrics Limited).

AND

Amend the zoning of the 183ha site (comprising CFR 805391, CFR SA01D/80D, CFR SA 61B/799, CFR SA50A/762, CFR 195501, CFR SA18B/1138, CFR SA 30A/356, SA40D/985, CFR SA251/176, SA26C/345, SA51/131) on East Mine Road, Huntly from Rural Zone to Kimihia Lakes Recreation and Events Zone and Residential zone (as outlined in the submission from Louise Feathers Planning on behalf of Allen Fabrics Limited).

Decision Reasons:

- It will be beneficial to the community and Huntly.

Submitter Number: 555 **Submitter:** Colleen Earby

Point Number 555.1

Summary of Decision Requested: Amend the zoning of the 183ha site (comprising CFR 805391, CFR SA50A/762, CFR 195501, CFR SA 61B/799, CFR SA18B/1138, CFR SA 30A/356, SA40D/985, CFR SA251/176, SA26C/345, SA51/131) on East Mine Road, Huntly from the Rural Zone to a multi-purpose recreation and events zone alongside a Residential Zone.

Decision Reasons:

- Educational outcomes for youth.
- Significant employment opportunities.
- Improved recreational living and lifestyle for residents through outdoor activities, e.g. watersports.
- Great opportunity for Huntly to become destination for tourists and be known as a lake district.
- Fantastic opportunity for local Huntly family, who have empathy for Huntly, to make their vision happen.
- Huntly benefits.
- Rather consent be approved now and go to Huntly family than to a city developer in future.
- Project has ability to transform Huntly.
- Huntly needs growth and new residential areas will bring that.
- Recreational lake will add to existing sport facilities i.e. stockcars and gun club.
- Any residential consent change should not compromise the existing sports activities currently in practice for now and for the future.

Submitter Number: 556 **Submitter:** Alan Kosoof

Point Number 556.1

Summary of Decision Requested: Amend the zoning of the 183ha site (comprising CFR 805391, CFR SA50A/762, CFR 195501, CFR SA 61B/799, CFR SA18B/1138, CFR SA 30A/356, SA40D/985, CFR SA251/176, SA26C/345, SA51/131) on East Mine Road, Huntly from the Rural Zone to a multi-purpose recreation and events zone alongside a Residential Zone.

Decision Reasons:

- Develop a recreation and events zone alongside Residential Zoning.
- Educational outcomes for youth.
- Significant employment opportunities.
- Improved recreational living and lifestyle for residents through outdoor activities, water sports.
- Great opportunity for Huntly to become destination for tourists and know as a lake district.
- Fantastic opportunity for local Huntly family, who have empathy for Huntly, to make their vision happen.
- Huntly benefits.
- Rather consent be approved now and go to Huntly family than to a city developer in future.
- Project has ability to transform Huntly.
- Huntly needs growth and new residential areas will bring that.
- Recreational lake will add to existing sport facilities i.e. stockcars & gun club.
- Any residential consent change should not compromise the existing sports activities currently in practice for now and for the future.

Submitter Number:

557

Submitter:

Bronwyn Kosoof

Point Number

557.1

Summary of Decision Requested:

Amend the zoning of the 183ha site (comprising CFR 805391, CFR SA50A/762, CFR 195501, CFR SA 61B/799, CFR SA18B/I 138, CFR SA 30A/356, SA40D/985, CFR SA251/176, SA26C/345, SA51/131) on East Mine Road, Huntly from the Rural Zone to a multi-purpose recreation and events zone alongside a Residential Zone.

Decision Reasons:

- Educational outcomes for youth.
- Significant employment opportunities.
- Improved recreational living and lifestyle for residents through outdoor activities, water sports.
- Great opportunity for Huntly to become destination for tourists and know as a lake district.
- Fantastic opportunity for local Huntly family, who have empathy for Huntly, to make their vision happen.
- Huntly benefits.
- Rather consent be approved now and go to Huntly family than to a city developer in future.
- Project has ability to transform Huntly.
- Huntly needs growth and new residential areas will bring that.
- Recreational lake will add to existing sport facilities i.e. stockcars & gun club.
- Any residential consent change should not compromise the existing sports activities currently in practice for now and for the future.

Submitter Number:

558

Submitter:

Linda Rowe

Point Number

558.1

Summary of Decision Requested:

Amend the zoning of 233 Wilton Collieries Road, Glen Massey from Rural to Country Living Zone to join up with the adjacent site which is zoned Country Living Zone in the Operative District Plan.

Decision Reasons:

- Opportunity to have country living available on farm land.
- Better off for housing.
- Not sustainable for commercial farming.

Submitter Number:

559

Submitter:

Sherry Reynolds

On behalf of:

Heritage New Zealand Lower Northern Office

Point Number

559.1

Summary of Decision Requested:

Amend plan to provide for objectives policies and rules related to a topic e.g. Tangata Whenua or Historic Heritage values to be located within a single chapter.

Decision Reasons:

- This format allows the reader to view the framework and cascade of reasoning and related actions for a topic.
- This type of format has been advocated as part of the proposed National Planning Standards.

Point Number

559.2

Summary of Decision Requested:

Retain the format of a separate chapter relating to Tangata whenua values.

AND

Amend the format of the Proposed District Plan to include the related rules and matters of control and discretion that give effect to the objectives and policies into the Tangata whenua chapter.

OR

Amend the Proposed District Plan to include cross referencing to the rule numbers within the other chapters of the Plan that give effect to the objective and policies.

AND

Amend the Proposed District Plan to make any other consequential amendments as required.

Decision Reasons:

- Submitter seeks that plan objectives, policies and rules related to a topic, for example Tangata Whenua values or Historic Heritage values are located within a single chapter.
- This format allows the reader to view the framework and cascade of reasoning and related actions for a topic.
- This type of format has been advocated as part of the proposed National Planning Standards.
- The plan would be easier to follow if the rules that give effect to these issues, objectives and policies were included within the same chapter, much as they are shown in the objective, policies and rules cascade within the s32 discussion documents.
- In the alternative there needs to be a system to link the Objectives and Policies with the rules.

Point Number 559.3

Summary of Decision Requested: **Retain** the format of a separate chapter relating to historic heritage.

AND

Amend the format of the Proposed District Plan to include the related rules and matters of control and discretion that give effect to the objectives and policies to the chapter.

OR

Amend the Proposed District Plan to include cross referencing to the rule numbers within the other chapters of the Plan that give effect to the objective and policies.

AND

Add any other consequential amendments as required.

Decision Reasons:

- Submitter seeks that plan objectives, policies and rules related to a topic, for example Tangata whenua values or Historic Heritage values are located within a single chapter.
- This format allows the reader to view the framework and cascade of reasoning and related actions for a topic.
- This type of format has been advocated as part of the proposed National Planning Standards.
- Submitters supports that the plan retains the Historic Heritage Chapter, as the Plan is required to recognise and provide for the Resource Management Act 1991, Part 2 – s6 Matters of National Importance, in particular, s6(f) “the protection of historic heritage from inappropriate subdivision, use and development”
- The plan would be easier to follow if the rules that give effect to these issues, objectives and policies were included within the same chapter, much as they are shown in the objective, policies and rules cascade within the s32 discussion documents.
- In the alternative there needs to be a system to link the Objectives and Policies with the rules.

Point Number 559.4

Summary of Decision Requested: **Amend** the Proposed District Plan to include incentives and bonus provisions to encourage the retention of heritage, as follows:

- Permitted activity status for repairs and maintenance, and
- Appropriate activity status for adaptive reuse and earthquake strengthening, and
- The non-supply of car parking spaces at the time of the adaptive reuse, and
- Bonus provisions for the permanent protection of heritage sites.

Decision Reasons:

- The plan is required to recognise and provide for matters of national importance, in particular 6(f) “the protection of historic heritage from inappropriate subdivision, use and development”
- The submitter considers that there are many ways that a plan can support heritage, including the use of positive regulatory (incentive) measures.
- These provisions not only encourage the sustainable management of heritage, they are also an important way to gain support from owners and the public as sometimes provisions such as carparking requirements can be a disincentive for the reuse of heritage buildings, particularly in urban areas. Relaxing these requirements is a cost effective way for councils to incentivise the preservation of heritage buildings.
- The submitter notes that while the plan does provide a permitted activity status for some repairs and maintenance, there are no other incentive rules.

Point Number 559.5

Summary of Decision Requested: **Amend** Chapter 12 How to use and interpret the rules, to clearly state that the design policies, rules and various design guidelines are subservient to the historic heritage rules and matters of assessment, which will ensure the maintaining of heritage values.

Decision Reasons:

- Submitter has concerns regarding the relationship between heritage items identified in Schedule 30.1 and the vast range of design and heritage guidance in the Plan, which appear at various locations within the Plan.
- The plan does not state which provisions have priority if there is a conflict between design rules and heritage rules for development and works in relation to a heritage item.
- While it is appreciated that the design guidance seeks a cohesive look for a township or village, this should not be at the expense of heritage values. For example the requirement to provide a verandah at the time of development when such works could compromise the values of a heritage building.
- Amendments need to clarify the relationship of these measures, and to ensure the retention of heritage values at the time of development.

Point Number 559.6

Summary of Decision Requested: **Amend** Chapter 1 Introduction, section 1.4 issues, to include a discussion relating to the Historic Heritage issues for the Waikato District and to use the Historic heritage issue contained within the S32 document as a basis for that discussion.

Decision Reasons:

- The submitter is concerned that the resource management “issue” found in the s32 document (page 16) “Activities that damage or destroy historic heritage lead to the loss of tangible connections to the communities social, cultural and economic past” is not discussed within section 1.4 Issues for the Waikato District.
- Other issues have been discussed and a case made for the resolution of the issue.
- The two small references made to heritage as part of discussions related to other issues within section 1.4 of this Chapter are not a sufficient base on which to establish the policy and rule frameworks that exists in the plan.
- It is important that this section of the plan identify the historic heritage issue that is an existing or potential problem that must be resolved to promote the purpose of the Resource Management Act.
- A discussion around the historic heritage issue within this section would also assist the reader in understanding the cascade of resource management provisions related to heritage.

Point Number 559.7

Summary of Decision Requested: **Retain** Strategic Objective 2.11 Tautoko te Whakaturanga.

Decision Reasons:

- Supports Strategic Objective 2.11 Tautoko te Whakaturanga as this objective gives effect to Part 2 s6 Matters of national importance, in particular s6(e) and s6(f).

Point Number 559.8

Summary of Decision Requested: Retain Strategic Objective 2.12 Whakapapa (connection to nature).

Decision Reasons:

- Supports Strategic Objective 2.12 Strategic Objective Whakapapa (connection to nature) as this objective provides for the relationship of traditional resources on all lands not just Maaori owned land.
- It also gives effect to Part 2 s6 Matters of national importance, in particular s6(e) and s6(f).

Point Number 559.9

Summary of Decision Requested: Retain Policy 2.12.1(a) Whanaungatanga (relationship to nature).

Decision Reasons:

- Supports Policy 2.12.1 Whanaungatanga (relationship to nature) as it gives effect to Part 2 s6 Matters of national importance, in particular s6(e) and s6(f).

Point Number 559.10

Summary of Decision Requested: Retain Objective 2.13 Whenuatanga (land management).

Decision Reasons:

- Supports Objective 2.13 Whenuatanga (land management) as it gives effect to Part 2 s6 Matters of national importance, in particular s6(e) and s6(f).

Point Number 559.11

Summary of Decision Requested: Retain Policy 2.13.1(a), (b) and (c) Tangata Whenuatanga (utilisation by landowners).

Decision Reasons:

- Supports Policy 2.13.1(a), (b) and (c) Tangata Whenuatanga (utilisation by landowners) as it gives effect to Part 2 s6 Matters of national importance, in particular s6(e) and s6(f).

Point Number 559.12

Summary of Decision Requested: Retain Objective 2.14 Kaitiaki (steward/guardian).

Decision Reasons:

- Supports Objective 2.14 Kaitiaki (steward/guardian) as it gives effect to Part 2 s6 Matters of national importance, in particular s6(e) and s6(f).

Point Number 559.13

Summary of Decision Requested: Retain Policy 2.14.1 Kaitiakitanga (stewardship/guardianship).

Decision Reasons:

- Supports Policy 2.14.1 Kaitiakitanga (stewardship/guardianship) as it gives effect to Part 2 matters, in particular s7(a).

Point Number 559.14

Summary of Decision Requested: Retain Objective 2.15 Waikatotanga (way of life)

Decision Reasons:

- Supports Objective 2.15 Waikatotanga (way of life) as it gives effect to Part 2 s6 Matters of national importance, in particular s6(e) and s6(f).

Point Number 559.15

Summary of Decision Requested: Retain Policy 2.15.1 Ngaa taonga tuku iho (Maaori sites and areas of significance), except for the amendments sought below.

AND

Amend Policy 2.15.1 Ngaa taonga tuku iho (Maaori sites and areas of significance) as follows:

Maaori sites and areas of significance and waahi tapu

(a) Ensure subdivision, use and development does not compromise the cultural and spiritual significance of areas, including waahi tapu, urupaa, maunga and other landforms, mahinga kai, and indigenous flora and fauna.

(b) Area and sites of significance to Maaori including waahi tapu sites and waahi tapu areas are protected from adverse effects of development or activities on those sites, including inappropriate modification.

(c) Avoid the destruction areas and sites of significance to Maaori and Waahi Tapu Sites and Waahi Tapu Areas.

Decision Reasons:

- Submitter supports in parts Policy 2.15.1 as the submitter is concerned that these policies do not explicitly address the matters of modification or destruction.
- Inclusion of these matters within this policy would contribute to a policy and rules cascade that assesses these matters.

- Currently these activities are not addressed in the Plan rules and amendment is being sought to include these matters into the rules.

Point Number 559.16

Summary of Decision Requested: Retain Objective 2.16 Tikanga aa-iwi o te takiwaa o Waikato.

Decision Reasons:

- Gives effect to Part 2, s6 Matters of National Importance, in particular s6(e) and s6(f).

Point Number 559.17

Summary of Decision Requested: Retain Policy 2.16.1 Whaanga Coast Specific Area.

Decision Reasons:

- Gives effect to Part 2, s6 Matters of National Importance, in particular s6(e) and s6(f).

Point Number 559.18

Summary of Decision Requested: Retain Policy 2.16.2 Aahuatanga Motuhake (special features).

Decision Reasons:

- Gives effect to Part 2, s6 Matters of National Importance, in particular s6(e) and s6(f).

Point Number 559.19

Summary of Decision Requested: Retain Rule 16.2.4.2 RD1 Earthworks – Maaori Sites and Maaori Areas of Significance, except for the amendments sought below.

AND

Amend Rule 16.2.4.2 RD1 Earthworks – Maaori Sites and Maaori Areas of Significance as follows:

(a) Earthworks, ancillary earthworks and rural ancillary earthworks within a Maaori site of Significance as identified in Schedule 30.3 (Maaori sites of Significance) and shown on the planning maps.

(b) Council's discretion is restricted to the following matters:

(i) Nature, design, extent and location of activity in relation to the site;

(ii) Effects of the proposal on heritage and cultural values

(iii) The purpose and necessity for the works and any alternatives considered.

Decision Reasons:

- Submitter considers that the matters of discretion are not of sufficient breadth to understand the nature of the impacts on the Maaori Areas of significance of any proposed earthworks.

Point Number 559.20

Summary of Decision Requested: Retain Rule 17.2.5.2 RD1 Earthworks – Maaori Sites and Maaori Areas of Significance, except for the amendments sought below.

AND

Amend Rule 17.2.5.2 RD1 Earthworks – Maaori Sites and Maaori Areas of Significance as follows:

(a) Earthworks, ancillary earthworks and rural ancillary earthworks within a Maaori site of Significance as identified in Schedule 30.3 (Maaori sites of Significance) and shown on the planning maps.

(b) Council's discretion is restricted to the following matters:

(i) Nature, design, extent and location of activity in relation to the site;

(ii) Effects of the proposal on heritage and cultural values

(iii) The purpose and necessity for the works and any alternatives considered.

AND

Amend Rule 17.2.5.2 RD1 Earthworks - Maaori Sites and Maaori Areas of Significance to be consistent with the equivalent rule in other zone chapters.

Decision Reasons:

- Submitter considers that the matters of discretion are not of sufficient breadth to understand the nature of the impacts on the Maaori Areas of significance of any proposed earthworks.

Point Number 559.21

Summary of Decision Requested: Retain Rule 18.2.4.2 RD1 Earthworks – Maaori Sites and Maaori Areas of Significance, except for the amendments sought below.

AND

Amend Rule 18.2.4.2 RD1 Earthworks – Maaori Sites and Maaori Areas of Significance as follows:

(a) Earthworks, ancillary earthworks and rural ancillary earthworks within a Maaori site of Significance as identified in Schedule 30.3 (Maaori sites of Significance) and shown on the planning maps.

(b) Council's discretion is restricted to the following matters:

(i) Nature, design, extent and location of activity in relation to the site;

(ii) Effects of the proposal on heritage and cultural values

(iii) The purpose and necessity for the works and any alternatives considered.

Decision Reasons:

- Submitter considers that the matters of discretion are not of sufficient breadth to understand the nature of the impacts on the Maaori Areas of significance of any proposed earthworks.

Point Number 559.22

Summary of Decision Requested: **Retain** Rule 22.2.3.2 RD1 Earthworks – Maaori Sites and Maaori Areas of Significance, except for the amendments sought below.

AND

Amend Rule 22.2.3.2 RD1 Earthworks – Maaori Sites and Maaori Areas of Significance as follows:

(a) Earthworks ancillary earthworks and rural ancillary earthworks within a Maaori site of Significance as identified in Schedule 30.3 (Maaori sites of Significance) and shown on the planning maps.

(b) Council's discretion is restricted to the following matters:

(i) Nature, design, extent and location of activity in relation to the site;

(ii) Effects of the proposal on heritage and cultural values

(iii) The purpose and necessity for the works and any alternatives considered.

Decision Reasons:

- Submitter considers that the matters of discretion are not of sufficient breadth to understand the nature of the impacts on the Maaori Areas of significance of any proposed earthworks.

Point Number 559.23

Summary of Decision Requested: **Retain** Rule 23.2.3.2 RD1 Earthworks – Maaori Sites and Maaori Areas of Significance, except for the amendments sought below.

AND

Amend Rule 23.2.3.2 RD1 Earthworks – Maaori Sites and Maaori Areas of Significance as follows:

(a) Earthworks ancillary earthworks and rural ancillary earthworks within a Maaori site of Significance as identified in Schedule 30.3 (Maaori sites of Significance) and shown on the planning maps.

(b) Council's discretion is restricted to the following matters:

(i) Nature, design, extent and location of activity in relation to the site;

(ii) Effects of the proposal on heritage and cultural values

(iii) The purpose and necessity for the works and any alternatives considered.

Decision Reasons:

- Submitter considers that the matters of discretion are not of sufficient breadth to understand the nature of the impacts on the Maaori Areas of significance of any proposed earthworks.

Point Number 559.24

Summary of Decision Requested: **Retain** Rule 24.2.4.2 RD1 Earthworks – Maaori Sites and Maaori Areas of Significance, except for the amendments sought below.

AND

Amend Rule 24.2.4.2 RD1 Earthworks – Maaori Sites and Maaori Areas of Significance as follows:

(a) Earthworks ancillary earthworks and rural ancillary earthworks within a Maaori site of Significance as identified in Schedule 30.3 (Maaori sites of Significance) and shown on the planning maps.

(b) Council's discretion is restricted to the following matters:

(i) Nature, design, extent and location of activity in relation to the site;

(ii) Effects of the proposal on heritage and cultural values

(iii) The purpose and necessity for the works and any alternatives considered.

AND

Amend Rule 24.2.4.2 RD1 Earthworks - Maaori Sites of Significance to be consistent with the equivalent rule in other zone chapters.

Decision Reasons:

- Submitter considers that the matters of discretion are not of sufficient breadth to understand the nature of the impacts on the Maaori Areas of significance of any proposed earthworks.

Point Number 559.25

Summary of Decision Requested: **Retain** Rule 25.2.4.2 RD1 Earthworks – Maaori Sites and Maaori Areas of Significance, except for the amendments sought below.

AND

Amend Rule 25.2.4.2 RD1 Earthworks – Maaori Sites and Maaori Areas of Significance as follows:

(a) Earthworks ancillary earthworks and rural ancillary earthworks within a Maaori site of Significance as identified in Schedule 30.3 (Maaori sites of Significance) and shown on the planning maps.

(b) Council's discretion is restricted to the following matters:

(i) Nature, design, extent and location of activity in relation to the site;

(ii) Effects of the proposal on heritage and cultural values

(iii) The purpose and necessity for the works and any alternatives considered.

Decision Reasons:

- Submitter considers that the matters of discretion are not of sufficient breadth to understand the nature of the impacts on the Maaori Areas of significance of any proposed earthworks.

Point Number 559.26

Summary of Decision Requested: **Retain** Rule 16.2.4.2 RD2 Earthworks – Maaori Sites and Maaori Areas of Significance, except for the amendments sought below.

AND

Amend Rule 16.2.4.2 RD2 Earthworks – Maaori Sites and Maaori Areas of Significance as follows:

(a) Earthworks ancillary earthworks and rural ancillary earthworks within a Maaori Area of Significance as identified in Schedule 30.4 (Maaori Areas of Significance) and shown on the planning maps.

(b) Council's discretion is restricted to the following matters:

(i) Nature, design, extent and location of activity in relation to the site;

(ii) Effects of the proposal on heritage and cultural values

(iii) The purpose and necessity for the works and any alternatives considered.

Decision Reasons:

- Submitter considers that the matters of discretion are not of sufficient breadth to understand the nature of the impacts on the Maaori Areas of significance of any proposed earthworks.
- The submitter is also concerned that works covered under the definition of ancillary earthworks and rural ancillary earthworks could occur as a permitted activity within these sites.
- Considers that these other types of earthworks should also be assessed for their suitability to occur within these sites and the effect that they will have on heritage values.

Point Number

559.27

Summary of Decision Requested:

Retain Rule 17.2.5.2 Earthworks – Maaori Sites and Maaori Areas of Significance, except for the amendments sought below.

AND

Amend Rule 17.2.5.2 Earthworks – Maaori Sites and Maaori Areas of Significance as follows:

(a) Earthworks ancillary earthworks and rural ancillary earthworks within a Maaori site of Significance as identified in Schedule 30.4 (Maaori Areas of Significance) and shown on the planning maps.

(b) Council's discretion is restricted to the following matters:

(i) Nature, design, extent and location of activity in relation to the site;

(ii) Effects of the proposal on heritage and cultural values

(iii) The purpose and necessity for the works and any alternatives considered.

AND

Amend Rule 17.2.5.2 RD1 Earthworks - Maaori Sites and Maaori Areas of Significance to be consistent with the equivalent rule in other zone chapters.

Decision Reasons:

- Submitter considers that the matters of discretion are not of sufficient breadth to understand the nature of the impacts on the Maaori Areas of significance of any proposed earthworks.
- The submitter is also concerned that works covered under the definition of ancillary earthworks and rural ancillary earthworks could occur as a permitted activity within these sites.
- Considers that these other types of earthworks should also be assessed for their suitability to occur within these sites and the effect that they will have on heritage values.

Point Number

559.28

Summary of Decision Requested:

Retain Rule 18.2.4.2 RD2 Earthworks – Maaori Sites and Maaori Areas of Significance, except for the amendments sought below.

AND

Amend Rule 18.2.4.2 RD2 Earthworks – Maaori Sites and Maaori Areas of Significance as follows:

(a) Earthworks ancillary earthworks and rural ancillary earthworks within a Maaori Area of Significance as identified in Schedule 30.4 (Maaori Area of Significance) and shown on the planning maps.

(b) Council's discretion is restricted to the following matters:

(i) Nature, design, extent and location of activity in relation to the site;

(ii) Effects of the proposal on heritage and cultural values

(iii) The purpose and necessity for the works and any alternatives considered.

Decision Reasons:

- Submitter considers that the matters of discretion are not of sufficient breadth to understand the nature of the impacts on the Maaori Areas of significance of any proposed earthworks.
- The submitter is also concerned that works covered under the definition of ancillary earthworks and rural ancillary earthworks could occur as a permitted activity within these sites.
- Considers that these other types of earthworks should also be assessed for their suitability to occur within these sites and the effect that they will have on heritage values.

Point Number

559.29

Summary of Decision Requested:

Retain Rule 22.2.3.2 RD2 Earthworks – Maaori Sites and Maaori Areas of Significance, except for the amendments sought below.

AND

Amend Rule 22.2.3.2 RD2 Earthworks – Maaori Sites and Maaori Areas of Significance as follows:

(a) Earthworks ancillary earthworks and rural ancillary earthworks within a Maaori Area of Significance as identified in Schedule 30.4 (Maaori Areas of Significance) and shown on the planning maps.

(b) Council's discretion is restricted to the following matters:

(i) Nature, design, extent and location of activity in relation to the site;

(ii) Effects of the proposal on heritage and cultural values

(iii) The purpose and necessity for the works and any alternatives considered.

Decision Reasons:

- Submitter considers that the matters of discretion are not of sufficient breadth to understand the nature of the impacts on the Maaori Areas of significance of any proposed earthworks.
- The submitter is also concerned that works covered under the definition of ancillary earthworks and rural ancillary earthworks could occur as a permitted activity within these sites.
- Considers that these other types of earthworks should also be assessed for their suitability to occur within these sites and the effect that they will have on heritage values.

Point Number 559.30

Summary of Decision Requested: **Retain** Rule 23.2.3.2 RD2 Earthworks – Maaori Sites and Maaori Areas of Significance, except for the amendments sought below.

AND

Amend Rule 23.2.3.2 RD2 Earthworks – Maaori Sites and Maaori Areas of Significance as follows:

(a) Earthworks, ancillary earthworks and rural ancillary earthworks within a Maaori area of Significance as identified in Schedule 30.4 (Maaori area of Significance) and shown on the planning maps.

(b) Council's discretion is restricted to the following matters:

(i) Nature, design, extent and location of activity in relation to the site;

(ii) Effects of the proposal on heritage and cultural values

(iii) The purpose and necessity for the works and any alternatives considered.

Decision Reasons:

- Submitter considers that the matters of discretion are not of sufficient breadth to understand the nature of the impacts on the Maaori Areas of significance of any proposed earthworks.
- The submitter is also concerned that works covered under the definition of ancillary earthworks and rural ancillary earthworks could occur as a permitted activity within these sites.
- Considers that these other types of earthworks should also be assessed for their suitability to occur within these sites and the effect that they will have on heritage values.

Point Number 559.31

Summary of Decision Requested: **Retain** Rule 24.2.4.2 RD2 Earthworks – Maaori Sites and Maaori Areas of Significance, except for the amendments sought below.

AND

Amend Rule 24.2.4.2 RD2 Earthworks – Maaori Sites and Maaori Areas of Significance as follows:

(a) Earthworks, ancillary earthworks and rural ancillary earthworks within a Maaori area of Significance as identified in Schedule 30.4 (Maaori area of Significance) and shown on the planning maps.

(b) Council's discretion is restricted to the following matters:

(i) Nature, design, extent and location of activity in relation to the site;

(ii) Effects of the proposal on heritage and cultural values

(iii) The purpose and necessity for the works and any alternatives considered.

AND

Amend Rule 24.2.4.2 Earthworks – Maaori Sites and Maaori Areas of Significance to be consistent with the equivalent rule in other zone chapters.

Decision Reasons:

- Submitter considers that the matters of discretion are not of sufficient breadth to understand the nature of the impacts on the Maaori Areas of significance of any proposed earthworks.
- The submitter is also concerned that works covered under the definition of ancillary earthworks and rural ancillary earthworks could occur as a permitted activity within these sites.
- Considers that these other types of earthworks should also be assessed for their suitability to occur within these sites and the effect that they will have on heritage values.

Point Number 559.32

Summary of Decision Requested: **Retain** Rule 25.2.4.2 RD2 Earthworks – Maaori Sites and Maaori Areas of Significance, except for the amendments sought below.

AND

Amend Rule 25.2.4.2 RD2 Earthworks – Maaori Sites and Maaori Areas of Significance as follows:

(a) Earthworks, ancillary earthworks and rural ancillary earthworks within a Maaori area of Significance as identified in Schedule 30.4 (Maaori area of Significance) and shown on the planning maps.

(b) Council's discretion is restricted to the following matters:

(i) Nature, design, extent and location of activity in relation to the site;

(ii) Effects of the proposal on heritage and cultural values

(iii) The purpose and necessity for the works and any alternatives considered.

Decision Reasons:

- Submitter considers that the matters of discretion are not of sufficient breadth to understand the nature of the impacts on the Maaori Areas of significance of any proposed earthworks.
- The submitter is also concerned that works covered under the definition of ancillary earthworks and rural ancillary earthworks could occur as a permitted activity within these sites.
- Considers that these other types of earthworks should also be assessed for their suitability to occur within these sites and the effect that they will have on heritage values.

Point Number 559.33

Summary of Decision Requested: **Add** a new earthworks rule to each zone chapter as follows:

DJ- Earthworks, new ancillary earthworks and new rural ancillary earthworks within a waahi tapu as identified in Schedule 30.6 (Significant Waahi Tapu and Waahi Tapu area) and shown on the planning maps.

AND

Provide recognition of the full extent of Waahi tapu Te Aukati ki Mangatawhiri, Meremere, Te Teo Teo and Rangiriri (as this relates to the schedules). (Refer to subsequent submission points).

Decision Reasons:

- Submitter seeks a revised rule and mapping framework to provide elevated recognition in the Plan of four well known wahi tapu site/areas, being Te Aukati ki Mangatawhiri, Meremere, Te Teo Teo and Rangiriri.

- This would assist the Plan to give improved effect to strategic objective 2.12(a).
- These wahi tapu sites/areas are already recognised within the Plan in part through the Maaori sites and areas of significance mapping and rule framework.
- The submitter considers that it is important within the Plan that there are examples of significant Maaori sites or areas, whose integrity is protected through full recognition in the Plan maps and an associated rule framework.
- As the wahi tapu sites/areas are of local, regional and national importance, it is appropriate to ensure that the entire site is mapped and protected to retain the footprint of the wahi tapu/wahi tapu area as the physical marker, which enables the continued understanding and identification of each site and its history.
- The submitter seeks that these four wahi tapu are recognised to the same extent as the Heritage New Zealand wahi tapu listing within the Plan maps, and the rule framework related to earthworks, and destruction-proposed through a HNZPT point of submission, is applied to the same extent.
- It may be over time that additional wahi tapu are included onto this schedule and recognised in this enhanced manner.
- The submitter also seeks that new works covered under the definition of ancillary earthworks, and rural ancillary earthworks are assessed within these sites for their suitability to occur within these sites and the effect that they will have on heritage values.

Point Number 559.34

Summary of Decision Requested: Add a new non-complying rule NCI within each zone chapter to regarding the destruction of Maaori sites and areas of significance and wahi tapu sites and scheduled areas (as sought through the submission) as follows:

NCI – the destruction of a site or area of significance to maaori, or a Waahi Tapu or Waahi Tapu area.

AND

Amend the plan to provide for any other consequential amendments as required.

Decision Reasons:

- The submitter is concerned that there is no rule relating to the destruction of Maaori sites or area of significance.
- Considers that in the absence of this rule, results in the Plan being unable to give effect to Strategic Objective 2.12(a) and the requirements of Part 2, s6 Matters of National Importance, in particular s6(e) and s6(f).
- The submitter seeks that the plan is amended to include such a rule and that the proposed rule also covers the new proposed schedule of significant wahi tapu sites and areas.

Point Number 559.35

Summary of Decision Requested: Retain Rule 16.1.2 P2 - A Marae complex or Papakainga Housing development on Maaori Freehold land or on Maaori Customary Land.

Decision Reasons:

- The submitter supports these permitted activities as this gives effect to s6(e), s6(f) and 6(g) of the Resource Management Act.

Point Number 559.36

Summary of Decision Requested: Retain Rule 17.1.2 P16 - A Marae complex or Papakainga Housing development on Maaori Freehold land or on Maaori Customary Land.

Decision Reasons:

- The submitter supports these permitted activities as this gives effect to s6(e), s6(f) and 6(g) of the Resource Management Act.

Point Number 559.37

Summary of Decision Requested: Retain Rule 22.1.2 P1 - A Marae complex or Papakainga Housing development on Maaori Freehold land or on Maaori Customary Land.

Decision Reasons:

- The submitter supports these permitted activities as this gives effect to s6(e), s6(f) and 6(g) of the Resource Management Act.

Point Number 559.38

Summary of Decision Requested: Retain Rule 24.1.2 P2 - A Marae complex or Papakainga Housing development on Maaori Freehold land or on Maaori Customary Land.

Decision Reasons:

- The submitter supports these permitted activities as this gives effect to s6(e), s6(f) and 6(g) of the Resource Management Act.

Point Number 559.39

Summary of Decision Requested: Retain Policy 3.2.7(a)(vii) Managing Significant Natural Areas.

Decision Reasons:

- The submitter supports Policy 3.2.7 (a)(vii) as these policies give effect to s6(e) of the Resource Management Act.

Point Number 559.40

Summary of Decision Requested: Retain Policy 3.3.2 (a)(iv), (b)(iv) and (c)(iv) Recognising values and qualities.

Decision Reasons:

- The submitter supports Policy 3.3.2 (a)(iv), (b)(iv) and (c)(iv) as these policies give effect to s6(e) of the Resource Management Act.

Point Number 559.41

Summary of Decision Requested: Retain Policy 3.3.4 (a), (b) and (c) The relationships of Maaori with natural resources and land.

Decision Reasons:

- The submitter supports Policy 3.3.4 (a), (b) and (c) as these policies give effect to s6(e) of the Resource Management Act.

Point Number 559.42

Summary of Decision Requested: Retain Policy 3.4.4 (a), (b) and (c) - The relationships of Maaori with natural resources and land.

Decision Reasons:

- The submitter supports Policy 3.4.4 (a), (b) and (c) as these policies give effect to s6(e) of the Resource Management Act.

Point Number 559.43

Summary of Decision Requested: Retain Objective 4.1.7 Character of Towns except for the amendments sought below.

AND

Amend Objective 4.1.7 Character of Towns as follows:

(a) Development in the residential, village, industrial and business zones is attractive, connected and reflects the existing character and historic heritage values of towns.

Decision Reasons:

- The submitter supports Objective 4.1.7 in part, as the policy does not reflect that many of the town contain important heritage items or have heritage precincts.
- These heritage values need to be recognised at the time of development and would not be fully captured through the use of just the word "character" within this policy.
- This policy needs to be amended to avoid adverse effects on heritage at the time of development.

Point Number 559.44

Summary of Decision Requested: Retain Policy 4.1.12 (b)(v) Te Kauwhata.

Decision Reasons:

- The submitter supports Policy 4.1.12 (b) (iv) as this reflects an outcome of a recent plan change process and provides for the recognition of Tangata whenua within this new residential development.

Point Number 559.45

Summary of Decision Requested: Add to Policy 4.2.15 Earthworks a new clause 'f' as follows:

(a) ...

(f) Earthworks are designed and undertaken in a manner that they do not adversely affect historic heritage and cultural values.

Decision Reasons:

- The submitter supports Policy 4.2.15 Earthworks in part as this policy does not reflect the need to provide for the protection of historic and cultural values at the time of earthworks.
- The policy needs to be amended to reflect the need to give effect to s6 of the RMA.

Point Number 559.46

Summary of Decision Requested: Add a new clause 'f' to Policy 4.3.15 Earthworks as follows:

(a) ...

(f) Earthworks are designed and undertaken in a manner that they do not adversely affect historic heritage and cultural values.

Decision Reasons:

- The submitter supports Policy 4.3.15 Earthworks in part as this policy does not reflect the need to provide for the protection of historic and cultural values at the time of earthworks.
- The policy needs to be amended to reflect the need to give effect to s6 of the RMA.

Point Number 559.47

Summary of Decision Requested: Retain Policy 4.5.14 (a)(v)G. Raglan Town Centre.

Decision Reasons:

- The submitter supports Policy 4.5.14 (a)(v)G. as this policy gives effect to Part 2 s6 Matters of National Importance, in particular s6(e).

Point Number 559.48

Summary of Decision Requested: Retain Policy 4.5.16 (a)(v)A. Ngaaruwaahia Town Centre.

Decision Reasons:

- The submitter supports Policy 4.5.16 (a)(v)A. as this policy gives effect to Part 2 s6 Matters of National Importance, in particular s6(e).

Point Number 559.49

Summary of Decision Requested: Retain Policy 4.5.17(a) Te Kauwhata Town Centre.

Decision Reasons:

- The submitter supports Policy 4.5.17(a) as this policy gives effect to Part 2 s6 Matters of National Importance, in particular s6(e).

Point Number 559.50

Summary of Decision Requested: Retain Policy 4.5.18 (a)(iv)D. Pokeno Town Centre.

Decision Reasons:

- The submitter supports Policy 4.5.18 (a)(iv)D. as this policy gives effect to Part 2 s6 Matters of National Importance, in particular s6(e).

Point Number 559.51

Summary of Decision Requested: Retain Policy 4.5.19 (a)(iv)E. Tuakau Town Centre.

Decision Reasons:

- The submitter supports Policy 4.5.19 (a)(iv)E. as this policy gives effect to Part 2 s6 Matters of National Importance, in particular s6(e).

Point Number 559.52

Summary of Decision Requested: Retain Policy 4.5.41 Earthworks, except for the amendments sought below.

AND

Add a new clause 'b' to Policy 4.5.41 Earthworks as follows:

(a)...

(b) Earthworks are designed and undertaken in a manner that they do not adversely affect historic heritage and cultural values.

Decision Reasons:

- The submitter supports Policy 4.5.41 Earthworks in part as this policy does not reflect the need to provide for the protection of historic and cultural values at the time of earthworks.
- The policy needs to be amended to reflect the need to give effect to s6 of the Resource Management Act.

Point Number 559.53

Summary of Decision Requested: Retain Policy 4.7.2 Subdivision location and design, except for the amendments sought below.

AND

Add a new clause 'viii' to Policy 4.7.2(a) Subdivision location and design as follows:

(a) *Ensure subdivision is located and designed to:*

(i) *Be sympathetic to the natural and physical qualities and characteristics of the surrounding environment;*

(ii) *Establish boundaries that avoid buildings and structures dominating adjoining land or public places, the coast, or fresh waterbodies;*

(iii) *Arrange allotments to allow for view sharing, where possible;*

(iv) *Retain existing access to public space;*

(v) *Promote safe communities through quality urban design;*

(vi) *Accommodate building platforms and vehicle accesses that are safe and stable; and*

(vii) *Promote consistent grid layout and*

(viii) Avoid adverse effects on historic heritage and cultural values.

Decision Reasons:

- The submitter supports Policy 4.7.2 in part as this policy does not reflect the need to provide for the protection of historic and cultural values at the time of subdivision location and design.
- The policy needs to be amended to reflect the need to give effect to s6 of the Resource Management Act.

Point Number 559.54

Summary of Decision Requested: Retain Policy 5.3.5 Earthworks activities, except for the amendments sought below.

AND

Add a new clause 'v' to Policy 5.3.5 Earthworks as follows:

(v) Avoid adverse effects on historic heritage and cultural values.

Decision Reasons:

- The submitter supports Policy 5.3.5 Earthworks in part as this policy does not reflect the need to provide for the protection of historic and cultural values at the time of earthworks.
- The policy needs to be amended to reflect the need to give effect to s6 of the Resource Management Act.

Point Number 559.55

Summary of Decision Requested: Retain Policy 5.6.7 Earthworks, except for the amendments sought below.

AND

Amend Policy 5.6.7(e) Earthworks as follows:

(d) *Subdivision and development occurs in a manner that maintains shape, contour, and landscape characteristics and avoids adverse effects on historic heritage and cultural values.*

Decision Reasons:

- The submitter supports Policy 5.6.7 Earthworks activities in part as this policy does not reflect the need to provide for the protection of historic and cultural values at the time of earthworks.
- The policy needs to be amended to reflect the need to give effect to s6 of the Resource Management Act.

Point Number 559.56

Summary of Decision Requested: **Retain** Policy 5.3.14 Signs, except for the amendments sought below.

AND

Amend Policy 5.3.14(e) Signs as follows:

(e) Provide for appropriate signage on heritage items, notable trees and Maaori sites of significance for the purpose of identification ~~or~~ interpretation.

Decision Reasons:

- The submitter supports Policy 5.3.14 Signs in part as the policy broadly assumes at (e) that signage can be placed on heritage buildings for both identification and interpretation.
- The policy needs to be amended to a slightly more cautious approach given the sensitive nature of heritage items, and Maaori sites of significance to an inappropriate design or quantity of signage.

Point Number 559.57

Summary of Decision Requested: **Retain** Objective 6.1.8 (a) Infrastructure in the community and identified areas.

Decision Reasons:

- The submitter supports Objective 6.1.8 as this policy gives consideration to the environment, which includes historic heritage and identified areas which can contain historic heritage or Maaori Sites or Areas of significance therefore giving effect to s6 of the Resource Management Act.

Point Number 559.58

Summary of Decision Requested: **Retain** Policy 6.1.9 (a) Environmental effects, community health, safety and amenity.

Decision Reasons:

- The submitter supports Objective 6.1.9 as this policy seeks to avoid, remedy or mitigate adverse effects on the environment, which includes historic heritage therefore giving effect to s6 of the RMA.

Point Number 559.59

Summary of Decision Requested: **Retain** Policy 6.1.10 (a) Infrastructure in identified areas, except for the amendments sought below.

AND

Amend Policy 6.1.10 (a) Infrastructure in identified areas as follows:

(a) Ensure consideration of the values, qualities and characteristics of Significant Natural Areas, Landscape and Natural Character Areas and Heritage Items, heritage precincts, and Maaori Sites and Areas of significance, including Waahi Tapu and Waahi Tapu Areas when proposing new infrastructure or undertaking significant upgrades to existing infrastructure.

Decision Reasons:

- The submitter supports Policy 6.1.10 as this policy aligns in part only with the identified areas included within the rules at Chapter 14: Energy and Infrastructure.
- The submitter seeks that this policy is amended to make reference to; heritage precincts, and Maaori Sites and Areas of Significance, including Wahi Tapu and Wahi Tapu Areas.

Point Number 559.60

Summary of Decision Requested: **Retain** Policy 6.1.11 (a) Undergrounding new infrastructure, except for the amendments sought below.

AND

Amend Policy 6.1.11 (a)(iii) undergrounding new infrastructure as follows:

(iii) There are significant operational, functional, technical, cultural, historic heritage or economic reasons that require the infrastructure to be above ground.

Decision Reasons:

- The submitter supports Policy 6.1.11 in part as this policy needs to be amended at (iii) to make reference to historic heritage reasons in addition to cultural reasons being relevant for the deployment of the infrastructure above the ground, to avoid adverse effects.

Point Number 559.61

Summary of Decision Requested: **Retain** Policy 6.1.12 (a) Co-location of compatible facilities, except for the amendments sought below

AND

Amend Policy 6.1.12 (a) Co-location of compatible facilities as follows:

(a) Encourage compatible infrastructure to share location or facilities where operational advantages can be achieved and adverse effects are ~~reduced~~ avoided, remedied or mitigated.

Decision Reasons:

- The submitter supports Policy 6.1.12 in part.
- The submitter supports the co-location of infrastructure as a method that has the potential to minimise the adverse effects on historic heritage.
- The wording of this policy does not encourage the reduction of adverse effects and needs to be amended to reflect that this should be sought at the time of co-location of compatible facilities.

Point Number 559.62

Summary of Decision Requested: **Retain** Policy 6.2.2 (a) Recognise the national grid, except for the amendments sought below.

AND

Amend Policy 6.2.2 (a) Recognise the national grid as follows:

Decision Reasons:

- The submitter supports Policy 6.1.12 in part.
- The submitter recognises the importance of the National Grid, Heritage New Zealand is concerned the policy appears to include unspecified network utilities as having the same status as the National Grid.
- Government has determined that the National Grid, as nationally important infrastructure, requires a greater level of recognition and protection than other regional and local infrastructure.

Point Number 559.63

Summary of Decision Requested: **Retain** Policy 6.2.5 (a) Environmental effects, except for the amendments sought below.
AND

Amend Policy 6.2.5 (a)(v) Environmental effects as follows:

(v) Addressing the adverse effects on any heritage values, cultural values, outstanding natural landscapes, areas of high natural character, town centres, areas of high recreation value and existing sensitive activities including the avoidance of adverse effects ~~where practicable~~.

Decision Reasons:

- The submitter supports Policy 6.2.5 in part, as the inclusion of the words "where practicable" serve to dilute the consideration of the protection of historic heritage and cultural values within this policy.
- These words also weaken the associated rule framework.
- This is particularly important given that the related energy and infrastructure rules of the Plan do not rely on the heritage protection framework found in the zone rules, rather there is reliance on a generic protection rules framework for "Identified Area" which includes scheduled historic heritage or Maaori sites or areas of significance in addition to such matters as significant natural areas.
- In addition within this framework, some activities are non-complying in "Identified areas" and this activity status should be supported by a robust policy.
- To give effect to s6 matters the policy and rule framework must ensure that development of infrastructure avoids adverse effects.
- To avoid adverse effects on s6 matters this policy also needs to include reference to "Cultural values".

Point Number 559.64

Summary of Decision Requested: **Retain** Objective 6.5.1 Land transport network, except for the amendments sought below.
AND

Amend Policy 6.5.1(a)(ii) Land transport network as follows:

(ii) Adverse effects from the construction, maintenance and operation of the transport network are ~~managed~~ avoided, remedied or mitigated.

Decision Reasons:

- As transport projects can have adverse effects on historic heritage and cultural values and adverse effects should be avoided and if they cannot be avoided should be remedied or mitigated.
- The use of the word managed does not provide sufficient guidance in this regard.

Point Number 559.65

Summary of Decision Requested: **Amend** Chapter 7 Historic Heritage to include a reference to the individual rules that give effect to those objectives and policies.

Decision Reasons:

- The submitter is concerned that the objectives and policies site in isolation from the Historic Heritage rules throughout the plan and vice versa.
- This does not enable a useful understanding of the overall framework for the protection of historic heritage at the time of resource consent application and provide guidance to avoid adverse effects.
- The submitter seeks that a reference is made in this section to the historic heritage rule framework and Schedule 30.1 Historic Heritage Items to which the rules are applicable.
- It would be preferable if a link could be made between the various policies and the rules which give effect to the individual policies.

Point Number 559.66

Summary of Decision Requested: **Retain** Objective 7.1.1(a), except for the amendments sought below.
AND

Amend Objective 7.1.1(a) as follows:

(a) A district that acknowledges its past by: recognising, identifying, protecting, conserving and promoting historic heritage.

Decision Reasons:

- The submitter supports Objective 7.1.1(a) in part as it considers that the policy also needs to include recognition of the need and role for "conservation" in the ongoing retention of heritage items into the future.
- The conservation of physical structures ensures the sustainability of the heritage resource for future generations.

Point Number 559.67

Summary of Decision Requested: **Retain** Policy 7.1.2 (a) - Identification, except for the amendments sought below.
AND

Amend Policy 7.1.2(a) - Identification as follows:

(a) Identify ~~and~~ schedule, and develop a rule framework for historic heritage throughout the District that represent the heritage and cultural themes and activities of the district, where the values may include:

(i) Architectural;

(ii) Archaeological;

(iii) Cultural;

(iv) Technological;

(v) Scientific;

(vi) Intrinsic or amenity values; and

(vii) Any other significant feature.

Decision Reasons:

- The submitter supports Policy 7.1.2(a) in part as this policy assists to ensure that the heritage recognised within the plan would contribute to the understanding of the District's heritage, however it would be appropriate to amend this policy by including the criteria for identification that are contained within the policy at Policy 7.1.3(b) Heritage Items.

Point Number

559.68

Summary of Decision Requested:

Retain Policy 7.1.3 (a) Heritage Items, except for the amendments sought below.

AND

Amend Policy 7.1.3(a) Heritage Items as follows:

(a) The contribution of historic heritage to the Waikato District and its communities is maintained through the protection and conservation of its buildings, sites, structures, places and areas through maintenance and repair restoring, conserving and reusing.

Decision Reasons:

- The submitter supports Policy 7.1.3(a) in part as this policy assists to ensure that the heritage recognised within the plan would contribute to the understanding of the District's heritage, however it would be appropriate to amend this policy by including the criteria for identification that are contained within the policy at Policy 7.1.3(b) Heritage Items.

Point Number

559.69

Summary of Decision Requested:

Retain Policy 7.1.3 (b) Heritage Items, except for the amendments sought below.

AND

Amend Policy 7.1.3(b) Heritage Items as follows:

(b) Protect scheduled heritage items and their values from inappropriate subdivision, use and development of land ~~where the values may include:~~

~~*(i) Architectural;*~~

~~*(ii) Archaeological;*~~

~~*(iii) Cultural;*~~

~~*(iv) Technological;*~~

~~*(v) Scientific;*~~

~~*(vi) Intrinsic or amenity values; and*~~

~~*(vii) Any other significant features.*~~

Decision Reasons:

- The submitter supports Policy 7.1.3(b) in part as the submitter considers that the list of values for which a heritage item could be selected for protection is better suited to being included as part of policy 7.1.2(a), which relates to the identification of items for protection.
- Policy 7.1.3(b) covers the protection of heritage items at the time of subdivision, use and development.

Point Number

559.70

Summary of Decision Requested:

Retain Policy 7.1.3 (c) Heritage Items, except for the amendments sought below.

AND

Add new clauses (i), (ii) and (iii) to Policy 7.1.3(c) Heritage Items as follows:

(c) Relationships between heritage buildings, sites, structures, places and their settings, are:

(i) Not adversely affected at the time of site development, and

(ii) Retained within one lot at the time of subdivision, and

(iii) including the view of the identified heritage items are retained.

AND

Clarify the phrase "the view of the identified heritage item are retained".

Decision Reasons:

- The submitter supports Policy 7.1.3(b) in part as the submitter recognises that the relationship between heritage items, sites structures, places and their settings is very important to the retention of heritage values. This relationship can be adversely affected by additional buildings, inappropriately placed buildings or structures and subdivision processes.
- The submitter seeks that the policy is amended to reflect the following:
 - various processes that may adversely affect these important relationships; and
 - the aspirational goal of retaining the building and its entire setting in one lot.
- These amendments will create improved guidance and create a link between this policy and the related rules of site development and subdivision of land containing heritage items.
- The submitter also seeks clarification of the following part of the statement "including the view of the identified heritage item is retained".
- It is unclear if this is the view of the identified heritage item within the site or beyond the site or both?
- Clarification of this aspect would be helpful for those administering these policies and giving advice to building owners.

Point Number

559.71

Summary of Decision Requested:

Retain Policy 7.1.3 (d) Heritage Items.

Decision Reasons:

- The submitter supports Policy 7.1.3(d) as this gives effect to the need to provide appropriate protection to historic heritage as required under s6 of the Resource Management Act.

Point Number 559.72

Summary of Decision Requested: **Amend** Policy 7.1.3 (e) Heritage Items as follows:
 (e) Protect scheduled heritage items from demolition, relocation or removal, ~~unless~~
 AND
Delete Policy 7.1.3(e)(i) and (ii) Heritage Items.

Decision Reasons:

- The submitter supports Policy 7.1.3(d) in part.
- The first line of the policy only refers to demolition and removal of items, whereas the related suite of rules also refers to relocation of items, therefore the policy needs to be amended so guidance is available for relocation.
- It would also be helpful to include the world heritage within the policy.
- The remainder of the policy provides instances of exemptions where protection is not considered necessary.
- It is considered that this direction is not appropriate as each instance should be reviewed and assessed on a case by case basis through a resource consent application.
- The Resource Management Act already allows for the consideration of these matters.

Point Number 559.73

Summary of Decision Requested: **Retain** Policy 7.1.3(f) Heritage Items, except for the amendments sought below.
 AND
Amend Policy 7.1.3(f) Heritage Items as follows:
 (f) Ensure alterations and additions to identified heritage items and curtilage are:
 (i) Consistent with the scale, detailing, style, materials and character of the heritage item;
 (ii) Retain cultural and historic heritage values;
 (iii) Do not compromise the heritage item, or have a design that competes with its heritage item, or have a design that competes with its historic heritage values; and
 (iv) Do not compromise the heritage setting of the item.

Decision Reasons:

- The submitter supports Policy 7.1.3(f) in part as the policy only refers to alterations, whereas the related rule framework also refers to additions.
- For consistency and for the policy framework to be applicable to both additions under s6 of Resource Management Act, the policy should be amended.

Point Number 559.74

Summary of Decision Requested: **Retain** Policy 7.1.3(g) Heritage Items, except for the amendments sought below.
 AND
Amend Policy 7.1.3(g) Heritage Items as follows:
 (g) Ensure maintenance and repairs protects ~~the significant features~~ the heritage values of the heritage items in (Schedule 30.1 Heritage Item)

Decision Reasons:

- The submitter supports Policy 7.1.3(g) in part.
- The wording of the policy relates to the permitted restricted discretionary activities relating to maintenance and repairs and significant features of a heritage item.

Point Number 559.75

Summary of Decision Requested: **Retain** Policy 7.1.3(h) Heritage Items, except for the amendments sought below.
 AND
Amend Policy 7.1.3(h) Heritage Items as follows:
 (h) Ensure signs on scheduled heritage items are only for the purposes of identification or ~~and~~ interpretation, and ...

Decision Reasons:

- The submitter supports Policy 7.1.3(h) in part as this policy seeks to limit the content and nature of the signage that can occur on a heritage item.
- The submitter considers that the policy needs to adopt a more cautious approach as a heritage building may not have the capacity to accommodate both identification and interpretation signage.
- The change to the policy is sought in conjunction with amendments to the rules ensuring that the adverse effects cannot occur to the heritage item, in fulfilment of s6 of the Resource Management Act.

Point Number 559.76

Summary of Decision Requested: **Retain** Policy 7.1.4(a) Matangi and Huntly Heritage precinct, except for amendments sought below.
 AND
Amend Policy 7.1.4(a) Matangi and Huntly Heritage precinct as follows:
 (a) Ensure the design of the new buildings and structures and external alterations or additions to buildings are compatible with the settings, detailing, style, materials and character of the precinct and protect heritage values within:
 (i) Matangi Heritage Precinct
 (ii) Huntly heritage precinct

(iii) Rangiriri Heritage precinct

AND

Amend the planning maps to include the Rangiriri Heritage Precinct guidelines, with additional information to protect the relationship of the cemetery to the village.

Decision Reasons:

- The submitter supports Policy 7.1.4(a) as the policy recognises these heritage precincts and the importance of ensuring that new builds do not detract from the elements for which the precinct is recognised.
- The submitter is aware that the Proposed Plan does not include a heritage precinct for the Rangiriri township as found in the Operative Plan.
- Council have advised that as the Rangiriri Hotel and heritage cemetery are now both included in the heritage schedule, that a precinct is no longer required for the protection of these heritage items.
- The submitter considers that the rules that relate to heritage items, while protecting the heritage item and the relationship with its own site, do not protect a heritage from the potentially adverse effect of activities for adjacent sites, or protect the relationship between separate heritage items in the same locale.
- The heritage cemetery and the Rangiriri Hotel are very disparate in nature. Therefore any proposed development needs to be carefully managed to ensure that the heritage values of both items are protected and not eroded.
- The submitter seeks that the Rangiriri heritage Precinct guideline and map is reinstated to the plan, with additional guidance to protect the relationship of the heritage cemetery to the village.

Point Number

559.77

Summary of Decision Requested:

Retain Policy 7.1.5 Subdivision, except for the amendments sought below.

AND

Amend Policy 7.1.5(a) Subdivision as follows:

(a) Subdivision and development ~~should retain the heritage item or features and their setting within one lot within an identified precinct do not compromise and are sympathetic to the existing historic heritage items or features.~~

Decision Reasons:

- The submitter supports Policy 7.1.5 in part.
- The submitter is concerned that the policy does not:
 - Include the aspirational goal that the heritage item and its setting are retained within one lot at the time of subdivision and development, and
 - Provide guidance as to the desired outcomes at the time of subdivision and development in relation to a heritage item and its setting in other zones.
- The submitter considers that both matters need to be addressed to provide appropriate protection to meet the requirements of s6 of the Resource Management Act.

Point Number

559.78

Summary of Decision Requested:

Add a new policy to Chapter 7 Historic Heritage as follows:

Earthquake strengthening and safety works

Encourage and facilitate the strengthening of buildings included in the heritage schedule to increase their ability to withstand future earthquakes while minimising the significant loss of associated heritage values.

Decision Reasons:

- The submitter considers that there is an obligation under the Resource Management Act, not just the Building Act to provide for the consideration of earthquake strengthening and safety works.
- It is acknowledged that these works could be undertaken under the current provisions, but seeks to have them specifically identified through policy and rules, with an associated restricted discretionary activity status.

Point Number

559.79

Summary of Decision Requested:

Add a new policy to Chapter 7 Historic Heritage to include the following:

Fire safety works

Encourage and facilitate the planning and implementation of fire safety works to buildings in the heritage schedule to increase their ability to withstand fire while minimising the significant loss of associated heritage values.

Decision Reasons:

- The submitter considers that there is an obligation under the Resource Management Act, not just the Building Act to provide for the consideration of fire safety works.
- Fire safety works do have the potential to be very intrusive on historic heritage values and consideration of these works needs to be undertaken early if considering works on an historic heritage item.
- It is acknowledged that these works could be undertaken under the current provisions, but seeks to have them specifically identified through policy and rules, with an associated restricted discretionary activity status.

Point Number

559.80

Summary of Decision Requested:

Amend Rule 16.2.7.1 P2.Sigs - general to exclude any type of signage on Heritage Items and Maaori Sites of Significance.

AND

Amend Rule 16.2.7.1 RD1 to include signage on Heritage items and Maaori Sites of Significance.

AND

Add an advice note under this new rule to advise of the other heritage building related rules within the Chapter.

AND

Provide for any consequential amendments as required.

Decision Reasons:

- The submitter cannot support the P2 Signs General where the zone rules that relate to signage, including on heritage items or Maori sites of significance are permitted activities with variations between the zones as to the permitted size and height of signage.
- While signs generally are not permitted in heritage buildings or Maaori sites of significance, a sign of 3m2 on a heritage building could be permitted in some zones if the sign was for identification or interpretation purposes.
- The generic, zoned based approach does not reflect the need to assess the suitability of a signage proposal against the specific heritage values of the individual building or site.
- The generic approach has the potential to cause adverse effects of historic heritage and Maaori sites of significance.
- To avoid adverse effects to heritage items and Maaori sites of significance it would be more appropriate for any signage on heritage items and Maaori sites of Significance to be elevated to a restricted discretionary activity level of assessment and subject to the matters of discretion already included (i.e. (vi) and (vii)).

Point Number 559.81

Summary of Decision Requested: **Amend** Rule 17.2.7.1 P2 Signs - general to exclude any type of signage on Heritage Items and Maaori Sites of Significance.
AND
Amend Rule 17.2.7.1 RD1 Signs - general to include signage on Heritage items and Maaori Sites of Significance.
AND
Add an advice note under this new rule to advise of the other heritage building related rules within the Chapter.
AND
Provide for any consequential amendments as required.

Decision Reasons:

- The submitter cannot support the P2 Signs General where the zone rules that relate to signage, including on heritage items or Maori sites of significance are permitted activities with variations between the zones as to the permitted size and height of signage.
- While signs generally are not permitted in heritage buildings or Maaori sites of significance, a sign of 3m2 on a heritage building could be permitted in some zones if the sign was for identification or interpretation purposes.
- The generic, zoned based approach does not reflect the need to assess the suitability of a signage proposal against the specific heritage values of the individual building or site.
- The generic approach has the potential to cause adverse effects of historic heritage and Maaori sites of significance.
- To avoid adverse effects to heritage items and Maaori sites of significance it would be more appropriate for any signage on heritage items and Maaori sites of Significance to be elevated to a restricted discretionary activity level of assessment and subject to the matters of discretion already included (i.e. (vi) and (vii)).

Point Number 559.82

Summary of Decision Requested: **Amend** Rule 18.2.7.1 P2 Signs - general to exclude any type of signage on Heritage Items and Maaori Sites of Significance.
AND
Amend Rule 18.2.7.1 RD1 Signs - general to include signage on Heritage items and Maaori Sites of Significance.
AND
Add an advice note under this new rule to advise of the other heritage building related rules within the Chapter.
AND
Provide for any consequential amendments as required.

Decision Reasons:

- The submitter cannot support the P2 Signs General where the zone rules that relate to signage, including on heritage items or Maaori sites of significance are permitted activities with variations between the zones as to the permitted size and height of signage.
- While signs generally are not permitted in heritage buildings or Maaori sites of significance, a sign of 3m2 on a heritage building could be permitted in some zones if the sign was for identification or interpretation purposes.
- The generic, zoned based approach does not reflect the need to assess the suitability of a signage proposal against the specific heritage values of the individual building or site.
- The generic approach has the potential to cause adverse effects of historic heritage and Maaori sites of significance.
- To avoid adverse effects to heritage items and Maaori sites of significance it would be more appropriate for any signage on heritage items and Maaori sites of Significance to be elevated to a restricted discretionary activity level of assessment and subject to the matters of discretion already included (i.e. (vi) and (vii)).

Point Number 559.83

Summary of Decision Requested: **Amend** Rule 20.2.7.1 P2 Signs - general to exclude any type of signage on Heritage Items and Maaori Sites of Significance.
AND
Amend Rule 20.2.7.1 RD1 Signs - general to include signage on Heritage items and Maaori Sites of Significance.
AND
Add an advice note under this new rule to advise of the other heritage building related rules within the Chapter.
AND
Provide for any consequential amendments as required.

Decision Reasons:

- The submitter cannot support the P2 Signs General where the zone rules that relate to signage, including on heritage items or Maaori sites of significance are permitted activities with variations between the zones as to the permitted size and height of signage.
- While signs generally are not permitted in heritage buildings or Maaori sites of significance, a sign of 3m2 on a heritage building could be permitted in some zones if the sign was for identification or interpretation purposes.
- The generic, zoned based approach does not reflect the need to assess the suitability of a signage proposal against the specific heritage values of the individual building or site.
- The generic approach has the potential to cause adverse effects of historic heritage and Maaori sites of significance.
- To avoid adverse effects to heritage items and Maaori sites of significance it would be more appropriate for any signage on heritage items and Maaori sites of Significance to be elevated to a restricted discretionary activity level of assessment and subject to the matters of discretion already included (i.e. (vi) and (vii)).

Point Number 559.84

Summary of Decision Requested: **Amend** Rule 21.2.7.1 P2 Signs - general to exclude any type of signage on Heritage Items and Maaori Sites of Significance.
AND
Amend Rule 21.2.7.1 RD1 Signs - general to include signage on Heritage items and Maaori Sites of Significance.
AND
Add an advice note under this new rule to advise of the other heritage building related rules within the Chapter.
AND
Provide for any consequential amendments as required.

Decision Reasons:

- The submitter cannot support the P2 Signs General where the zone rules that relate to signage, including on heritage items or Maaori sites of significance are permitted activities with variations between the zones as to the permitted size and height of signage.
- While signs generally are not permitted in heritage buildings or Maaori sites of significance, a sign of 3m2 on a heritage building could be permitted in some zones if the sign was for identification or interpretation purposes.
- The generic, zoned based approach does not reflect the need to assess the suitability of a signage proposal against the specific heritage values of the individual building or site.
- The generic approach has the potential to cause adverse effects of historic heritage and Maaori sites of significance.
- To avoid adverse effects to heritage items and Maaori sites of significance it would be more appropriate for any signage on heritage items and Maaori sites of Significance to be elevated to a restricted discretionary activity level of assessment and subject to the matters of discretion already included (i.e. (vi) and (vii)).

Point Number 559.85

Summary of Decision Requested: **Amend** Rule 22.2.6.1 P2 Signs - general to exclude any type of signage on Heritage Items and Maaori Sites of Significance.
AND
Amend Rule 22.2.6.1 RD1 Signs - general to include signage on Heritage items and Maaori Sites of Significance.
AND
Add an advice note under this new rule to advise of the other heritage building related rules within the Chapter.
AND
Provide for any consequential amendments as required.

Decision Reasons:

- The submitter cannot support the P2 Signs General where the zone rules that relate to signage, including on heritage items or Maaori sites of significance are permitted activities with variations between the zones as to the permitted size and height of signage.
- While signs generally are not permitted in heritage buildings or Maaori sites of significance, a sign of 3m2 on a heritage building could be permitted in some zones if the sign was for identification or interpretation purposes.
- The generic, zoned based approach does not reflect the need to assess the suitability of a signage proposal against the specific heritage values of the individual building or site.
- The generic approach has the potential to cause adverse effects of historic heritage and Maaori sites of significance.
- To avoid adverse effects to heritage items and Maaori sites of significance it would be more appropriate for any signage on heritage items and Maaori sites of Significance to be elevated to a restricted discretionary activity level of assessment and subject to the matters of discretion already included (i.e. (vi) and (vii)).

Point Number 559.86

Summary of Decision Requested: **Amend** Rule 23.2.6.1 P2 Signs - general to exclude any type of signage on Heritage Items and Maaori Sites of Significance.
AND
Amend Rule 23.2.6.1 RD1 Signs - general to include signage on Heritage items and Maaori Sites of Significance.
AND
Add an advice note under this new rule to advise of the other heritage building related rules within the Chapter.
AND
Provide for any consequential amendments as required.

Decision Reasons:

- The submitter cannot support the P2 Signs General where the zone rules that relate to signage, including on heritage items or Maaori sites of significance are permitted activities with variations between the zones as to the permitted size and height of signage.
- While signs generally are not permitted in heritage buildings or Maaori sites of significance, a sign of 3m2 on a heritage building could be permitted in some zones if the sign was for identification or interpretation purposes.
- The generic, zoned based approach does not reflect the need to assess the suitability of a signage proposal against the specific heritage values of the individual building or site.
- The generic approach has the potential to cause adverse effects of historic heritage and Maaori sites of significance.
- To avoid adverse effects to heritage items and Maaori sites of significance it would be more appropriate for any signage on heritage items and Maaori sites of Significance to be elevated to a restricted discretionary activity level of assessment and subject to the matters of discretion already included (i.e. (vi) and (vii)).

Point Number 559.87

Summary of Decision Requested: **Amend** Rule 24.2.7.1 P2 Signs - general to exclude any type of signage on Heritage Items and Maaori Sites of Significance.
AND
Amend Rule 23.2.7.1 RD1 Signs - general to include signage on Heritage items and Maaori Sites of Significance.
AND
Add an advice note under this new rule to advise of the other heritage building related rules within the Chapter.
AND
Provide for any consequential amendments as required.

Decision Reasons:

- The submitter cannot support the P2 Signs General where the zone rules that relate to signage, including on heritage items or Maori sites of significance are permitted activities with variations between the zones as to the permitted size and height of signage.
- While signs generally are not permitted in heritage buildings or Maori sites of significance, a sign of 3m2 on a heritage building could be permitted in some zones if the sign was for identification or interpretation purposes.
- The generic, zoned based approach does not reflect the need to assess the suitability of a signage proposal against the specific heritage values of the individual building or site.
- The generic approach has the potential to cause adverse effects of historic heritage and Maori sites of significance.
- To avoid adverse effects to heritage items and Maori sites of significance it would be more appropriate for any signage on heritage items and Maori sites of Significance to be elevated to a restricted discretionary activity level of assessment and subject to the matters of discretion already included (i.e. (vi) and (vii)).

Point Number 559.88

Summary of Decision Requested: Retain Rule 16.3.11.1 NCI Group A heritage item – Demolition, removal or relocation.

Decision Reasons:

- The submitter supports the non-complying rule as this activity status recognises that demolition, removal or relocation of a heritage item must be subject to a high level of scrutiny.

Point Number 559.89

Summary of Decision Requested: Retain Rule 17.3.8.1 NCI Group A heritage item – Demolition, removal or relocation.

Decision Reasons:

- The submitter supports the non-complying rule as this activity status recognises that demolition, removal or relocation of a heritage item must be subject to a high level of scrutiny.

Point Number 559.90

Summary of Decision Requested: Retain Rule 18.3.10.1 NCI Group A heritage item – Demolition, removal or relocation.

Decision Reasons:

- The submitter supports the non-complying rule as this activity status recognises that demolition, removal or relocation of a heritage item must be subject to a high level of scrutiny.

Point Number 559.91

Summary of Decision Requested: Retain Rule 20.3.5.1 NCI Group A heritage item – Demolition, removal or relocation.

Decision Reasons:

- The submitter supports the non-complying rule as this activity status recognises that demolition, removal or relocation of a heritage item must be subject to a high level of scrutiny.

Point Number 559.92

Summary of Decision Requested: Retain Rule 22.3.8.1 NCI Group A heritage item – Demolition, removal or relocation.

Decision Reasons:

- The submitter supports the non-complying rule as this activity status recognises that demolition, removal or relocation of a heritage item must be subject to a high level of scrutiny.

Point Number 559.93

Summary of Decision Requested: Retain Rule 23.3.9.1 NCI Group A heritage item – Demolition, removal or relocation.

Decision Reasons:

- The submitter supports the non-complying rule as this activity status recognises that demolition, removal or relocation of a heritage item must be subject to a high level of scrutiny.

Point Number 559.94

Summary of Decision Requested: Retain Rule 24.3.8.1 NCI Group A heritage item – Demolition, removal or relocation

Decision Reasons:

- The submitter supports the non-complying rule as this activity status recognises that demolition, removal or relocation of a heritage item must be subject to a high level of scrutiny.

Point Number 559.95

Summary of Decision Requested: Delete Rule 18.3.10.2 PI Group B heritage item – Demolition, removal or relocation.

Decision Reasons:

- The submitter is concerned regarding the permitted status of this rule.
- It is unclear why the Council considers that they should exempt from the Resource Management Act assessment process that all other landowners are required to be subject to, should they wish to demolish a heritage building.
- The submitter seeks that this exemption is deleted from the plan and the Council owned building is subject to the assessment required in this plan for the demolition of a "B" category item.

Point Number 559.96

Summary of Decision Requested: Retain Rule 16.3.11.2 D1 Group B heritage item – Demolition, removal or relocation.

Decision Reasons:

- The submitter supports the discretionary activity rule for the demolition, removal or relocation of a Group B heritage item as this activity status recognises that demolition, removal or relocation of a heritage item must be subject to a high level of scrutiny.

Point Number 559.97

Summary of Decision Requested: Retain Rule 17.3.8.2 D1 Group B heritage item – Demolition, removal or relocation.

Decision Reasons:

- The submitter supports the discretionary activity rule for the demolition, removal or relocation of a Group B heritage item as this activity status recognises that demolition, removal or relocation of a heritage item must be subject to a high level of scrutiny.

Point Number 559.98

Summary of Decision Requested: Retain Rule 18.3.10.2 D1 Group B heritage item – Demolition, removal or relocation.

Decision Reasons:

- The submitter supports the discretionary activity rule for the demolition, removal or relocation of a Group B heritage item as this activity status recognises that demolition, removal or relocation of a heritage item must be subject to a high level of scrutiny.

Point Number 559.99

Summary of Decision Requested: Retain Rule 20.3.5.2 D1 Group B heritage item – Demolition, removal or relocation.

Decision Reasons:

- The submitter supports the discretionary activity rule for the demolition, removal or relocation of a Group B heritage item as this activity status recognises that demolition, removal or relocation of a heritage item must be subject to a high level of scrutiny.

Point Number 559.100

Summary of Decision Requested: Retain Rule 22.3.8.2 D1 Group B heritage item – Demolition, removal or relocation.

Decision Reasons:

- The submitter supports the discretionary activity rule for the demolition, removal or relocation of a Group B heritage item as this activity status recognises that demolition, removal or relocation of a heritage item must be subject to a high level of scrutiny.

Point Number 559.101

Summary of Decision Requested: Retain Rule 23.3.9.2 D1 Group B heritage item – Demolition, removal or relocation.

Decision Reasons:

- The submitter supports the discretionary activity rule for the demolition, removal or relocation of a Group B heritage item as this activity status recognises that demolition, removal or relocation of a heritage item must be subject to a high level of scrutiny.

Point Number 559.102

Summary of Decision Requested: Retain Rule 24.3.8.2 D1 Group B heritage item – Demolition, removal or relocation.

Decision Reasons:

- The submitter supports the discretionary activity rule for the demolition, removal or relocation of a Group B heritage item as this activity status recognises that demolition, removal or relocation of a heritage item must be subject to a high level of scrutiny.

Point Number 559.103

Summary of Decision Requested: Amend Rule 18.3.10.2 D2 Group B heritage item – Demolition, removal or relocation to ensure that item 104 Ngaruawahia Plunket rooms is subject to the same demolition rules as other “B” ranked items.

Decision Reasons:

- The submitter supports in part the Discretionary activity and considers that item 104 (Ngaruawahia Plunket rooms) should be subject to the same demolition rules as any other scheduled item.

Point Number 559.104

Summary of Decision Requested: Delete Rule 23.3.9.3 P1 All heritage items – Alterations or additions.

Decision Reasons:

- The submitter has concerns regarding the permitted activity rule related to alterations or additions.
- Concerned that that only protecting the significant physical features or specified facades of buildings has the potential for adverse effects on the heritage values of the entire building
- Works that are located out of public view or that do not involve significant features could have the potential to adversely affect or undermine heritage values.
- The rule ignores the intrinsic heritage values of the whole of the heritage items.

- Alterations and additions under this rule as a permitted activity could cumulatively impact on the overall building, not just the significant features or specified facades.
- In addition it is incorrect to assume that works that are located out of public view or that do not involve significant features are unimportant and do not have the potential to adversely affect or undermine heritage values.
- Any alterations or additions should be assessed through a resource consent process to consider the holistic impact of the proposed works on the historic heritage item, ensuring minimal loss of heritage fabric, and that the design, form, scale, workmanship, location of works and the curtilage and setting are respected.

Point Number 559.105

Summary of Decision Requested: Delete Rule 24.3.8.3 P1 All heritage items – Alterations or additions.

Decision Reasons:

- The submitter has concerns regarding the permitted activity rule related to alterations or additions.
- Concerned that that only protecting the significant physical features or specified facades of buildings has the potential for adverse effects on the heritage values of the entire building
- Works that are located out of public view or that do not involve significant features could have the potential to adversely affect or undermine heritage values.
- The rule ignores the intrinsic heritage values of the whole of the heritage items.
- Alterations and additions under this rule as a permitted activity could cumulatively impact on the overall building, not just the significant features or specified facades.
- In addition it is incorrect to assume that works that are located out of public view or that do not involve significant features are unimportant and do not have the potential to adversely affect or undermine heritage values.
- Any alterations or additions should be assessed through a resource consent process to consider the holistic impact of the proposed works on the historic heritage item, ensuring minimal loss of heritage fabric, and that the design, form, scale, workmanship, location of works and the curtilage and setting are respected.

Point Number 559.106

Summary of Decision Requested: Retain Rule 16.3.11.3 RD1 All heritage items – Alterations or additions, except for amendments sought below.

AND

Amend Rule 16.3.11.3 RD1 as follows:

(a) ~~Any activity that does not comply with Rule 16.3.11.3 P1, Any alteration or addition to a heritage item in Schedule 30.1 Heritage items.~~

(b) Council's discretion is restricted to the following matters:

(i) ~~Location, Form, scale, style, materials and appearance; and~~

(ii) Effects on heritage values

(iii) Effects on the setting of the heritage item.

Decision Reasons:

- The submitter supports that additions and alterations are a restricted discretionary activity.
- The existing restricted discretionary activity should be amended to include any alteration or addition to a heritage building to ensure that any potential to negatively impact on the building is captured through the resource consent process.
- Further amendments are also required to address relevant matters to achieve an appropriate level of assessment.

Point Number 559.107

Summary of Decision Requested: Retain Rule 17.3.8.3 RD1 All heritage items – Alterations or additions, except for the amendments sought below.

AND

Amend Rule 17.3.8.3 RD1 as follows:

(a) ~~Any activity that does not comply with Rule 17.3.8.3 P1, Any alteration or addition to a heritage item in Schedule 30.1 Heritage items~~

(b) Council's discretion is restricted to the following matters:

(i) ~~Location, Form, scale, style, materials and appearance; and~~

(ii) Effects on heritage values

(iii) Effects on the setting of the heritage item.

Decision Reasons:

- The submitter supports that additions and alterations are a restricted discretionary activity.
- The existing restricted discretionary activity should be amended to include any alteration or addition to a heritage building to ensure that any potential to negatively impact on the building is captured through the resource consent process.
- Further amendments are also required to address relevant matters to achieve an appropriate level of assessment.

Point Number 559.108

Summary of Decision Requested: Retain Rule 18.3.10.3 RD1 All heritage items – Alterations or additions except for amendments sought below.

AND

Amend Rule 18.3.10.3 RD1 All heritage items - alterations or additions as follows:

(a) ~~Any activity that does not comply with Rule 18.3.10.3 P1, Any alteration or addition to a heritage item in Schedule 30.1 Heritage items~~

(b) Council's discretion is restricted to the following matters:

(i) ~~Location, Form, scale, style, materials and appearance; and~~

(ii) Effects on heritage values

(iii) Effects on the setting of the heritage item.

Decision Reasons:

- The existing restricted discretionary activity should be amended to recognise this, to include any alteration or addition to a heritage building to ensure that any potential to negatively impact on the building is captured through the resource consent process.

- Further amendments are also required to address relevant matters to achieve an appropriate level of assessment.

Point Number 559.109

Summary of Decision Requested: **Retain** Rule 20.3.5.3 RD1 All heritage items – Alterations or additions, except for the amendments sought below.
AND

Amend Rule 20.3.5.3 RD1 as follows:

(a) ~~Any activity that does not comply with Rule 20.3.5.3 P1, Any alteration or addition to a heritage item in Schedule 30.1 Heritage items~~

(b) Council's discretion is restricted to the following matters:

(i) ~~Location, Form, scale, style, materials and appearance; and~~

(ii) Effects on heritage values;

(iii) Effects on the setting of the heritage item.

Decision Reasons:

- The submitter supports that additions and alterations are a restricted discretionary activity.
- The existing restricted discretionary activity should be amended to recognise this, to include any alteration or addition to a heritage building to ensure that any potential to negatively impact on the building is captured through the resource consent process.
- Further amendments are also required to address relevant matters to achieve an appropriate level of assessment.

Point Number 559.110

Summary of Decision Requested: **Retain** Rule 22.3.8.3 RD1 All heritage items – Alterations or additions, except for the amendments sought below.
AND

Amend Rule 22.3.8.3 RD1 as follows:

(a) ~~Any activity that does not comply with Rule 22.3.8.3 P1, Any alteration or addition to a heritage item in Schedule 30.1 Heritage items~~

(b) Council's discretion is restricted to the following matters:

(i) ~~Location, Form, scale, style, materials and appearance; and~~

(ii) Effects on heritage values;

(iii) Effects on the setting of the heritage item.

Decision Reasons:

- The submitter supports that additions and alterations are a restricted discretionary activity.
- The existing restricted discretionary activity should be amended to include any alteration or addition to a heritage building to ensure that any potential to negatively impact on the building is captured through the resource consent process.
- Further amendments are also required to address relevant matters to achieve an appropriate level of assessment.

Point Number 559.111

Summary of Decision Requested: **Retain** Rule 23.3.9.3 RD1 All heritage items – Alterations or additions, except for the amendments sought below.
AND

Amend Rule 23.3.9.3 RD1 as follows:

(a) ~~Any activity that does not comply with Rule 23.3.9.3 P1, Any alteration or addition to a heritage item in Schedule 30.1 Heritage items~~

(b) Council's discretion is restricted to the following matters:

(i) ~~Location, Form, scale, style, materials and appearance; and~~

(ii) Effects on heritage values;

(iii) Effects on the setting of the heritage item.

Decision Reasons:

- The submitter supports that additions and alterations are a restricted discretionary activity.
- The existing restricted discretionary activity should be amended to include any alteration or addition to a heritage building to ensure that any potential to negatively impact on the building is captured through the resource consent process.
- Further amendments are also required to address relevant matters to achieve an appropriate level of assessment.

Point Number 559.112

Summary of Decision Requested: **Retain** Rule 24.3.8.3 RD1 All heritage items – Alterations or additions, except for the amendments sought below.
AND

Amend Rule 24.3.9.3 RD1 as follows:

(a) ~~Any activity that does not comply with Rule 24.3.9.3 P1, Any alteration or addition to a heritage item in Schedule 30.1 Heritage items~~

(b) Council's discretion is restricted to the following matters:

(i) ~~Location, Form, scale, style, materials and appearance; and~~

(ii) Effects on heritage values;

(iii) Effects on the setting of the heritage item.

Decision Reasons:

- The submitter supports that additions and alterations are a restricted discretionary activity.
- The existing restricted discretionary activity should be amended to include any alteration or addition to a heritage building to ensure that any potential to negatively impact on the building is captured through the resource consent process.
- Further amendments are also required to address relevant matters to achieve an appropriate level of assessment.

Point Number	559.113
Summary of Decision Requested:	<p>Add a new Restricted Discretionary Activity rule to the District Plan as follows:</p> <p><u>Rule RD1</u></p> <p>(a) <u>Any activity required to be undertaken to provide for building or fire safety and/or earthquake strengthening.</u></p> <p>(b) <u>Council's discretion is restricted to the following matters:</u></p> <p>(c) <u>Effects on heritage values, including appearance and integrity of the heritage item.</u></p>
Decision Reasons:	<ul style="list-style-type: none"> The submitter considers that there is an obligation under the Resource Management Act, not just the Building Act to provide for the consideration of earthquake strengthening and safety works. It is acknowledged that these works could be undertaken under the current provisions, but seeks to have them specifically identified through policy and rules, with an associated restricted discretionary activity status. The suggested rules framework seeks to minimise the effects on heritage values.
Point Number	559.114
Summary of Decision Requested:	<p>Retain Rule 16.3.11.4 PI All heritage items – Maintenance or repair, except for the amendments sought below.</p> <p>AND</p> <p>Amend Rule 16.3.11.4 PI All heritage items - Maintenance or repair as follows:</p> <p>(a) <u>Maintenance or repair of a heritage item listed in Schedule 30.1 (Historic Heritage Items), where:</u></p> <p>(i) <u>No significant feature of interest is destroyed or damaged; and</u></p> <p>(b) <u>Replacement materials are the same as, or similar to, the original in terms of colour, texture, form and design to the original that it replaces, form, style and appearance.</u></p>
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports Rule 16.3.11.4 PI All heritage items – Maintenance or repair in part only. The permitted activity of maintenance and repair should occur in alignment with the definition of such works. Any proposed works not within the scope of the defined term should be assessed as an alteration or addition. The permitted activity and definition both need to be amended to offer a greater level of guidance to plan users.
Point Number	559.115
Summary of Decision Requested:	<p>Retain Rule 17.3.8.4 PI All heritage items – Maintenance or repair, except for the amendments sought below.</p> <p>AND</p> <p>Amend Rule 17.3.8.4 PI All heritage items - Maintenance or repair as follows:</p> <p>(a) <u>Maintenance or repair of a heritage item listed in Schedule 30.1 (Historic Heritage Items), where:</u></p> <p>(i) <u>No significant feature of interest is destroyed or damaged;</u></p> <p>(b) <u>Replacement materials are the same as, or similar to, the original in terms of colour, texture, form and design to the original that it replaces, form, style and appearance.</u></p>
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports Rule 17.3.8.4 PI All heritage items – Maintenance or repair in part only. The permitted activity of maintenance and repair should occur in alignment with the definition of such works. Any proposed works not within the scope of the defined term should be assessed as an alteration or addition. The permitted activity and definition both need to be amended to offer a greater level of guidance to plan users.
Point Number	559.116
Summary of Decision Requested:	<p>Retain Rule 18.3.10.4 PI All heritage items – Maintenance or repair, except for the amendments sought below.</p> <p>AND</p> <p>Amend Rule 18.3.10.4 PI All heritage items - Maintenance or repair as follows:</p> <p>(a) <u>Maintenance or repair of a heritage item listed in Schedule 30.1 (Historic Heritage Items), where:</u></p> <p>(i) <u>No significant feature of interest is destroyed or damaged;</u></p> <p>(b) <u>Replacement materials are the same as, or similar to, the original in terms of colour, texture, form and design to the original that it replaces, form, style and appearance.</u></p>
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports Rule 18.3.10.4 PI All heritage items – Maintenance or repair in part only. The permitted activity of maintenance and repair should occur in alignment with the definition of such works. Any proposed works not within the scope of the defined term should be assessed as an alteration or addition. The permitted activity and definition both need to be amended to offer a greater level of guidance to plan users.
Point Number	559.117
Summary of Decision Requested:	<p>Retain Rule 20.3.5.4 PI All heritage items – Maintenance or repair, except for the amendments sought below.</p> <p>AND</p> <p>Amend Rule 20.3.5.4 PI All heritage items – Maintenance or repair as follows:</p> <p>(a) <u>Maintenance or repair of a heritage item listed in Schedule 30.1 (Historic Heritage Items), where:</u></p> <p>(i) <u>No significant feature of interest is destroyed or damaged;</u></p> <p>(b) <u>Replacement materials are the same as, or similar to, the original in terms of colour, texture, form and design to the original that it replaces, form, style and appearance.</u></p>

Decision Reasons:

- The submitter supports Rule 20.3.5.4 PI All heritage items – Maintenance or repair in part only.
- The permitted activity of maintenance and repair should occur in alignment with the definition of such works.
- Any proposed works not within the scope of the defined term should be assessed as an alteration or addition.
- The permitted activity and definition both need to be amended to offer a greater level of guidance to plan users.

Point Number 559.118

Summary of Decision Requested: **Retain** Rule 22.3.8.4 PI All heritage items – Maintenance or repair, except for amendments sought below.
AND

Amend Rule 22.3.8.4 PI All heritage items – Maintenance or repair as follows:

(a) *Maintenance or repair of a heritage item listed in Schedule 30.1 (Historic Heritage Items), where:*

~~(i) No significant feature of interest is destroyed or damaged;~~

(b) *Replacement materials are the same as, or similar to, the original in terms of colour, texture, form and design to the original that it replaces, form, style and appearance.*

Decision Reasons:

- The submitter supports Rule 22.3.8.4 PI All heritage items – Maintenance or repair in part only.
- The permitted activity of maintenance and repair should occur in alignment with the definition of such works.
- Any proposed works not within the scope of the defined term should be assessed as an alteration or addition.
- The permitted activity and definition both need to be amended to offer a greater level of guidance to plan users.

Point Number 559.119

Summary of Decision Requested: **Retain** Rule 23.3.9.4 PI All heritage items – Maintenance or repair, except for the amendments sought below.
AND

Amend Rule 23.3.9.4 PI All heritage items – Maintenance or repair as follows:

(a) *Maintenance or repair of a heritage item listed in Schedule 30.1 (Historic Heritage Items), where:*

~~(i) No significant feature of interest is destroyed or damaged;~~

(b) *Replacement materials are the same as, or similar to, the original in terms of colour, texture, form and design to the original that it replaces, form, style and appearance.*

Decision Reasons:

- The submitter supports Rule 23.3.9.4 PI All heritage items – Maintenance or repair in part only.
- The permitted activity of maintenance and repair should occur in alignment with the definition of such works.
- Any proposed works not within the scope of the defined term should be assessed as an alteration or addition.
- The permitted activity and definition both need to be amended to offer a greater level of guidance to plan users.

Point Number 559.120

Summary of Decision Requested: **Retain** Rule 24.3.8.4 PI All heritage items – Maintenance or repair, except for the amendments sought below.
AND

Amend Rule 24.3.8.4 PI All heritage items – Maintenance or repair as follows:

(a) *Maintenance or repair of a heritage item listed in Schedule 30.1 (Historic Heritage Items), where:*

~~(i) No significant feature of interest is destroyed or damaged;~~

(b) *Replacement materials are the same as, or similar to, the original in terms of colour, texture, form and design to the original that it replaces, form, style and appearance.*

Decision Reasons:

- The submitter supports Rule 24.3.8.4 PI All heritage items – Maintenance or repair in part only.
- The permitted activity of maintenance and repair should occur in alignment with the definition of such works.
- Any proposed works not within the scope of the defined term should be assessed as an alteration or addition.
- The permitted activity and definition both need to be amended to offer a greater level of guidance to plan users.

Point Number 559.121

Summary of Decision Requested: **Delete** Rule 16.3.11.4 RD1 All heritage items – Maintenance or repair.

Decision Reasons:

- The submitter is concerned regarding the restricted discretionary activity relating to repairs and maintenance.
- When works on a heritage building no longer fit within the defined terms of maintenance and repair, they elevate into additions or alteration that are assessed under a related rule.
- Using this type of rule cascade sets a clear framework for those undertaking works on their heritage building.

Point Number 559.122

Summary of Decision Requested: **Delete** Rule 17.3.8.4 RD1 All heritage items – Maintenance or repair.

Decision Reasons:

- The submitter is concerned regarding the restricted discretionary activity relating to repairs and maintenance.
- When works on a heritage building no longer fit within the defined terms of maintenance and repair, they elevate into additions or alteration that are assessed under a related rule.

- Using this type of rule cascade sets a clear framework for those undertaking works on their heritage building.

Point Number 559.123

Summary of Decision Requested: Delete Rule 18.3.10.4 RD1 All heritage items – Maintenance or repair.

Decision Reasons:

- The submitter is concerned regarding the restricted discretionary activity relating to repairs and maintenance.
- When works on a heritage building no longer fit within the defined terms of maintenance and repair , they elevate into additions or alteration that are assessed under a related rule.
- Using this type of rule cascade sets a clear framework for those undertaking works on their heritage building.

Point Number 559.124

Summary of Decision Requested: Delete Rule 20.3.5.4 RD1 All heritage items – Maintenance or repair.

Decision Reasons:

- The submitter is concerned regarding the restricted discretionary activity relating to repairs and maintenance.
- When works on a heritage building no longer fit within the defined terms of maintenance and repair , they elevate into additions or alteration that are assessed under a related rule.
- Using this type of rule cascade sets a clear framework for those undertaking works on their heritage building.

Point Number 559.125

Summary of Decision Requested: Delete Rule 22.3.8.4 RD1 All heritage items – Maintenance or repair.

Decision Reasons:

- The submitter is concerned regarding the restricted discretionary activity relating to repairs and maintenance.
- When works on a heritage building no longer fit within the defined terms of maintenance and repair , they elevate into additions or alteration that are assessed under a related rule.
- Using this type of rule cascade sets a clear framework for those undertaking works on their heritage building.

Point Number 559.126

Summary of Decision Requested: Delete Rule 23.3.9.4 RD1 All heritage items – Maintenance or repair.

Decision Reasons:

- The submitter is concerned regarding the restricted discretionary activity relating to repairs and maintenance.
- When works on a heritage building no longer fit within the defined terms of maintenance and repair, they elevate into additions or alteration that are assessed under a related rule.
- Using this type of rule cascade sets a clear framework for those undertaking works on their heritage building.

Point Number 559.127

Summary of Decision Requested: Delete Rule 24.3.8.4 RD1 All heritage items – Maintenance or repair.

Decision Reasons:

- The submitter is concerned regarding the restricted discretionary activity relating to repairs and maintenance.
- When works on a heritage building no longer fit within the defined terms of maintenance and repair, they elevate into additions or alteration that are assessed under a related rule.
- Using this type of rule cascade sets a clear framework for those undertaking works on their heritage building.

Point Number 559.128

Summary of Decision Requested: Delete Rule 18.3.10.5 PI All heritage items – Site development.

Decision Reasons:

- The submitter cannot support the permitted activity rule.
- While the parameters of the rule are clear for a permitted activity, it is unclear how this rule effectively protects each heritage item and its setting from adverse effects of the proposed activity in every specific instance, as the nature of the site development is not defined and the special features of the heritage items varies from the whole item in some instances to particular facades or specific features for others.
- The protection of heritage items from potential adverse effects of site development would be better achieved through the case by case analysis of a restricted discretionary activity resource consent assessment.

Point Number 559.129

Summary of Decision Requested: Delete Rule 22.3.8.5 PI All heritage items – Site development.

Decision Reasons:

- The submitter cannot support the permitted activity rule.
- While the parameters of the rule are clear for a permitted activity, it is unclear how this rule effectively protects each heritage item and its setting from adverse effects of the proposed activity in every specific instance, as the nature of the site development is not defined and the special features of the heritage items varies from the whole item in some instances to particular facades or specific features for others.
- The protection of heritage items from potential adverse effects of site development would be better achieved through the case by case analysis of a restricted discretionary activity resource consent assessment.

Point Number 559.130

Summary of Decision Requested: Delete Rule 23.3.9.5 P1 All heritage items – Site development.

Decision Reasons:

- The submitter cannot support the permitted activity rule.
 - While the parameters of the rule are clear for a permitted activity, it is unclear how this rule effectively protects each heritage item and its setting from adverse effects of the proposed activity in every specific instance, as the nature of the site development is not defined and the special features of the heritage items varies from the whole item in some instances to particular facades or specific features for others.
 - The protection of heritage items from potential adverse effects of site development would be better achieved through the case by case analysis of a restricted discretionary activity resource consent assessment.
-

Point Number 559.131

Summary of Decision Requested: Delete Rule 24.3.8.5 P1 All heritage items – Site development.

Decision Reasons:

- The submitter cannot support the permitted activity rule.
 - While the parameters of the rule are clear for a permitted activity, it is unclear how this rule effectively protects each heritage item and its setting from adverse effects of the proposed activity in every specific instance, as the nature of the site development is not defined and the special features of the heritage items varies from the whole item in some instances to particular facades or specific features for others.
 - The protection of heritage items from potential adverse effects of site development would be better achieved through the case by case analysis of a restricted discretionary activity resource consent assessment.
-

Point Number 559.132

Summary of Decision Requested: Delete Rule 20.3.5.5 P1 All heritage items – Site development.

Decision Reasons:

- The submitter cannot support the permitted activity rule.
 - While the parameters of the rule are clear for a permitted activity, it is unclear how this rule effectively protects each heritage item and its setting from adverse effects of the proposed activity in every specific instance, as the nature of the site development is not defined and the special features of the heritage items varies from the whole item in some instances to particular facades or specific features for others.
 - The protection of heritage items from potential adverse effects of site development would be better achieved through the case by case analysis of a restricted discretionary activity resource consent assessment.
-

Point Number 559.133

Summary of Decision Requested: Retain Rule 18.3.10.5 RD1 All heritage items – all site development, except for the amendments sought below.

AND

Amend Rule 18.3.10.5 RD1 All heritage items - all site development as follows:

~~(a) Any activity that does not comply with a condition for a permitted activity~~ Site development is a restricted discretionary activity.

~~(b)~~ Discretion is restricted to:

- (i) Effects on the values, context and setting of the heritage item
- (ii) Location, design, size, materials and finish
- (iii) Landscaping
- (iv) The relationship of the heritage item with the setting.

Decision Reasons:

- The submitter supports only the restricted discretionary activity, as this allows for the appropriate level of assessment of the possible impacts that site development could have on the heritage values of the heritage item and its setting.
 - The trigger for the rule will be the activity of site development itself, rather than not meeting the permitted activity performance standards.
 - The submitter is concerned that the matters of discretion are slightly different between the zones.
 - The submitter seeks that the matters of discretion are amended to be consistent throughout the zones.
-

Point Number 559.134

Summary of Decision Requested: Retain Rule 22.3.8.5 RD1 All heritage items – all site development, except for the amendments sought below.

AND

Amend Rule 22.3.8.5 RD1 All heritage items – all site development as follows:

~~(a) Any activity that does not comply with a condition for a permitted activity~~ Site development is a restricted discretionary activity.

(a) Discretion is restricted to:

- (i) Effects on the values, context and setting of the heritage item
- (ii) Location, design, size, materials and finish
- (iii) Landscaping
- (iv) The relationship of the heritage item with the setting.

Decision Reasons:

- The submitter supports only the restricted discretionary activity, as this allows for the appropriate level of assessment of the possible impacts that site development could have on the heritage values of the heritage item and its setting.
- The trigger for the rule will be the activity of site development itself, rather than not meeting the permitted activity performance standards.

- The submitter is concerned that the matters of discretion are slightly different between the zones.
- The submitter seeks that the matters of discretion are amended to be consistent throughout the zones.

Point Number 559.135

Summary of Decision Requested: **Retain** Rule 23.3.9.5 RD1 All heritage items – all site development, except for the amendments as sought below:
AND

Amend Rule 23.3.9.5 RD1 All heritage items – all site development as follows:

~~(a) Any activity that does not comply with a condition for a permitted activity. Site development is a restricted discretionary activity.~~

(a) Discretion is restricted to:

- (i) Effects on the values, context and setting of the heritage item
- (ii) Location, design, size, materials and finish
- (iii) Landscaping
- (iv) The relationship of the heritage item with the setting.

Decision Reasons:

- The submitter supports only the restricted discretionary activity, as this allows for the appropriate level of assessment of the possible impacts that site development could have on the heritage values of the heritage item and its setting.
- The trigger for the rule will be the activity of site development itself, rather than not meeting the permitted activity performance standards.
- The submitter is concerned that the matters of discretion are slightly different between the zones.
- The submitter seeks that the matters of discretion are amended to be consistent throughout the zones.

Point Number 559.136

Summary of Decision Requested: **Retain** Rule 24.3.8.5 RD1 All heritage items – all site development, except for the amendments as sought below.
AND

Amend Rule 24.3.8.5 RD1 All heritage items – all site development as follows:

~~(a) Any activity that does not comply with a condition for a permitted activity. Site development is a restricted discretionary activity.~~

(a) Discretion is restricted to:

- (i) Effects on the values, context and setting of the heritage item
- (ii) Location, design, size, materials and finish
- (iii) Landscaping
- (iv) The relationship of the heritage item with the setting.

Decision Reasons:

- The submitter supports only the restricted discretionary activity, as this allows for the appropriate level of assessment of the possible impacts that site development could have on the heritage values of the heritage item and its setting.
- The trigger for the rule will be the activity of site development itself, rather than not meeting the permitted activity performance standards.
- The submitter is concerned that the matters of discretion are slightly different between the zones.
- The submitter seeks that the matters of discretion are amended to be consistent throughout the zones.

Point Number 559.137

Summary of Decision Requested: **Delete** Rule 16.3.11.5 PI All heritage items – site development.

Decision Reasons:

- The submitter cannot support the permitted activity rule.
- While the parameters of the rule are clear for a permitted activity, it is unclear how this rule effectively protects each heritage item and its setting from the adverse effects of the proposed activity in every specific instance, as the nature of the site development is not defined and the special features of the heritage items varies from the whole item in some instances to particular facades or specific features for others.
- The protection of heritage items from potential adverse effects of site development would be better achieved through the case by case analysis of a restricted discretionary activity resource consent assessment.

Point Number 559.138

Summary of Decision Requested: **Delete** Rule 17.3.8.5 P1 All heritage items – All site development.

Decision Reasons:

- The submitter cannot support the permitted activity rule.
- While the parameters of the rule are clear for a permitted activity, it is unclear how this rule effectively protects each heritage item and its setting from the adverse effects of the proposed activity in every specific instance, as the nature of the site development is not defined and the special features of the heritage items varies from the whole item in some instances to particular facades or specific features for others.
- The protection of heritage items from potential adverse effects of site development would be better achieved through the case by case analysis of a restricted discretionary activity resource consent assessment.

Point Number 559.139

Summary of Decision Requested: **Delete** Rule 20.3.5.5 P1 All heritage items – all site development.

Decision Reasons:

- The submitter cannot support the permitted activity rule.

- While the parameters of the rule are clear for a permitted activity, it is unclear how this rule effectively protects each heritage item and its setting from the adverse effects of the proposed activity in every specific instance, as the nature of the site development is not defined and the special features of the heritage items varies from the whole item in some instances to particular facades or specific features for others.
- The protection of heritage items from potential adverse effects of site development would be better achieved through the case by case analysis of a restricted discretionary activity resource consent assessment.

Point Number 559.140

Summary of Decision Requested: **Retain** Rule 16.3.11.5 RD1 All heritage items – site development, except for the amendments as sought below.

AND

Amend Rule 16.3.11.5 RD1 All heritage items – site development as follows:

~~(a) Any activity that does not comply with a condition for a permitted activity Site development is a restricted discretionary activity.~~

(b) Discretion is restricted to:

(i) *Effects on the values, context and setting of the heritage item*

(ii) *Location, design, size, materials and finish*

(iii) *Landscaping*

(iv) *The relationship of the heritage item with the setting, including the area between the front of the heritage item and the road.*

Decision Reasons:

- The submitter supports in part the restricted discretionary activity as this rule allows for the appropriate level of assessment of the possible impacts that site development could have on the heritage values of the heritage item and its setting.
- The trigger for the rule will be the activity of site development itself, rather than not meeting the permitted activity performance standards.
- The zone rules included the area between the front of the heritage item and the road.
- It is considered that all of the setting is important therefore this aspect should be deleted to ensure the entire setting is equally considered.

Point Number 559.141

Summary of Decision Requested: **Retain** Rule 17.3.8.5 RD1 All heritage items – all site development, except for the amendments sought below.

AND

Amend Rule 17.3.8.5 RD1 All heritage items – all site development as follows:

~~(a) Any activity that does not comply with a condition for a permitted activity Site development is a restricted discretionary activity.~~

(b) Discretion is restricted to:

(i) *Effects on the values, context and setting of the heritage item*

(ii) *Location, design, size, materials and finish*

(iii) *Landscaping*

(iv) *The relationship of the heritage item with the setting, including the area between the front of the heritage item and the road.*

Decision Reasons:

- The submitter supports in part the restricted discretionary activity as this rule allows for the appropriate level of assessment of the possible impacts that site development could have on the heritage values of the heritage item and its setting.
- The trigger for the rule will be the activity of site development itself, rather than not meeting the permitted activity performance standards.
- It is considered that all of the setting is important therefore this aspect should be deleted to ensure the entire setting is equally considered.

Point Number 559.142

Summary of Decision Requested: **Retain** Rule 20.3.5.5 RD1 All heritage items – all site development, except for the amendments as sought below.

AND

Amend Rule 20.3.5.5 RD1 All heritage items – all site development as follows:

~~(a) Any activity that does not comply with a condition for a permitted activity Site development is a restricted discretionary activity.~~

(b) Discretion is restricted to:

(i) *Effects on the values, context and setting of the heritage item*

(ii) *Location, design, size, materials and finish*

(iii) *Landscaping*

(iv) *The relationship of the heritage item with the setting, including the area between the front of the heritage item and the road.*

Decision Reasons:

- The submitter supports in part the restricted discretionary activity as this rule allows for the appropriate level of assessment of the possible impacts that site development could have on the heritage values of the heritage item and its setting.
- The trigger for the rule will be the activity of site development itself, rather than not meeting the permitted activity performance standards.
- It is considered that all of the setting is important therefore this aspect should be deleted to ensure the entire setting is equally considered.

Point Number 559.143

Summary of Decision Requested: **Amend** Rule 16.3.11.6 CI Heritage Precincts-Matangi and Huntly by changing the activity status from a Controlled Activity to a Restricted Discretionary Activity

AND

Amend Rule 16.3.11.6 CI (b) Heritage Precincts- Matangi and Huntly as follows:

(a) Construction of a building in the Matangi and Huntly Heritage Precincts identified on the planning maps that is set back at least 8m from road boundaries.

(b) Council's ~~control~~ discretion is reserved over the following matters:

(i) Effects on historic heritage, amenity values and character of the precinct; and

(ii) Building height, side setbacks, scale, form, materials and architectural style to be consistent with the relevant part of Appendix 3.6 (Matangi Heritage Precinct Design Guide) or Appendix 3.5 (Huntly Heritage Precinct Design Guide)

Decision Reasons:

- The submitter supports in part only the controlled activity heritage precinct rules.
- The submitter cannot support the controlled activity status of this rule, which allows a building set back 8m into the site.
- There could be significant impacts on the heritage items a restricted discretionary activity status would be more appropriate in the event that the proposal should be declined.

Point Number 559.144

Summary of Decision Requested: Delete the definition of "Maintenance and Repair" in Chapter 13: Definitions.
AND

Replace the definition for "Maintenance and Repair" in Chapter 13: Definitions with the following definition:

Means (for historic heritage items listed in Appendix 30.1) work for the purpose of weatherproofing, plumbing and electrical work restoration and for the purpose of repair which includes patching, piecing in, splicing or consolidating of any original structure including the repair of materials and replacement of minor components where there are beyond repair or are missing. The replacement should be original or similar material and maintain a consistency in colour, texture, form and design as the original it replaces.

Decision Reasons:

- The submitter opposes the defined term "Maintenance and Repair".

Point Number 559.145

Summary of Decision Requested: Delete the definition of "Restoration" in Chapter 13: Definitions.

Decision Reasons:

- The submitter is concerned that the defined term for "Restoration" does not appear to be reflected within the rule framework and is already included as part of the proposed definition of maintenance and repair.
- Some of the activities within the defined term would warrant scrutiny as part of a resource consent process as there would be potential for adverse effects to occur to heritage values when undertaking these activities
- These activities are already covered by the defined terms of maintenance and repair or additions and alterations.

Point Number 559.146

Summary of Decision Requested: Amend the definition of "Significant feature of interest" in Chapter 13: Definitions as follows:

Means those parts of a historic heritage building, which is shown on the planning maps and listed in Appendix 30.1, that area described in the individual historic heritage item record form.

Decision Reasons:

- The submitter generally supports the recognition of significant features of interest as part of the historic heritage item record form and in relation to the Heritage Items identified in the Plan.
- The submitter is concerned that listing the significant features and developing a rule framework around the significant features risks encouraging a piecemeal approach and not considering the heritage place holistically.
- Changes to non-protected elements can incur negative effects on significant features if they are compromised by what happens around them.
- The column in the schedule referring to significant features implies that everything else is not of particular significance.
- This approach is not helpful to the retention of the heritage values of the whole of the heritage item.
- It would be more appropriate if the schedule is tied to the record form descriptions and the significant features are seen in the context of the entire building.

Point Number 559.147

Summary of Decision Requested: Amend Chapter 14 Infrastructure and Energy to make the activities subject to the relevant zone rules as they apply to Heritage Precincts, Heritage Items, Maaori sites of significance.

Decision Reasons:

- The submitter is concerned with the statement at (i).
- While provision has been made within this Infrastructure and Energy Chapter for the assessment of activities on Identified features, as outline in section (3) of the introduction, that includes:
 - h. Heritage Precincts,
 - i. Heritage Items
 - j. Maaori sites of significance
 - k. Maaori areas of significance
- This level of assessment is not as robust as the assessments that would take place as if the actual rules related to Heritage Precincts, Heritage Items, Maaori sites of significance and Maaori areas of significance.
- Such assessment would provide greater protection as required under s6 of the Resource Management Act.

Point Number 559.148

Summary of Decision Requested: Add the following advice note to Chapter 14.1 Introduction:

The New Zealand Archaeological Association

Archaeological sites are included on the planning maps for District Plan information purposes only. However these sites are subject to the requirements of the Heritage New Zealand Pouhere Taonga Act 2014. Heritage New Zealand Pouhere Taonga must be contacted regarding development on or in proximity to these sites and the need to undertake an archaeological authority.

The Heritage New Zealand Pouhere Taonga Act 2014 protects both recorded and unrecorded archaeological sites.

Decision Reasons:

- The submitter considers that as many of the proposed activities in this chapter will include earthworks, some of which are potentially substantial in terms of depth and area, that an advice not relating to the obligations and requirements of the Heritage New Zealand Pouhere Taonga Act 2014 should be included within the introduction section of the chapter.

Point Number 559.149

Summary of Decision Requested: Retain Rule 14.2.3 NC3 Non-Complying Activities.

Decision Reasons:

- The submitter supports Rule 14.2.3 NC3 as this catch all rule will ensure that the Identified Areas are protected from the adverse effects of energy and infrastructure activities.

Point Number 559.150

Summary of Decision Requested: Retain Rule 14.3.1 P4, condition (1)(h), except for the amendments sought below.

AND

Amend Rule 14.3.1 P4 condition (1)(h) Permitted Activities as follows:

(h) Earthworks are not located within any Historic Heritage sites identified within Appendix 30.1, or any Maori Sites or areas of Significance as identified in Appendix 30.3 and 30.4.

Decision Reasons:

- The submitter supports in part permitted activity specific condition (h), as the reference to only Appendix 30.1 does not cover the identified items of both Historic Heritage and cultural importance and the activity specific condition needs to be amended to include the other appendices so as to provide protection as required under section 6 of the Resource Management Act 1991.

Point Number 559.151

Summary of Decision Requested: Retain activity specific condition 14.3.1.7 relating to P8 Service Connections.

Decision Reasons:

- The submitter supports in part permitted activity specific condition 14.3.1.7 as this activity specific condition ensures that the activity will provide protection as required under section 6 of the Resource Management Act 1991.

Point Number 559.152

Summary of Decision Requested: Retain activity specific condition 14.3.1.7 relating to P9 Minor infrastructure structure.

Decision Reasons:

- The submitter supports in part permitted activity specific condition 14.3.1.7 as this activity specific condition ensures that the activity will provide protection as required under section 6 of the Resource Management Act 1991.

Point Number 559.153

Summary of Decision Requested: Retain activity specific condition 14.3.1.7 relating to P10 Closed-circuit television (CCTV) systems attached to existing buildings and structures.

Decision Reasons:

- The submitter supports in part permitted activity specific condition 14.3.1.7 as this activity specific condition ensures that the activity will provide protection as required under section 6 of the Resource Management Act 1991.

Point Number 559.154

Summary of Decision Requested: Retain Rule 14.3.3 RD2 Earthworks associated with infrastructure that do not comply with one or more of the conditions of Rule 14.3.1.3, except for the amendments sought below.

AND

Amend Rule 14.3.3 RD2 Earthworks associated with infrastructure that do not comply with one or more of the conditions of Rule 14.3.1.3 as follows:

Discretion is restricted to:

(a) Management of sediment and dust, including the staging of works;

(b) The volume, extent and depth of the earthworks activities;

(c) The location of the earthworks activities, taking into account any effects on the values, qualities and characteristics of the site, including sites and areas of Significance to Maori and any Heritage Items;

(d) Any flood or land stability risks; and

(e) Visual, landscape and amenity effects.

Decision Reasons:

- The submitter supports in part only the Restricted Discretionary rule RD2 and the matters of discretion.
- While the matter of discretion (c) could be applicable in part to heritage items and cultural sites, it is considered that the clause should be amended to be readily applicable to heritage items and cultural sites so as to provide protection as required under section 6 of the Resource Management Act 1991.

Point Number 559.155

Summary of Decision Requested: Retain Rule 14.3.3 RD6, subject to the acceptance of any related submission points identified elsewhere in the submission.

Decision Reasons:

- The submitter supports Restricted Discretionary Rule RD6.

Point Number 559.156

Summary of Decision Requested: Add new clause '(c)' to Rule 14.4.1(1) P3 Earthworks activities within the National Grid Yard as follows:

14.4.1.3(1) *Earthworks for National Grid support poles and any stay wires that comply with the following conditions:*

(c) are not located within an Identified area.

AND

Add new clause '(f)' to Rule 14.4.1(2)P3 Earthworks within the National Grid Yard as follows:

14.4.1.3(2) *Earthworks for National Grid support towers (including any tubular steel tower that replaces a steel lattice tower) that comply with the following conditions:...*

(f) are not located within an Identified area.

AND

Provide for any consequential amendments as required to ensure that these earthworks that are located within an identified area will be a restricted discretionary activity.

Decision Reasons:

- The submitter cannot support the permitted activity status of earthworks for National Grid support poles and any stay wires at Rule 14.1.1.3(a) and for support towers at 14.4.1.3(2).
- These permitted activity rules do not exclude earthworks in identified areas and this approach could cause adverse effect to historic heritage and Maaori sites and Areas of significance.
- An amendment is required to ensure these works cannot occur as a permitted activity.

Point Number 559.157

Summary of Decision Requested: Retain Rule 14.4.3 D1 Discretionary activities.

Decision Reasons:

- The submitter supports Discretionary activity Rule D1, as this level of resource consent activity provides the appropriate level of protection and assessment to provide protection as required under section 6 of the Resource Management Act 1991.

Point Number 559.158

Summary of Decision Requested: Retain Rule 14.4.4 NCI Non-complying activities.

Decision Reasons:

- The submitter supports Non-complying activity Rule NCI, as this level of resource consent activity provides the appropriate level of protection and assessment to provide protection as required under section 6 of the Resource Management Act 1991.

Point Number 559.159

Summary of Decision Requested: Retain Rule 14.5.3(a) D2 Discretionary activities.

Decision Reasons:

- The submitter supports Discretionary activity Rule D2, as this level of resource consent activity provides the appropriate level of protection and assessment to provide protection as required under section 6 of the Resource Management Act 1991.

Point Number 559.160

Summary of Decision Requested: Retain activity specific condition 14.6.1.1(a)(a) relating to P1 Small-scale electricity generation.

Decision Reasons:

- The submitter supports Permitted activity Rule P1, as the activity specific condition ensures that the activity will provide protection as required under section 6 of the Resource Management Act 1991.

Point Number 559.161

Summary of Decision Requested: Retain activity specific condition 14.6.1.1 (a)(a) relating to P2 Community-scale electricity generation.

Decision Reasons:

- The submitter supports Permitted activity Rule P2, as the activity specific condition ensures that the activity will provide protection as required under section 6 of the Resource Management Act 1991.

Point Number 559.162

Summary of Decision Requested: Retain activity specific condition 14.6.1.2(a)(v) relating to P3 Research and exploratory-scale investigations for renewable electricity generation activities.

Decision Reasons:

- The submitter supports Permitted activity Rule P3, as the activity specific condition ensures that the activity will provide protection as required under section 6 of the Resource Management Act 1991.

Point Number 559.163

Summary of Decision Requested: Amend Rule 14.6.2 Restricted Discretionary Activities RD1, RD2 and RD3 to become Discretionary Activities for works in an identified area that do not comply with the permitted standards.

Decision Reasons:

- The submitter does not support the Restricted Discretionary activity status for Rule 14.6.2 RD1, RD2 and RD3 for activities that do not comply with the permitted standards, as this level of resource consent activity would not provide the appropriate level of protection and assessment to provide protection for works in an "identified area" as required under section 6 of the Resource Management Act 1991.

Point Number 559.164

Summary of Decision Requested: Retain Rule 14.6.4 NCI Non-Complying Activities.

Decision Reasons:

- The submitter supports Non-Complying Rule NCI, as this level of resource consent activity provides the appropriate level of protection and assessment to provide protection as required under section 6 of the Resource Management Act 1991.

Point Number 559.165

Summary of Decision Requested: Retain activity specific condition 14.7.1.1(a)(iii) relating to P1 Below ground pipelines for the conveyance of liquid fuels and gas.

Decision Reasons:

- The submitter supports permitted activity P1 and specific activity condition (a)(iii) as this condition ensures that the activity will provide protection as required under section 6 of the Resource Management Act 1991.

Point Number 559.166

Summary of Decision Requested: Delete Rule 14.7.1 P2 and activity specific condition 14.7.1.2(a) Below ground pipelines located within an Identified Area.
AND

Amend Rule 14.7.1 P2 Below ground pipelines located within an Identified Area by changing the activity status from a permitted activity to a discretionary activity.

Decision Reasons:

- The submitter cannot support permitted activity P2, as it is not clear why the below ground pipelines are able to be located within the identified areas as a permitted activity.
- This appears to be inconsistent with the similar activities that are only permitted if they are not located within the identified areas.

Point Number 559.167

Summary of Decision Requested: Retain activity specific condition 14.7.1.3(a) relating to P3 Storage facilities and pump stations for liquid fuels and gas.

Decision Reasons:

- The submitter supports permitted activity P3 and specific activity condition 14.7.1.3(a), as this activity specific condition ensures that the activity will provide protection as required under section 6 of the Resource Management Act 1991.

Point Number 559.168

Summary of Decision Requested: Retain Rule 14.7.2 D1 Discretionary Activities, subject to amendments sought elsewhere in the submission.

Decision Reasons:

- The submitter supports Discretionary Rule D1, as this level of resource consent activity provides the appropriate level of protection and assessment to provide protection as required under section 6 of the Resource Management Act 1991.

Point Number 559.169

Summary of Decision Requested: Retain Rule 14.7.2 D2 Discretionary Activities, subject to amendments sought elsewhere in the submission.

Decision Reasons:

- The submitter supports Discretionary Rule D2, as this level of resource consent activity provides the appropriate level of protection and assessment to provide protection as required under section 6 of the Resource Management Act 1991.

Point Number 559.170

Summary of Decision Requested: Retain activity specific condition 14.8.1.1 (a)(iii) relating to P1 Meteorological enclosures and buildings including automatic weather stations.

Decision Reasons:

- The submitter supports Permitted Rule P1 and the activity specific conditions 14.8.1.1.

Point Number 559.171

Summary of Decision Requested: Retain activity specific condition 14.8.1.2(a)(iii) relating to P2 Meteorological and air quality monitoring structures and devices.

Decision Reasons:

- The submitter supports Permitted Rule P2 and the activity specific conditions 14.8.1.2.

Point Number 559.172

Summary of Decision Requested: Retain Rule 14.8.3 D1 Discretionary Activities.

Decision Reasons:

- The submitter supports Discretionary Rule D1 as this level of resource consent activity provides the appropriate level of protection and assessment to provide protection as required under section 6 of the Resource Management Act 1991.

Point Number 559.173

Summary of Decision Requested: **Retain** Rule 14.8.3 D2 Discretionary Activities.

Decision Reasons:

- The submitter supports Discretionary Rule D2 as this level of resource consent activity provides the appropriate level of protection and assessment to provide protection as required under section 6 of the Resource Management Act 1991.

Point Number 559.174

Summary of Decision Requested: **Retain** activity specific condition 14.9.1.1 (a)(iii) relating to P1 Antennas associated with amateur radio configurations.

Decision Reasons:

- The submitter supports Permitted activity Rule P1 Antennas associated with amateur radio configurations, activity specific condition 14.9.1.1 (iii) as this condition will ensure the integrity of the identified areas is retained.

Point Number 559.175

Summary of Decision Requested: **Retain** activity specific condition 14.9.1.2(a)(vii) relating to P2 Aerials associated with amateur radio configurations.

Decision Reasons:

- The submitter supports Permitted activity Rule P2 Aerials associated with amateur radio configurations, activity specific condition 14.9.1.2 (vii) as this condition will ensure the integrity of the identified areas is retained.

Point Number 559.176

Summary of Decision Requested: **Retain** activity specific condition 14.9.1.3 (a)(v) relating to P3 Permitted Activities - Support Structures associated with amateur radio configurations.

Decision Reasons:

- The submitter supports Permitted activity Rule P3, Support structures associated with amateur radio configurations activity specific condition 14.9.1.3 (v) as this condition will ensure the integrity of the identified areas is retained.

Point Number 559.177

Summary of Decision Requested: **Retain** Rule 14.9.3, D2 Discretionary Activities.

Decision Reasons:

- The submitter supports Discretionary activity D2, as this level of resource consent activity provides the appropriate level of protection and assessment to provide protection as required under section 6 of the Resource Management Act 1991.

Point Number 559.178

Summary of Decision Requested: **Retain** activity specific condition 14.10.1.1 (a)(l) relating to P1 - Ancillary equipment and activity-specific condition 14.10.1.1.

AND

Provide for any consequential amendments as required.

Decision Reasons:

- The submitter supports the permitted activity conditions as they will ensure the integrity and the historic heritage values of the identified areas are retained.

Point Number 559.179

Summary of Decision Requested: **Retain** Rule 14.10.1 P2 - Below ground telecommunications and radiocommunications facilities, lines, cables and ducts, except for the amendments sought below

AND

Add a specific activity condition to Rule 14.10.1 P2 - Below ground telecommunications and radiocommunications facilities, lines, cables and ducts as follows:

not located within an identified area

AND

Provide for any consequential amendments as required.

Decision Reasons:

- The submitter cannot support P2 as currently proposed. This activity requires an activity specific condition to ensure that there are not adverse effects to an identified.

Point Number 559.180

Summary of Decision Requested: **Retain** activity specific condition 14.10.1.2 (a)(i) relating to P3 Cabinets.

AND

Provide for any consequential amendments as required.

Decision Reasons:

- The submitter supports the permitted activity conditions as they will ensure the integrity and the historic heritage values of the identified areas are retained.

Point Number 559.181

Summary of Decision Requested: **Retain** activity specific condition 14.10.1.3 (a)(i) relating to P4 - Antennas and line attached to retaining walls, tunnels, bridges and other structures located within the road

AND

Delete activity specific condition 14.10.1.3(b) relating to P4 Antennas and line attached to retaining walls, tunnels, bridges and other structures located within the road.

AND

Provide for any consequential amendments as required.

Decision Reasons:

- The submitter cannot support Rule 14.10.1 Permitted Activity P4, activity specific condition 14.10.1.3(b) as this allows antennas and lines to be attached to a heritage item.

Point Number 559.182

Summary of Decision Requested: **Retain** activity specific condition 14.10.1.4 (a)(i) and(b) relating to P5 - Antennas attached to a building and/or structure.

AND

Provide for any consequential amendments as required.

Decision Reasons:

- The submitter supports the permitted activity conditions as they will ensure the integrity and the historic heritage values of the identified areas are retained.

Point Number 559.183

Summary of Decision Requested: **Retain** activity specific condition 14.10.1.5(a)(iii) and (iv) relating to P7 - Antennas attached to a building and/or structure.

AND

Provide for any consequential amendments as required.

Decision Reasons:

- The submitter supports the permitted activity conditions as they will ensure the integrity and the historic heritage values of the identified areas are retained.

Point Number 559.184

Summary of Decision Requested: **Retain** activity specific condition 14.10.1.6 (a)(ii) and (iii) relating to P8 Small cell units exceeding the permitted volumetric dimension of 0.11m² regulated in the NESTF.

AND

Provide for any consequential amendments as required.

Decision Reasons:

- The submitter supports the permitted activity conditions as they will ensure the integrity and the historic heritage values of the identified areas are retained.

Point Number 559.185

Summary of Decision Requested: **Retain** activity specific condition 14.10.1.7 (a)(i) and (iii) relating to Permitted Activities P9 - Poles, antennas and headframes.

AND

Provide for any consequential amendments as required.

Decision Reasons:

- The submitter supports the permitted activity conditions as they will ensure the integrity and the historic heritage values of the identified areas are retained.

Point Number 559.186

Summary of Decision Requested: **Retain** activity specific condition 14.10.1.8 (a)(iv) relating to P10 - Externally-mounted telecommunication satellite dishes and ancillary components.

AND

Provide for any consequential amendments as required.

Decision Reasons:

- The submitter supports the permitted activity conditions as they will ensure the integrity and the historic heritage values of the identified areas are retained.

Point Number 559.187

Summary of Decision Requested: **Retain** activity specific condition 14.10.1.9 (a)(ii) and (iii) relating to P11 - Telecommunication kiosk.

AND

Provide for any consequential amendments as required.

Decision Reasons:

- The submitter supports the permitted activity conditions as they will ensure the integrity and the historic heritage values of the identified areas are retained.

Point Number 559.188

Summary of Decision Requested: **Retain** activity specific condition 14.10.1.10 (a)(v) relating to P12 - Telephone exchanges, including the installation and operation of equipment inside existing telephone exchanges.

AND

Provide for any consequential amendments as required.

Decision Reasons:

- The submitter supports the permitted activity conditions as they will ensure the integrity and the historic heritage values of the identified areas are retained.

Point Number 559.189

Summary of Decision Requested: **Retain** activity specific condition 14.10.1.11 (a)(i) and (ii) relating to P13 - Self-contained power units.

AND

Provide for any consequential amendments as required.

Decision Reasons:

- The submitter supports the permitted activity conditions as they will ensure the integrity and the historic heritage values of the identified areas are retained.

Point Number 559.190

Summary of Decision Requested: **Retain** activity specific condition 14.10.1.13 (a)(ii) relating to P15 - Lightning rods.

AND

Provide for any consequential amendments as required.

Decision Reasons:

- The submitter supports the permitted activity conditions as they will ensure the integrity and the historic heritage values of the identified areas are retained.

Point Number 559.191

Summary of Decision Requested: **Retain** matters of control 14.10.2(a)(iv) relating to Controlled Activities C1, C2, C5, C6, C7, except for the amendments sought below.

AND

Amend matters of control 14.10.2 (a)(iv) relating to Controlled Activities C1, C2, C5, C6, C7 as follows:

(iv) Effects on the values, qualities and characteristics of the site and/or items in Schedule 30 L.

Decision Reasons:

- The submitter supports the controlled activity status of the activities C1, C2, C5, C6, C7 and supports in part the associated matters of control.

Point Number 559.192

Summary of Decision Requested: **Amend** Rule 14.10.2 Controlled Activities C8 activity status to become a restricted discretionary activity status.

Decision Reasons:

- The submitter cannot support the controlled activity status of activity C8 as it is considered that compliance with the Rule 14.10.1.7, which would allow poles and head frames of a height of between 15-30m, dependant on the zone, within an identified area has the potential to cause adverse effects on historic heritage and cultural values.
- While there are relevant assessment criteria, the activity should have restricted discretionary activity status to ensure that the activity could be refused, if inappropriate.

Point Number 559.193

Summary of Decision Requested: **Retain** Rule 14.10.2 (iii) Controlled Activities C9, except for the amendments sought below.

AND

Amend Rule 14.10.2 Controlled Activities C9 as follows:

(a) Externally-mounted telecommunications satellite dishes and ancillary components:...

(iii) Are not located within an Identified Area

AND

Amend Rule 14.10.2 Controlled activities, C9 activity status to become Restricted Discretionary activity status.

AND

Provide for any consequential amendments,

Decision Reasons:

- The submitter cannot support the inclusion of the identified areas within the controlled activity status of activity C9 as the activity has the potential to cause adverse effects on historic heritage and cultural values.
- While there are relevant assessment criteria relating to effects, the activity should have restricted discretionary activity status to ensure that the activity could be refused, if inappropriate.
- An amendment is sought to ensure that identified areas are not included as part of the controlled activity.

Point Number 559.194

Summary of Decision Requested: **Retain** Rule 14.10.2 C10 Telecommunication kiosks, located within road or unformed road adjacent to an Identified Area, that complies with the conditions for a new infrastructure activity and associated structures under Rule 14.2.1.1.

Decision Reasons:

- The submitter supports this controlled activity and the need to comply with the conditions for new infrastructure.

Point Number 559.195

Summary of Decision Requested: **Retain** Rule 14.10.3 Restricted Discretionary Activities RD1, RD2, RD3, RD4, RD6, RD7, except for the amendments sought below
AND
Amend matters of discretion 14.10.3 (e) relating to RD1, RD2, RD3, RD4, RD6, RD7, as follows:
...
(e) *Effects on the values, qualities and characteristics of the site, the heritage item or area.*

Decision Reasons:

- The submitter supports the restricted discretionary status of the activities at 14.10.3.
- The submitter supports in part only the matters of discretion, as it is considered that the matters of discretion need to reflect the items or areas that are part of the identified areas, for the assessment to provide for the protection required under section 6 of the Resource Management Act.

Point Number 559.196

Summary of Decision Requested: **Retain** Rule 14.10.4 Discretionary Activities D1, D2, D3, D4, D5, D6, D7, D8.

Decision Reasons:

- The submitter supports the discretionary activity status of the activities at 14.10.4, as these activities are located within the Identified areas, which include heritage items and Maaori sites and areas of significance.
- This is an appropriate level of resource consent activity providing the appropriate level of protection and assessment as required under section 6 of the Resource Management Act 1991.

Point Number 559.197

Summary of Decision Requested: **Retain** activity specific condition 14.11.1.4(a)(ii) relating to P4 Below ground pipelines for the conveyance of water, wastewater and stormwater.
AND
Delete activity specific condition 14.11.1.4(b) relating to P4 Below ground pipelines for the conveyance of water, wastewater and stormwater.

Decision Reasons:

- The submitter supports 14.11.1 Permitted activities P4 and the activity specific condition, as this will ensure that works are not located within the Heritage items or Maaori sites or areas of significance.
- The submitter cannot support the exception in activity specific condition 14.11.1.4(b), as some of the bridges within the Waikato District are heritage items and an assessment should take place to consider the impact on heritage values.

Point Number 559.198

Summary of Decision Requested: **Amend** Rule 14.11.1 Permitted Activity P5 Below ground pipelines for the conveyance of water, wastewater and stormwater located within an Identified Area from a permitted activity status to become a Restricted Discretionary Activity status.

Decision Reasons:

- The submitter cannot support the permitted activity rule P5 and the associated Activity specific condition 14.11.1.5(a) as the pipes both above and below ground have the potential to impact on cultural and heritage values and need to be assessed.

Point Number 559.199

Summary of Decision Requested: **Retain** activity specific condition 14.11.1.6(a)(i) relating to P6 Pump stations for the conveyance of water, wastewater and stormwater.

Decision Reasons:

- The submitter supports Rule 14.11.1 Permitted activities P6 and the activity specific condition 14.11.1.6(a)(i), as this will ensure that works are not located within the Heritage items and Maaori sites or areas of significance and will avoid adverse impacts on heritage values.

Point Number 559.200

Summary of Decision Requested: **Retain** activity specific condition 14.11.1.8(a)(i) relating to P9 Ventilation facilities, drop shafts and manholes.
AND
Amend numbering of specific activity condition to 14.11.1.9.

Decision Reasons:

- The submitter supports Rule 14.11.1 Permitted activities P9 and the activity specific condition 14.11.1.8(a)(i), as this will ensure that works are not located within the Heritage items and Maaori sites or areas of significance and will avoid adverse impacts on heritage values.

Point Number 559.201

Summary of Decision Requested: **Retain** activity specific condition 14.11.1.9 (a)(i) relating to **P10** Below ground reservoirs.
AND
Amend numbering of specific activity condition to 14.11.1.10.

Decision Reasons:

- The submitter supports Rule 14.1.1.1 Permitted activities P9 and the activity specific condition 14.1.1.9(a)(i), as this will ensure that works are not located within the Heritage items and Maaori sites or areas of significance and will avoid adverse impacts on heritage values.

Point Number 559.202

Summary of Decision Requested: Retain Rule 14.1.1.2 RD4, RD5, RD6, RD7, RD8 and RD9 Restricted Discretionary Activities and the associated matters of discretion (e).

Decision Reasons:

- The submitter supports Rule 14.1.1.2 Restricted Discretionary activities RD4, RD5, RD7, RD8 and RD9 and the associated matter of discretion (e)
- The submitter considers this is an appropriate level of resource consent activity, providing the appropriate level of protection and assessment as required under section 6 of the Resource Management Act 1991.

Point Number 559.203

Summary of Decision Requested: Retain Rule 14.1.1.1 NCI, NC2 and NC3 Non Complying Activities.

Decision Reasons:

- The submitter supports Rule 14.1.1.4 Non-Complying activities NC1, NC2 and NC3 as this level of resource consent activity provides the appropriate level of protection and assessment to provide protection as required under section 6 of the Resource Management Act 1991.

Point Number 559.204

Summary of Decision Requested: Retain activity specific conditions 14.12.1.5(1)(d) relating to P5 Operation, maintenance and minor upgrading of existing public roads, State Highways and associated road network activities.

Decision Reasons:

- The submitter supports Permitted activity P5 and the activity specific condition 14.12.1.5(1)(d) as this will ensure that works are not located within the Heritage items or, subject to the acceptance of the related Heritage New Zealand submission point, Maaori sites or areas of significance, and therefore adverse impacts on heritage values will be avoided.

Point Number 559.205

Summary of Decision Requested: Retain activity specific condition 14.12.1.6 (1)(g) relating to P6 New public roads, including where the road has been identified on the planning maps as an Indicative road, and associated road network activities.

Decision Reasons:

- The submitter supports Permitted activity P6 and the activity specific condition 14.12.1.6(1)(g) as this will ensure that works are not located within the Heritage items or, subject to the acceptance of the related Heritage New Zealand submission point, Maaori sites or areas of significance, and therefore adverse impacts on heritage values will be avoided.

Point Number 559.206

Summary of Decision Requested: Retain activity specific condition 14.12.1.7(4) relating to P7 Access and New Roads – Te Kowhai Airpark Zone.

Decision Reasons:

- The submitter supports Permitted activity P7 and the activity specific condition 14.12.1.7(4) as this will ensure that works are not located within the Heritage items or, subject to the acceptance of the related Heritage New Zealand submission point, Maaori sites or areas of significance, and therefore adverse impacts on heritage values will be avoided.

Point Number 559.207

Summary of Decision Requested: Retain activity specific condition 14.12.1.8(iv) and(v) relating to P8 Off-road pedestrian and cycle facilities.

Decision Reasons:

- The submitter supports permitted activities P8 and activity specific condition 14.12.1.8(iv) and (v) as this will ensure that works are not located within the Heritage items or Maaori sites or areas of significance, and therefore adverse impacts on heritage values will be avoided.

Point Number 559.208

Summary of Decision Requested: Retain activity specific condition 14.12.1.9 (1)(a) and (b) relating to P9 Stock underpasses located within (a) Road and unformed road (b) Rural Zone.

Decision Reasons:

- The submitter supports permitted activities P9 and activity specific condition 14.12.1.9(a) and (b) as this will ensure that works are not located within the Heritage items or Maaori sites or areas of significance, and therefore adverse impacts on heritage values will be avoided.

Point Number 559.209

Summary of Decision Requested: Retain matters of discretion 14.12.2(g) relating to RD5 Operation, maintenance and minor upgrading of existing public roads, State highways and associated road network activities that does not comply with one or more of the conditions of Rule 14.12.1.5.

Decision Reasons:

- The submitter supports activity RD5 and the matter of discretion (g).
- This is an appropriate level of resource consent activity providing the appropriate level of resource consent activity providing the appropriate level of protection and assessment as required under section 6 of the Resource Management Act 1991.

Point Number 559.210

Summary of Decision Requested: **Retain** Rule 14.12.2 RD6 Restricted Discretionary Activities.

Decision Reasons:

- The submitter supports activity RD6, as new roads are excluded from the restricted discretionary activity status.
- This is appropriate as new roads have the potential to cause significant adverse effects on heritage and cultural values and should be assessed with a more stringent level of resource consent activity to ensure the protection as required under s6 of the Resource Management Act is achieved.

Point Number 559.211

Summary of Decision Requested: **Amend** matters of discretion 14.12.2(i) relating to RD7 Access and New Roads – Te Kowhai Airpark Zone that do not comply with one or more of the conditions of Rule 14.12.1.7 as follows:

(i) The location of the earthworks activities, taking into account any effects on the values, qualities and characteristics of the site or area.

Decision Reasons:

- The submitter supports the restricted discretionary activity status of activity RD7 and the associated matters of discretion in part.
- While this is an appropriate level of resource consent activity providing the appropriate level of resource consent activity providing the appropriate level of protection and assessment as required under section 6 of the Resource Management Act 1991, the matters of discretion need to be expanded by including the word "area" as some sites are part of larger Maori areas and this larger context needs to be acknowledged and considered as part of the consenting process.

Point Number 559.212

Summary of Decision Requested: **Add** a new matter of discretion (e) to 14.12.2 relating to RD8 Off-road pedestrian and cycle facilities that do not comply with one or more of the conditions of Rule 14.12.1.8 as follows:

(e) The location of the earthworks activities, taking into account any effects on the values, qualities and characteristics of the site or area.

Decision Reasons:

- The submitter is concerned that the matters of discretion for Restricted Discretionary Activities RD8 do not include any assessment related to the identified areas as found for example in Rule 14.12.2 Restricted Discretionary Activities RD7, matters of discretion (i).

Point Number 559.213

Summary of Decision Requested: **Amend** Rule 18.3.5 P1 Verandahs as follows:

P1

(a) Any new building, or alteration to an existing building, except a building included in Schedule 30.1 – Historic Heritage Items, on land with a verandah line identified on the planning maps, must be provided with a verandah that complies with the following conditions:

...

Decision Reasons:

- The submitter opposes Rule 18.3.5 Verandahs in part as this rule has the potential to undermine the heritage values of items contained within Schedule 30.1 Historic Heritage Items and cause adverse effects.
- The plan does not provide clear guidance that Heritage items should be exempt from these types of design rules. Heritage New Zealand seeks that the rule is amended to exclude Heritage items from being subject to the Verandah rules.

Point Number 559.214

Summary of Decision Requested: **Retain** Rule 18.3.5 D1 Verandahs (subject to historic heritage items being excluded from these requirements).

Decision Reasons:

- The submitter supports the discretionary activity status of Rule 18.3.5, subject to historic heritage items being excluded from these requirements, as identified in the submission point relating to 18.3.5 P1 Verandahs.

Point Number 559.215

Summary of Decision Requested: **Add** to the proposed District Plan Planning Maps the Rangiriri Heritage precinct as per the mapping included in Attachment 2 (refer to submission – Attachment 2: Reinstatement of Rangiriri Heritage Precinct).

AND

Add to the proposed District Plan the Rangiriri Heritage Precinct and the associated rule framework as per the Operative Plan.

Decision Reasons:

- The submitter is concerned that the Rangiriri Heritage precinct has been deleted from the Plan.
- The submitter seeks that the Rangiriri Heritage precinct is reinstated into the Plan.

Point Number 559.216

Summary of Decision Requested: **Retain** Schedule 30.1 – Historic Heritage Items, except for the amendments sought below

AND

Amend Schedule 30.1 – Historic Heritage to include an advice note regarding the extensive heritage and archaeological information held by Council that can be obtained on request.

Decision Reasons:

- The submitter supports the proposed Schedule 30.1 – Historic Heritage items which includes 74 new items.
- This Schedule contains a wide range of heritage items from within the Waikato District.
- Extensive work has been undertaken to research and record these items to include them as part of the schedule, which helps to ensure their protection from inappropriate subdivision, development and use into the future.

- Other heritage related work also undertaken includes the recording of additional heritage items which on evaluation did not meet the heritage assessment criteria for inclusion in the plan, and other work on heritage overviews of various parts of the district.
- There are also extensive studies related to archaeological sites, and therefore useful as part of the matters that an applicant may have to consider as part of their application proposals.
- Consideration needs to be given to making applicants aware of the additional heritage information that the Council holds. This could assist with the development of application proposals including heritage impact assessments or as background to inform structure plans or similar at the time of development.

Point Number 559.217

Summary of Decision Requested: **Amend** the third column heading in Schedule 30.1 – Historic Heritage Items from "H.P.T. to "HNZPT".

AND

Add the Heritage New Zealand listing numbers as identified in Attachment 3 to this submission into Schedule 30.1 (refer to Attachment 3 of the submission).

Decision Reasons:

- The submitter seeks that the heading in the third column is amended from "HPT" (the old acronym for Historic Places Trust) to "NZHPT" to recognise Heritage New Zealand Pouhere Taonga.
- The submitter also seeks that in addition to the category of the Heritage New Zealand listed items that the Heritage New Zealand list number is also included. This will assist plan users to more readily access information regarding the listing and ensure that its heritage values are protected.

Point Number 559.218

Summary of Decision Requested: **Amend** schedule 30.1 Heritage Items by deleting the column containing the significant features to be protected and replacing with a notation or hyperlink to refer the reader to the relevant Heritage record forms for information relating to the history, setting, extent of scheduling and significant features of the building to all be given regard at the time of works on the Heritage Item.

AND

Add to Schedule 30.1 Heritage Items the heritage record form to be part of Schedule 30.1-Historic Heritage Items in the Plan.

Decision Reasons:

- The submitter is concerned at the inclusion of the "significant features to be protected" column, within Schedule 30.1-Historic Heritage Items and how this column is used in conjunction with the rule framework, which allows works on the building that do not impact on the significant feature.
- As currently worded the rules would allow unfettered works on the parts of the building not identified as special features.
- The submitter is concerned that a listed property, Riverdale is proposed to be removed due to modifications which would indicate that the rules framework is not working.
- This approach risks encouraging a piecemeal approach and not considering the heritage place holistically. Even changes to non-protected elements can incur negative effects on protected features if they are comprised by what happens around them.
- The column in the schedule referring to significant features implies that everything else is not of particular significance, which is not helpful or correct. If the schedule is tied to the record forms, one can understand that the significant features are part of the total heritage values.

Point Number 559.219

Summary of Decision Requested: **Add** to Schedule 30.1, Heritage New Zealand Pouhere Taonga List item number 4256 – Riverdale, known in the Operative Plan as former FH Edgcombe Residence, Heritage item 115 as a 'B' ranking.

Decision Reasons:

- The submitter is concerned that a Heritage New Zealand listed item, known as Riverdale and also known as Former FH Edgcombe Residence, a Category A scheduled item, is proposed to be deleted from the Operative District Plan.
- Council's heritage expert suggests that it could be retained within the Plan as a "B" item.
- The submitter considers that the item is worthy of being retained within the Plan, despite the modifications and seeks that the item is retain with a "B" ranking.

Point Number 559.220

Summary of Decision Requested: **Add** to the Heritage Schedule 30.1, Heritage New Zealand Pouhere Taonga List item number 7129 – Komakorau Hall located at 50 Woodlands Road, Gordonton.

Decision Reasons:

- The submitter is concerned that this item continues to not be recognised within the District Plan, and considers that while this item has been relocated to 50 Woodlands Road, Gordonton, it will still retain some heritage values worthy of recognition in the schedule.
- The submission details historical points of note for this heritage item (refer to the submission).
- The submitter considers that the hall should be recognised in Schedule 30.1.

Point Number 559.221

Summary of Decision Requested: **Add** to the Heritage Schedule 30.1 Heritage New Zealand Pouhere Taonga List item number 4250 – Former Burnett Residence located at 11 Luff Place, Ngaruawahia, Heritage Item number 116 in the Operative District Plan.

Decision Reasons:

- The submitter is concerned that this item has not been retained within the Heritage Schedule.
- The c1875/80 building has historic heritage values and despite relocation has been retained within the same general locale. The building still retains some heritage values worthy of recognition in the schedule.

Point Number 559.222

Summary of Decision Requested: **Add** to the Heritage Schedule 30.1, Heritage New Zealand Pouhere Taonga List item number 4241 – Former Post office (Relocated) located at 10 Amber Lane, Puketaha.

Decision Reasons:

- The submitter is concerned that the list item 4241, Former Post Office, originally located in the South Waikato District at the Arapuni Dam station and then moved to Arapuni Village, then moved off site in the 1990s to a relocatable building haulage yard and relocated to Puketaha in early 2000, is not included in Schedule 30.1, Heritage items.
- The item is also not scheduled in the Operative Waikato Plan 2013.
- The submitter considers that the item does retain sufficient heritage values to be recognised through the scheduling process.

Point Number 559.223

Summary of Decision Requested: **Amend** Heritage Schedule 30.1 to include the setting of heritage item number 98 – Potatau Monument as shown on Attachment 4 to the submission (refer to submission).

Decision Reasons:

- The submitter supports that the Potatau Monument and its immediate setting are part of Schedule 30.1 Historic Heritage Items.
- While this item is not on the Heritage New Zealand list, Heritage New Zealand has indicated publicly that it is interested to list this site for both its historic and wahi tapu values.
- While this listing work is in the early stages of development and consultation, it is considered that the extent of the Heritage New Zealand listing would likely extend beyond the current "setting" on the Potatau Monument record form, to the edge of the grassed reserve area in recognition of the many aspects, including the ancestral footprint and archaeological values that contribute to the importance of this item.
- It is considered that there is merit in seeking that the current recognised setting of heritage item number 98 is extended as shown on Attachment 4.
- This is important as the current setting is contained within one allotment and the way that the rules are written there is no opportunity to control development and avoid adverse effects on the immediate area, which is the reserve but on another allotment.

Point Number 559.224

Summary of Decision Requested: **Consider** how heritage Item number 17A (of the Operative District Plan) – First Industries cottage and site located at 92 B Te Onetea Road, Rangiriri, which has a current "B" ranking can be retained in Council's records.

AND

Consider how any additional information can be captured at the time of demolition.

Decision Reasons:

- The submitter is concerned at the proposed deletion of this pre 1881 item from the schedule.
- While the submitter acknowledges what appears from a desktop review to be the very, very poor condition of the building, the early date of the site/building does indicate that the site/building is of heritage interest.
- An archaeological authority will be required potentially for the demolition of the building if it is pre 1900 and any earthworks required on the site at the time of demolition or for new development.

Point Number 559.225

Summary of Decision Requested: **Add** to the Heritage Schedule 30.1, Heritage Item number 76 - Former government departmental building from the Operative District Plan, located at 78 Matangi Street, Matangi and rank the building as a 'B' category building.

Decision Reasons:

- The submitter is concerned at the proposed deletion of this building from the plan.
- The submitter appreciates that the building has been relocated, however considers that the building has significant architectural qualities.
- While relocated it has connections to a particular style of government building nationwide, at the time playing an important function in the development of New Zealand.

Point Number 559.226

Summary of Decision Requested: **Add** to the Heritage Schedule 30.1, Heritage Item number 125 – Former Mines/King House from the Operative District Plan, located at 14 Galileo Street, Ngaruawahia and rank the building as a 'B' category building.

Decision Reasons:

- The submitter is concerned that the building is proposed to be deleted from the heritage schedule.
- The building appears to be in very original condition and has been maintained.
- It is very visible, and has architectural value, including the bull nose verandah feature.
- The submitter considers that it retains sufficient interest and heritage values to be retained within the schedule.

Point Number 559.227

Summary of Decision Requested: **Add** to the Heritage Schedule 30.1, Heritage Item number 155 – Former Gilmore Bros Shop from the Operative District Plan, located at 11 Bow Street, Raglan and rank the building as a 'B' category building.

Decision Reasons:

- The submitter is concerned that the building is proposed to be deleted from the heritage schedule.
- The submitter considers that while some of the features have been modified there are still distinctive architectural features such as the gable, with the shingles and rounded arch.
- The building has significant historic and social significance and contributes to the local identity.
- The modifications have not fundamentally damaged the character and design of the building.

Point Number 559.228

Summary of Decision Requested: **Add** to the Heritage Schedule 30.1, Heritage Item number 161 – Former AR Langley building from the Operative District Plan, located at 19 Bow Street, Raglan and rank the building as a 'B' category building.

Decision Reasons:

- The submitter is concerned that the post 1906 building is proposed to be deleted from the heritage schedule.

- The building is located on a prominent corner site and is part of the community history.
- The modifications have not totally compromised the building and it retains sufficient interest to be retained within the schedule.

Point Number 559.229

Summary of Decision Requested: **Add** to the Heritage Schedule 30.1 the Former Marist Juniorate Training College building, located at 139 Dominion Road, Tuakau and rank the building as a 'A' category building.

Decision Reasons:

- The submitter is concerned that the 1925-26 buildings identified as the Former Marist Juniorate Training College building, Lavalla College, recommended to have a "A" ranking has not been included within the Heritage Schedule, despite being supported as an item for inclusion in the Plan in the peer review by conservation architect Adam Wild.
- The submitter considers that this is a very distinctive building with strong architectural values and decorative brick work and forms part of the social history of the district and the wider catholic church warrant the items included within the Schedule.

Point Number 559.230

Summary of Decision Requested: **Add** to the Heritage Schedule 30.1 the Former Kosoof building bungalow/Rimu house, located at 40 Main Street, Huntly and rank the building as a 'B' category building.

Decision Reasons:

- The submitter is concerned that the c1929 building which has a recommended "B" ranking has not been included within the Heritage Schedule, despite being supported as an item for inclusion in the Plan in the peer review by conservation architect Adam Wild.
- The submitter considers that this is a very distinctive building with strong architectural values and decorative brick work and forms part of the social history of the district.

Point Number 559.231

Summary of Decision Requested: **Add** to the Heritage Schedule 30.1 the Former Taupiri Post office & postmasters residence, located at 3 the Crescent, Taupiri and rank the building a 'B' category building.

Decision Reasons:

- The submitter is concerned that the 1920-21 building has not been included within the Heritage Schedule, despite being supported as an item for inclusion in the Plan in the peer review by conservation architect Adam Wild.
- The submitter supports the advice contained in the Adam Wild report that despite modifications the building has architectural values and is part of the history of the district.

Point Number 559.232

Summary of Decision Requested: **Add** to the Heritage Schedule 30.1 the Former Robinsons Boarding House, located at 79 Wilton Collieries Road, Glen Massey and rank the building a 'B' category building.

Decision Reasons:

- The submitter is concerned that the 1914 building has not been included within the Heritage Schedule, despite being supported as an item for inclusion in the Plan in the peer review by conservation architect Adam Wild.
- Many buildings do have the potential to be restored and it's premature for the building to not be included onto the Heritage schedule.

Point Number 559.233

Summary of Decision Requested: **Add** to the Heritage Schedule 30.1 the Former Cavanagh Residence, located at 67 Ellery Street, Ngaruawahia and rank the building a 'B' category building.

Decision Reasons:

- The submitter that the 1912/14 building has not been included within the Heritage Schedule, despite being supported as an item for inclusion in the Plan in the peer review by conservation architect Adam Wild.
- Many buildings do have the potential to be restored and it's premature for the building to not be included onto the Heritage schedule.

Point Number 559.234

Summary of Decision Requested: **Amend** the Proposed District Plan to administer the Ngaruawahia Centennial Memorial Plunket Rooms and Women's Rest Rooms in the same manner as other items in Schedule 30.1.

Decision Reasons:

- The submitter that the 1940 building has not been included within the Heritage Schedule as a regular heritage item, despite being supported as an item for inclusion in the Plan in the peer review by conservation architect Adam Wild.
- Many buildings do have the potential to be restored and it is premature for the building to not be administered in the same manner as the other heritage buildings included in the Heritage Schedule.
- The submitter seeks that this building is recognised and administered in the same way as other items in the schedule.

Point Number 559.235

Summary of Decision Requested: **Retain** in the Heritage Schedule 30.1 the Former Huntly Railway worker's Cottages as follows:

- Heritage Item number 64 from the Operative District Plan located at 47 Harris Street, Huntly.
- Heritage Item number 65 from the Operative District Plan located at 41 Harris Street, Huntly.
- Heritage Item number 66 from the Operative District Plan located at 39 Harris Street, Huntly.
- Heritage Item number 67 from the Operative District Plan located at 37 Harris Street, Huntly.
- Heritage Item number 68 from the Operative District Plan located at 35 Harris Street, Huntly.
- Heritage Item number 69 from the Operative District Plan located at 33 Harris Street, Huntly.

AND

Amend the Proposed District Plan to recognise collectively the Huntly railway workers cottage, located on Harris Street, Huntly as a Precinct.

AND

Add rules as found in the Hamilton City Council Plan, Special Heritage Zone - Frankton Railway Village.

AND

Provide further information in regards to the status of the Historic Heritage Items changing status from "A" to "B".

Decision Reasons:

- The submitter is supportive of the recognition of the cluster of former Huntly Railway worker's Cottages within Schedule 30.1 Historic Heritage Items.
- These items are part of the Operative Plan and recognised as "A" items, whereas the proposed plan demotes those items to a "B" status.
- No explanation has been provided in the available background material as to why they are considered to now only have a "B" status. Some information on this would be helpful.
- The submitter considers that there is merit in recognising the particular features of railway cottages such as their plain simple style and aspects of the sites such as lack of garaging and typical low fencing.
- There would be benefit in rules, such as those contained within the Hamilton City Council Plan, Special Heritage Zone – Frankton Railway Village that seek to maintain the important elements of these building, with rules allowing addition at the rear only, garaging at the rear of the house and maintaining low fencing. This already established type of rule framework would ensure the retention of the heritage values of the cottages and the group of houses as a whole.

Point Number

559.236

Summary of Decision Requested:

Add to the Heritage Schedule 30.1 the following NZ War Memorial Heritage inventory items as follows:

- Kariotahi School Roll of Honour
- Ngaruawahia NZ Wars Memorial
- Otaua War Memorial Bowling Green
- Otaua Hall
- Tauwhare War Memorial Hall
- Te Hoe Memorial Hall
- Te Uku & District Memorial Hall
- Tuakau Services Memorial
- Waikaretu War Memorial Hall
- Whatawhata Cemetery NZ Wars Memorial
- Whitikahu Memorial Hall

Decision Reasons:

- The submitter is concerned that there has only been partial recognition of the NZ War Memorial inventory supplied to the council, within Schedule 30.1 – Historic Heritage Items.
- The Heritage New Zealand Pouhere Taonga NZ War Memorial Heritage inventory project sought to capture a range of monuments and memorials to the World Wars.
- Many of these items have been funded in part or whole by their local communities and placed on land donated by communities.
- This type of heritage has sometimes not been included within Heritage Schedules and this has led in some instance to their demise or relocation.

Point Number

559.237

Summary of Decision Requested:

Retain Schedule 30.3 - Maaori sites of Significance within the Plan, except for the amendments sought below.

AND

Amend the introductory notes to Schedule 30.3 to include the following advice note:

The Maaori Sites and Areas of Significance are also recorded archaeological sites and may also contain unrecorded archaeological sites. These sites are subject to the requirements of the Heritage New Zealand Pouhere Taonga Act 2014. Heritage New Zealand Pouhere Taonga must be contacted regarding development on or in proximity to these sites and the need to undertake an archaeological assessment to determine the need for an archaeological authority. The Heritage New Zealand Pouhere Taonga Act 2014 protects both recorded and unrecorded archaeological sites.

Decision Reasons:

- The submitter typically supports protection for the whole extent of a scheduled site.
- The submitter understands that the methodology used by Waikato District Council for the Maaori Sites and Areas of significance is largely a desktop methodology.
- There are risks to using desktop survey only to identify archaeological sites in that the fullest extent of the site may not be protected or there may be inaccuracies in historical record.
- As these sites are not being scheduled for their archaeological values along but instead their cultural significance to tangata whenua, the submitter considers it appropriate that the extents of these sites be identified by tangata whenua.
- As stated by Dr Des Kahotea in his methodology, these sites are being scheduled for more than just their archaeological values and "low archaeological values have no influence on cultural significance and sections 2(1) and 6(e) assigns tangata whenua, hapu and iwi the role and status.
- While the plan is recognising these sites for their cultural values, the plan needs to acknowledge these sites are also New Zealand Archaeological Association recorded archaeological sites and therefore subject to the requirements of the Heritage New Zealand Pouhere Taonga Act 2014, which provides for the protection of both recorded and unrecorded archaeological sites. While the plan provides the recording number on the Plan maps and in the schedule, it would be helpful for the reader to be advised of the need to contact Heritage New Zealand in relation to their proposed works and the need or otherwise for an archaeological assessment to determine the need for an archaeological authority.

Point Number

559.238

Summary of Decision Requested:

Retain Schedule 30.4 – Maaori Areas of Significance within the Plan, except for the amendments sought below.

AND

Amend the introductory notes to Schedule 30.4 to include the following advice note:

The Maaori Sites and Areas of Significance are also recorded archaeological sites and may also contain unrecorded archaeological sites. These sites are subject to the requirements of the Heritage New Zealand Pouhere Taonga Act 2014. Heritage New Zealand Pouhere Taonga must be contacted regarding development on or in proximity to these sites and the need to undertake an archaeological assessment to determine the need for an archaeological authority. The Heritage New Zealand Pouhere Taonga Act 2014 protects both recorded and unrecorded archaeological sites.

Decision Reasons:

- The submitter typically supports protection for the whole extent of a scheduled site.
- The submitter understands that the methodology used by Waikato District Council for the Maaori Sites and Areas of significance is largely a desktop methodology.
- There are risks to using desktop survey only to identify archaeological sites in that the fullest extent of the site may not be protected or there may be inaccuracies in historical record.
- As these sites are not being scheduled for their archaeological values along but instead their cultural significance to tangata whenua, the submitter considers it appropriate that the extents of these sites be identified by tangata whenua.
- As stated by Dr Des Kahotea in his methodology, these sites are being scheduled for more than just their archaeological values and "low archaeological values have no influence on cultural significance and sections 2(1) and 6(e) assigns tangata whenua, hapu and iwi the role and status.
- While the plan is recognising these sites for their cultural values, the plan needs to acknowledge these sites are also New Zealand Archaeological Association recorded archaeological sites and therefore subject to the requirements of the Heritage New Zealand Pouhere Taonga Act 2014, which provides for the protection of both recorded and unrecorded archaeological sites. While the plan provides the recording number on the Plan maps and in the schedule, it would be helpful for the reader to be advised of the need to contact Heritage New Zealand in relation to their proposed works and the need or otherwise for an archaeological assessment to determine the need for an archaeological authority.

Point Number

559.239

Summary of Decision Requested:

Amend Schedule 30.3 - Maaori sites of Significance by extending SS60 as depicted in Attachment 4 of the submission (refer to the submission).

Decision Reasons:

- The submitter supports the inclusion of SS60 Maaori Areas of Significance that includes the Potatau Monument and the immediate reserve surrounds.
- While this item is not on the Heritage New Zealand list is not on the Heritage New Zealand list, Heritage New Zealand has indicated publically that it is interested to list this site for both its historic and wahi tapu values.
- While this listing work is in the early stages of development and consultation, it is considered that the extent of the Heritage New Zealand listings would likely extend beyond the SS60 to the edge of the grassed reserve area in recognition of the many aspects, including the ancestral footprint and archaeological values that contribute to the importance of this item.
- It is considered that there is merit in seeking that ss60 is extended as shown on Attachment 4 of this submission, which would align with the likely footprint of the proposed wahi tapu listing.

Point Number

559.240

Summary of Decision Requested:

Add a new schedule to the Proposed District Plan entitled Schedule 30.6 – Significant Waahi Tapu and Waahi Tapu areas and include the following Heritage New Zealand Pouhere Taonga listed waahi tapu sites:

- Te Aukati ki Mangatawhiri - Waahi Tapu Heritage New Zealand list number 9632.
- Meremere - Waahi Tapu Heritage New Zealand list number 9609.
- Te Teo Teo - Waahi Tapu Heritage New Zealand list number 9607, and
- Rangiriri- Waahi Tapu Area Heritage New Zealand list number 7720.

AND

Add maps in the District Plan Maps showing the same extent as the Heritage New Zealand Pouhere Taonga listing as included in Attachment 6 (refer to submission).

Decision Reasons:

- The submitter requests a new schedule in the plan to be known as Schedule 30.6 – Significant Wahi Tapu and Wahi Tapu areas.
- The submitter requests that these wahi tapu and wahi tapu areas are to be mapped as per the extent shown in Attachment 6 to this submission.

Point Number

559.241

Summary of Decision Requested:

Retain the archaeological advice note in the Introduction to Section E, except for the amendments sought below.

AND

Amend the archaeological advice note in the Introduction to Section E to read as follows:

Advice Note

A designation does not exempt a requiring authority from first obtaining an authority from Heritage New Zealand Pouhere Taonga if an archaeological site is to be destroyed, ~~damaged~~ or modified.

Decision Reasons:

- The submitter supports in part the advice note contained within the Introduction to section E – Designations.
- It is important that parties undertaking works are aware of their obligations with regard to the protection of archaeology, both recorded and unrecorded.
- The wording in the Heritage New Zealand Pouhere Taonga Act 2014, s42, relates to a person "modifying or destroying" an archaeological site. The word damaging is not included within this section of the Act.
- The submitter therefore seeks that the wording of the advice note is amended to reflect the language of the Act.

Point Number

559.242

Summary of Decision Requested:

Amend condition 5 of designation for the Minister of Corrections as follows:

5.0 Archaeological

5.1

If any urupa, traditional sites, taonga (significant artefacts), koiwi (human remains), or other archaeological sites are exposed during site works the following procedures shall apply:

- a. Immediately it becomes apparent that an urupa, traditional site, taonga, koiwi or other archaeological site has been exposed, all site works in the immediate vicinity shall cease;

- b. The site supervisor shall immediately secure the area in a way that ensures that any artefacts or remains are not further disturbed; and
- c. The site supervisor shall notify the Waikato Rauapatu Lands Trust and a nominated Ngati Naho hapu representative, ~~the New Zealand Historic Places Trust, Heritage New Zealand Pouhere Taonga~~ the Department of Conservation, the Waikato District Council, the Waikato Regional Council and in the case of human remains, the New Zealand Police, that an archaeological or traditional site has been exposed so that appropriate action can be taken.
- ~~This includes such persons being given reasonable time as determined by the Waikato District Council to record and recover archaeological features discovered before work may recommence on the site. The Minister of Corrections shall not be in breach of this condition if Ngati Naho hapu does not nominate or cannot agree to a representative.~~

Decision Reasons:

- The submitter seeks amendments within the conditions of the Minister of Corrections designation to correct the naming of Heritage New Zealand as changed under the Heritage New Zealand Pouhere Taonga Act 2014 and as the regulatory authority related to archaeology remove from the condition the decision making role that has been incorrectly assigned to the Waikato District Council.

Point Number

559.243

Summary of Decision Requested:

Amend Rule 16.3.11.6 C2 Heritage Precincts-Matangi and Huntly by changing the activity status from a Controlled Activity to a Restricted Discretionary Activity.

AND

Amend Rule 16.3.11.6 C2(b) Heritage Precincts- Matangi and Huntly as follows:

(a) *Alteration of a building in the Matangi or Huntly Heritage Precincts identified on the planning maps.*

(b) *Council's ~~discretion controls~~ will be reserved over the following matters: ...*

Decision Reasons:

- The submitter supports in part only the controlled activity heritage precinct rules.
- The submitter considers that the activity status, as a controlled activity presents no clear trigger point at which the activity tips to a restricted discretionary activity.
- Given the sensitive nature of these works the activity status should be restricted discretionary to allow a more robust assessment and be able to decline inappropriate activity.

Point Number

559.244

Summary of Decision Requested:

Amend Rule 16.3.11.6 C3 Heritage Precincts-Matangi and Huntly by changing the activity status from a controlled activity to a restricted discretionary activity.

AND

Amend Rule 16.3.11.6 C3 (a) as follows:

(a) ~~Attachment~~ Placement of an advertising sign ~~(a) to a building or located~~ within the 8m setback from the road boundaries in the Matangi or Huntly heritage precincts identified on the Planning Maps.

Decision Reasons:

- The submitter supports in part only the controlled activity heritage precinct rules.
- The submitter is concerned that the rule allows advertising signage on buildings within the precinct, which has the potential to erode heritage values of individual buildings and the precinct.
- It would be appropriate that this type of signage was on the site only to minimise the adverse effects and the status of the rules was restricted discretionary to allow the application to be declined.

Point Number

559.245

Summary of Decision Requested:

Delete Rule 16.3.11.6 RD1 Heritage Precincts-Matangi and Huntly.

Decision Reasons:

- The submitter has sought that the previous controlled activities related to the precincts are amended to restricted discretionary activities, the restricted discretionary activity, (which contains a typo in the first line with the additional word "to") can be deleted.

Point Number

559.246

Summary of Decision Requested:

Retain Rule 17.4.1.5 RD1 Subdivision – land containing heritage items, except for the amendments sought below.

AND

Amend Rule 17.4.1.5 RD1 Subdivision – land containing heritage items as follows:

(a) *Subdivision of land containing a heritage item listed in Schedule 30.1 (Historic Heritage Items)*

(b) *The Council's discretion is restricted to the following matters:*

(i) *Effects on heritage values;*

(ii) *Context and setting of the heritage item;*

(iii) *The extent to which the relationship of the heritage item with its setting is maintained within one lot.*

AND

Amend Rule 17.4.1.5 RD1 Subdivision – land containing heritage items, to be consistent with the equivalent rules in other zone chapters, including heritage items being retained in one lot.

Decision Reasons:

- The submitter supports in part the restricted discretionary activity status of the rule relating to the subdivision of land containing heritage items and the associated matters of discretion, as these assessment criteria will assist to give effect to the related policy.
- An amendment is required to the assessment criteria to recognise that the retention of a heritage item and its setting is best achieved when they are located within the same lot.
- The inclusion of threshold creates a clear distinction for those administering the Plan as to when the activity becomes a non-complying activity.

Point Number

559.247

Summary of Decision Requested: **Retain** Rule 18.4.6 RD1 Subdivision – land containing heritage items, except for the amendments sought below.
AND
Amend Rule 18.4.6 RD1 Subdivision - land containing heritage items as follows:
(a) Subdivision of land containing a heritage item listed in Schedule 30.1 (Historic Heritage Items)
(b) Council's discretion is restricted to the following matters:
(i) Effects on heritage values;
(ii) Context and setting of the heritage item;
(iii) The extent to which the relationship of the heritage item with its setting is maintained within one lot.
AND
Amend Rule 18.4.6 RD1 Subdivision - land containing heritage items to be consistent with the equivalent rules in other zone chapters, including heritage items being retained in one lot.

Decision Reasons:

- The submitter supports in part the restricted discretionary activity status of the rule relating to the subdivision of land containing heritage items and the associated matters of discretion, as these assessment criteria will assist to give effect to the related policy.
- An amendment is required to the assessment criteria to recognise that the retention of a heritage item and its setting is best achieved when they are located within the same lot.
- The inclusion of threshold creates a clear distinction for those administering the Plan as to when the activity becomes a non-complying activity.

Point Number 559.248

Summary of Decision Requested: **Retain** Rule 20.4.5 RD1 Subdivision of land containing a heritage item, except for the amendments sought below.
AND
Amend Rule 20.4.5 RD1 Subdivision of land containing a heritage item as follows:
(a) Subdivision of land containing a heritage item listed in Schedule 30.1 (Historic Heritage Items)
(b) Council's discretion is restricted to the following matters:
(i) Effects on heritage values;
(ii) Context and setting of the heritage item;
(iii) The extent to which the relationship of the heritage item with its setting is maintained within one lot.
AND
Amend Rule 20.4.5 RD1 Subdivision of land containing a heritage items to be consistent with the equivalent rules in other zone chapters, including heritage items being retained in one lot.

Decision Reasons:

- The submitter supports in part the restricted discretionary activity status of the rule relating to the subdivision of land containing heritage items and the associated matters of discretion, as these assessment criteria will assist to give effect to the related policy.
- An amendment is required to the assessment criteria to recognise that the retention of a heritage item and its setting is best achieved when they are located within the same lot.
- The inclusion of threshold creates a clear distinction for those administering the Plan as to when the activity becomes a non-complying activity.

Point Number 559.249

Summary of Decision Requested: **Retain** Rule 23.4.6 RD1 Subdivision of land containing heritage items, except for the amendments sought below.
AND
Amend Rule 23.4.6 RD1 Subdivision of land containing heritage items as follows:
(a) Subdivision of land containing a heritage item listed in Schedule 30.1 (Historic Heritage Items)
(b) Council's discretion is restricted to the following matters:
(i) Effects on heritage values;
(ii) Context and setting of the heritage item;
(iii) The extent to which the relationship of the heritage item with its setting is maintained within one lot.
AND
Amend Rule 23.4.6 RD1 Subdivision of land containing heritage items to be consistent with the equivalent rules in other zone chapters, including heritage items being retained in one lot.

Decision Reasons:

- The submitter supports in part the restricted discretionary activity status of the rule relating to the subdivision of land containing heritage items and the associated matters of discretion, as these assessment criteria will assist to give effect to the related policy.
- An amendment is required to the assessment criteria to recognise that the retention of a heritage item and its setting is best achieved when they are located within the same lot.
- The inclusion of threshold creates a clear distinction for those administering the Plan as to when the activity becomes a non-complying activity.

Point Number 559.250

Summary of Decision Requested: **Retain** Rule 24.4.8 RD1 Subdivision – land containing heritage items except for the amendments sought below.
AND
Amend Rule 24.4.8 RD1 Subdivision – land containing heritage items as follows:
(a) Subdivision of land containing a heritage item listed in Schedule 30.1 (Historic Heritage Items)
(b) Council's discretion is restricted to the following matters:
(i) Effects on heritage values;
(ii) Context and setting of the heritage item;

(iii) The extent to which the relationship of the heritage item with its setting is maintained within one lot.

AND

Amend Rule 24.4.8 RD1 Subdivision – land containing heritage items to be consistent with the equivalent rules in other zone chapters, including heritage items being retained in one lot.

Decision Reasons:

- The submitter supports in part the restricted discretionary activity status of the rule relating to the subdivision of land containing heritage items and the associated matters of discretion, as these assessment criteria will assist to give effect to the related policy.
- An amendment is required to the assessment criteria to recognise that the retention of a heritage item and its setting is best achieved when they are located within the same lot.
- The inclusion of threshold creates a clear distinction for those administering the Plan as to when the activity becomes a non-complying activity.

Point Number

559.251

Summary of Decision Requested:

Retain Rule 16.4.10 RD1 Subdivision – land containing heritage items, except for the amendments sought below.

AND

Amend Rule 16.4.10 RD1 Subdivision – land containing heritage items as follows:

(a) *Subdivision of land containing a heritage item listed in Schedule 30.1 (Historic Heritage Items)*

(b) *Council's discretion is restricted to the following matters:*

(i) *Effects on heritage values;*

(ii) *Context and setting of the heritage item;*

(iii) *The extent to which the relationship of the heritage item with its setting is maintained within one lot.*

AND

Amend Rule 16.4.10 RD1 Subdivision – land containing heritage items to be consistent with the equivalent rules in other zone chapters, including heritage items being retained in one lot.

Decision Reasons:

- The submitter supports in part the restricted discretionary activity status of the rule relating to the subdivision of land containing heritage items and the associated matters of discretion, as these assessment criteria will assist to give effect to the related policy.
- An amendment is required to the assessment criteria to recognise that the retention of a heritage item and its setting is best achieved when they are located within the same lot.
- The inclusion of threshold creates a clear distinction for those administering the Plan as to when the activity becomes a non-complying activity.

Point Number

559.252

Summary of Decision Requested:

Retain Rule 22.4.8 RD1 Subdivision – land containing heritage items, except for the amendments sought below.

AND

Amend Rule 22.4.8 RD1 Subdivision – land containing heritage items as follows:

(a) *Subdivision of land containing a heritage item listed in Schedule 30.1 (Historic Heritage Items)*

(b) *Council's discretion is restricted to the following matters:*

(i) *Effects on heritage values;*

(ii) *Context and setting of the heritage item;*

(iii) *The extent to which the relationship of the heritage item with its setting is maintained within one lot.*

AND

Amend Rule 22.4.8 RD1 Subdivision – land containing heritage items to be consistent with the equivalent rules in other zone chapters, including heritage items being retained in one lot.

Decision Reasons:

- The submitter supports in part the restricted discretionary activity status of the rule relating to the subdivision of land containing heritage items and the associated matters of discretion, as these assessment criteria will assist to give effect to the related policy.
- An amendment is required to the assessment criteria to recognise that the retention of a heritage item and its setting is best achieved when they are located within the same lot.
- The inclusion of threshold creates a clear distinction for those administering the Plan as to when the activity becomes a non-complying activity.

Point Number

559.253

Summary of Decision Requested:

Retain Rule 17.4.1.5 NC1 Subdivision – land containing heritage items, except for the amendments sought below.

AND

Amend Rule 17.4.1.5 NC1 Subdivision – land containing heritage items to be consistent with the equivalent rules in other zone chapters.

Decision Reasons:

- The submitter supports the non-complying status of the rule relating to the subdivision of land containing heritage items, when the restricted discretionary activity status of the rule is not achieved.
- This stringent assessment will assist to ensure that the heritage values of the heritage item with its setting are maintained.

Point Number

559.254

Summary of Decision Requested:

Amend Rule 18.4.6 D1 Subdivision – land containing heritage items to reflect a non-complying activity status for proposals that cannot achieve compliance with RD1.

AND

Amend Rule 18.4.6 D1 Subdivision – land containing heritage items to be consistent with the equivalent rules in other zone chapters.

Decision Reasons:

- The submitter supports the non-complying status of the rule relating to the subdivision of land containing heritage items, when the restricted discretionary activity status of the rule is not achieved.
- This stringent assessment will assist to ensure that the heritage values of the heritage item with its setting are maintained.

Point Number 559.255

Summary of Decision Requested: **Retain** Rule 20.4.5 NCI Subdivision – land containing heritage items, except for the amendments sought below.
AND

Amend Rule 20.4.5 NCI Subdivision – land containing heritage items to be consistent with the equivalent rules in other zone chapters.

Decision Reasons:

- The submitter supports the non-complying status of the rule relating to the subdivision of land containing heritage items, when the restricted discretionary activity status of the rule is not achieved.
- This stringent assessment will assist to ensure that the heritage values of the heritage item with its setting are maintained.

Point Number 559.256

Summary of Decision Requested: **Retain** Rule 23.4.6 NCI Subdivision – land containing heritage items, except for the amendments sought below.
AND

Amend Rule 23.4.6 NCI Subdivision – land containing heritage items to be consistent with the equivalent rules in other zone chapters.

Decision Reasons:

- The submitter supports the non-complying status of the rule relating to the subdivision of land containing heritage items, when the restricted discretionary activity status of the rule is not achieved.
- This stringent assessment will assist to ensure that the heritage values of the heritage item with its setting are maintained.

Point Number 559.257

Summary of Decision Requested: **Amend** Rule 24.4.8 D1 Subdivision – land containing heritage items to reflect a non-complying activity status for proposals that cannot achieve compliance with Rule 24.4.8 RDI.
AND

Amend Rule 24.4.8 D1 Subdivision – land containing heritage items to be consistent with the equivalent rules in other zone chapters.

Decision Reasons:

- The submitter supports the non-complying status of the rule relating to the subdivision of land containing heritage items, when the restricted discretionary activity status of the rule is not achieved.
- This stringent assessment will assist to ensure that the heritage values of the heritage item with its setting are maintained.

Point Number 559.258

Summary of Decision Requested: **Retain** Rule 16.4.10 NCI Subdivision – land containing heritage items, except for the amendments sought below.
AND

Amend Rule 16.4.10 NCI Subdivision – land containing heritage items to be consistent with the equivalent rules in other zone chapters.

Decision Reasons:

- The submitter supports the non-complying status of the rule relating to the subdivision of land containing heritage items, when the restricted discretionary activity status of the rule is not achieved.
- This stringent assessment will assist to ensure that the heritage values of the heritage item with its setting are maintained.

Point Number 559.259

Summary of Decision Requested: **Retain** Rule 22.4.8 NCI Subdivision – land containing heritage items, except for the amendments sought below.
AND

Amend Rule 22.4.8 NCI Subdivision – land containing heritage items to be consistent with the equivalent rules in other zone chapters.

Decision Reasons:

- The submitter supports the non-complying status of the rule relating to the subdivision of land containing heritage items, when the restricted discretionary activity status of the rule is not achieved.
- This stringent assessment will assist to ensure that the heritage values of the heritage item with its setting are maintained.

Point Number 559.260

Summary of Decision Requested: **Retain** Rule 16.4.9 RDI Title boundaries - Maori sites and Maori areas of significance.

Decision Reasons:

- The submitter supports Rule 16.4.9 RDI Subdivision – land containing heritage items.
- This rule will give effect to Part 2 section 6 Matters of National Importance, in particular s6(e).

Point Number 559.261

Summary of Decision Requested: **Retain** Rule 16.4.9 NCI Title boundaries – Maori sites and Maori areas of Significance.

Decision Reasons:

- The submitter supports Rule 16.4.9 NCI Title boundaries – Maori sites and Maori areas of Significance.

- This rule applies a more stringent activity status therefore giving effect to Part 2 section 6 Matters of National Importance.

Point Number 559.262

Summary of Decision Requested: **Retain** Rule 17.4.1.4 RD1 Title boundaries – Significant Natural Areas, Maaori sites and Maaori areas of Significance, except for the amendments sought below

AND

Amend Rule 17.4.1.4 RD1 Title boundaries - Significant Natural Areas, Maaori sites and Maaori areas of Significance to be consistent with other zone chapters, including sites and areas not being divided by a proposed lot boundary line.

AND

Amend Rule 17.4.1.4 RD1 Title boundaries - Significant Natural Areas, Maaori sites and Maaori areas of Significance to be consistent with the equivalent rules in other zone chapters.

Decision Reasons:

- The submitter supports Rule 17.4.1.4 RD1 Title boundaries – Significant Natural Areas, Maaori sites and Maaori areas of Significance.
- This rule will give effect to Part 2, section 6 Matters of national Importance, in particular s6(e) and 6(f).

Point Number 559.263

Summary of Decision Requested: **Retain** Rule 18.4.5 RD1 Title boundaries – Maaori sites and areas of Significance to Maaori, except for the amendments sought below.

AND

Amend Rule 18.4.5 RD1 Title boundaries - Maaori sites and areas of Significance to Maaori to be consistent with other zone chapters, including sites and areas not being divided by a proposed lot boundary line.

AND

Amend Rule 18.4.5 RD1 Title boundaries - Maaori sites and areas of Significance to Maaori to be consistent with the equivalent rules in other zone chapters.

Decision Reasons:

- The submitter supports Rule 18.4.5 RD1 Title boundaries – Significant Natural Areas, Maaori sites and Maaori areas of Significance.
- This rule will give effect to Part 2, section 6 Matters of national Importance, in particular s6(e) and 6(f).

Point Number 559.264

Summary of Decision Requested: **Retain** Rule 22.4.3 RD1 Title boundaries – Significant Natural Areas, Heritage Items, Maaori sites of Significance and Maaori areas of Significance, except for the amendment sought below.

AND

Amend Rule 22.4.3 RD1 Title boundaries - Significant Natural Areas, Maaori sites and Maaori areas of Significance to be consistent with other zone chapters, including sites and areas not being divided by a proposed lot boundary line.

AND

Amend Rule 22.4.3 RD1 Title boundaries - Significant Natural Areas, Maaori sites and Maaori areas of Significance to be consistent with the equivalent rules in other zone chapters.

Decision Reasons:

- The submitter supports Rule 22.4.3 RD1 Title boundaries – Significant Natural Areas, Maaori sites and Maaori areas of Significance.
- This rule will give effect to Part 2, section 6 Matters of national Importance, in particular s6(e) and 6(f).

Point Number 559.265

Summary of Decision Requested: **Retain** Rule 24.4.6 RD1 Title boundaries – Significant Natural Areas, Heritage Items and Archaeological sites, sites of Significance to Maaori, except for the amendments sought below.

AND

Amend Rule 24.4.6 RD1 Title boundaries - Significant Natural Areas, Maaori sites and Maaori areas of Significance to Maaori to be consistent with other zone chapters, including sites and areas not being divided by a proposed lot boundary line.

AND

Amend Rule 24.4.6 RD1 Title boundaries - Significant Natural Areas, Maaori sites and Maaori areas of Significance to Maaori to be consistent with the equivalent rules in other zone chapters.

Decision Reasons:

- The submitter supports Rule 24.4.6 RD1 Title boundaries – Significant Natural Areas, Maaori sites and Maaori areas of Significance.
- This rule will give effect to Part 2, section 6 Matters of national Importance, in particular s6(e) and 6(f).

Point Number 559.266

Summary of Decision Requested: **Retain** Rule 28.4.5 RD1 Title boundaries – Significant Natural Areas, Maaori sites of Significance, except for the amendments sought below.

AND

Amend Rule 28.4.5 RD1 Title boundaries - Significant Natural Areas, Maaori sites of Significance to be consistent with other zone chapters, including sites and areas not being divided by a proposed lot boundary line.

AND

Amend Rule 28.4.5 RD1 Title boundaries - Significant Natural Areas, Maaori sites of Significance to be consistent with the equivalent rules in other zone chapters.

Decision Reasons:

- The submitter supports Rule 28.4.5 RD1 Title boundaries – Significant Natural Areas, Maaori sites and Maaori areas of Significance.
- This rule will give effect to Part 2, section 6 Matters of national Importance, in particular s6(e) and 6(f).

Point Number	559.267
Summary of Decision Requested:	<p>Retain Rule 17.4.1.4 NCI Title boundaries – Significant Natural Areas, Maaori sites and Maaori areas of Significance to Maaori, except for the amendments sought below.</p> <p>AND</p> <p>Amend Rule 17.4.1.4 NCI Title boundaries - Significant Natural Areas, Maaori sites and Maaori areas of Significance to be consistent with the equivalent rules in other zone chapters, including the provision of heritage items.</p>
Decision Reasons:	<ul style="list-style-type: none"> • The submitter supports Rule 17.4.1.4 NCI Title boundaries – Significant Natural Areas, Maaori sites and Maaori areas of Significance. • This rule and the more stringent activity status will give effect to Part 2, section 6 Matters of national Importance, in particular s6(e) and 6(f).
Point Number	559.268
Summary of Decision Requested:	<p>Retain Rule 18.4.5 NCI Title boundaries – Significant Natural Areas, Maaori sites and Maaori areas of Significance, except for the amendments sought below.</p> <p>AND</p> <p>Amend Rule 18.4.5 NCI Title boundaries - Significant Natural Areas, Maaori sites and Maaori areas of Significance to be consistent with the equivalent rules in other zone chapters, including the provision of heritage items.</p>
Decision Reasons:	<ul style="list-style-type: none"> • The submitter supports Rule 18.4.5 NCI Title boundaries – Significant Natural Areas, Maaori sites and Maaori areas of Significance. • This rule and the more stringent activity status will give effect to Part 2, section 6 Matters of national Importance, in particular s6(e) and 6(f).
Point Number	559.269
Summary of Decision Requested:	<p>Retain Rule 22.4.3 NCI Title boundaries – Significant Natural Areas, Heritage items, Maaori sites of significance and Maaori areas of Significance., except for the amendments sought below.</p> <p>AND</p> <p>Amend Rule 22.4.3 NCI Title boundaries - Significant Natural Areas, Heritage items, Maaori sites of significance and Maaori areas of Significance to be consistent with other zone chapters, including the retention of heritage items.</p>
Decision Reasons:	<ul style="list-style-type: none"> • The submitter supports Rule 22.4.3 NCI Title boundaries – Significant Natural Areas, Maaori sites and Maaori areas of Significance. • This rule and the more stringent activity status will give effect to Part 2, section 6 Matters of national Importance, in particular s6(e) and 6(f).
Point Number	559.270
Summary of Decision Requested:	<p>Retain Rule 24.4.6 NCI Title boundaries – Significant Natural Areas, Heritage items, archaeological sites, sites of significance to Maaori, except for the amendments sought below.</p> <p>AND</p> <p>Amend Rule 24.4.6 NCI Title boundaries - Significant Natural Areas, Heritage items, archaeological sites, sites of significance to Maaori to be consistent with the equivalent rules in other zone chapters, including the retention of heritage items.</p>
Decision Reasons:	<ul style="list-style-type: none"> • The submitter supports Rule 24.4.6 NCI Title boundaries – Significant Natural Areas, Maaori sites and Maaori areas of Significance. • This rule and the more stringent activity status will give effect to Part 2, section 6 Matters of national Importance, in particular s6(e) and 6(f).
Point Number	559.271
Summary of Decision Requested:	<p>Retain Rule 28.4.5 NCI Title boundaries – Significant Natural Areas, Maaori sites and Maaori areas of Significance, except for the amendment sought below.</p> <p>AND</p> <p>Amend Rule 28.4.5 NCI Title boundaries - Significant Natural Areas, Maaori sites and Maaori areas of Significance to be consistent with the equivalent rules in other zone chapters, including the provision of heritage items.</p>
Decision Reasons:	<ul style="list-style-type: none"> • The submitter supports Rule 28.4.5 NCI Title boundaries – Significant Natural Areas and Maaori sites of Significance. • This rule and the more stringent activity status will give effect to Part 2, section 6 Matters of national Importance, in particular s6(e) and 6(f).
Point Number	559.272
Summary of Decision Requested:	Retain Rule 23.4.5 RDI Site boundaries – Significant Natural Areas, heritage items, archaeological sites, sites of significance to Maaori.
Decision Reasons:	<ul style="list-style-type: none"> • The submitter supports Rule 23.4.5 RDI Title boundaries – Significant Natural Areas, heritage items, archaeological sites, sites of significance to Maaori. • This rule will give effect to Part 2, section 6 Matters of national Importance, in particular s6(e) and 6(f).
Point Number	559.273
Summary of Decision Requested:	Retain Rule 23.4.5 NCI Site boundaries – Significant Natural Areas, heritage items, archaeological sites, sites of significance to Maaori.
Decision Reasons:	

- The submitter supports Rule 23.4.5 NCI Title boundaries – Significant Natural Areas, heritage items, archaeological sites, sites of significance to Maaori.
- This rule and the more stringent activity status will give effect to Part 2, section 6 Matters of national Importance, in particular s6(e) and 6(f).

Point Number 559.274

Summary of Decision Requested: Retain Rule 17.4.1.4 RD1 Title boundaries – Significant Natural Areas, Maaori sites and Areas of Significance to Maaori.

Decision Reasons:

- The submitter supports Rule 17.4.1.4 RD1 Title boundaries – Significant Natural Areas and Areas of Maaori sites and Areas of Significance to Maaori.
- This rule will give effect to Part 2, section 6 Matters of national Importance, in particular s6(e) and 6(f).

Point Number 559.275

Summary of Decision Requested: Retain Rule 17.4.1.4 NCI Title boundaries – Significant Natural Areas, Maaori sites and Areas of Significance to Maaori.

Decision Reasons:

- The submitter supports Rule 17.4.1.4 NCI Title boundaries – Significant Natural Areas and Maaori sites of Significance.
- This rule and the more stringent activity status will give effect to Part 2, section 6 Matters of national Importance, in particular s6(e) and 6(f).

Point Number 559.276

Summary of Decision Requested: Retain Rule 16.3.3.2 P1 Height – Building and vegetation in a battlefield view shaft area.

Decision Reasons:

- The submitter supports Rule 16.3.3.2 P1 Height – Building and vegetation in a battlefield view shaft area as this height range would allow for a reasonable sized building within the large view shafts, yet is not so large that the entire battlefield could be obscured. Therefore the heritage values of the battle sites will be retained.

Point Number 559.277

Summary of Decision Requested: Retain Rule 22.3.4.4 P1 Height – Building and vegetation in a battlefield view shaft area.

Decision Reasons:

- The submitter supports Rule 22.3.4.4 P1 Height – Building and vegetation in a battlefield view shaft area as this height range would allow for a reasonable sized building within the large view shafts, yet is not so large that the entire battlefield could be obscured. Therefore the heritage values of the battle sites will be retained.

Point Number 559.278

Summary of Decision Requested: Retain Rule 16.3.3.2 D1 Height – Building and vegetation in a battlefield view shaft area.

Decision Reasons:

- The submitter supports the discretionary activity Rule 16.3.3.2 D1 Height - Building and vegetation in a battlefield view shaft area.
- It is appreciated that as a discretionary activity the assessment can be very broad.
- This can ensure that buildings, structures or vegetation are developed in such a manner that the view of the battlefield will be protected into the future, therefore meeting the requirements of section 6 of the Resource Management Act.

Point Number 559.279

Summary of Decision Requested: Retain Rule 22.3.4.4 D1 Height – Building and vegetation in a battlefield view shaft area.

Decision Reasons:

- The submitter supports the discretionary activity Rule 22.3.4.4 D1 Height – Building and vegetation in a battlefield view shaft area.
- It is appreciated that as a discretionary activity the assessment can be very broad.
- This can ensure that buildings, structures or vegetation are developed in such a manner that the view of the battlefield will be protected into the future, therefore meeting the requirements of section 6 of the Resource Management Act.

Point Number 559.280

Summary of Decision Requested: Add a new advice note to zone rules for Land use – Effects that directs the plan reader to the signage rules relating to heritage items and Maaori sites of significance.

Decision Reasons:

- The submitter is concerned that the rules that relate to signage on heritage buildings are located within another part of the zone chapter as part of the Land use effects rules – historic heritage and may not be readily located by the plan user.
- Signage can cause adverse effects on heritage building the same as buildings can.

Point Number 559.281

Summary of Decision Requested: Add a new cultural and heritage based objective and policy to Chapter 8: Reserves as follows:

Objective – Cultural and Heritage Values

The cultural and historic heritage values of public open space, natural reserves and parks are maintained and conserved.

Decision Reasons:

- The submitter is concerned that Chapter 8: Reserves contains no Objectives and Policies in recognition of cultural or heritage values that are often prevalent within Reserves, particularly Heritage Reserves, and reserves adjacent to river or coastal locations.
- The submitter acknowledges the role of reserve management plans, however considers that just as natural values are covered by objectives and policies, cultural and heritage values should also be part of the land management processes considered under any Resource Management Act process for these important sites and meet the considerations required under section 6 of the Act.

Point Number 559.282

Summary of Decision Requested: Retain Objective 9.3.4 Heritage.

Decision Reasons:

- The submitter is supportive of the continued retention of the existing objective related to the development of the Rangitahi Peninsula.

Point Number 559.283

Summary of Decision Requested: Retain Policy 9.3.4.1 Cultural and historic sites of significance.

Decision Reasons:

- The submitter is supportive of the continued retention of the existing policies related to the development of the Rangitahi Peninsula.

Point Number 559.284

Summary of Decision Requested: Retain Policy 9.3.4.2 Heritage protection.

Decision Reasons:

- The submitter is supportive of the continued retention of the existing policies related to the development of the Rangitahi Peninsula.

Point Number 559.285

Summary of Decision Requested: Retain Chapter 12.1 How to use and interpret the rules, except for the amendments sought below.

AND

Add a new section (k) to Chapter 12.1 How to use and interpret the rules as follows:

(k) The New Zealand Archaeological Association archaeological sites are included on the planning maps for District Plan information purposes only. However these sites are subject to the requirements of the Heritage New Zealand Pouhere Taonga Act 2014. Heritage New Zealand Pouhere Taonga must be contacted regarding development on or in proximity to these sites and the need to undertake an archaeological assessment to determine the need for an archaeological authority. The Heritage New Zealand Pouhere Taonga Act 2014 protects both recorded and unrecorded archaeological sites.

Decision Reasons:

- The submitter is concerned that the New Zealand Archaeological Association (NZAA) sites are shown on the Plan planning maps for information only, yet the purpose is not discussed in the parts of the Chapter 12 that refer to the planning maps.
- The submitter considers that it needs to be highlighted in Chapter 12, through an advice note that the NZAA sites are included for information as they have the potential to impact on the natural of the proposed development and property owners and developers need to be aware of their obligations under the Heritage New Zealand Pouhere Taonga Act 2014 protects both recorded and unrecorded archaeological sites.

Point Number 559.286

Summary of Decision Requested: Retain the definition of "Ancillary rural earthworks" in Chapter 13: Definitions, subject to below.

AND

Amend rules to ensure Ancillary rural earthworks are being assessed as a restricted discretionary activity should they occur in a Maaori site or area of significance, or waahi tapu site or waahi tapu area, or the setting of a heritage item.

Decision Reasons:

- The submitter supports the definition of Ancillary rural earthworks in so far as they should be assessed at the time of works in a cultural site or area of significance, wahi tapu or wahi tapu area, or the setting of a heritage item or as recognised in the schedules of the plan, as the scale of some of the works within this definition have the potential for adverse effects.

Point Number 559.287

Summary of Decision Requested: Delete the definition of "Rural Ancillary Earthworks" in Chapter 13: Definitions.

Decision Reasons:

- The submitter considers that the definition of "Rural Ancillary Earthworks" replicates the definition for "ancillary rural earthworks".

Point Number 559.288

Summary of Decision Requested: Retain the definition of "earthworks" in Chapter 13: Definitions, subject to below.

AND

Amend rules to ensure earthworks are being assessed as a restricted discretionary activity should they occur in sites and areas of significance to Maaori.

Decision Reasons:

- The submitter supports the definition of "earthworks" as all earthworks within sites and areas of significance to Maaori are subject to resource consent.

Point Number 559.289

Summary of Decision Requested: Amend the heading of the definition of "addition or alteration" in Chapter 13: Definitions to be "addition" as follows:
~~Alteration or Addition~~

Decision Reasons:

- The submitter supports the actual definition for "addition or alteration", however considers that this definition should be a definition for additions only, rather than a definition for "addition or alteration", as there is already a separate definition for alterations.

Point Number 559.290

Summary of Decision Requested: Retain the definition of "Alteration" in Chapter 13: Definitions.

Decision Reasons:

- The submitter supports the definition of "alteration" as the breadth of works defined as an alteration will ensure the range of works that could impact on heritage values are captured for assessment as an alteration.

Point Number 559.291

Summary of Decision Requested: Retain the definition of "Historic heritage" in Chapter 13: Definitions.

Decision Reasons:

- The submitter supports the definition of "historic heritage" as it uses the same definition as section 2 of the Resource Management Act.
- This ensures consistency of consideration at the time of assessing works in relation to Appendix 30.1 (Historic Heritage Items).

Point Number 559.292

Summary of Decision Requested: Add the definition of "Historic heritage values" to Chapter 13: Definitions to have the same meaning as Part 2 of the Resource Management Act.
AND
Provide for any consequential amendments as required throughout the Proposed District Plan.

Decision Reasons:

- This undefined term is used within the Maaori sites and areas of significance – Matters of discretion earthworks rules.
- Heritage New Zealand considers that this term could be ambiguous and seeks that the term is amended to historic heritage values and has the same meaning as Part 2 of the Resource Management Act.
- This ensures consistency of consideration at the time of assessing works in relation to Maaori sites and areas of significance – Matters of discretion earthworks rules.

Point Number 559.293

Summary of Decision Requested: Delete Rule 16.3.11.3 PI All heritage items – Alterations or additions.

Decision Reasons:

- The submitter has concerns regarding the permitted activity rule related to alterations or additions.
- Concerned that that only protecting the significant physical features or specified facades of buildings has the potential for adverse effects on the heritage values of the entire building
- Works that are located out of public view or that do not involve significant features could have the potential to adversely affect or undermine heritage values.
- The rule ignores the intrinsic heritage values of the whole of the heritage items.
- Alterations and additions under this rule as a permitted activity could cumulatively impact on the overall building, not just the significant features or specified facades.
- In addition it is incorrect to assume that works that are located out of public view or that do not involve significant features are unimportant and do not have the potential to adversely affect or undermine heritage values.
- Any alterations or additions should be assessed through a resource consent process to consider the holistic impact of the proposed works on the historic heritage item, ensuring minimal loss of heritage fabric, and that the design, form, scale, workmanship, location of works and the curtilage and setting are respected.

Point Number 559.294

Summary of Decision Requested: Delete Rule 17.3.8.3 PI All heritage items – Alterations or additions.

Decision Reasons:

- The submitter has concerns regarding the permitted activity rule related to alterations or additions.
- Concerned that that only protecting the significant physical features or specified facades of buildings has the potential for adverse effects on the heritage values of the entire building
- Works that are located out of public view or that do not involve significant features could have the potential to adversely affect or undermine heritage values.
- The rule ignores the intrinsic heritage values of the whole of the heritage items.
- Alterations and additions under this rule as a permitted activity could cumulatively impact on the overall building, not just the significant features or specified facades.
- In addition it is incorrect to assume that works that are located out of public view or that do not involve significant features are unimportant and do not have the potential to adversely affect or undermine heritage values.
- Any alterations or additions should be assessed through a resource consent process to consider the holistic impact of the proposed works on the historic heritage item, ensuring minimal loss of heritage fabric, and that the design, form, scale, workmanship, location of works and the curtilage and setting are respected.

Point Number 559.295

Summary of Decision Requested: Delete Rule 18.3.10.3 PI All heritage items – Alterations or additions.

Decision Reasons:

- The submitter has concerns regarding the permitted activity rule related to alterations or additions.
- Concerned that that only protecting the significant physical features or specified facades of buildings has the potential for adverse effects on the heritage values of the entire building
- Works that are located out of public view or that do not involve significant features could have the potential to adversely affect or undermine heritage values.
- The rule ignores the intrinsic heritage values of the whole of the heritage items.
- Alterations and additions under this rule as a permitted activity could cumulatively impact on the overall building, not just the significant features or specified facades.
- In addition it is incorrect to assume that works that are located out of public view or that do not involve significant features are unimportant and do not have the potential to adversely affect or undermine heritage values.
- Any alterations or additions should be assessed through a resource consent process to consider the holistic impact of the proposed works on the historic heritage item, ensuring minimal loss of heritage fabric, and that the design, form, scale, workmanship, location of works and the curtilage and setting are respected.

Point Number 559.296

Summary of Decision Requested: Delete Rule 20.3.5.3 PI All heritage items – Alterations or additions.

Decision Reasons:

- The submitter has concerns regarding the permitted activity rule related to alterations or additions.
- Concerned that that only protecting the significant physical features or specified facades of buildings has the potential for adverse effects on the heritage values of the entire building
- Works that are located out of public view or that do not involve significant features could have the potential to adversely affect or undermine heritage values.
- The rule ignores the intrinsic heritage values of the whole of the heritage items.
- Alterations and additions under this rule as a permitted activity could cumulatively impact on the overall building, not just the significant features or specified facades.
- In addition it is incorrect to assume that works that are located out of public view or that do not involve significant features are unimportant and do not have the potential to adversely affect or undermine heritage values.
- Any alterations or additions should be assessed through a resource consent process to consider the holistic impact of the proposed works on the historic heritage item, ensuring minimal loss of heritage fabric, and that the design, form, scale, workmanship, location of works and the curtilage and setting are respected.

Point Number 559.297

Summary of Decision Requested: Delete Rule 22.3.8.3 PI All heritage items – Alterations or additions.

Decision Reasons:

- The submitter has concerns regarding the permitted activity rule related to alterations or additions.
- Concerned that that only protecting the significant physical features or specified facades of buildings has the potential for adverse effects on the heritage values of the entire building
- Works that are located out of public view or that do not involve significant features could have the potential to adversely affect or undermine heritage values.
- The rule ignores the intrinsic heritage values of the whole of the heritage items.
- Alterations and additions under this rule as a permitted activity could cumulatively impact on the overall building, not just the significant features or specified facades.
- In addition it is incorrect to assume that works that are located out of public view or that do not involve significant features are unimportant and do not have the potential to adversely affect or undermine heritage values.
- Any alterations or additions should be assessed through a resource consent process to consider the holistic impact of the proposed works on the historic heritage item, ensuring minimal loss of heritage fabric, and that the design, form, scale, workmanship, location of works and the curtilage and setting are respected.

Submitter Number: 560

Submitter: Jon Farmer

On behalf of: Te Kowhai Aerodrome

Point Number 560.1

Summary of Decision Requested: Retain Chapter 9.2 Te Kowhai Airpark, as notified.

Decision Reasons:

- Airparks are becoming popular overseas and in New Zealand i.e. Pauanui, Whitianga and Kaipara Flats.
- Good way to build houses close to airfields for people who are not likely to make noise complaints.

Point Number 560.2

Summary of Decision Requested: Retain Chapter 27 Te Kowhai Airpark Zone, as notified.

Decision Reasons:

- Airparks are becoming popular overseas and in New Zealand i.e. Pauanui, Whitianga and Kaipara Flats.
- Good way to build houses close to airfields for people who are not likely to make noise complaints.

Submitter Number:	561	Submitter:	Tracey Lolesi
Point Number	561.1		
Summary of Decision Requested:	Amend the zoning of the 183ha site (comprising CFR 805391, CFR SA50A/762, CFR 195501, CFR SA 61B/799, CFR SA18B/1138, CFR SA 30A/356, SA40D/985, CFR SA251/176, SA26C/345, SA51/131) on East Mine Road, Huntly from Rural Zone to a multi-purpose recreation and events zone alongside a Residential Zone.		
Decision Reasons:	<ul style="list-style-type: none"> • Educational outcomes for youth. • Significant employment opportunities. • Improved recreational living and lifestyle for residents through outdoor activities, water sports. • Great opportunity for Huntly to become destination for tourists • Most importantly the project has ability to transform Huntly. 		

Submitter Number:	562	Submitter:	Gladys Button
Point Number	562.1		
Summary of Decision Requested:	Add a cairn or plaque on Hakarimata Road to recognise the first Maaori School established in the North Waikato by Rev B.Ashwell and Heta Tarawhiti in May 1946.		
Decision Reasons:	<ul style="list-style-type: none"> • Recognition of site's historical importance. • To erect appropriate signage. • Mark the beginning of Maori education in Waikato. 		

Submitter Number:	563	Submitter:	Andrew Mowbray
Point Number	563.1		
Summary of Decision Requested:	Amend the zoning of the property at 452 Tauwhare Road, Matangi, from Business Zone to Industrial Zone. AND Amend provisions to "create a special flexible zoning so the site can move towards a Business Town Centre zoning" for the property at 452 Tauwhare Road, Matangi.		
Decision Reasons:	<ul style="list-style-type: none"> • Supports Mowbray Groups submission for 452B Tauwhare Road. • The Matangi Dairy Factory site is also wanting this zoning and is owned by the same family. • Going forward to plan for the factory site to be designated as industrial does not fit with what the vision for Matangi Village should be. 		
Point Number	563.2		
Summary of Decision Requested:	Amend the provisions to enable placement of cottages and railway houses on the property at 452 Tauwhare Road, Matangi.		
Decision Reasons:	<ul style="list-style-type: none"> • Density of houses would be significantly beyond what is presently allowed. • Matangi community happy with proposal. • Would like to get the land designated for this to happen. • See full submission for Powerpoint. 		

Submitter Number:	564	Submitter:	Mark Chrisp
Point Number	564.1		
Summary of Decision Requested:	Amend Rule 23.4.2(a)(i) - General Subdivision, as follows: <i>(i) All proposed lots must have a net site area of at least 5000 3000m².</i>		
Decision Reasons:	<ul style="list-style-type: none"> • The 5000m² minimum net site area results in a very inefficient use of land. • It is contrary to the purpose and principals of the Resource Management Act 1991 and cannot be justified in relation to section 32 of the Resource Management Act. • All of the objectives of the Proposed Waikato District Plan can easily be achieved with a minimum net area of 3,000m². • A reduction in the minimum net site area to 3,000m² will not result in the further subdivision of the vast majority of existing lots within the Country Living Zone that have already been subdivided for 'large lot' residential purposes. This is because most of the existing lots that have already been subdivided are less than 6,000m² and would therefore be ineligible for further subdivision. • Many properties that are over 6,000m² have a substantial dwelling located in the middle of the property whereby it would be impossible to further subdivide without demolishing the existing dwelling and it would be uneconomic to do so. • The relief sought provides for a more efficient use of land in relation to any 'greenfield' subdivision. • The relief sought provides for a reconfiguration of existing lots where the boundaries of two or more existing lots could be reconfigured to create one or more additional lots. 		

Submitter Number:	565	Submitter:	Rochelle Hulme
Point Number	565.1		
Summary of Decision Requested:	Delete the medium and higher density precincts from Lakeside Development Area, Te Kauwhata.		

Decision Reasons:

- The lakeside lot sizes are too small for the semi-rural area with limited infrastructure.
- It will damage the village.

Point Number

565.2

Summary of Decision Requested:

Amend Rule 16.5.9.1 C1 (a)(ii) - Subdivision Lakeside - general, by deleting A, B and C and replacing with the lot sizes in the Te Kauwhata West Residential Area Rule 16.4.3, as notified (minimum 650m2, average 875m2) or a minimum lot size of 450m2.

Decision Reasons:

- The lakeside lot sizes are too small for the semi-rural area with limited infrastructure.
- It will damage the village.

Submitter Number:

566

Submitter:

Dave Etchells

Point Number

566.1

Summary of Decision Requested:

Retain Chapter 9.2 - Te Kowhai Airpark, as notified.

Decision Reasons:

- The upgrade/enhancement to the facility is fantastic for the community in general.
- It provides interest and opportunity.
- The aviation community would be thrilled with the vision for airfield after 30 years of a mediocre facility.

Point Number

566.2

Summary of Decision Requested:

Retain Chapter 27 - Te Kowhai Airpark Zone, as notified.

Decision Reasons:

- The upgrade/enhancement to the facility is fantastic for the community in general.
- It provides interest and opportunity.
- The aviation community would be thrilled with the vision for airfield after 30 years of a mediocre facility.

Submitter Number:

567

Submitter:

Ngati Tamaoho Trust

Point Number

567.1

Summary of Decision Requested:

Amend Section 1.1 - What is a district plan?, fourth sentence of the first paragraph as follows:
...effects of land use activities. Rules set within the Plan are a minimum requirement, not an aspiration but a starting point. It must include...

Decision Reasons:

- Does not feel that the proposed district plan covers environmental future effects.

Point Number

567.2

Summary of Decision Requested:

Add a new point to Section 1.5.7.3 - Water, as follows:
clean groundwater recharge should be encouraged where soils allow.

Decision Reasons:

- No reasons provided.

Point Number

567.3

Summary of Decision Requested:

Add clause (c) to Objective 4.1.1 - Strategic, as follows:
(c) natural waterbodies are maintained or enhanced within integrated development for all towns and promote park edge development for all open spaces, especially adjacent to waterbodies.

Decision Reasons:

- No reasons provided.

Point Number

567.4

Summary of Decision Requested:

Amend Objective 4.5.12(c) - Business Town Centre - Character, as follows:
Development of town centres is designed in a functional, ~~and~~ attractive and environmentally sustainable manner serving the needs of the community.

Decision Reasons:

- No reasons provided.

Point Number

567.5

Summary of Decision Requested:

Amend Objective 4.6.1 - Economic growth of industry, as follows:
The economic growth of the district's industry is supported and strengthened in industrial zones while maintaining a healthy environment.

Decision Reasons:

- No reasons provided.

Point Number

567.6

Summary of Decision Requested:

Add a new clause (viii) to Policy 4.7.2 - Subdivision location and design, as follows:
(viii) promote park edge design that enhances the interface with urban design and public access and amenity.

Decision Reasons:

- No reasons provided.

Point Number

567.7

Summary of Decision Requested:

Add a new clause (b) to Policy 5.3.6 - Intensive farming activities, as follows:
(b) promote the use of earth-bunds and silt traps for all cropping, tree clearance and harvesting activities.

Decision Reasons:

- No reasons provided.

Point Number

567.8

Summary of Decision Requested:

Add a new clause (vii) to Policy 6.1.2 - Development, operation and maintenance, as follows:
(vii) is environmentally sustainable.

Decision Reasons:

- No reasons provided.

Point Number

567.9

Summary of Decision Requested:

Add a new clause (b) to Policy 6.1.16 - Water conservation, as follows:
(b) clean water is captured for reuse and groundwater recharge.

Decision Reasons:

- No reasons provided.

Point Number

567.10

Summary of Decision Requested:

Add a new clause (c) to Policy 7.1.8 - Tree protection, as follows:
(c) trees over 200 years old unless in poor health are automatically protected.

Decision Reasons:

- No reasons provided.

Point Number

567.11

Summary of Decision Requested:

Add to Rule 16.2.6 Notable Trees and all sections of the Proposed District Plan where notable trees are referred to, the following:
trees over 200 years old unless in poor health are automatically protected.

Decision Reasons:

- No reasons provided.

Point Number

567.12

Summary of Decision Requested:

Add the following to Section 12.1 - Introduction, as follows:
(k) Rules set within the Plan are a minimum requirement, not an aspiration but a starting point. Each activity must set how the development/activity will aspire to more than minimum requirements.

Decision Reasons:

- No reasons provided.

Point Number

567.13

Summary of Decision Requested:

Add a new condition to Rule 16.4.14 - Subdivision of esplanade reserves and esplanade strips, as follows:
must be bordered by park edge roading for safety, environment, amenity and urban design purposes.
AND
Add an additional provision for Subdivision of esplanade reserves and esplanade strips in all sections of the Proposed District Plan where esplanade reserves are referred to as follows:
must be bordered by park edge roading for safety, environment, amenity and urban design purposes.

Decision Reasons:

- Esplanade strip can be a stream, river or coastal.
- Sections backing onto a waterbody can become dumping ground.
- Road frontage and walkway adjacent to an esplanade lends to passive surveillance and a healthy environment for both the waterbody and people using it.

Point Number	567.14
Summary of Decision Requested:	Add a new matter of discretion to Rule 22.8.3 RD1- Restricted Discretionary Activities, as follows: <i>(v) <u>environmental effects</u>.</i>
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	567.15
Summary of Decision Requested:	Amend Table 4.3 in Appendix 3.1 - Residential Subdivision Guidelines to include ticks for all small (s) and medium (m) for connectivity and movement networks.
Decision Reasons:	<ul style="list-style-type: none"> Over time often small developments intensify. If there is not good urban design from the outset a good outcome can never be attained.
Point Number	567.16
Summary of Decision Requested:	Amend Table 5.3 in Appendix 3.1 - Residential Subdivision Guidelines to include ticks for all small (s) for guidelines for neighbourhood character.
Decision Reasons:	<ul style="list-style-type: none"> Small developments can intensify over time and if good urban design is not achieved at the onset, it cannot be attained in the future.
Point Number	567.17
Summary of Decision Requested:	Amend Tables 6.3 in Appendix 3.1 - Residential Subdivision Guidelines to include ticks for all small (s) and medium (m).
Decision Reasons:	<ul style="list-style-type: none"> Over time often small developments intensify. If there is not good urban design from the outset, a good outcome can never be attained.
Point Number	567.18
Summary of Decision Requested:	Amend Tables 7.3 in Appendix 3.1 - Residential Subdivision Guidelines to include ticks for all small (s) and medium (m).
Decision Reasons:	<ul style="list-style-type: none"> Over time often small developments intensify. If there is not good urban design from the outset, a good outcome can never be attained.
Point Number	567.19
Summary of Decision Requested:	Amend Table 8.3 in Appendix 3.1 - Residential Subdivision Guidelines to show intention for offline stormwater treatment.
Decision Reasons:	<ul style="list-style-type: none"> No clear if wetlands and waterbodies are to be protected outside of stormwater devices and stormwater can be discharged into them only after pre-treatment. No specific decision sought but submission considers all stormwater treatment must be "offline" to any natural waterbody in the context of Section 8 of Appendix 3.1 Residential Subdivision Guidelines. No specific decision sought but submission considers wetlands should be promoted as they provide shade, terrestrial habitat and contaminant removal. Pictures in 8.3 of Appendix 3.1 Residential Subdivision Guidelines show ponds as treatment devices. Ponds are not successful in maintaining water quality. No specific decision sought, but submission considers Section 8.3 Guidelines in Appendix 3.1 Residential Subdivision Guidelines is not clear that natural wetlands/streams/ponds/watercourses are to be protected outside of stormwater devices and water can be discharged into them only following pre-treatment.
Point Number	567.20
Summary of Decision Requested:	No specific decision sought, but submission questions if it is an intended omission that there is no mention of sustainable development in Appendix 10: Town Centre Character Statements - 10.4 - Pokeno Town Centre.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	567.21
Summary of Decision Requested:	No specific decision sought, but submission questions if it is an intended omission that there is no consideration for road contaminants being treated through vegetated swales or rain gardens in Appendix 10: Town Centre Character Statements - 10.4 - Pokeno Town Centre.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	567.22
Summary of Decision Requested:	No specific decision sought, but submission questions if it is an intended omission that there is no discussion of enhancement of streams in Appendix 10: Town Centre Character Statements - 10.4 - Pokeno Town Centre.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	567.23

Summary of Decision Requested:	No specific decision sought, but submission questions if it is an intended omission that there is no mention of sustainable development in Appendix 10: Town Centre Character Statements - 10.6 - Tuakau Town Centre.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	567.24
Summary of Decision Requested:	No specific decision sought, but submission questions if it is an intended omission that there is no consideration for road contaminants being treated through vegetated swales or rain gardens in Appendix 10: Town Centre Character Statements - 10.6 - Tuakau Town Centre.
Decision Reasons:	<ul style="list-style-type: none"> Does not feel that the proposed district plan covers environmental future effects.
Point Number	567.25
Summary of Decision Requested:	No specific decision sought, but submission questions if it is an intended omission that there is no discussion of enhancement of streams in Appendix 10: Town Centre Character Statements - 10.6 - Tuakau Town Centre.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	567.26
Summary of Decision Requested:	Amend Planning Map 7.9 - Pukekawa, so that the extent of the area included in Plan Change 14 Franklin District does not enable development to 'be up the sides of the hill'.
Decision Reasons:	<ul style="list-style-type: none"> Pukekawa Pa is a site of significance to Ngati Tamaoho.
Point Number	567.27
Summary of Decision Requested:	Amend the planning maps for Pokeno so that land is not rezoned where: <ul style="list-style-type: none"> Land is steep and undevelopable without major earthworks. Has an impact on the Whangamarino wetland RAMSAR site or any other significant ecological area. Contains a Pa (within urban or industrial zones).
Decision Reasons:	<ul style="list-style-type: none"> Once an area is rezoned, landowners have expectation that land can be developed even when land contains ridgelines, steep gullies, wetlands and tributaries.
Point Number	567.28
Summary of Decision Requested:	Add the following policy to all town centres: <i>In a functional, attractive and environmentally sustainable manner.</i>
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	567.29
Summary of Decision Requested:	No specific decision sought, but submission questions if it is an intended omission that there is no discussion of enhancement of streams in Appendix 10.4 Town Centre Character Statements for Pokeno Team Centre.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	567.30
Summary of Decision Requested:	Add the following clause to all Town Centre Objectives: <i>Natural waterbodies are maintained or enhanced within integrated development for all towns</i> AND <i>Promote park edge development for all open spaces especially adjacent to waterbodies.</i>
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	567.31
Summary of Decision Requested:	No specific decision sought, but submission supports the Papakainga Section.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	567.32

Summary of Decision Requested: No specific decision sought, but submission supports the landscape inclusions.

Decision Reasons:

- No reasons provided.

Point Number 567.33

Summary of Decision Requested: No specific decision sought, but submission supports the additional heritage sites.

Decision Reasons:

- No reasons provided.

Point Number 567.34

Summary of Decision Requested: **Add** a matter of discretion to Rule 22.1.3 (RD1) - Restricted Discretionary Activities, as follows:

(y) environmental effects.

Decision Reasons:

- No reasons provided.

Point Number 567.35

Summary of Decision Requested: **Add** a matter of discretion of Rule 22.1.3 (RD2) - Restricted Discretionary Activities, as follows:

(y) environmental effects.

Decision Reasons:

- Does not feel that the proposed district plan covers environmental future effects.

Point Number 567.36

Summary of Decision Requested: **Amend** Rule 22.4.1.6 Conservation lot subdivision by adding a separate box for wetland protection.

Decision Reasons:

- A wetland over 2 Ha in size is large and not many remaining and as such, does not create much of an incentive to protect remaining wetlands.
- The rule is confusing.

Point Number 567.37

Summary of Decision Requested: **Add** a new activity specific condition to Rule 22.8.2 P7 - Permitted Activities for Forestry, as follows:

appropriate silt and sediment control.

Decision Reasons:

- No reasons provided.

Point Number 567.38

Summary of Decision Requested: **Add** a new activity specific condition to Rule 22.8.2 P18 - Permitted Activities for Horticulture, as follows:

appropriate silt control through traps and bunding.

Decision Reasons:

- No reasons provided.

Submitter Number: 568

Submitter:

JoonYoung Moon

Point Number 568.1

Summary of Decision Requested: **Amend** the planning maps for Tuakau, near Geraghtys Road and Buckland Road, so that the cycleway/walkway is extended to access the Waikato River along the stop banks (refer to submission for maps of the location of the cycleway/walkway).

Decision Reasons:

- Proposed district plan cuts off the land where the cycleways are proposed from land proposed for rezoning and the land itself is marginal.
- Access to the land (for farming) will be difficult if proposed rezoning of land occurs.
- Council owned stop banks are wide enough to accommodate cycleway/walkway.
- Land adjacent to the Waikato River is 20.12m wide and is public land.
- The Waikato River is Tuakau's main attraction and is stunning in this location and the cycleway/walkway extension would enable a positive future for residents.
- Currently the only access to the Waikato River is by way of River Road which is hazardous for cyclists and pedestrians due to heavy traffic.
- Proposed extension to the cycleway/walkway would enable future connection via another walkway/cycleway to the reserve accessed from River Road.

Point Number 568.2

Summary of Decision Requested: Submitter seeks that the council purchase the land contained within the Waikato River stop banks for parkland.

Decision Reasons:

- Purchasing the land could enable the future connection via walkway/cycleway to the park accessed from River Road.
- Purchasing this land would enable the future connection via walkway/cycleway of the River access to extend along to the River Road park.
- The Proposed District Plan allows for a unique opportunity to gain land for River access, leisure activities and possibly a park.

Point Number 568.3**Summary of Decision Requested:** Amend the zoning of the land at 50 Geraghtys Road, Tuakau, from Rural Zone to Residential Zone.**Decision Reasons:**

- No detailed reasoning as to why the proposed Residential boundary location has been selected. The s32 analysis appears to rely solely on the Tuakau Structure Plan to establish the rural/residential boundary. The Tuakau Structure Plan is not explicit in its assessment of locations of zone boundaries.
- The proposed Residential zone boundary does not meet a key objective of the Tuakau Structure Plan in that it does not provide a clear edges for the town to retain its rural context.
- The proposed rezoning (of the adjacent property at 46 Geraghtys Road) will create a definite, defensible and a permanent urban edge being bounded by a Significant Natural Area and Outstanding Natural Feature.
- Based on existing technical reports (included within the s32 documentation) no geotechnical, infrastructure, archaeological, transport or landscape impact effects likely to arise from the extension of the Residential Zone which cannot be appropriately managed or mitigated.

Point Number 568.4**Summary of Decision Requested:** Delete the Industrial zoning for the Tuakau Protein site on Lapwood Road and various properties which contain existing businesses on the western side of River Road, Tuakau (refer to the map in the submission for further detail).**Decision Reasons:**

- Large Industrial area is already proposed and all industry should relocate there. Spattering of industrial areas outside of this will detrimentally affect Tuakau's future.
- Tuakau residents want to have a physical and cultural connection to the Waikato River and as River Road is the only access to the Waikato River for Tuakau, industry should be discouraged to enable a safe walkway/cycleway.
- Odorous industry should be discouraged from being located on the access to the Waikato River (River Road), near the Waikato River, the Waikato River itself and the park near the Waikato River which is also Tuakau's main tourist attraction.
- May attract industry that cannot contain adverse effects to their site only.
- Area outside rezoned boundaries is important for local amenity.
- Submitter has not identified the zoning that is sought for these properties.

Point Number 568.5**Summary of Decision Requested:** Amend the Proposed District Plan to prevent more waste facilities locating by the Waikato River near Geraghtys Road, Tuakau, (see submission for map of site).**Decision Reasons:**

- Residents do not want waste facilities adjacent to the Waikato River.
- Waste facilities are not sustainable nor environmentally friendly.

Submitter Number: 569**Submitter:**

Andrew George Reeves

Point Number 569.1**Summary of Decision Requested:** Amend the zoning of the land at 461 Harrisville Road, Pukekohe, from Rural Zone to Country Living Zone.**Decision Reasons:**

- The surrounding area to the north and west within the Auckland Council territory has been zoned Future Urban Zone under the Auckland Unitary Plan.
- The Future Urban Zone could result in residential housing and therefore residential environment in this locality rather than open rural space.
- The property does not contain any prime soils.
- The property is in close proximity to the village of Buckland and town of Pukekohe which means that a change of zone from Rural to Country Living is a logical progression in zoning.

Submitter Number: 570**Submitter:**

Raymond & Cheryl Higgins

Point Number 570.1**Summary of Decision Requested:** Amend the Proposed District Plan to allow construction of a mini house a little larger than 70m2 on the site at 321 Whiriwhiri Road, Waiuku.**Decision Reasons:**

- To have a building bigger than a granny flat (i.e. 70m2).

Submitter Number: 571**Submitter:**

Michael James Honiss

On behalf of: MK & NL Honiss**Point Number** 571.1**Summary of Decision Requested:** Retain Rule 22.4.1.6 Conservation lot subdivision; specifically the minimum 1ha of significant natural area required for a conservation lot subdivision.**Decision Reasons:**

- Supports the reduction in contiguous area to a minimum of 1 Ha.

- The submitter has already undertaken significant investment in enhancement of a gully area identified as "significant" on their property and long tailed bats roost in the gully area.
- Strongly endorse Council's initiatives in protecting the significant flora and fauna.

Submitter Number:	572	Submitter:	Litania Liava'a
Point Number	572.1		
Summary of Decision Requested:	Amend the planning maps for Tuakau near Geraghtys Road and Buckland Road, so that the cycleway/walkway is extended to access the Waikato River along the stop banks (refer to submission for maps of the location of the cycleway/walkway).		
Decision Reasons:	<ul style="list-style-type: none"> • Proposed district plan cuts off the land where the cycleways are proposed from land proposed for rezoning and the land itself is marginal. • Access to the land (for farming) will be difficult if proposed rezoning of land occurs. • Council owned stop banks are wide enough to accommodate cycleway/walkway. • Land adjacent to the Waikato River is 20.12m wide and is public land. • The Waikato River is Tuakau's main attraction and is stunning in this location and the cycleway/walkway extension would enable a positive future for residents. • Currently the only access to the Waikato River is by way of River Road which is hazardous for cyclists and pedestrians due to heavy traffic. • Proposed extension to the cycleway/walkway would enable future connection via another walkway/cycleway to the reserve accessed from River Road. 		
Point Number	572.2		
Summary of Decision Requested:	Submitter seeks that council purchase the land contained within the Waikato River stop banks for parkland.		
Decision Reasons:	<ul style="list-style-type: none"> • Purchasing the land could enable the future connection via walkway/cycleway to the park accessed from River Road. • Purchasing this land would enable the future connection via walkway/cycleway of the River access to extend along to the River Road park. • The Proposed District Plan allows for a unique opportunity to gain land for River access, leisure activities and possibly a park. 		
Point Number	572.3		
Summary of Decision Requested:	Delete the Industrial zoning for the Tuakau Protein site on Lapwood Road and various properties which contain existing businesses on the western side of River Road, Tuakau (refer to the map in the submission for further detail).		
Decision Reasons:	<ul style="list-style-type: none"> • Large Industrial area is already proposed and all industry should relocate there. Spattering of industrial areas outside of this will detrimentally affect Tuakau's future. • Tuakau residents want to have a physical and cultural connection to the Waikato River and as River Road is the only access to the Waikato River for Tuakau, industry should be discouraged to enable a safe walkway/cycleway. • Odorous industry should be discouraged from being located on the access to the Waikato River (River Road), near the Waikato River, the Waikato River itself and the park near the Waikato River which is also Tuakau's main tourist attraction. • May attract industry that cannot contain adverse effects to their site only. • Area outside rezoned boundaries is important for local amenity. 		
Point Number	572.4		
Summary of Decision Requested:	Amend the Proposed District Plan to prevent more waste facilities locating by the Waikato River near Geraghtys Road, Tuakau (see submission for map of site).		
Decision Reasons:	<ul style="list-style-type: none"> • Residents do not want waste facilities adjacent to the Waikato River. • Waste facilities are not sustainable nor environmentally friendly. 		

Submitter Number:	573	Submitter:	Peter Gilbert
Organisation:	LPG Association of New Zealand		
Point Number	573.1		
Summary of Decision Requested:	Delete the quantity limits for hazardous substances throughout the Proposed District Plan; AND Consequently amend the hazardous substances provisions to comply with the Resource Management Act so that they manage hazardous substances on a site specific basis, only when the Health and Safety at Work Act (2015) or the Hazardous Substances and New Organisms Act 1996 controls are considered insufficient. The sections affected include:		
Decision Reasons:	<ul style="list-style-type: none"> • Issues: Management of Hazardous Substances • Section 32 Report: 5.3 - Objective - Hazardous Substances • Chapter 10.1 - Hazardous substances • Rules • Appendix 05 - Table 5.1 - Activity status table - permitted activity thresholds. <ul style="list-style-type: none"> • The Resource Legislation Amendment Act (2017) made changes to how district plans deal with hazardous substances (sections 30 and 31) such that Council only place controls where they are necessary (i.e. not covered by HSNO or HSWA) in any particular case. As such, Table 5.1 and the imposition of general controls is not in accordance with the Resource Legislation Amendment Act (2017). • The submission references the Ministry for the Environment – Resource Legislation Amendments 2017 – Fact sheet 2 and a copy of this is attached with the submission. • The submission notes that the s32 report for the proposed waikato district plan mirrors that of Christchurch City Council where the Independent Hearings Panel required a revision be made to the s32 report as a part of an interim ruling. A copy of the decision made after the revised s32 report was undertaken is attached to the submission. 		

Submitter Number:	574	Submitter:	TaTa Valley Limited
Point Number	574.1		
Summary of Decision Requested:	<p>Amend the Proposed District Plan in order to:</p> <ul style="list-style-type: none"> • Represent the most appropriate means of achieving the purpose of the Resource Management Act 1991; • Give effect to the Waikato Regional Policy Statement; and • Meet the requirements of the Resource Management Act 1991 including but not limited to section 32. <p>AND</p> <p>Any consequential amendments and other relief to give effect to the matters raised in the submission.</p>		
Decision Reasons:	<ul style="list-style-type: none"> • No reasons provided. 		
Point Number	574.2		
Summary of Decision Requested:	<p>Amend the Proposed District Plan to simplify it and to represent good plan drafting practice, including (but not limited to) the following examples:</p> <ul style="list-style-type: none"> • Have the objectives and policies of the zone in the same chapter as the zone rules to enable "cascade" principles. • Replace "activity specific conditions" with "activity specific standards" for permitted, controlled and restricted discretionary activities. • A single infringement of a permitted activity "condition" be classified as a controlled or restricted discretionary activity rather than a discretionary activity. <p>AND</p> <ul style="list-style-type: none"> • Any consequential amendments and other relief to give effect to the matters raised in the submission. 		
Decision Reasons:	<ul style="list-style-type: none"> • The objectives and policies are separated from methods and is unclear how "cascade" principals apply. • Unclear what is meant by the term "conditions", when they appear to be "standards". • Instances where permitted activities not meeting one "condition" become discretionary activities which does not represent good practice or justified in the s32 reporting. 		
Point Number	574.3		
Summary of Decision Requested:	<p>Amend the zoning for parts of the land at 242 Bluff Road, Pokeno, from Rural Zone to Resort Zone (refer to the submission for maps showing the proposed areas - TaTa Valley Precinct Plan - Appendix A of the submission).</p> <p>AND</p> <p>Any consequential amendments and other relief to give effect to the matters raised in the submission.</p>		
Decision Reasons:	<ul style="list-style-type: none"> • Seeking a new zoning for the site, being Resort Zone so that the envisioned development of the site better aligns with the objectives, policies and rules while also providing for the future development and operation of the site. 		
Point Number	574.4		
Summary of Decision Requested:	<p>Amend the zoning for parts of the land at 35 Trig Road, Pokeno, from Rural Zone to Resort Zone</p> <p>AND</p> <p>Identify the property as part of Precinct 2.</p> <p>(Refer to the submission for maps showing the proposed rezoning and Precinct areas - TaTa Valley Precinct Plan - Appendix A of original submission).</p> <p>AND</p> <p>Any consequential amendments and other relief to give effect to the matters raised in the submission.</p>		
Decision Reasons:	<ul style="list-style-type: none"> • Include the site in the proposed Resort Zone. 		
Point Number	574.5		
Summary of Decision Requested:	<p>Add new provisions to the Proposed District Plan for the Resort Zone (as a new Chapter 29).</p> <p>See Appendix A of the submission for provisions sought and Appendix B of the submission for the supporting s32AA report.</p> <p>AND</p> <p>Any consequential amendments and other relief to give effect to the matters raised in the submission.</p>		
Decision Reasons:	<ul style="list-style-type: none"> • A new Resort Zone will enable the development of the TaTa Valley resort while recognising areas of high natural value and managing potential adverse effects of the development and operation of the resort activities. • Acknowledges the site's rural environment and it is the intention to develop the site in a way that retains the quiet nature and rural character of the site. Accordingly, a number of Rural Zone rules of the PDP have been used as a base for the development of the proposed Resort Zone. These are highlighted green in Appendix A of the original submission. 		
Point Number	574.6		
Summary of Decision Requested:	<p>Delete the Significant Amenity Landscape from the property at 242 Bluff Road, Pokeno.</p> <p>AND</p> <p>Any consequential amendments and other relief to give effect to the matters raised in the submission.</p>		
Decision Reasons:			

- The area of the Significant Amenity Landscape on the submitter's land appears to be a rollover of the previous District Plan notation with no ground truthing undertaken.
- An expert assessment has been prepared by Rob Pryor, Landscape Architect (LA4 Landscape Architects) which concludes that attributes onsite are not aligned to those described in the study and the Significant Amenity Landscape should be removed from the site (attached as Appendix C to the submission).
- The proposed Resort Zone provisions include amenity values as matters of discretion for a number of activities and proposed Objective 29.1.2 and associated policies includes consideration of amenity effects (these are detailed in Appendix A to the submission).

Point Number 574.7

Summary of Decision Requested: **Amend** the Proposed District Plan provisions where required to reflect the new Resort Zone for the TaTa Valley site.
AND
Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- It is proposed to contain all relevant provisions of the Plan within one chapter; however, there are still provisions that will continue to apply in other chapters being Chapter 14 (Infrastructure and Energy), and Appendix 5 (Hazardous Substances). Should there be a relevant chapter that the submitter has not identified changes to reflect this new zone, the submitter seeks the opportunity to update such a Chapter accordingly.

Point Number 574.8

Summary of Decision Requested: **Amend** Section 1.4.3.1 (a) Rural activities, as follows:
Productive rural activities are those activities that use rural resources for economic gain or which cannot be carried out easily or appropriately in an urban setting. Farming activities, including dairy, dry stock, horse breeding/training, honey production, horticulture, pig and poultry, mining, and forestry are all significant industries in economic terms for the Waikato district. These activities also provide tourism opportunities to showcase the district's rural character and activities.
AND
Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- Seeks additional wording to reflect that productive rural activities can also be important opportunities for rural tourism that builds on the Waikato's rural character.

Point Number 574.9

Summary of Decision Requested: **Retain** Policy 3.2.8 - Incentivise subdivision

Decision Reasons:

- Supports Policy 3.2.8 regarding the incentives for subdivision.

Point Number 574.10

Summary of Decision Requested: **Amend** Section 3.2 - Significant Natural Areas and related rules, to apply a bespoke approach for the management of indigenous biodiversity on the TaTa Valley site as outlined in the proposed provisions (refer to Appendix A of the submission).
AND
Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- Opposes the approach (including rules) to the management of Significant Natural Area's on their land and seeks the application of a bespoke approach to the management of indigenous biodiversity and Significant Natural Area's on the TaTa Valley Resort site.
- Approach recognises that some areas of indigenous biodiversity will be removed to allow for development of the resort but overall biodiversity across the site will be maintained through a combination of ecological mitigation, enhancement, offset, compensation and protection.
- Submission notes that proposed areas of Significant Natural Areas for removal are identified on the Precinct Plan (Areas A and B), attached to the submission as Appendix A.
- Submission also notes that this approach is informed by a report from Wildlands Consultants Ltd.

Point Number 574.11

Summary of Decision Requested: **Amend** the Proposed District Plan to include a schedule that reflects the outcomes of the Waikato District Landscape Study, which notes the attributes and features that lend itself to the Significant Amenity Landscape status.

OR

Delete all Significant Amenity Landscapes from the Proposed District Plan including associated objectives, policies in Section 3.4 and rules that reference Significant Amenity Landscapes.

AND

Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- Objectives and policies in 3.4 reference 'attributes' and 'features'. The significant amenity landscapes and these attributes should be included in a schedule to allow for resource consents to be assessed against the relevant objectives and policies in Section 3.4. Waikato District Landscape Study was prepared to support the mapping of the

Point Number 574.12

Summary of Decision Requested: **Amend** Policy 3.4.4 (a) The relationships of Maaori with their resources and land, if Significant Amenity Landscapes are retained in the Proposed District Plan, by elaborating on ways in which the relationship of Maaori with Significant Amenity Landscapes can be provided for.

AND

Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- Policy 3.4.4(a) does not state how the relationship can be provided for and this creates uncertainty for applicants and processing planners when assessing a consent against this policy.

Point Number 574.13

Summary of Decision Requested: **Delete** the definition of Significant Natural Area in Chapter 13 Definitions, and replace with a new definition that is more descriptive as to what a Significant Natural Area is.

AND

Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- Significant Natural Areas can be comprised of significant indigenous vegetation, exotic vegetation and significant habitats of indigenous fauna. The current definition just directs users back to the planning maps, and as such is insufficient.

Point Number 574.14

Summary of Decision Requested: **Amend** the definition for "Travellers' Accommodation" in Chapter 13 Definitions, as follows:

...and recreation facilities for the use of the guests staying at the site. It includes hotels...

AND

Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- It is commonplace for members of the public to use certain amenities or facilities at accommodation whilst not necessarily staying onsite (e.g. hotel restaurant).

Point Number 574.15

Summary of Decision Requested: **Add** a definition to Chapter 13 Definitions or "Special Event", as follows:

A temporary event that exceeds the permitted noise standard of the Resort Zone.

AND

Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- The definition will enable these types of activities to be identified and referred to within the Resort Zone.

Point Number 574.16

Summary of Decision Requested: **Amend** the definition for "Temporary Event" in Chapter 13 Definitions, as follows:

Means a social, cultural or recreation event ~~that has a duration of less than 72 hours~~, including entertainment events, carnivals, festivals, fairs, markets, and exhibitions, and associated temporary buildings and car parks.

AND

Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- Reference to duration is more appropriately included in the permitted activity standards, and as such should be removed from the definition.

Point Number 574.17

Summary of Decision Requested: **Amend** the Proposed District Plan as follows:

Chapter ~~29~~ 30; Appendices

AND

Chapter ~~30~~ 31; Schedules

AND

All references to these chapters within the Proposed District Plan as required.

AND

Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- Consequential amendments to Chapters 29 and 30 to re-number these to Chapter 30 and 31 are required due to the proposed new Chapter 29 (Resort Zone).

Point Number 574.18

Summary of Decision Requested: **Retain** the provisions in the Rural Zone that have been included in the new Resort Zone provisions as set out in Appendix A of the submission.

AND

Amend provisions for the proposed Resort Zone as a consequence of any changes to the Proposed District Plan, including, the Rural Zone chapters, to ensure consistency and achievement of the outcomes sought by TaTa Valley Limited.

AND

Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- The proposed Resort Zone has taken a number of relevant rules from the Proposed Rural Zone chapter and applied these to the Proposed Resort Zone for consistency and acknowledgement of its location in the Rural environment. TaTa Valley Limited supports these provisions and seeks their retention.

- Should the Proposed Rural Zone rules change as a result of submissions and/or the hearing subsequently the rules of the Resort Zone may also need changing.

Point Number 574.19

Summary of Decision Requested: **Retain** the second sentence of Section 1.4.3.1 (b) Rural activities, regarding recreational use.

Decision Reasons:

- The recreational use of the rural environment is also important to the district, with activities such as hunting, fishing, tramping, and cycling being very important in terms of tourism.

Point Number 574.20

Summary of Decision Requested: **Amend** Section 3.2 Significant Natural Areas and associated rules, to provide for greater flexibility and to enable development subject to appropriate mitigation or offsetting.

AND

Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- Considers that objectives and policies (except for 3.2.8) are overly restrictive.

Point Number 574.21

Summary of Decision Requested: **Amend** the definition of "Informal Recreation" in Chapter 13 Definitions, as follows:

Means any activity whose primary aim is the enjoyment of leisure of a primarily non-competitive, casual nature. It includes amenity and conservation plantings, children's play areas, shelters, and public toilets ~~and other buildings necessary for the maintenance of the park.~~

AND

Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- It is not appropriate to provide for "other buildings necessary for the maintenance of the park" because this is too loose of a statement.
- There are rules in place in regard to bulk and location of buildings and it is considered that any buildings should be considered in accordance with those rules.
- Deleting the reference in the definition will avoid large buildings being built as of right under this definition.

Point Number 574.22

Summary of Decision Requested: **Add** a definition to Chapter 13 Definitions, for "Workers Accommodation", as follows:

Means a dwelling for people whose duties require them to live onsite. This definition includes seasonal workers.

AND

Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- The operation of the proposed Resort and other activities is likely to require some staff to live onsite and as such, a definition is required.

Point Number 574.23

Summary of Decision Requested: **Add** a definition to Chapter 13 Definitions for "Outdoor Recreation", as follows:

Physical activity undertaken in outdoors or natural settings to connect to the outside environment and whose primary aim is the enjoyment of leisure. Activities include: Walking and cycling, bush walks, bird watching, mini golf, paintball, zip lining, golf driving range.

AND

Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- Definition will enable these types of activities to be identified and referred to within the Resort Zone.

Point Number 574.24

Summary of Decision Requested: **Add** a definition to Chapter 13 Definitions, for "Recreation Facility", as follows:

A facility where the primary purpose is to provide for outdoor recreation activities.

AND

Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- This definition is linked to Outdoor Recreation activities and relates to a facility required to undertake Outdoor Recreation activities.

Point Number 574.25

Summary of Decision Requested: **Add** a definition to Chapter 13 Definitions, for "Entertainment Facility", as follows:

A facility used for entertainment, including: cinema, showground, performance/cultural venue.

AND

Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- This definition will enable these facilities to be identified and referred to within the Resort Zone.

Submitter Number:	575	Submitter:	Fulton Hogan Limited
Point Number	575.1		
Summary of Decision Requested:	<p>Delete the definitions for 'Aggregate extraction activities', 'Extractive industry' and 'Mineral extraction and processing' in Chapter 13: Definitions;</p> <p>AND</p> <p>Add a new definition for 'Mineral and aggregate extraction activities' to Chapter 13 Definitions as follows (or words to similar effect):</p> <p><i>Mineral and aggregate extraction activities mean those activities associated with mineral and aggregate extraction, including:</i></p> <p><i>g) excavation, blasting, processing, (crushing, screening, washing and blending);</i></p> <p><i>b) the storage, distribution and sale of minerals or aggregates by wholesale to industry or by retail;</i></p> <p><i>c) ancillary earthworks;</i></p> <p><i>d) the removal and deposition of overburden;</i></p> <p><i>e) treatment of stormwater and wastewater;</i></p> <p><i>f) landscaping and rehabilitation work, including cleanfilling;</i></p> <p><i>g) ancillary buildings and structures; and</i></p> <p><i>h) residential accommodation necessary for security purposes.</i></p> <p>AND</p> <p>Amend the Proposed District Plan to make consequential and additional amendments as necessary to give effect to the matters raised in the submission.</p>		
Decision Reasons:	<ul style="list-style-type: none"> • There are three different definitions in the PDP covering a range of extractive industries: aggregate extraction activities, mineral extraction and processing, and the extractive industry. Having three separate definitions adds unnecessary confusion which can be avoided by removing the superfluous definitions and retaining only one for 'mineral and aggregate extraction activities' as proposed. 		
Point Number	575.2		
Summary of Decision Requested:	Retain Objective 3.2.1 - Significant Natural Areas.		
Decision Reasons:	<ul style="list-style-type: none"> • Supports the aim of protection SNAs throughout the district, provided such overlays are used appropriately and without limiting the commercial viability of legally established quarries. 		
Point Number	575.3		
Summary of Decision Requested:	<p>Retain Objective 3.3.1 Outstanding natural features and landscapes, except for the amendments sought below</p> <p>AND</p> <p>Amend Objective 3.3.1 - Outstanding Natural Features and Landscapes, as follows (or words to similar effect):</p> <p><i>(a) Outstanding Natural Features and Outstanding Natural Landscapes and their attributes are recognised and protected from inappropriate subdivision, use and development <u>excluding any legally established mineral or aggregate extraction activities.</u></i></p> <p>AND</p> <p>Amend the Proposed District Plan to make consequential and additional amendments as necessary to give effect to the matters raised in the submission.</p>		
Decision Reasons:	<ul style="list-style-type: none"> • Fulton Hogan support the objective to recognise and protect ONFAL and SAL in the district as they may make up character which Waikato District is known for. • Seek amendments as the proposed district plan includes Outstanding Natural Features, Outstanding Natural Landscapes and Significant Amenity Landscapes over existing lawfully established quarries which limits the ability for expansion of these quarries, which will hinder the financial prosperity of the same. • This could cause social and economic harm to the company and community. • The proposed amendment is to ensure that these are sufficiently safeguarded. This is also in line with the RPS, which provides specific protection to mineral extraction activities. 		
Point Number	575.4		
Summary of Decision Requested:	Retain Objective 3.4.1, provided that the Significant Natural Areas, Outstanding Natural Features and Outstanding Natural Landscapes are removed as sought elsewhere in the submission.		
Decision Reasons:	<ul style="list-style-type: none"> • Fulton Hogan support the objective to recognise and protect SAL in the district as they make up character which Waikato District is known for. • Seek amendments as the proposed district plan includes Outstanding Natural Features, Outstanding Natural Landscapes and Significant Amenity Landscapes over existing lawfully established quarries which limits the ability for expansion of these quarries, which will hinder the financial prosperity of the same. • This could cause social and economic harm to the company and community. 		
Point Number	575.5		
Summary of Decision Requested:	<p>Retain Objective 5.4.1- Minerals and extractive industries, except for the amendments sought below</p> <p>AND</p> <p>Amend Objective 5.4.1 - Minerals and extractive industries, as follows (or words to similar effect):</p>		

Mineral resource use and mineral and aggregate extraction activities provides economic, social and environmental benefits to the district and these activities are protected.

AND

Amend the Proposed District Plan to make consequential and additional amendments as necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Fulton Hogan support this objective based on the fact that it provides a level of protection for the mineral resource industry.
- By inserting the proposed words, the protection is strengthened which is key, given that this industry is vital to this district and contributes an important share of its GDP.
- This approach is supported by the RPS, particularly Objective 3.10 and Policies 4.4 and 6.8, which specifically protect regionally significant industries and recognise the importance of mineral extraction to sustain anticipated regional growth.

Point Number

575.6

Summary of Decision Requested:

Retain Policy 3.2.2 (b) Identify and Recognise, except for the amendments sought below.

AND

Amend Policy 3.2.2 (b) Identify and Recognise, as follows (or words to similar effect):

(b) Recognise and protect Significant Natural Areas by ensuring the characteristics that contribute to their significance are not adversely affected by activities other than mineral and aggregate extraction.

AND

Amend the Proposed District Plan to make consequential and additional amendments as necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Fulton Hogan supports the intent of the policy but seeks amendments, noting that the RPS specifically protects mineral extraction activities, which is currently not achieved by the proposed wording of Policy 3.2.2.
- Proposed amendments make it clear that extraction activities may removal stands of indigenous vegetation without impacting on the characteristics that contribute to the significance of SNA.
- While not a matter for the relief sought on this submission point, the submission notes that Fulton Hogan request that the SNA overlays imposed over its properties are removed in their entirety, so as to ensure that the commercial viability of these quarries are not unreasonably obstructed.

Point Number

575.7

Summary of Decision Requested:

Retain Policy 3.2.3 Management hierarchy, except for the amendments sought below.

AND

Amend Policy 3.2.3 Management hierarchy, as follows:

(i) avoiding the significant adverse effects of vegetation clearance and the disturbance of habitats unless specific activities need to be enabled such as mineral and aggregate extraction activities.

AND

Amend the Proposed District Plan to make consequential and additional amendments as necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Support the intent of this policy but concerned that it would hinder the lawful operations of existing quarries. Amendment is sought as the removal of indigenous forestry may be necessary to support growth of the district and region.

Point Number

575.8

Summary of Decision Requested:

Retain Policy 3.2.4 Biodiversity offsetting.

Decision Reasons:

- Supports the use of offsetting noting that mineral and aggregate extraction activities can create adverse effects on significant natural areas.
- Also support the signal that applications that may result in any adverse effects on any SNAs or indigenous biodiversity outside an SNA be allowed to be offered by a resource consent applicant.

Point Number

575.9

Summary of Decision Requested:

Retain Policy 3.2.7 Managing Significant Natural Areas, except for the amendments sought below.

AND

Amend Policy 3.2.7 (a)(v) Managing Significant Natural Areas, as follows (or words to similar effect):

(v) avoiding ~~physical and~~ legal fragmentation

AND

Amend the Proposed District Plan to make consequential and additional amendments as necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Fulton Hogan support a policy that sets out the management of Significant Natural Areas.
- There are instances where significant natural areas may be physically separated due to expansion in lawfully established quarries. Proposed amendment would still safeguard significant natural areas while ensuring that extractive industries near significant natural areas can stay viable.
- While not a matter for the relief sought on this submission point, the submission notes that Fulton Hogan request that the SNA overlays imposed over its properties are removed in their entirety, so as to ensure that the commercial viability of these quarries are not unreasonably obstructed.

Point Number

575.10

Summary of Decision Requested:

Retain Policy 3.3.2 - Recognising values and qualities, provided that the Significant Natural Areas, Outstanding Natural Features and Outstanding Natural Landscapes are removed as sought elsewhere in the submission.

Decision Reasons:

- Supports the recognition of values and qualities of the Outstanding Natural Features and Outstanding Natural Landscapes but seeks to remove the overlays from the Waingaro quarry.
- Proposed overlays will unreasonably restrict the ability to operate commercial aggregate extraction activities at this site. It further risks that the existing resource is sterilised, as it will become very difficult to expand the quarry's footprint, which is detrimental not only to Fulton Hogan but to the district as a whole, which relies on the extractive industry for economic development and growth.

Point Number 575.11

Summary of Decision Requested: **Retain** Policy 3.3.3 Protection from inappropriate subdivision, use and development, provided that the Significant Natural Areas, Outstanding Natural Features and Outstanding Natural Landscapes are removed as sought elsewhere in the submission.

Decision Reasons:

- Supports the recognition of values and qualities of the Outstanding Natural Features and Outstanding Natural Landscapes but seeks to remove the overlays from the Waingaro quarry.
- Proposed overlays will unreasonably restrict the ability to operate commercial aggregate extraction activities at this site. It further risks that the existing resource is sterilised, as it will become very difficult to expand the quarry's footprint, which is detrimental not only to Fulton Hogan but to the district as a whole, which relies on the extractive industry for economic development and growth.

Point Number 575.12

Summary of Decision Requested: **Retain** 3.3.4 Policy The relationships of Maaori with natural resources and land, provided that the Significant Natural Areas, Outstanding Natural Features and Outstanding Natural Landscapes are removed as sought elsewhere in the submission.

Decision Reasons:

- Supports the recognition of values and qualities of the Outstanding Natural Features and Outstanding Natural Landscapes but seeks to remove the overlays from the Waingaro quarry.
- Proposed overlays will unreasonably restrict the ability to operate commercial aggregate extraction activities at this site. It further risks that the existing resource is sterilised, as it will become very difficult to expand the quarry's footprint, which is detrimental not only to Fulton Hogan but to the district as a whole, which relies on the extractive industry for economic development and growth.

Point Number 575.13

Summary of Decision Requested: **Retain** Policy 3.4.3 Maintaining and enhancing Significant Amenity Landscapes, provided that the Significant Amenity Landscape overlay is removed, as sought elsewhere in the submission.

Decision Reasons:

- Supports intent to protect Significant Amenity Landscapes across the district but, seeks removal of the overlay from the Tuakau Quarry (subject to a separate submission point).

Point Number 575.14

Summary of Decision Requested: **Retain** Policy 5.4.2 Access to minerals and extractive industries, except for the amendments sought below
AND
Amend Policy 5.4.2 (a) and (b) Access to minerals and extractive industries, as follows (or words to similar effect):

- a. *Enable extractive industries provided that adverse effects are avoided, remedied or mitigated insofar as it is reasonable and practicable while still ensuring that the industry remains viable.*
- b. *Protect access to, and extraction of, mineral resources by:*
 - i. *Identifying lawfully established extractive industries in or outside of Aggregate Extraction Areas and Coal Mining Areas on planning maps;*
 - ii. *Identifying the site of a potential extractive industry within or outside of an Aggregate Resource Area on planning maps;*

AND

Amend the Proposed District Plan to make consequential and additional amendments as necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Submission supports the policy but seeks amendments as the protection afforded by the policy only extends to existing quarries and not new extractive industries.
- It provides no protection to new extractive industries, as such properties would have to apply for a plan change.
- Aggregate is a significant and economically vital natural resource and contributes to the economic and social wellbeing of the area.

Point Number 575.15

Summary of Decision Requested: **Amend** Rule 22.1.5 NC2 Non-Complying Activities, as follows (or words to similar effect):
(a) A new or not yet lawfully existing, (as at the date this plan became operative), extractive industry proposed to be located within all or part of any of the following:...
(i) Outstanding Natural Feature;
(ii) Outstanding Natural Landscape;
(iii) High Natural Character Area;
(iv) Outstanding Natural Character Area.

AND

Amend the Proposed District Plan to make consequential and additional amendments as necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Fulton Hogan opposes Rule 22.1.5 as it restricts their operations from growing in the future and seeks amendments so that existing extraction activities (like the Waingaro Quarry) are not unreasonably hindered should the overlay remain. It will still ensure that no new quarries are established in Outstanding Natural Feature; Outstanding Natural Landscape areas, which is presumed to be the key intent of the Rule.
- Submission notes that there are separate relief sought to have the respective overlays removed, elsewhere in the submission.

Point Number 575.16

Summary of Decision Requested: **Add** a new rule to Section 22.2.1 - Noise, (22.2.1.4), as follows (or words to similar effect):

NOISE – MINERAL AND AGGREGATE EXTRACTION ACTIVITIES

Any noise created by a mineral or aggregate extraction activities is permitted provided that if measured at the notional boundary of any dwelling which existed at [insert date of plan becoming operative], does not exceed:

- 55dBA (L₁₀) 7am to 7pm Monday to Friday;
- 55dBA (L₁₀) 7am to 6pm Saturday;
- 50dBA (L₁₀) 7pm to 10pm Monday to Friday;
- 50dBA (L₁₀) 7am to 6pm Sundays and Public Holidays;

e. 45dBA (L₁₀) and 70dBA (L_{max}) at all other times including Public Holidays.

AND

Amend the Proposed District Plan to make consequential and additional amendments as necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Submission states preference for rules currently in the Operative District Plan and as such, seek to add the new rule to define the effects anticipated and accepted and to safeguard both the industry as well as the surrounding properties (insofar as reasonable and practicable). This is particularly important in relation to effects relating to noise, dust and vibration, as these are key elements of an activity of this kind.

Point Number 575.17

Summary of Decision Requested: **Add** a new rule - Mineral and aggregate extraction activity - vibrations and blasting rules, as follows (or words to similar effects):

VIBRATION AND BLASTING – MINERAL AND AGGREGATE EXTRACTION ACTIVITIES

- The measurement of blast noise (airblast) and ground vibration from blasting shall be carried out in accordance with best practice standards.
- The noise created by the use of explosives measured at a notional boundary of 20 metres from occupied dwellings shall not exceed a peak overall sound pressure of 128 dB.
- Blasting shall be confined to two occasions per day except where necessary for safety reasons.
- Where blasting is irregular and the occupiers of neighbouring sites could be alarmed, they shall be advised of pending blasts, at least one hour before any such blast.
- When blasting, the limit of particle velocity (peak particle velocity) measured on any foundation of an adjacent occupied building not connected with the site, or suitable location adjacent to the building, shall not exceed 25mm/second for commercial buildings or 10mm/second for dwellings and buildings of similar design.
- Every blast shall be recorded with particular attention to details of charge weight and delay practice. Monitoring using reliable and appropriate methods representative of all blasts, at varying distances and various sites of different sensitivity shall be carried out to ensure that clauses ii and vi above are complied with. Blast records and monitoring results shall be made available to the Council on request.

AND

Amend the Proposed District Plan to make consequential and additional amendments as necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Submission states preference for rules currently in the Operative District Plan and as such, seek to add the new rule to define the effects anticipated and accepted and to safeguard both the industry as well as the surrounding properties (insofar as reasonable and practicable). This is particularly important in relation to effects relating to noise, dust and vibration, as these are key elements of an activity of this kind.

Point Number 575.18

Summary of Decision Requested: **Add** a new rule - Mineral and aggregate extraction activity - air emission rules, as follows (or words to similar effect):

AIR EMISSIONS – MINERAL AND AGGREGATE EXTRACTION ACTIVITIES

Subject to any resource consent which may have been obtained, dust or any other airborne contaminant shall not be discharged at a level that is likely to cause a nuisance or affect the amenity values of any property in the area.

AND

Amend the Proposed District Plan to make consequential and additional amendments as necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Submission states preference for rules currently in the Operative District Plan and as such, seek to add the new rule to define the effects anticipated and accepted and to safeguard both the industry as well as the surrounding properties (insofar as reasonable and practicable). This is particularly important in relation to effects relating to noise, dust and vibration, as these are key elements of an activity of this kind.

Point Number 575.19

Summary of Decision Requested: **Retain** Rule 22.2.3.1 (i) Earthworks- General except for the amendments sought below

AND

Amend Rule 22.2.3 (a)(i) Earthworks as follows (or words to similar effect):

(i) Ancillary rural and mineral and aggregate extraction earthworks;

AND

Amend the Proposed District Plan to make consequential and additional amendments as necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Earthworks are a natural part of extracting minerals and aggregate. Without stripping the overburden/topsoil, you cannot extract the underlying aggregate.
- It is important that the industry is able to carry out ancillary earthworks as a Permitted Activity to avoid unnecessary cost and delay of expansion.
- With appropriate conditions in place, any effects created by these types of activities will still be able to be appropriated managed.

Point Number 575.20

Summary of Decision Requested: **Retain** Rule 22.2.3.4 Earthworks within Landscape and Natural Character Areas

OR

Amend Rule 22.2.3.4 Earthworks if the Significant Natural Areas, Outstanding Natural Features and Outstanding Natural Landscapes are not removed from Fulton Hogan lawfully existing quarries as sought elsewhere in the submission.

AND

Amend the Proposed District Plan to make consequential and additional amendments as necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Has no opposition to the rule in principal but seeks removal of the overlays from existing quarries.

Point Number 575.21

Summary of Decision Requested: **Retain** Rule 22.3.7.2 (a) Building setback sensitive land use except for the amendments sought below

AND

Amend Rule 22.3.7.2 (a) Building setbacks sensitive land use, as follows (or word to similar effect):

(a) Any building for a sensitive land use must be set back a minimum of...

(iv) 200m from an Aggregate Extraction Area, mineral or aggregate extraction activities containing a sand resource;

(v) 500m from an Aggregate Extraction Area, mineral or aggregate extraction activities containing a rock resource;...

AND

Amend the Proposed District Plan to make consequential and additional amendments as necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Mineral and aggregate extraction can result in effects which give rise to reverse sensitivity.
- By ensuring that appropriate setback rules apply not only to those quarries which are subject to the proposed overlays but also to others (including future quarries which would need to apply for a Plan change to have the same level of protection), this will provide sufficient safeguards for the industry going forward from reverse sensitivity.

Point Number 575.22

Summary of Decision Requested: **Add** a new rule - regarding subdivision, as follows (or words to similar effect):

ALLOTMENT BOUNDARY – MINERAL AND AGGREGATE EXTRACTION ACTIVITIES

Subdivision is a restricted discretionary activity if the boundary of every allotment is drawn so that it is within:

(a) 200m of the boundary of a lawfully established mineral and aggregate extraction activity used for sand extraction; and

(b) 500m of the boundary of a lawfully established mineral and aggregate extraction activity used for rock extraction.

AND

Amend the Proposed District Plan to make consequential and additional amendments as necessary to give effect to the matters raised in the submission.

Decision Reasons:

- In order to safeguard existing quarry operations, the proposed rule sought will limit the risk of creating reverse sensitivity effects by ensuring that Fulton Hogan are considered an affected party in situations where properties adjacent to their existing quarries are subject to a subdivision application.

Point Number 575.23

Summary of Decision Requested: **Delete** Significant Natural Area from the Tauhei quarry at 1500 Tauhei Road, Tuakau (property 1005650).

(A map of the respective area sought for deletion is attached to the original submission as Appendix B).

AND

Amend the Proposed District Plan to make consequential and additional amendments as necessary to give effect to the matters raised in the submission.

Decision Reasons:

- The Significant Natural Areas areas encroach on a large amount of potential extraction land.
- The quarry is also subject to the 'Aggregate Extraction Areas' overlay, which is intended to protect lawfully established quarry activities. The overlapping overlays creates unnecessary confusion as to what takes priority and will make any future expansion of these quarries complex and costly.

Point Number 575.24

Summary of Decision Requested: **Delete** Significant Natural Area from the Waingarō quarry land (Waingarō Road, Ngaruawahia - properties [2006029](#), 1012692, 1012697 and 1012732).

(A map of the respective area sought for deletion is attached to the original submission as Appendix B).

AND

Amend the Proposed District Plan to make consequential and additional amendments as necessary to give effect to the matters raised in the submission.

Decision Reasons:

- The Significant Natural Areas areas encroach on a large amount of potential extraction land.
- The quarry is also subject to the 'Aggregate Extraction Areas' overlay, which is intended to protect lawfully established quarry activities. The overlapping overlays creates unnecessary confusion as to what takes priority and will make any future expansion of these quarries complex and costly.

Point Number 575.25

Summary of Decision Requested: **Delete** the Outstanding Natural Feature from the Waingaro quarry land (Waignaro Road, Ngaruawahia - properties 2006029, 1012692, 1012697 and 1012732).

(A map of the respective area sought for deletion is attached to the original submission as Appendix B).

AND

Amend the Proposed District Plan to make consequential and additional amendments as necessary to give effect to the matters raised in the submission.

Decision Reasons:

- The land identified is directly adjacent to current operations, meaning that any future expansion (or continued extraction) could involve land subject to this overlay.
- This overlay overlaps with the 'Aggregate Extraction Areas' overlay, which is intended to protect lawfully established quarry activities.
- The overlapping overlays creates unnecessary confusion as to what takes priority and will make any future expansion of the quarry unnecessarily complex and costly.

Point Number 575.26

Summary of Decision Requested: **Delete** the Significant Amenity Landscape on the Tuakau quarry land (Friedlander Road, Tuakau - property 301603).

(A map of the respective area sought for deletion is attached to the original submission as Appendix B).

OR

Amend the Significant Amenity Landscape on Tuakau quarry land (Friedlander Road, Tuakau - property 301603) to reduce the extent as shown on Appendix B of the submission to only cover farmland.

AND

Amend the Proposed District Plan to make consequential and additional amendments as necessary to give effect to the matters raised in the submission.

Decision Reasons:

- This a misrepresentation of what the existing environment looks like (which has been operating as a quarry for over a decade) and is inappropriate given the use of the land for a quarry and other activities not usually found in SALs (such as farming, treatment ponds etc).
- Overlay overlaps with the 'Aggregate Extraction Areas' overlay, and this overlap creates unnecessary confusion as to what takes priority and will make any future expansion of the quarry unnecessarily complex and costly.
- Request that the SAL overlay be removed insofar as it impacts on the quarry. They further request that the remaining overlay be removed OR reduced insofar as it covers the surrounding farm lands.

Point Number 575.27

Summary of Decision Requested: **Retain** the "Aggregate Extraction Area" overlay applying across all three quarries in Tuakau, Waingaro and Tauhei.

Decision Reasons:

- No reason provided.

Point Number 575.28

Summary of Decision Requested: **Retain** Policy 5.3.3 Industrial and commercial activities except for the amendments sought below.

AND

Add a new clause to Policy 5.3.3 -Industrial and Commercial Activities, by adding on an additional point as follows:

(a) *Rural industries and services are managed to ensure they are in keeping with the character of the Rural Zone.*

(b) *Avoid locating industrial and commercial activities in rural areas that do not have a genuine functional connection with the rural land or soil resource.*

(c) *Allowing for mineral and aggregate extraction activities insofar as they are lawfully established in the Rural Zone.*

AND

Amend the Proposed District Plan to make consequential and additional amendments as necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Fulton Hogan support the restriction of Industrial and Commercial activities in the Rural Zone. Amendment sought to ensure that aggregate and mineral extraction is still specifically catered for in the Rural Zone.
- This industry is of both regional and district-wide importance and protection of the same is consistent with the RPS (which safeguards mineral extraction to ensure that the region can continue to grow).

Point Number 575.29

Summary of Decision Requested: **Retain** Policy 5.3.7 (h) Reverse sensitivity effects, except for the amendments sought below;

AND

Amend Policy 5.3.7 (h) Reverse sensitivity effects, as follows (or words to similar effect):

(h) *Provide for intensive farming activities and mineral and aggregate extraction activities, recognising the potential adverse effects that need to be managed, including noise, visual amenity, rural character or landscape effects, and odour.*

AND

Amend the Proposed District Plan to make consequential and additional amendments as necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Submission supports the policy but seeks the amendment to ensure that not only established quarries, but potentially new mineral or aggregate extraction activities are able to be established in the Rural Zone. Noting that it is vital to the survival of the aggregate extraction industry.

Point Number 575.30

Summary of Decision Requested: **Retain** Policy 5.3.9 Non-rural activities, as notified.

Decision Reasons:

- Supports the management of non-rural activities and structures in the rural zone.

- Concerned that non-rural activities may cause reverse sensitivity effects on quarry operations undertaken within the Rural Zone.

Point Number 575.31

Summary of Decision Requested: **Retain** Policy 5.3.13 Waste management activities, except for the amendments sought below

AND

Amend Policy 5.3.13 (a)Waste management activities, as follows (or words to similar effect):

Provide for the rehabilitation of existing quarry sites upon decommission, including landfill and cleanfill activities, where there is an environmental gain.

AND

Amend the Proposed District Plan to make consequential and additional amendments as necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Support the provision but seek amendment so that rehabilitation occurs upon decommission (unless a particular site lends itself to ongoing rehabilitation, which will be determined by site specific factors).
- Wants to ensure that once extractive processes of the quarry are no longer viable and/or equitable, the proposed district plan will encourage restoration of the landscape.
- The original state of the environment may not be able to be achieved but with then right steps, quarry sites will be able to blend into the environment after being decommissioned.

Point Number 575.32

Summary of Decision Requested: **Retain** Policy 5.3.15 Noise and vibration, except for the amendments sought below;

AND

Amend Policy 5.3.15 (a)(iii) Noise and vibration, as follows (or words to similar effect):

(iii) Maintaining appropriate buffers between high noise environments and noise sensitive activities insofar as that is practicable...

AND

Amend the Proposed District Plan to make consequential and additional amendments as necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Supports the principal of policy but seek amendments as quarrying and aggregate extraction create large amounts of noise and vibration from time to time which may make compliance with the policy challenging.
- Amendment will ensure that existing quarry sites (such as the Fulton Hogan quarries) can continue their operations without additional requirements insofar as noise and vibration buffers are concerned.

Submitter Number: 576 **Submitter:** Transpower New Zealand Ltd

Point Number 576.1

Summary of Decision Requested: **Retain** Section 1.4.3.2(c) Protecting the rural environment, as notified.

Decision Reasons:

- Section 1.4.3.2 (c) relates to protecting the rural environment. The submitter supports recognition within the section directing rural-residential built development away from electricity transmission.

Point Number 576.2

Summary of Decision Requested: **Retain** Section 1.5.5 (a) Services and general infrastructure, as notified.

Decision Reasons:

- The submitter supports recognition within the section that inappropriate subdivision and use and development can adversely affect regional infrastructure.

Point Number 576.3

Summary of Decision Requested: **Retain** Section 1.5.5 (d) Services and general infrastructure, as notified.

Decision Reasons:

- The submitter supports recognition within the section of the need for a consistent approach, and protection of regionally and nationally significant infrastructure.
- Such an approach is consistent with the NPSET.

Point Number 576.4

Summary of Decision Requested: **Retain** Section 1.5.5 (f) Services and general infrastructure, except for the amendments sought below

AND

Amend Section 1.5.5 (f) Services and general infrastructure as follows:

(f) There are key transmission lines located in the district. The transmission of electricity in the National Grid plays a vital role in the well-being of New Zealand, its people and communities. The national significance of the National Grid is recognised in the National Policy Statement on Electricity Transmission 2008. Environmental effects of the National Grid are often experienced at a district level while the benefits of the National Grid extend to a regional or national level. These effects are a result of particular physical characteristics and operational/technical requirements and may not always be able to be avoided or mitigated. The lines are critical for ensuring an efficient and secure supply of electricity throughout the district and beyond. In accordance with the National Policy Statement on Electricity Transmission 2008 and the Regional Policy Statement, the Council is required to manage development to ensure that any ~~third party~~ subdivision, land use and development in the transmission corridor does not affect the ongoing operation, maintenance, upgrading, and development of the lines or result in any incompatibility or reverse sensitivity effects. It is important that Council manages ~~third party activities~~ subdivision, land use and development in the vicinity...

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in the submission.

Decision Reasons:

- The submitter supports Section 1.5.5 (f) as the clause accurately reflects the issue of the effect of subdivision, land use and development activities on the National Grid.
- The submitter prefers the term 'subdivision, land use and development' over 'third party' in this context as it more appropriately relates to the activity as opposed to tenure.
- However, while the statement is supported, subdivision, land use and development are only one component of matters identified in the NPSET (refer to Policies 10 and 11 of the NPSET).
- Policy 1 of the NPSET requires recognition of the National Grid, and Policies 2-9 relate to managing the environmental effects of transmission.
- In order to give effect to the NPSET, the submitter supports amendment to the section to recognize the other two matters provided in the NPSET, being the benefits of the National Grid, and the environment effects of transmission.

Point Number 576.5

Summary of Decision Requested: **Retain** Policy 3.2.3 Management hierarchy, as notified.

Decision Reasons:

- Significant Natural Areas are identified on the planning maps and feature widely across the district. Although not defined in the Proposed District Plan, SNA are those areas containing significant habitats of indigenous fauna and flora.
- The submitter supports the identification of such areas, and the hierarchy approach provided within Policy 3.2.3, and in particular the reference within clause (i) to 'unless specific activities need to be enabled'.
- The reference is supported as it recognises that there are some activities (for example the National Grid) which in some circumstances may need to be enabled.
- The policy gives effect to Policy 8 of the NPSET which recognises that within the rural environment, planning and development of the National Grid should seek to avoid adverse effects on outstanding natural landscapes, areas of high natural character and areas of high recreation value and amenity and existing sensitive activities.

Point Number 576.6

Summary of Decision Requested: **Retain** Policy 3.2.6 Providing for vegetation clearance, except for the amendments sought below

AND

Add a new clause (v) to Policy 3.2.6 (a) Providing for vegetation clearance as follows (or equivalent references to Regionally significant infrastructure or the National Grid):

(v) associated with the operation, maintenance and upgrading of infrastructure

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in the submission.

Decision Reasons:

- The submitter supports the provision of policy providing for the clearance of indigenous vegetation in Significant Natural Areas for certain circumstances as the policy recognizes there are some activities for which clearance is required.
- The submitter supports expansion of the policy to recognise vegetation associated with the operation, maintenance and upgrading of infrastructure.
- Such policy recognition would reflect the permitted activity rule 14.3.1. P5, and the need for vegetation clearance around the National Grid for safety reasons.
- While the submitter has recommended the policy apply to infrastructure generally, it would support the policy being specific to Regionally Significant Infrastructure (noting that this term is not defined or widely used in the Proposed District Plan), or the National Grid.

Point Number 576.7

Summary of Decision Requested: **Retain** Objective 3.3.1 Outstanding natural features and landscapes, as notified.

Decision Reasons:

- The submitter supports the mapping of such areas and their clear identification as it assists plan users and provides clarity as to the application of the Proposed District Plan provisions.
- The submitter supports reference within the objective to 'inappropriate' as such reference is consistent with Section 6(b) of the RMA, Waikato RPS Objectives 3.12 and 3.20, and also recognises that not all development is to be avoided, rather the emphasis is on that which is inappropriate.

Point Number 576.8

Summary of Decision Requested: **Retain** Objective 3.5.1 Natural Character, as notified.

Decision Reasons:

- The submitter supports the mapping of such areas and their clear identification as it assists plan users and provides clarity as to the application of the Proposed District Plan provisions.
- The submitter supports reference within the objective to 'inappropriate' as such reference is consistent with Section 6(a) of the RMA, Waikato RPS Objectives 3.12 and 3.22, and also recognises that not all development is to be avoided, rather the emphasis is on that which is inappropriate.

Point Number 576.9

Summary of Decision Requested: **Retain** Policy 3.5.4 Protecting the natural character of wetlands, and lakes and rivers and their margins, as notified.

Decision Reasons:

- The submitter supports reference within the policy to "inappropriate" as such reference is consistent with Section 6(a) of the RMA, Waikato RPS Objectives 3.12 and 3.22 and also recognises that not all development is to be avoided, rather the emphasis is on that which is inappropriate.
- Clause (ii) is also supported in that it requires to 'minimise, to the extent practicable', thereby recognising it is not always practicable to minimise adverse effects.

Point Number 576.10

Summary of Decision Requested: **Retain** the recognition of reverse sensitivity in Policy 4.7.11 Reverse sensitivity, except for the amendments sought below.

AND

Amend Policy 4.7.11 (b) Reverse sensitivity, as follows (or equivalent references to Regionally Significant Infrastructure or the National Grid):

(b) Avoid potential reverse sensitivity effects of locating new dwellings in the vicinity of an intensive farming, infrastructure, extraction industry or industrial activity.

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in the submission.

Decision Reasons:

- The submitter would support specific recognition of the reverse sensitivity effects of locating new dwellings in the vicinity of infrastructure. The inclusion of reference to infrastructure would not be inconsistent with the notified references to intensive farming and extractive or industrial activities.
- It is noted that while the sought amendment refers to 'Infrastructure' to align with the terminology used in the Proposed District Plan, the submitter would support the reference being specific to Regionally Significant Infrastructure or the National Grid.
- The submitter supports the provision of policy providing for the clearance of Indigenous vegetation in Significant Natural Areas for certain circumstances as the policy recognizes there are some activities for which clearance is required.

Point Number 576.11

Summary of Decision Requested: **Add** a new clause (c) to Policy 5.3.9 Non-rural activities, as follows:

(c) Recognise that some activities require a rural location

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in the submission.

Decision Reasons:

- The submitter opposes Policy 5.3.9 in so far as it fails to recognise those activities which require a rural location but may not be in keeping with rural character and amenity values.

Point Number 576.12

Summary of Decision Requested: **Amend** Policy 5.5.2 Activities within Hamilton's Urban Expansion Area, as follows:

(a) Manage urban subdivision, use and development within Hamilton's Urban Expansion Area to ensure that future urban development is not compromised, recognising existing Infrastructure within the Area and ensuring the ongoing operation, maintenance, upgrading and development of the Infrastructure is not compromised.

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in the submission.

Decision Reasons:

- Hamilton's Urban Expansion Area is identified on the planning map 27 and features the National Grid 110kV Hamilton - Meremere B Line.
- The submitter is not opposed to the development of the identified expansion area, subject to recognition of the existing National Grid Infrastructure and imposition of an appropriate National Grid corridor, and recognition that in the future, the existing line may require upgrade or development.
- Given the presence of the existing National Grid, the submitter seeks amendment to the policy wording to clarify that it is urban development which is to be managed to ensure further urban development is not compromised, and that the ongoing operation, maintenance, upgrading and development of the National Grid is not compromised.

Point Number 576.13

Summary of Decision Requested: **Amend** the planning maps/legend to clarify if the zoning of the Urban Expansion Area is Rural Zone.

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in the submission.

Decision Reasons:

- The submitter seeks clarification that the zoning of the Urban Expansion Area is actually Rural as there is no Urban Expansion Area under the Notified Zoning section on the planning map legend.

Point Number 576.14

Summary of Decision Requested: **Retain** Section 6.1 General Infrastructure, except for the amendments sought below

AND

Add to Section 6.1 General Infrastructure a preface with the following note:

In addition to Sections 6.2, 6.3, 6.4 and 6.5, the following objective and policies apply, unless otherwise stated.

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in the submission.

Decision Reasons:

- The submitter's understanding of the Proposed District Plan is that while Section 6.2 is specific to the National Grid, Section 6.1 Infrastructure also applies to the National Grid because it is included within the definition of Infrastructure provided within Chapter 13 Definitions. For the avoidance of doubt, the submitter supports specific reference that Section 6.1 also applies to The National Grid (and to Sections 6.3—Section 6.5).
- On the basis Sections 6.1 and 6.2 both apply to the National Grid; the submitter makes the following comments (as provided in the following submission points) to Chapter 6.1.

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Point Number 576.15

Summary of Decision Requested: **Retain** Section 6.2 National Grid, except for the amendments sought to particular provisions addressed elsewhere in the submission.

Decision Reasons:

- The submitter supports the provision of a policy suite specific to the National Grid as such provisions enable and provide for the NPSET to be given effect to.
- Given the Proposed District Plan does not distinguish between Infrastructure generally, and Regionally significant infrastructure or infrastructure that is of national importance, specifically policy recognition of the National Grid which is of National significance, is supported.

Point Number 576.16

Summary of Decision Requested: **Retain** Objective 6.2.1 National grid, except for the amendments sought below

AND

Amend Objective 6.2.1 National grid, as follows:

6.2.1 Objective – National Grid

(a) The national significance of the National Grid is recognised, ~~and~~ protected and provided for.

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in the submission.

Decision Reasons:

- The submitter supports the objective.
- The submitter seeks amendment to the objective to ensure that the national significance is not only recognised and protected, but that it is also provided for.
- The insertion of 'provided for' would be consistent with the terminology used in the NPSET, specifically Policy 2 which requires that "in achieving the purpose of the Act, decision makers must recognise and provide for the effective operation, maintenance, upgrading and development of the electricity transmission network".
- While the requirements to 'recognise and protect' are supported, they do not have the same meaning as 'provide for'.
- Specifically, 'recognise' does not carry the same weight or directive nature, and 'protect' relates to protecting the grid from subdivision, land use and development activities as opposed to enabling its ongoing development, operation and maintenance.
- The insertion of 'provide for' would also be consistent with Objective 3.5(e) of the Waikato RPS which requires that "Energy use is managed, and electricity generation and transmission is operated, maintained, developed and upgraded, in a way that: e) recognises and provides for the national, regional and local benefits of electricity transmission and renewable electricity generation".
- It would be consistent with Policy 6.2.3.

Point Number 576.17

Summary of Decision Requested: **Retain** Policy 6.2.2 Recognise the national grid, except for the amendments sought below

AND

Amend Policy 6.2.2 Recognise the national grid, as follows:

6.2.2 Policy – Recognise the needs and constraints of the National Grid

(a) Recognise the operational, functional and technical needs and constraints of the National Grid, and the interconnectedness of networks.

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in the submission.

Decision Reasons:

- Amendment is sought to the policy title to more accurately articulate and convey the content of the policy, and insertion of the word 'needs' to reflect the provided definition of 'functional need' and 'operational need'.
- The provision of a policy which recognises the constraints associated with the National Grid is supported and gives effect to Policy 3 of the NPSET and Objective 3.5.h) and Policy 6.6.c) of the Waikato BPS.

Point Number 576.18

Summary of Decision Requested: **Retain** Policy 6.2.3 Operation and development of the National Grid, except for the amendments sought below

AND

Amend Policy 6.2.3 (a) Operation and development of the National Grid, as follows:

(a) Provide for the operation, maintenance, upgrading and development of the National Grid

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in the submission.

Decision Reasons:

- Amendment is sought to the policy to include 'maintenance' within the policy, thereby giving effect to Policy 2 of the NPSET which includes the term 'maintenance'.
- Submission also details reasons for supporting the Policy as notified, but not subject to any specific relief sought.
- The provision of a policy which requires that the ongoing operation, upgrading and development of the National Grid be 'provided for' is supported, and gives effect to Policy 2 of the NPSET, and Objective 3.12.i) of the Waikato BPS.

Point Number 576.19

Summary of Decision Requested: **Amend** Policy 6.2.4 (a) Maintenance and minor upgrade the National Grid, as follows:

(a) Enable the operation, repair, maintenance, replacement and minor upgrade of the National Grid.

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in the submission.

Decision Reasons:

- Amendment is sought within the Policy to refer to 'operation', thereby ensuring the ongoing use of the National Grid is also enabled. Policy 5 of the NPSET also refers to 'operation'.
- The submitter supports Policy 6.2.4 to enable the maintenance and minor upgrade of the National Grid. Such policy recognition gives effect to Policy 5 of the NPSET, and Objective 3.12.i) and Policy 6.3.c) of the Waikato BPS.

Point Number 576.20

Summary of Decision Requested: **Retain** Policy 6.2.5 Environmental effects, except for the amendments sought below

AND

Amend Policy 6.2.5 (a) Environmental effects, as follows:

(i) Recognising and providing for the national, regional and local benefits of sustainable, secure and efficient electricity transmission;

(ii) Considering the extent to which any ~~Avoiding, remedying or mitigating~~ adverse effects ~~through consideration of~~ have been avoided, remedied or mitigated by the route, site and method selection;

(iii) Seeking to reduce, the existing adverse effects as part of any substantial upgrade;

(iv) ...

(v) ~~Within rural environments, seeking to avoid~~ Addressing the adverse effects on ~~any identified~~ heritage values, outstanding natural landscapes, areas of high natural character, ~~town centres, areas of high recreation value and existing sensitive activities, including seeking to the avoidance of adverse effects where practicable.~~

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in the submission.

Decision Reasons:

- Amendment is sought to (i) for the insertion of 'providing for' to ensure that the benefits are not only recognised, but they are also provided for. Such wording reflects that used in Policy 1 of the NPSET and RPS Objective 3.5.e).
- Amendment is sought to (ii) wording to better reflect that in NPSET Policy 4 and make it clear that the key consideration is the extent to which adverse effects have been avoided remedy or mitigated.
- An amendment is sought to (iii) to better reflect the wording and outcome sought in NPSET Policy 6 which provides that "Substantial upgrades of transmission infrastructure should be used as an opportunity ...". The wording within the NPSET is less directive than that proposed in clause (iii). On this basis an amendment is sought to clause (iii) to amend the absolute directive nature of the policy and better give effect to NPSET Policy 6.
- Amendment is sought to (v) to reflect the policy directive within the NPSET Policy 8 "to seek to avoid adverse effects".
- The submitter supports the provision of a policy to relating to managing the effects of the National Grid electricity transmission network. The policy largely gives effect to Sections 6 and 7 (policies 1-8) of the NPSET.
- Notwithstanding its support for the objective as notified, the submitter seeks amendment to the objective to ensure that the national significance is not only recognised and protected, but that it is also provided for.

Point Number 576.21

Summary of Decision Requested: **Retain** Policy 6.2.6 Reverse sensitivity and the National Grid, except for the amendments sought below.

AND

Amend Policy 6.2.6 Reverse sensitivity and the National Grid, as follows:

6.2.6 Policy – Reverse sensitivity, Adverse effects on Infrastructure, and the National Grid

...

(ii) ~~Sensitive~~ Land uses (including sensitive activities) and buildings and structures that may compromise the National Grid, including intensive farming activities, are excluded from establishing within the National Grid Yard;

...

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in the submission.

Decision Reasons:

- The submission supports the policy in that it recognises the adverse effects of subdivision, land use and development on the operation, maintenance, upgrading and developing of the National Grid. Such policy recognition gives effect to policies 8 and 9 of the NPSET, and Waikato RPS Policy 4.4f and Policy 6.6a.
- An amendment is sought to the policy title to reflect that it is not only reverse sensitivity effects which may compromise the National Grid but also the adverse effects from other activities.
- In particular, the submitter supports:
 - (i) as it gives effect to Policy 11 of the NPSET
 - (ii) as in that it recognises sensitive activities what may compromise the National Grid. However, an amendment is sought to the policy to give effect to NPSET Policy 10 and recognise that it is not only sensitive activities which are to be managed, but also those activities which compromise the ongoing operation, maintenance, upgrading and development of the National Grid. NPSET Policy 10 and 11 are to be read together and reflect the Transpower corridor management approach proposed by Transpower throughout NZ, that Policy 11 need not be limited solely to the management of sensitive activities. A buffer corridor is also an efficient and effective method (in terms of is 32 RMA) to give effect to the requirements of Policy 10 and to manage the risks imposed by other activities, such as earthworks, on the transmission network.
 - (iii) and (iv) as it gives effects to the NPSET and reflect the submitter's wide corridor management approach.

Point Number 576.22

Summary of Decision Requested: **Delete** Policy 8.2.2 Natural values.

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in the submission.

Decision Reasons:

- The submitters concerns with the policy are that the matters covered by clause (i) and (ii) are addressed in Chapter 3 Natural Environment, and the landscape/character/area overlays are not only on Reserve zoned land. As such, it appears the policy is trying to address two issues which are not necessarily linked.
- In terms of Clause (iii) the absolute requirement for restoring and linking habitats for indigenous species is opposed given the policy does not provide any recognition of the scale of the habitat or its significance.

Point Number 576.23

Summary of Decision Requested: **Retain** Section 14.1 (1) Introduction as notified.

Decision Reasons:

- The submitter supports the introductory statement within Section 14.1 that clarifies the relationship between Chapter 14, and other plan provisions. The statement provides clarity to plan users and will assist in plan interpretation and application.

Point Number 576.24

Summary of Decision Requested: **Retain** Section 14.1 (6) Introduction, as notified.

Decision Reasons:

- Paragraph 6 of Section 14.1 outlines the relationship between the Proposed District Plan and the NESETA. The clarification is supported and will assist plan users in plan interpretation and application. In particular, the reference to the NESETA provisions 'shall prevail', is supported.

Point Number 576.25

Summary of Decision Requested: **Retain** Section 14.3.1 Permitted Activities.

AND

Amend to clarify the relationship between the rules within Section 14.3 and those in the subsequent sections.

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in the submission.

Decision Reasons:

- The submitter supports the provision of permitted activity rules.
- With respect to the sought amendment, it is presumed the rules apply in addition to the National Grid provisions within Section 14.4. Clarification as to the relationship between the rules within Section 14.3 and the subsequent sections would be beneficial to assist plan users. It is presumed only limited provisions within Section 14.2 apply to the National Grid in that the more specific provisions within Section 14.4 apply.

Point Number 576.26

Summary of Decision Requested: **Retain** Rule 14.3.1 P1 Permitted Activities, as notified.

Decision Reasons:

- The provision of a permitted activity rule for the ongoing operation, maintenance, repair and removal of existing infrastructure is supported as it recognises existing infrastructure and provides for its ongoing use.
- A permitted activity status reflects that provided within the NESETA.

Point Number 576.27

Summary of Decision Requested: **Retain** Rule 14.3.1 P2 Permitted Activities, as notified.

Decision Reasons:

- A permitted activity status for the minor upgrading of existing infrastructure is supported as it appropriately recognises existing infrastructure and enables its ongoing use.
- Specific to the National Grid, the NESETA provides for various 'upgrade' works as permitted activities. While there are some inconsistencies with the conditions within rule P2 and the NESETA, given the NESETA prevails over the Proposed District Plan provisions, Rule P2 is of limited relevance to the National Grid.

Point Number 576.28

Summary of Decision Requested: **Retain** Rule 14.3.1 P3 Permitted Activities, as notified.

Decision Reasons:

- A permitted activity status for temporary activities is supported as it recognises that in some circumstances, temporary infrastructure is required to either support existing infrastructure or facilitate the development of new infrastructure.
- A permitted activity status reflects Regulation 17 of the NESETA.

Point Number 576.29

Summary of Decision Requested: **Retain** Rule 14.3.1.3 P4 Permitted Activities, except for the amendments sought below

AND

Amend Activity specific condition 14.3.1.3 P4 Permitted Activities, as follows:

(1) Any earthworks associated with infrastructure, including formation and maintenance of access tracks, must comply with all of the following conditions:

....

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in the submission.

Decision Reasons:

- Earthworks are often required to provide access to, and enable the ongoing operation, maintenance, repair and removal of infrastructure.
- Specific to the National Grid, the submitter regularly undertakes earthworks to either access existing National Grid assets (such as for the formation and maintenance of suitable access tracks) or to undertake routine maintenance or upgrade works such as structure replacements, tower strengthening, foundation works, or reconductoring.
- The NESETA provides for earthworks as a permitted activity subject to conditions where the earthworks are within a natural area (being an Outstanding natural feature or landscape or Significant Natural area in the Proposed District Plan). The 50m³ within Rule P4 matches that within NESETA Regulation 33.
- While the submitter largely supports Rule P4, a minor amendment is sought to provide clarity for plan users, that the permitted earthworks rule also applies to access tracks.
- As noted above, the submitter is often required to undertake earthworks on access tracks in order to gain access to National Grid support structures. The insertion would fit within the proposed condition framework in that proposed limits relate to an activity as opposed to a site.

Point Number 576.30

Summary of Decision Requested: **Retain** Rule 14.3.1.4 P5 Permitted Activities, except for the amendments sought below

AND

Amend Activity Specific Condition 14.3.1.4 P5 Permitted Activities, as follows:

(1) Any trimming, maintenance or removal of vegetation or trees associated with infrastructure including access tracks, that meet all of the following conditions:

....

(2) Any trimming, maintenance or removal of vegetation where required for the safe operation or maintenance of the National Grid or to remove a potential fire risk associated with the National Grid

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in the submission.

Decision Reasons:

- It is important the submitter is able to trim, maintain or remove any vegetation that could affect the safe operation, maintenance or upgrade of its lines. Where tree branches are close to or in contact with a transmission line they can create a flashover from the conductor to the tree which may cause:
 - A circuit fault that affects the operation and supply of the National Grid;
 - Injury or death to anyone who may be near the tree at the time of the fault; and

- Damage to the tree, land or property.
- If a tree causes a flashover, dangerous voltages may arise in the tree itself or in the ground around the tree. These voltages have the potential to cause severe injury or death. Flashover to a tree where high voltages are involved can cause the tree to ignite and cause a wider fire hazard if the tree is near buildings. As such, it is vital that trees and all other vegetation are able to be trimmed, maintained or removed.
- The NESETA provides for trimming, felling or removal of any trees or vegetation as permitted activities subject to conditions. Resource consent is required if the tree or vegetation is in a natural area, or a rule prohibits or restricts the works. P5 restricts works to scheduled trees only. However, the NESETA restriction to 'natural areas' still applies and a restricted discretionary activity status would apply. The provision of a permitted activity rule specific to the National Grid would reflect the permitted activity status within the NESETA.
- The submitter supports Rule P5 but a minor amendment is sought to provide clarity for plan users that the permitted tree and vegetation rule also applies to access tracks, and a new condition specific to the National Grid be inserted.

Point Number 576.31

Summary of Decision Requested: Retain Rule 14.3.3 RD1 Restricted Discretionary Activities, as notified.

Decision Reasons:

- The submitter supports a restricted discretionary activity status for minor upgrades which do not meet the permitted activity conditions. Such an activity status enables a full assessment of effects.

Point Number 576.32

Summary of Decision Requested: Retain the definition for "Building" in Chapter 13 Definitions, as notified.

Decision Reasons:

- The submitter supports the proposed definition of 'building' insofar as the definition has the same meaning as that within the Building Act 2004, which excludes a Network Utility Operator pylon from the definition of a building.

Point Number 576.33

Summary of Decision Requested: Delete the definition for "Energy Corridor" from Chapter 13 Definitions if it is not shown on the planning maps
OR
Amend the planning maps legend so that plan users can readily identify where the Energy corridor applies if it is shown on the planning maps.

Decision Reasons:

- It is unclear as to where the definition applies as it does not appear to be shown on the planning maps or identified on the planning legend.

Point Number 576.34

Summary of Decision Requested: Retain the definition for "Functional Need" in Chapter 13 Definitions, as notified.

Decision Reasons:

- The term 'Functional need' is used within Policy 6.1.2(a)(i) (noting that the term 'functional' is also elsewhere in the plan but is not specific to 'need').
- On the basis the Proposed District Plan also contains the term 'Operational need' and this term is also used within Policy 6.2.1, the definition is supported.

Point Number 576.35

Summary of Decision Requested: Retain the definition for "Infrastructure" in Chapter 13 Definitions, as notified.

Decision Reasons:

- The submitter supports the proposed definition of 'Infrastructure', specifically reference to lines and support structures to convey electricity.

Point Number 576.36

Summary of Decision Requested: Add a new definition for "Regionally Significant Infrastructure" as provided in the Waikato Regional Policy Statement.

AND

Amend the Proposed District Plan to use the term "Regionally Significant Infrastructure".

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in the submission.

Decision Reasons:

- The Proposed District Plan does not contain a definition of 'Regionally significant infrastructure'.
- While the lack of such a definition is not in itself opposed on the basis specific recognition is provided within the Proposed District Plan to the National Grid, the submitter notes the provision of a definition for 'Regionally significant infrastructure' would reflect the provision of a definition as provided in the Waikato Regional Policy Statement 2016 and provide a distinction between infrastructure that is important at a regional level.
- The provision of a definition of Regionally significant infrastructure and its use throughout the plan would also reflect the approach used within the Regional Policy Statement.

Point Number 576.37

Summary of Decision Requested: Retain the definition for "Minor upgrading of existing infrastructure" in Chapter 13 Definitions as notified.

Decision Reasons:

- The definition is supported on the basis it provides clarity for plan users as to what constitutes minor upgrading, and therefore assists in plan interpolation and application.
- It is noted the NESETA provides specific provisions for upgrade works to the National Grid which prevail over the Proposed District Plan rules.

Point Number 576.38

Summary of Decision Requested: **Retain** the definition for "National grid" in Chapter 13 Definitions, except for the amendment sought below

AND

Amend the definition for "National grid" in Chapter 13 Definitions, as follows:

National ~~g~~Grid

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in the submission.

Decision Reasons:

- A minor grammatical correction is sought.
- The definition of "National grid" is supported as it provides clarity for plan users as to what is the National Grid.
- The definition is consistent with that provided in the NPSET 2008.

Point Number 576.39

Summary of Decision Requested: **Retain** the definition for "National Grid yard" in Chapter 13 Definitions, except for the amendments sought below

AND

Amend the definition for "National Grid yard" in Chapter 13 Definitions, as follows:

National ~~Grid~~ Subdivision Corridor ~~yard~~

Means the area measured either side of the centre line of any above-ground electricity transmission line as follows:

(a) 14m for the 110kV national grid lines on single poles;

~~(b) 16m for the 110kV national grid lines on pi poles;~~

~~(c) 32m for 110kV national grid lines on towers; and~~

~~(d) 37m for the 220kV transmission lines.~~

The National Grid Yard and National Grid Subdivision Corridor does not apply to underground cables or any transmission line (or sections of lines) that are designated by Transpower. The measurement of setback distances from National Grid lines shall be taken from the centre line of the transmission line and the outer edge of any support structure. The centre line at any point is a straight line between the centre points of the two support structures at each end of the span.

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in the submission.

Decision Reasons:

- The subdivision 'National Grid Corridor' width of 37m (maximum) is based on the distance from the centerline between the support structures to a point where the conductor would swing under possible high wind conditions, and is the swing of the 95th percentile span across the country, as well as other variables. It is important that the swing of conductors can be taken into account in the subdivision process so that the allotment(s) can be safely developed and used. This is why differing widths are provided for different voltage lines.
- In essence the Corridor is wider than the Yard and it should be noted that the Corridor and Yard overlap.
- However, while generally supported, two amendments are sought as follows:
 1. By way of summary, the National Grid yard applies to land use and the National Grid Corridor applies to subdivision. Amendment to the definition title would accurately reflect this. It is noted the terms are used correctly throughout the PWDP; it is only the definition titles which are incorrect.
 2. Removal of reference to pi poles as there are none in the district.

Point Number 576.40

Summary of Decision Requested: **Retain** the definition for "National Grid Corridor" in Chapter 13 Definitions, except for the amendments sought below

AND

Amend the definition for "National Grid corridor" in Chapter 13 Definitions, as follows (see submission for diagram):

National ~~Grid~~ ~~corridor~~ Yard

Means the area located within:

(a) 12 metres in any direction from the outer visible edge of a national grid support structure foundation; and

(b) 10 metres either side of the centre line of any above-ground 110kV national grid line on single poles; and

(c) 12 metres either side of the centre line of any above-ground national grid line on towers.

The National Grid Yard and National Grid Subdivision Corridor does not apply to underground cables or any transmission line (or sections of lines) that are designated by Transpower. The measurement of setback distances from National Grid lines shall be taken from the centre line of the transmission line and the outer edge of any support structure. The centre line at any point is a straight line between the centre points of the two support structures at each end of the span.

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in the submission.

Decision Reasons:

- The 'National Grid Yard', is a 12m width calculated as the distance from the centerline between the support structures to the point where the conductor would swing under everyday conditions (noting that maintenance is not generally undertaken in high wind conditions).
- However, while generally supported, three amendments are sought to the definition as follows:
 1. By way of summary, the National Grid Yard applies to land use and the National Grid Corridor applies to subdivision. Amendment to the definition title would accurately reflect this.
 2. Inclusion of a statement to clarify when the term applies to assist in its application.
 3. Minor amendment to insert 'foundation' in relation to measurement from a support structure, and 'within'.

Point Number 576.41

Summary of Decision Requested: **Retain** the definition for "Operational need" in Chapter 13 Definitions, as notified.

Decision Reasons:

- The term 'Operational need' is used within Policy 6.1.2(a)(i) (noting that the term 'operational' is also elsewhere in the plan but is not specific to 'need').

- On the basis the Proposed District Plan also contains the term 'Functional need' and this term is also used within Policy 6.2.1, the definition is supported.

Point Number 576.42

Summary of Decision Requested: **Retain** the definition for "Outstanding Natural Feature" in Chapter 13 Definitions, as notified.

Decision Reasons:

- The definition is supported on the basis it applies to the area as identified on the planning maps.
- Such identification assists plan users and provides clarity on the application of the Proposed District Plan provisions that relate to the definition.

Point Number 576.43

Summary of Decision Requested: **Retain** the definition for "Outstanding Natural Character Area" in Chapter 13 Definitions, as notified.

Decision Reasons:

- The definition is supported on the basis it applies to the area as identified on the planning maps.
- Such identification assists plan users and provides clarity on the application of the Proposed District Plan provisions that relate to the definition.

Point Number 576.44

Summary of Decision Requested: **Retain** the definition for "Outstanding Natural Landscape" in Chapter 13 Definitions, as notified.

Decision Reasons:

- The definition is supported on the basis it applies to the area as identified on the planning maps.
- Such identification assists plan users and provides clarity on the application of the Proposed District Plan provisions that relate to the definition.

Point Number 576.45

Summary of Decision Requested: **Retain** the definition for "Sensitive land use" in Chapter 13 Definitions, as notified.

Decision Reasons:

- The definition of 'sensitive land use' is used within Policy 6.2.5 and 6.2.6 specific to the National Grid, as well as within Chapter 14.
- The definition is supported insofar as it is applied to the National Grid corridor management provisions within the Proposed District Plan.

Point Number 576.46

Summary of Decision Requested: **Retain** the definition for "Significant Amenity Landscape" in Chapter 13 Definitions, as notified.

Decision Reasons:

- The definition is supported on the basis it applies to the area as identified on the planning maps.
- Such identification assists plan users and provides clarity on the application of the Proposed District Plan provisions that relate to the definition.

Point Number 576.47

Summary of Decision Requested: **Retain** the definition for "Significant Natural Area" in Chapter 13 Definitions, as notified.

Decision Reasons:

- The definition is supported on the basis it applies to the area as identified on the planning maps.
- Such identification assists plan users and provides clarity on the application of the Proposed District Plan provisions that relate to the definition.

Point Number 576.48

Summary of Decision Requested: **Retain** the definition for "Temporary Infrastructure" in Chapter 13 Definitions, as notified.

Decision Reasons:

- The definition is supported as it recognises and provides for infrastructure that is not permanent.

Point Number 576.49

Summary of Decision Requested: **Amend** Section 1.4.3.2 (b) Protecting the rural environment, as follows:

~~...towns or villages. Non-rural activities must occur in towns, villages and defined growth areas, and the expansion of such areas should be managed so that adverse effects on rural areas are minimised.~~

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in the submission.

Decision Reasons:

- The submitter does not oppose limiting the extent of non-rural activities within the rural environment, it does not support the absolute nature of the statement within Section 1.4.3.2(b) that "Non-rural activities must occur in towns, villages and defined growth areas, and the expansion of such areas should be managed so that adverse effects on rural areas are minimised."
- The statement fails to recognise that some activities such as infrastructure, which can be of a linear nature, requires/is best placed in a rural location.

Point Number	576.50
Summary of Decision Requested:	Retain Rule 14.3.3 RD2 Restricted Discretionary Activities, as notified.
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports a restricted discretionary activity status for minor upgrades with do not meet the permitted activity conditions. Such an activity status enables a full assessment of effects.
Point Number	576.51
Summary of Decision Requested:	Retain Rule 14.3.3 RD3 Restricted Discretionary Activities, as notified.
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports a restricted discretionary activity status for minor upgrades with do not meet the permitted activity conditions. Such an activity status enables a full assessment of effects.
Point Number	576.52
Summary of Decision Requested:	Retain Section 14.4 National Grid, subject to amendments sought elsewhere in this submission.
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports the provision of a suite of rules and associated conditions specific to the National Grid. The proposed rules are specific to the National Grid Yard and the National Grid (subdivision) Corridor, both of which are identified on the planning maps and further defined in Chapter 13 Definitions. The provision of a specific suite of provisions is consistent with the approach adopted across New Zealand, gives effect to the NPSET, and also gives effect to the Waikato RPS, specifically Implementation Method 6.6.2. As highlighted in the higher order policy documents (specifically the NPSET and the RPS) a significant resource management issue in the district and across New Zealand is inappropriate development, land use and subdivision in close proximity to the National Grid which can compromise its operation, maintenance, development and upgrade. Given the national significance of the National Grid, inappropriate development is a potential issue. In order to manage subdivision and other land uses that have the potential to compromise the operation, maintenance, upgrading and development of the National Grid, the submitter supports the provision of a corridor management approach which allows for the reasonable use of land inside the transmission line corridor, with several standards and rules imposed to ensure that any subdivision, land use and development that might compromise the Grid is either avoided or managed. The approach sought by the submitter has been rolled out across New Zealand for the past seven years as plans have come up for review.
Point Number	576.53
Summary of Decision Requested:	<p>Retain Activity Specific Conditions 14.4.1.1 P1 Permitted Activities, except for the amendments sought below</p> <p>AND</p> <p>Amend Activity Specific Conditions 14.4.1.1 P1 Permitted Activities, as follows:</p> <p>(1)</p> <p>(a)</p> <p>(b) <u>New, or additions to existing buildings and/or structures that are not for a sensitive land use;</u></p> <p>(c) <u>Infrastructure Network Utilities (other than for the reticulation and storage of water for irrigation purposes) or any part of electricity infrastructure undertaken by a network utility operator as defined in the Resource Management Act 1991.</u></p> <p>(d) <u>New non-habitable accessory buildings or structures.</u></p> <p>(e) <u>Fences less than 2.5m in height</u></p> <p>(2) ...</p> <p>(a)</p> <p>(b) <u>Locate a minimum of 12m from the outer visible foundation of any National Grid support structure tower and a minimum 12m from any pole and associated stay wire, unless it is one of the following:</u></p> <p>i. <u>A building or structure where Transpower has given written approval in accordance with clause 2.4.1 of the New Zealand Electrical Code of Practice for Electrical Safe Distances NZECP34:2001 ISSN 0114-0663;</u></p> <p>ii. <u>The maximum height of fences are 2.5m within 5m from the nearest National Grid Pole or 6m from the nearest National Grid Tower. Fences less than 2.5m in height and located a minimum of 5m from the nearest National Grid support structure foundation</u></p> <p>iii. <u>Network utilities (other than for the reticulation and storage of water for irrigation purposes) or any part of electricity infrastructure undertaken by a network utility operator as defined in the Resource Management Act 1991, that connects to the National Grid.</u></p> <p>(c) <u>Not permanently physically impede existing vehicular access to a national grid support structure</u></p> <p>AND</p> <p>Amend the Proposed District Plan to make consequential amendments to address the matters raised in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> Amendments are sought to Rule P1 in the form of reformatting/restructuring to clarify the intent of the provisions and recognition of network utilities. A condition is inserted requiring that any new structures or buildings not permanently physically impede existing vehicular access to a National Grid support structure. Such a condition would ensure physical access is maintained to the line and assets to enable the ongoing operation, maintenance and upgrade of the National Grid. The submitter supports the provision of permitted activity rules which is based on the corridor management approach.
Point Number	576.54
Summary of Decision Requested:	<p>Retain Activity Specific Condition 14.4.1.2 P2 Permitted Activities, except for the amendments sought below</p> <p>AND</p> <p>Amend Activity Specific Condition 14.4.1.2 P2 Permitted Activities, as follows:</p> <p>(1) <u>Within the National Grid Yard in the Business, Industrial, Country Living, Heavy Industrial, Rural, Town Centre Business, Hampton Downs Motorsport and Recreation, Tamahere Business, Te Kowhai Airpark, or Reserves Zone or Coal Mining Area, Aggregate Extraction Area or Aggregate Resource Area:</u></p> <p>(a) <u>Building alterations and additions to an existing building or structure for sensitive activities that does not involve an increase in the building height or footprint; or</u></p> <p>(b) <u>Infrastructure Network Utilities (other than for the reticulation and storage of water for irrigation purposes) or any part of electricity infrastructure undertaken by a network utility operator as defined in the Resource Management Act 1991; or</u></p>

(c) Non-habitable buildings or structures for farming activities in rural zones (but not including any intensive farming buildings, commercial greenhouses and milking/dairy sheds (accessory structures are permitted)); or

~~(d) Yards for milking/dairy sheds; or~~

~~(g) Non-habitable horticultural buildings; or~~

(e) Artificial crop protection and support structures (excluding commercial greenhouses and PSA structures).

~~(f) Fences less than 2.5m in height~~

(2) ...

(a) ...

~~(b) Locate a minimum 12m from the outer visible foundation of any National Grid support structure foundation tower and locate a minimum 12m from any pole and associated stay wire, unless it is:~~

~~i. A building or structure where Transpower has given written approval in accordance with clause 2.4.1 of the New Zealand Electrical Code of Practice for Electrical Safe Distances NZECP34:2001 ISSN 0114-0663; or~~

~~ii. Fences less than 2.5m in height and located a minimum of 5m from the nearest National Grid support structure foundation; or~~

~~iii. Artificial crop protection: Network utilities (other than for the reticulation and storage of water for irrigation purposes) or any part of electricity, infrastructure undertaken by a network utility operator as defined in the Resource Management Act 1991, that connects to the National Grid; and~~

~~(3) The maximum height of fences are 2.5m within 5m from the nearest National Grid Pole or 6m from the nearest National Grid tower.~~

~~(c) Not permanently, physically impede existing vehicular access to a national grid support structure~~

~~(4) Artificial crop protection structures and crop support structures between 8m and 12m from a single pole support structure (but not a tower), and any associated guy wire (but not tower) must that:~~

~~(a) Meets the requirements of the New Zealand Electrical Code of Practice for Electrical Safe Distances NZECP34:2001 ISSN 0114-0663 for separation distances from the conductor;~~

~~(b) Be Are a maximum of 2.5m high;~~

~~(c) Be Are removable or temporary, to allow a clear working space of at least 12 metres from the pole when necessary for maintenance and emergency repair purposes;~~

~~(d) ...~~

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in the submission.

Decision Reasons:

- Within Rural and other zones (Rule P2), the submitter is satisfied that there are some activities that are appropriate within the National Grid Yard due to their nature and small scale, and because they will not compromise the operation, maintenance or any upgrade of the network itself. Certain structures (such as rural hay barns, pump sheds and implement sheds) are less problematic within 10-12m of the line (noting that they will still need to be set back 12m from National Grid support structures) on the basis they are unlikely to "build out" a line.
- The notified provisions allow for paddocks, fencing (as high as deer fences), landscaping and small sheds, and larger farm buildings in proximity to conductors not used for intensive farming purposes.
- Grazing, cropping, and car parking activities are not restricted.
- Conversely, examples of development that has severely restricted or blocked the submitters ability to effectively access its assets include dairy sheds, piggeries, poultry sheds and commercial hothouses and glass houses, as well as sensitive activities. These activities can cover an extensive area of land, and it may be expensive to disrupt or require these activities to be relocated while the submitter carries out work on its transmission assets.
- Amendments are sought to Rule P2 in the form of reformatting/restructuring to clarify the intent of the provisions; as well as recognition of network utilities (as opposed to Infrastructure generally). Amendment is also sought to clause 1) to clarify where the rule applies noting that existing National Grid assets do not traverse all zones and any new lines would be designated and therefore not be subject to Rule P2.
- For the avoidance of doubt reference is also made to mining and extractions resource areas as it is not clear if they are subject to the rule as notified.
- No more restrictive provisions are sought than those notified.

Point Number

576.55

Summary of Decision Requested:

Retain Activity Specific Conditions 14.4.1.3 P3 Permitted Activities, except for the amendments sought below

AND

Amend Activity Specific Conditions 14.4.1.3 P3 Permitted Activities, as follows:

~~(1) Earthworks within the National Grid Yard for National Grid support poles and any stay wires that comply with the following conditions:~~

~~(a) Do not exceed a depth (measured vertically), of 300mm within 12m of the outer visible edge any National Grid support structure foundation, 2.2m of the pole or stay wire; and~~

~~(b) Do not exceed a depth of 750mm between 2.2m and 5m of the pole or stay wire.~~

~~(2) Earthworks for National Grid support towers (including any tubular steel tower that replaces a steel lattice tower) that comply with all of the following conditions:~~

~~(a) Do not exceed 300m depth within 6m of the outer edge of the visible foundation of the tower;~~

~~(b) Do not exceed 3m between 6m and 12m of the outer edge of the visible foundation of the tower;~~

~~(c) ...~~

~~(d) ...~~

~~(e) Do not result in a reduction in the ground to conductor clearance distances of less than 6.5m (measured vertically), from a 110kV National Grid transmission line, or 7.5m (measured vertically), from a 220kV National Grid transmission line. Must be less than the minimum ground to conductor clearance distances in Table 4 of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663.~~

~~(3) The following earthworks activities are exempt from Rules 14.4.1.3(1) (a) and (2):~~

~~(a)...~~

~~(4) Earthworks for which a dispensation has been granted by Transpower under New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663.~~

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in the submission.

Decision Reasons:

- The submitter supports the provision of permitted activity earthwork provisions on the basis such activities can compromise the National Grid and are a form of development contemplated by the NPSET.
- Amendments are sought to Rule P3 to simplify the rule and also recognise that the risks to the National Grid extend beyond those addressed by NZECP34.

Point Number

576.56

Summary of Decision Requested: Retain Rule 14.4.2 RD1 Restricted Discretionary Activities, as notified.

Decision Reasons:

- It provides an appropriate consenting framework in which to consider new National Grid assets.
- The distinction between identified areas and non-identified area is supported (however, noting that as outlined below, the non-complying activity status for identified areas is opposed).

Point Number 576.57

Summary of Decision Requested: Retain Rule 14.4.2 RD2 Restricted Discretionary Activities, as notified.

Decision Reasons:

- It provides an appropriate consenting framework in which to consider new National Grid assets.
- The distinction between identified areas and non-identified area is supported (however, noting that as outlined below, the non-complying activity status for identified areas is opposed).

Point Number 576.58

Summary of Decision Requested: Retain Rule 14.4.2 RD3 Restricted Discretionary Activities, except for the amendments sought below

AND

Amend Rule 14.4.2 RD3 Restricted Discretionary Activities, as follows:

Earthworks within the National Grid Yard that does not comply with ~~one or more of the conditions (a)(e) or (d) of Rules 14.4.1.3(1) and 14.4.1.3(2) but complies with conditions (c), (g) and (e) of Rule 14.4.1.3(1).~~

Discretion is restricted to:

(a)

(e) Technical advice provided by the National Grid owner (Transpower);

(f) Any effects on National Grid support structures including the creation of an unstable batter

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in the submission.

Decision Reasons:

- The submitter supports the provision of standards specific to earthworks on the basis such activities can compromise the National Grid, and are a form of development contemplated by the NPSET. Specifically, earthworks restrictions are supported as earthworks have the potential to undermine transmission line structures, generate dust, reduce the clearances between the ground and conductors.
- They have the potential to restrict the submitters ability to access the line and locate the heavy machinery required to maintain support structures around the lines and may lead to potential tower failure and significant constraints on the operation of the line.
- Amendment is sought to Rule RD3 to include two additional matters of discretion to better reflect the range of issues relevant in the consideration of earthworks in proximity of the National Grid support structures. An important distinction is also sought for those earthworks which result in a reduced conductor clearance and which pose significant potential safety issues (condition (e)), compromise the stability of a National Grid support structure (condition (c)), and earthworks that result in a permanent loss of vehicular access to any National Grid support structure (condition (d)). For such earthworks, a non-complying activity status is sought. For remaining earthworks, a restricted discretionary activity status is supported where permitted condition (a) (being depth) is not complied with.

Point Number 576.59

Summary of Decision Requested: Retain Rule 14.4.2.1 RD4 Restricted Discretionary Activities, except for the amendments sought below

AND

Amend Rule 14.4.2.1 RD4 Restricted Discretionary Activities, as follows:

The subdivision of land in any zone within the National Grid Corridor that complies with all of the following conditions:

(a) All resulting allotments intended to contain a sensitive land use must provide be able to demonstrate that they are capable of accommodating a building platform for the likely principal building(s) and any building(s) for a sensitive land use to be located outside of the National Grid Yard, other than where the allotments are for roads, access ways or infrastructure; or and

(b) ...

Discretion is restricted to:

(a) The subdivision layout and design in regard to how this may impact on the operation, maintenance, upgrading and development of, including access to, the National Grid;

(b) ...

(d) The nature and location of any vegetation to be planted in the vicinity of National Grid transmission lines, and the how such landscaping will impact on the operation, maintenance, upgrade and development (including access) of the National Grid;

(e) The risk to the structural integrity of the National Grid;

(f) The extent to which the subdivision design and consequential development will minimise the potential reverse sensitivity on and amenity and nuisance effects of the National Grid asset

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in the submission.

Decision Reasons:

- The submitter supported the suite of rules for subdivision within the National Grid (Subdivision) Corridor: allotments are for roads, access ways or Subdivision within the National Grid Subdivision Corridor would be a restricted discretionary activity where the newly created lots are infrastructure; or capable of accommodating all building platforms outside the National Grid Yard.
- Where the subdivision application is unable to demonstrate that this can be achieved, a non-complying activity status would apply to the subdivision.
- A restricted discretionary activity status for subdivision provides an appropriate incentive to design subdivision layouts that avoid building sites within the National Grid Yard.
- Subdivision is considered the most effective point at which to ensure future reverse sensitivity effects, balance area maintenance access issues, and adverse effects of transmission lines (including amenity issues) are avoided.
- This can be achieved by designing subdivision layouts to properly accommodate transmission corridors (including, for example, through the creation of reserves and/or open space where buffer corridors are located).
- Slightly amended wording is sought to the rule to reflect the current approach.
- A minor reference is sought to the wording to make it clear both conditions (a) and (b) must be met, as appears the intent from the opening text to the rule.

Point Number 576.60

Summary of Decision Requested: Amend Rule 14.4.3 D1 Discretionary Activities, as follows:

New above and below ground transmission lines associated with the National Grid within identified areas

AND

Amend Rule 14.4.3 Discretionary Activities, to clarify what are identified areas;

AND

Retain Rule 14.4.3 D2 Discretionary Activities, as notified.

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in the submission.

Decision Reasons:

- The submitter supports the provision of discretionary activities.
- Policy 8 of areas the NPSET directs that within rural environments planning and development of the National Grid should seek to avoid adverse effects on certain identified environments (being outstanding natural landscapes, area of high natural character and recreation values and amenity and existing sensitive activities) areas.
- The wording of NPSET Policy 8 ("should seek to avoid") does not impose an absolute requirement for the National Grid to avoid all adverse effects. Rather, the NPSET recognises total avoidance is not always possible given the technical and operational requirements of the National Grid (as recognised in Policy 3 of the NPSET). On this basis, given the locational constraints of the National Grid and the national significance of the National Grid (as provided for in the NPSET), the submitter supports a discretionary activity status for new structures associated with the National Grid within the identified areas. As a discretionary activity, a full assessment of effects would be required as well as a robust route, site and method selection process (Policy 4, NPSET), appropriate conditions imposed, and the application able to be granted or declined.

Point Number

576.61

Summary of Decision Requested:

Add a new rule (D3) to Rule 14.4.3 Discretionary Activities, as follows:

D3 Substations and switching stations associated with the National Grid located within identified areas

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in the submission.

Decision Reasons:

- To provide for Substations and switching stations associated within the National Grid within identified areas as discretionary activities rather than non-complying under Rule 14.4.4. (Note: reference to Transformers are removed as they are not provided in isolation from a substation.)

Point Number

576.62

Summary of Decision Requested:

Delete Rule 14.4.4 NC1 Non-Complying Activities.

AND

Delete Rule 14.4.4 NC2 Non-Complying Activities.

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in the submission.

Decision Reasons:

- The Proposed District Plan is required to give effect to the NPSET. Policy 8 of the NPSET directs that within rural environments planning and development of the National Grid should seek to avoid adverse effects on certain identified environments (being outstanding natural landscapes, area of high natural character and recreation values and amenity and existing sensitive activities) areas.
- The wording of NPSET Policy 8 ("should seek to avoid") does not impose an absolute requirement for the National Grid to avoid all adverse effects. Rather, the NPSET recognises total avoidance is not always possible given the technical and operational requirements of the National Grid (as recognised in Policy 3 of the NPSET). On this basis, given the locational constraints of RSL and the national significance of the National Grid (as provided for in the NPSET), the submitter supports a discretionary activity status for new structures associated with the National Grid within the identified areas. As a discretionary activity, a full assessment of effects would be required as well as a robust route, site and method selection process (Policy 4, NPSET), appropriate conditions imposed, and the application able to be granted or declined.
- The non-complying activity status of the activities provided in Rule NC 1 is inconsistent with the activity status for similar activities provided in Section 14.5.
- Section 14.5 relates to Electricity distribution (essentially local line companies). The most restrictive activity status for new overhead distribution lines, support structures or substations is as a discretionary activity where as the equivalent for the National Grid would be Non-Complying.
- The differing activity status does not reflect the national significance of the National Grid and requirement to give effect to the NPSET, and provides an inconsistent consenting framework for very similar activities with very similar visual and construction and ongoing operational effects.

Point Number

576.63

Summary of Decision Requested:

Retain Rule 14.4.4 NC5 Non-Complying Activities, except for the amendments sought below;

AND

Amend Rule 14.4.4 NC5 Non-Complying Activities, as follows:

NC5 Any new building for a sensitive land use, or addition to an existing building that involves an increase in the building envelope or height for a sensitive land use, within the National Grid Yard

AND

Amend Rule 14.4.4 NC5 Non-Complying Activities, to clarify intent and application of the rules and provide better linkage to permitted activity rules.

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in the submission.

Decision Reasons:

- The submitter supports the provision of permitted activities status for certain activities and structures (specifically fences, network utilities, existing sensitive activity structures which do not increase the height or footprint and non-intensive/uninhabitable farm or horticultural buildings and structures) within the National Grid Yard, but also supports the provision of a non-complying activity status for new sensitive activities, or additions to existing sensitive activities, milking and dairy sheds and other intensive farm buildings, and any buildings and structures which do not meet safe conductor (line) clearances.
- A non-complying activity status is considered the most effective means of given effect to the NPSET; objective of managing the adverse effects of the network and managing the adverse effects of other activities on the network.
- A non-complying activity status most appropriately recognises and provides for the effective operation, maintenance, upgrading and development of the network, as required by NPSET Policy 2.
- A non-complying activity status is the best method to manage other activities to ensure the operation, maintenance, upgrading, and development of the network is not compromised, as required by NPSET Policy 10.
- A non-complying activity status recognises the policy directive within Policy 11 to identify an appropriate buffer corridor within which it can be expected that sensitive activities will generally not be provided for.

- NPSET Policy 10 contains the phrase 'avoid reverse sensitivity effects' and 'to ensure that the operation, maintenance, upgrading and development of the electricity transmission network is not compromised'. NPSET Policy 11 gives a clear direction that 'sensitive activities will generally not be provided for in plans and/or given resource consent'. The use of the words 'avoid' and 'ensure' and the phrase 'will generally not be provided for' provide a strong direction that cannot be achieved by use of the restricted discretionary activity status. Such policy direction can only be achieved by way of a non-complying activity status.
- A non-complying activity status promotes consistency in decision-making, and more effectively manages landowner expectations about what activities are appropriate or otherwise in the National Grid Yard.
- The Environment Court has noted in the past that there are many reasons why activities might have non-complying status in district plans: one of those reasons is the activity in question is, in some way, likely to produce significant adverse effects. This contrasts with the approach that a discretionary activity status implies that, in general, a particular activity is an efficient use and development of resources.
- Given the potential adverse effects that encroachments could have on the National Grid corridor, such an indication is inappropriate.
- Minor amendment is sought to clarify the intent and application of the rules and provide better linkage to the permitted activity rules.

Point Number 576.64

Summary of Decision Requested: Retain Rule 14.4.4 NC9 Non-Complying Activities, except for the amendments sought below;

AND

Amend Rule 14.4.4 -NC9 Non-Complying Activities, as follows:

NC9 Dairy/milking sheds (excluding accessory structures and buildings), commercial glass houses, PSA structures or buildings for intensive farming within the National Grid Yard

AND

Amend Rule 14.4.4 NC9 Non-Complying Activities, to clarify intent and application of the rules and provide better linkage to permitted activity rules.

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in the submission.

Decision Reasons:

- The submitter supports the provision of permitted activities status for certain activities and structures (specifically fences, network utilities, existing sensitive activity structures which do not increase the height or footprint and non-intensive/uninhabitable farm or horticultural buildings and structures) within the National Grid Yard, but also supports the provision of a non-complying activity status for new sensitive activities, or additions to existing sensitive activities, milking and dairy sheds and other intensive farm buildings, and any buildings and structures which do not meet safe conductor (line) clearances.
- A non-complying activity status is considered the most effective means of given effect to the NPSET's objective of managing the adverse effects of the network and managing the adverse effects of other activities on the network.
- A non-complying activity status most appropriately recognises and provides for the effective operation, maintenance, upgrading and development of the network, as required by NPSET Policy 2.
- A non-complying activity status is the best method to manage other activities to ensure the operation, maintenance, upgrading, and development of the network is not compromised, as required by NPSET Policy 10.
- A non-complying activity status recognises the policy directive within Policy 11 to identify an appropriate buffer corridor within which it can be expected that sensitive activities will generally not be provided for.
- NPSET Policy 10 contains the phrase 'avoid reverse sensitivity effects' and 'to ensure that the operation, maintenance, upgrading and development of the electricity transmission network is not compromised'. NPSET Policy 11 gives a clear direction that 'sensitive activities will generally not be provided for in plans and/or given resource consent'. The use of the words 'avoid' and 'ensure' and the phrase 'will generally not be provided for' provide a strong direction that cannot be achieved by use of the restricted discretionary activity status. Such policy direction can only be achieved by way of a non-complying activity status.
- A non-complying activity status promotes consistency in decision-making, and more effectively manages landowner expectations about what activities are appropriate or otherwise in the National Grid Yard.
- The Environment Court has noted in the past that there are many reasons why activities might have non-complying status in district plans: one of those reasons is the activity in question is, in some way, likely to produce significant adverse effects. This contrasts with the approach that a discretionary activity status implies that, in general, a particular activity is an efficient use and development of resources.
- Given the potential adverse effects that encroachments could have on the National Grid corridor, such an indication is inappropriate.
- Minor amendment is sought to clarify the intent and application of the rules and provide better linkage to the permitted activity rules.

Point Number 576.65

Summary of Decision Requested: Retain Rule 14.4.4 NC10 Non-Complying Activities, except for the amendments sought below

AND

Amend Rule 14.4.4 NC10 Non-Complying Activities, as follows:

NC10 Any subdivision of land in any zone within the National Grid Corridor that does not comply with ~~one or more of the conditions of Rule 14.4.2.1 (RD4)~~

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in the submission.

Decision Reasons:

- The submitter supports the provision of permitted activities status for certain activities and structures (specifically fences, network utilities, existing sensitive activity structures which do not increase the height or footprint and non-intensive/uninhabitable farm or horticultural buildings and structures) within the National Grid Yard, but also supports the provision of a non-complying activity status for new sensitive activities, or additions to existing sensitive activities, milking and dairy sheds and other intensive farm buildings, and any buildings and structures which do not meet safe conductor (line) clearances.
- A non-complying activity status is considered the most effective means of given effect to the NPSET's objective of managing the adverse effects of the network and managing the adverse effects of other activities on the network.
- A non-complying activity status most appropriately recognises and provides for the effective operation, maintenance, upgrading and development of the network, as required by NPSET Policy 2.
- A non-complying activity status is the best method to manage other activities to ensure the operation, maintenance, upgrading, and development of the network is not compromised, as required by NPSET Policy 10.
- A non-complying activity status recognises the policy directive within Policy 11 to identify an appropriate buffer corridor within which it can be expected that sensitive activities will generally not be provided for.
- NPSET Policy 10 contains the phrase 'avoid reverse sensitivity effects' and 'to ensure that the operation, maintenance, upgrading and development of the electricity transmission network is not compromised'. NPSET Policy 11 gives a clear direction that 'sensitive activities will generally not be provided for in plans and/or given resource consent'. The use of the words 'avoid' and 'ensure' and the phrase 'will generally not be provided for' provide a strong direction that cannot be achieved by use of the restricted discretionary activity status. Such policy direction can only be achieved by way of a non-complying activity status.
- A non-complying activity status promotes consistency in decision-making, and more effectively manages landowner expectations about what activities are appropriate or otherwise in the National Grid Yard.
- The Environment Court has noted in the past that there are many reasons why activities might have non-complying status in district plans: one of those reasons is the activity in question is, in some way, likely to produce significant adverse effects. This contrasts with the approach that a discretionary activity status implies that, in general, a particular activity is an efficient use and development of resources.
- Given the potential adverse effects that encroachments could have on the National Grid corridor, such an indication is inappropriate.
- Minor amendment is sought to clarify the intent and application of the rules and provide better linkage to the permitted activity rules.

Point Number 576.66

Summary of Decision Requested: Add a new non-complying activity (NC11) to Rule 14.4.4 Non-Complying Activities, as follows:

NC11 Earthworks within the National Grid Yard that is not a permitted activity under Rule 14.4.1.P3 or a restricted discretionary activity under Rule 14.4.2.RD3.

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in the submission.

Decision Reasons:

- NC11 relates to earthworks and provides a linkage to the sought amendment to restricted discretionary rule RD3, and provides a non-complying activity status for earthworks which do not achieve the necessary conductor clearance distances to ensure safety, do not maintain access to support structures, or earthworks which compromise the stability of a support structure. Given the safety risks of the works and potential effects on the operation, maintenance and upgrade of the assets, a non-complying activity is sought to reflect that the activity is not appropriate.
- A non-complying activity status also gives a very strong policy signal that under-build and earthworks that increase ground level or result in destabilisation of a National Grid support structure or permanently physically restrict vehicular access, within the National Grid Yard are not appropriate as they can potentially compromise the security of supply, safety, and impinge on the ability of Transpower to maintain its assets. Whilst an application can still be made under the RMA, it would need to show the proposed activity would not be contrary to the objectives and policies of the District Plan or that its adverse effects on the environment would be no more than minor

Point Number 576.67

Summary of Decision Requested: **Add** a new non-complying activity (NC12) to Rule 14.4.4 Non-Complying Activities, as follows:

NC12 Any building or structure within the National Grid Yard that is not a permitted activity under Rule 14.4.1, Restricted discretionary activity under Rule 14.4.2 or Discretionary activity under Rule 14.4.3.

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in the submission.

Decision Reasons:

- It provides a linkage to the other rules within Section 14.4.1 relating to the National Grid and acts as a default 'catch all' rule.
- A non-complying activity status also gives a very strong policy signal that under-build and earthworks that increase ground level or result in destabilisation of a National Grid support structure or permanently physically restrict vehicular access, within the National Grid Yard are not appropriate as they can potentially compromise the security of supply, safety, and impinge on the ability of the submitter to maintain its assets. Whilst an application can still be made under the RMA, it would need to show the proposed activity would not be contrary to the objectives and policies of the District Plan or that its adverse effects on the environment would be no more than minor.

Point Number 576.68

Summary of Decision Requested: **Add** a new advice note under Section 14.4.4 Non-Complying Activities, as follows:

Transpower or a suitably qualified engineer should be contacted for assistance with clearance requirements in NZCEP 34:2001.

(1) Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZCEP 34:2001) is mandatory under the Electricity Act 1992. All activities regulated by NZCEP34:2001, including buildings, structures, earthworks and the operation of mobile plant, must comply with that regulation. Activities should be checked for compliance even if they are permitted by the District Plan.

(2) An activity, including buildings and structures, earthworks, quarrying and planting vegetation, within the National Grid Corridor or National Grid Yard may require resource consent. Transpower New Zealand limited will be considered to be an affected party where consent is required. Where an activity requires resource consent solely because it is within the National Grid Yard and/or Corridor public notification of the application is precluded. However, limited notification will be given to Transpower unless the written approval from Transpower is provided at the time the application is lodged.

(3) The Electricity (Hazards from Trees) Regulations 2003 applies to vegetation planted within the National Grid Corridor or near sub-transmission or distribution electricity lines and must be complied with. Vegetation to be planted within the National Grid Yard as shown on the District Plan Maps should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003 or prevent access to support structures. To discuss works, including tree planting near any electricity line especially works within the National Grid Yard, contact the relevant network utility operator.

OR

Add a new advice note into the Introduction to Chapter 14 Infrastructure and Energy, as follows:

Transpower or a suitably qualified engineer should be contacted for assistance with clearance requirements in NZCEP 34:2001.

(1) Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZCEP 34:2001) is mandatory under the Electricity Act 1992. All activities regulated by NZCEP34:2001, including buildings, structures, earthworks and the operation of mobile plant, must comply with that regulation. Activities should be checked for compliance even if they are permitted by the District Plan.

(2) An activity, including buildings and structures, earthworks, quarrying and planting vegetation, within the National Grid Corridor or National Grid Yard may require resource consent. Transpower New Zealand limited will be considered to be an affected party where consent is required. Where an activity requires resource consent solely because it is within the National Grid Yard and/or Corridor public notification of the application is precluded. However, limited notification will be given to Transpower unless the written approval from Transpower is provided at the time the application is lodged.

(3) The Electricity (Hazards from Trees) Regulations 2003 applies to vegetation planted within the National Grid Corridor or near sub-transmission or distribution electricity lines and must be complied with. Vegetation to be planted within the National Grid Yard as shown on the District Plan Maps should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003 or prevent access to support structures. To discuss works, including tree planting near any electricity line especially works within the National Grid Yard, contact the relevant network utility operator.

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in the submission.

Decision Reasons:

- To assist plan users in understanding the National Grid and relationship with external documents, the submitter supports the provision of three advice notes. Such advice notes would assist in plan interpretation and application.
- The three advice notes relate to:
 - Advising that notwithstanding the PWDR, compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZCEP 34:2001) is mandatory under the Electricity Act 1992
 - Advising that Transpower New Zealand limited will be considered to be an affected party where consent is required.
 - Advising that notwithstanding the Proposed District Plan, the Electricity (Hazards from Trees) Regulations 2003 applies to vegetation planted within the National Grid Corridor or near sub-transmission or distribution electricity lines and must be complied with.

Point Number 576.69

Summary of Decision Requested: **Retain** the identification of the National Grid on the planning maps as notified.

Decision Reasons:

- The submitter supports the identification of the National Grid on the planning maps as it provides clear guidance for plan users as to the location of the National Grid and will assist in plan interpretation.

Point Number 576.70

Summary of Decision Requested: **Retain** the Transpower designations K1 and K3-8 in Section E - Designations, as notified.

Decision Reasons:

- The submitter supports designations K1 and K3-K8 as listed in Section E of the proposed plan, as the list reflects existing designated National Grid assets.

Point Number 576.71

Summary of Decision Requested: **Amend** Designation K7 - Ohinewai Switching Station, to include references to ongoing conditions.
AND
Amend the Proposed District Plan to make consequential amendments to address the matters raised in the submission.

Decision Reasons:

- No reasons provided.

Point Number 576.72

Summary of Decision Requested: **Add** a designation to Section E - Designations - K Transpower, for Hamilton to Meremere B Underground Transmission Line Cable (DES0008/18), (K2), as follows:

<u>Des #</u>	<u>Purpose of designation</u>	<u>Location</u>	<u>Area (ha)</u>
<u>K2</u>	<u>Hamilton to Meremere B Underground Transmission Line Cable</u>	<u>Puketaha Road</u>	<u>1.96ha</u>

AND
Amend the Proposed District Plan to make consequential amendments to address the matters raised in the submission.

Decision Reasons:

- The submitter has provided notice to Waikato District Council on 11 June 2018 that its existing designations under the Operative District Plan (Waikato Section) and Operative District Plan (Franklin Section) are required to be included in the Proposed Waikato District Plan without modification, and rolled over. Specific details were provided including the existing designation (accepted in October 2017) *Hamilton to Meremere B Underground Transmission Line Cable (DES0008/18)*.
- While the designation is identified on the planning maps (Map Eureka 27) as Designation K2, it is not shown within the Designation Schedule E within the Proposed District Plan. The submitter seeks the designation be included within Schedule E. As outlined in the 11 June 2018 notice, no ongoing conditions are applicable because construction has occurred.

Point Number 576.73

Summary of Decision Requested: **Retain** Objective 6.1.1 (a) Development, operation and maintenance of infrastructure, except for the amendments sought below
AND
Amend Objective 6.1.1 (a) Development, operation and maintenance of infrastructure, as follows:
(a) Infrastructure is developed, operated and maintained and upgraded to benefit the social, economic, cultural and environmental wellbeing of the district, region and nation.
AND
Amend the Proposed District Plan to make consequential amendments to address the matters raised in the submission.

Decision Reasons:

- The submitter supports the policy recognition of the benefits of infrastructure. However, amendment is sought to refer to 'upgrade', as well as the insertion of recognition of the regional and national benefits given infrastructure can have wider benefits than those at a district level.

Point Number 576.74

Summary of Decision Requested: **Retain** Policy 6.1.2 Development, operation and maintenance, as notified.

Decision Reasons:

- The submitter supports Policy 6.1.2 as it appropriately recognises the need to provide for infrastructure, and the range of influences and considerations that are associated with the development, operation, maintenance, repair, replacement, upgrading and removal of infrastructure.
- The policy gives effect to Policies 1-4 of the NPSET.

Point Number 576.75

Summary of Decision Requested: **Retain** Policy 6.1.3 Technological advances, as notified.

Decision Reasons:

- This policy is supported as it recognises technological advances. Given the 10-year life of the plan and the ever-changing technological advances, the recognition of flexibility is supported.

Point Number 576.76

Summary of Decision Requested: **Retain** Policy 6.1.4 Infrastructure benefits, as notified.

Decision Reasons:

- The recognition of the benefits of infrastructure within Policy 6.1.4 is supported, and gives effect to Policy 1 of the NPSET, and Waikato RPS Objective 3.5(e), Policy 4.4, and Policy 6.6.

Point Number 576.77

Summary of Decision Requested: **Retain** Objective 6.1.6 Reverse sensitivity, except for the amendments sought below
AND

Amend Objective 6.1.6 Reverse sensitivity, as follows:

6.1.6 Objective – ~~Reverse sensitivity~~ Adverse Effects on Infrastructure

(a) ...

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in the submission.

Decision Reasons:

- The provision of an objective specific to reverse sensitivity is supported, as is the specific reference to the National Grid within the objective.
- However, amendment is sought to the objective title to recognise that it is not only sensitive activities which can compromise infrastructure, but also the adverse effects of subdivision, land use and development.
- The submitter can be affected by other activities that establish beneath or in close proximity to its lines and/or structures. Such activities can generate reverse sensitivity effects where landowners/operators request a Council to impose constraints on existing infrastructure to manage effects such as noise, reduced visual amenity, radio and television interference, perceived Electric and Magnetic Field (EMF) effects, or interference with business activities beneath the lines.
- Subdivision, land use and development can also compromise the National Grid through activities such as access to the National Grid assets being blocked, buildings and structures being located close to assets and causing risk and safety issues (such as flashovers) or the location of buildings and activities, particularly 'sensitive activities' such as schools and residential properties, beneath or in close proximity to lines and/or structures can limit the submitter's ability to maintain, upgrade and develop the National Grid.
- The recognition of subdivision, land use and development activities not compromising infrastructure (and in particular the National Grid) would give effect to Policy 10 of the NPSET.

Point Number

576.78

Summary of Decision Requested:

Retain Policy 6.1.7 Reverse sensitivity and infrastructure, except for the amendments sought below

AND

Amend Policy 6.1.7 Reverse sensitivity and infrastructure, as follows:

6.1.7 Policy – ~~Reverse sensitivity~~ Adverse Effects on end-infrastructure

(a) *Avoid reverse sensitivity effects on infrastructure from subdivision, use and development as far as reasonably practicable, and ensure ~~so that~~ the ongoing and efficient operation of infrastructure is not compromised.*

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in the submission.

Decision Reasons:

- The provision of a policy specific to reverse sensitivity is supported.
- However, amendment is sought to the policy to recognise that it is not only sensitive activities which can compromise infrastructure, but also the adverse effects of subdivision, land use, and development.

Point Number

576.79

Summary of Decision Requested:

Retain Policy 6.1.9 - Environmental effects, community health, safety and amenity on the basis that Policy 6.2.5 is retained (with amendments).

Decision Reasons:

- The submitter is supportive of the provision of a general policy for avoiding, remedying or mitigation of adverse effects.
- However, the provision of a policy specific to the National Grid (Policy 6.2.5) is supported as it gives effect to the NPSET and recognises the particular requirements, issues and constraints associated with the National Grid.

Point Number

576.80

Summary of Decision Requested:

Add a new definition for "Identified area" to Chapter 13 Definitions.

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in the submission.

Decision Reasons:

- The submitter supports the intent of the policy in that infrastructure development in certain areas should require greater consideration.
- However, it is unclear what exactly constitutes as an "identified area" as the term is not defined within the Proposed District Plan, but is used within policies and widely throughout the rules.
- While 'lists' of identified areas are provided within the Proposed District Plan provisions in Rule 14.1(3) and Rule 22.4.5, these lists are not consistent and therefore could be confusing to plan users as to whether an "identified area" is caught by the policy or numerous rules which refer to "identified areas".

Point Number

576.81

Summary of Decision Requested:

Retain Policy 6.1.11 Undergrounding new infrastructure, as notified.

Decision Reasons:

- The submitter supports this policy in that it provides the ability for recognition of the significant operational, functional, technical, cultural or economic reason (constraints) as to why undergrounding of new infrastructure is not always possible.

Point Number

576.82

Summary of Decision Requested:

Retain Rule 14.4.4 NC3 Non-Complying Activities, except for the amendment sought below

AND

Amend Rule 14.4.4 NC3 Non-Complying Activities, to clarify intent and application of the rules and provide better linkage to permitted activity rules.

AND

Amend the Proposed District Plan to make consequential amendments to address the matters raised in the submission.

Decision Reasons:

- The submitter supports the provision of permitted activities status for certain activities and structures (specifically fences, network utilities, existing sensitive activity structures which do not increase the height or footprint and non-intensive/uninhabitable farm or horticultural buildings and structures) within the National Grid Yard, but also supports the provision of a non-complying activity status for new sensitive activities, or additions to existing sensitive activities, milking and dairy sheds and other intensive farm buildings, and any buildings and structures which do not meet safe conductor (line) clearances.
- A non-complying activity status is considered the most effective means of given effect to the NPSET's objective of managing the adverse effects of the network and managing the adverse effects of other activities on the network.
- A non-complying activity status most appropriately recognises and provides for the effective operation, maintenance, upgrading and development of the network, as required by NPSET Policy 2.
- A non-complying activity status is the best method to manage other activities to ensure the operation, maintenance, upgrading, and development of the network is not compromised, as required by NPSET Policy 10.
- A non-complying activity status recognises the policy directive within Policy 11 to identify an appropriate buffer corridor within which it can be expected that sensitive activities will generally not be provided for.
- NPSET Policy 10 contains the phrase 'avoid reverse sensitivity effects' and 'to ensure that the operation, maintenance, upgrading and development of the electricity transmission network is not compromised'. NPSET Policy 11 gives a clear direction that 'sensitive activities will generally not be provided for in plans and/or given resource consent'. The use of the words 'avoid' and 'ensure' and the phrase 'will generally not be provided for' provide a strong direction that cannot be achieved by use of the restricted discretionary activity status. Such policy direction can only be achieved by way of a non-complying activity status.
- A non-complying activity status promotes consistency in decision-making, and more effectively manages landowner expectations about what activities are appropriate or otherwise in the National Grid Yard.
- The Environment Court has noted in the past that there are many reasons why activities might have non-complying status in district plans: one of those reasons is the activity in question is, in some way, likely to produce significant adverse effects. This contrasts with the approach that a discretionary activity status implies that, in general, a particular activity is an efficient use and development of resources.
- Given the potential adverse effects that encroachments could have on the National Grid corridor, such an indication is inappropriate.
- Minor amendment is sought to clarify the intent and application of the rules and provide better linkage to the permitted activity rules.

Point Number 576.83

Summary of Decision Requested: **Retain** Rule 14.4.4 NC4 Non-Complying Activities, except for the amendments sought below
 AND
Amend Rule 14.4.4 NC4 Non-Complying Activities, to clarify intent and application of the rules and provide better linkage to permitted activity rules.
 AND
Amend the Proposed District Plan to make consequential amendments to address the matters raised in the submission.

Decision Reasons:

- The submitter supports the provision of permitted activities status for certain activities and structures (specifically fences, network utilities, existing sensitive activity structures which do not increase the height or footprint and non-intensive/uninhabitable farm or horticultural buildings and structures) within the National Grid Yard, but also supports the provision of a non-complying activity status for new sensitive activities, or additions to existing sensitive activities, milking and dairy sheds and other intensive farm buildings, and any buildings and structures which do not meet safe conductor (line) clearances.
- A non-complying activity status is considered the most effective means of given effect to the NPSET's objective of managing the adverse effects of the network and managing the adverse effects of other activities on the network.
- A non-complying activity status most appropriately recognises and provides for the effective operation, maintenance, upgrading and development of the network, as required by NPSET Policy 2.
- A non-complying activity status is the best method to manage other activities to ensure the operation, maintenance, upgrading, and development of the network is not compromised, as required by NPSET Policy 10.
- A non-complying activity status recognises the policy directive within Policy 11 to identify an appropriate buffer corridor within which it can be expected that sensitive activities will generally not be provided for.
- NPSET Policy 10 contains the phrase 'avoid reverse sensitivity effects' and 'to ensure that the operation, maintenance, upgrading and development of the electricity transmission network is not compromised'. NPSET Policy 11 gives a clear direction that 'sensitive activities will generally not be provided for in plans and/or given resource consent'. The use of the words 'avoid' and 'ensure' and the phrase 'will generally not be provided for' provide a strong direction that cannot be achieved by use of the restricted discretionary activity status. Such policy direction can only be achieved by way of a non-complying activity status.
- A non-complying activity status promotes consistency in decision-making, and more effectively manages landowner expectations about what activities are appropriate or otherwise in the National Grid Yard.
- The Environment Court has noted in the past that there are many reasons why activities might have non-complying status in district plans: one of those reasons is the activity in question is, in some way, likely to produce significant adverse effects. This contrasts with the approach that a discretionary activity status implies that, in general, a particular activity is an efficient use and development of resources.
- Given the potential adverse effects that encroachments could have on the National Grid corridor, such an indication is inappropriate.
- Minor amendment is sought to clarify the intent and application of the rules and provide better linkage to the permitted activity rules.

Point Number 576.84

Summary of Decision Requested: **Retain** Rule 14.4.4 NC6 Non-Complying Activities, as notified;
 AND
Retain Rule 14.4.4 NC7 Non-Complying Activities, as notified;
 AND
Retain Rule 14.4.4 NC8 Non-Complying Activities, as notified.

Decision Reasons:

- The submitter supports the provision of permitted activities status for certain activities and structures (specifically fences, network utilities, existing sensitive activity structures which do not increase the height or footprint and non-intensive/uninhabitable farm or horticultural buildings and structures) within the National Grid Yard, but also supports the provision of a non-complying activity status for new sensitive activities, or additions to existing sensitive activities, milking and dairy sheds and other intensive farm buildings, and any buildings and structures which do not meet safe conductor (line) clearances.
- A non-complying activity status is considered the most effective means of given effect to the NPSET's objective of managing the adverse effects of the network and managing the adverse effects of other activities on the network.
- A non-complying activity status most appropriately recognises and provides for the effective operation, maintenance, upgrading and development of the network, as required by NPSET Policy 2.
- A non-complying activity status is the best method to manage other activities to ensure the operation, maintenance, upgrading, and development of the network is not compromised, as required by NPSET Policy 10.
- A non-complying activity status recognises the policy directive within Policy 11 to identify an appropriate buffer corridor within which it can be expected that sensitive activities will generally not be provided for.
- NPSET Policy 10 contains the phrase 'avoid reverse sensitivity effects' and 'to ensure that the operation, maintenance, upgrading and development of the electricity transmission network is not compromised'. NPSET Policy 11 gives a clear direction that 'sensitive activities will generally not be provided for in plans and/or given resource consent'. The use of the words 'avoid' and 'ensure' and the phrase 'will generally not be provided for' provide a strong direction that cannot be achieved by use of the restricted discretionary activity status. Such policy direction can only be achieved by way of a non-complying activity status.
- A non-complying activity status promotes consistency in decision-making, and more effectively manages landowner expectations about what activities are appropriate or otherwise in the National Grid Yard.
- The Environment Court has noted in the past that there are many reasons why activities might have non-complying status in district plans: one of those reasons is the activity in question is, in some way, likely to produce significant adverse effects. This contrasts with the approach that a discretionary activity status implies that, in general, a particular activity is an efficient use and development of resources.
- Given the potential adverse effects that encroachments could have on the National Grid corridor, such an indication is inappropriate.

Submitter Number: 577

Submitter: Dilworth Trust Board

Point Number 577.1

Summary of Decision Requested: **Add** a new policy to Section 5.3 - Rural Character and Amenity, as follows:

5.3.19 Policy – Specific area – Dilworth School – Rural Campus

(g) Recognise and protect the continued operation and ongoing development of the Dilworth School – Rural Campus.

(b) Provide for the operation and development of education facilities and boarding and accommodation activities that are integral to the Dilworth School – Rural Campus, and which complement the surrounding rural environment.

AND

Amend the Proposed District Plan for any further or other consequential relief required to give effect to the relief sought in this submission

Decision Reasons:

- The proposed Rural Zone provisions do not appropriately provide for the Rural Campus.
- The Proposed objectives and policies for the Rural Zone enable rural activities and manage effects from non-rural activities but submission seeks amendments to afford protection to lawfully established non-rural activities, including future expansions.
- Any future development of non-rural activities may conflict with the outcomes that are otherwise anticipated by the Rural Zone.
- Submission supports for area specific provisions. The nature of the Rural Campus is such that it is appropriate to include specific policies to relate to, recognise, and protect the activity, similar to the policies that are included for other 'Specific Areas' in the Rural Zone.

Point Number 577.2

Summary of Decision Requested: **Add** a new 'Specific Area' in Chapter 22 - Rural Zone, to provide for the Dilworth School - Rural Campus facility. See Appendix 2 of the submission for full details of provisions sought for the 'Specific Area'.

AND

Amend the Proposed District Plan for any further or other consequential relief required to give effect to the relief sought in this submission

Decision Reasons:

- Rural Zone provisions do not appropriately provide for the nature of activities that occur at the Rural Campus (including any intensification of those activities).
- While education facilities are a discretionary activity, the Proposed Rural Zone does not cater for any ancillary boarding or staff accommodation for a Rural Campus. Any development would be subject to an onerous resource consent process.
- Requests 'Specific Area' provided for to provide for education facilities, boarding and staff accommodation, and associated activities as Permitted activities within the site.
- Submission notes particular issues with proposed rules of the Rural Zone, namely:
 - Rule 22.3.1 Number of dwellings within a lot / Rule 22.3.2 Minor dwelling - Extent of accommodation in related to staff requirements and school roll and as such, one dwelling/minor dwelling will be inefficient.
 - Rule 22.3.6 Building coverage - Dilworth currently has building coverage of 8,500m² and only 3,050m² would be permitted under the proposed rules.
 - Rule 22.3.7 Building setbacks - building setback rules do not appropriately reflect the existing (and optimal future) layout of development within the Rural Campus site, which comprises multiple buildings within 25m of side boundaries and as such, site-specific setbacks have been requested (refer to Appendix 2 of the original submission).
 - Rule 22.3.7.2 P1(a)(vii) of the Proposed Plan, Dilworth site has a maximum width of 320m. concerned with the 'double-handling' effect of this rule, and with the significant constraints that this rule imposes on the development of the Rural Campus site should any neighbouring property be developed for intensive farming activities in the future. an intensive farming activity could be readily located more than 1km from the Rural Campus on a neighbouring site, yet Rule 22.3.7.2 P1(a)(vii) would still require a 300m setback for any new school building from the common boundary, or for an onerous and costly resource consent process.
 - It is not appropriate to impose a subsequent resource consent process on Dilworth to justify the appropriateness of any further development within the Rural Campus, particularly given the constraints to the size and shape of the site, and the large available land area within the neighbouring properties which enable adverse effects to be internalised to those sites.
- Submission also seeks rule exceptions. These are specified in Appendix 2 of the original submission (for example Rule 22.2.3.1). With respect to Rule 22.2.3.1 - Earthworks, submission states:
 - There is no difference in terms of effects on the environment between earthworks for a rural or residential activity, and earthworks for the development of an established education facility in the rural environment and as such, most appropriately managed by specific earthworks rules in the Specific Area provisions that are sought.
- With respect to rule 14.12.1 P2 - On-site parking and loading, exception, the submission notes that the on-site parking requirements for the facility are atypical of an educational facility, such that the minimum parking and loading requirements for school activities, set out in Rule 14.12.1 P2, do not reflect the requirements of the facility and that it is appropriate that the parking requirements of the Rural Campus are left to Dilworth to determine and provide for, and therefore no minimum or maximum parking requirements should be imposed on the Rural Campus.
- With respect to rule 14.12.1 - P4, Traffic Generation, exception, the submission notes that a higher number of vehicle trips may be necessary and that the trip generation threshold, as it relates to the Rural Campus, does not effectively address an adverse effect on the environment. Traffic movement requirements of the Rural Campus are left to Dilworth to determine and provide for, and therefore no maximum traffic movement requirements should be imposed on the Rural Campus.

Point Number 577.3

Summary of Decision Requested: **Retain** Rule 22.1.3(1) RD1 Restricted Discretionary Activities.

Decision Reasons:

- Non-compliance with this rule results in a Discretionary activity resource consent, which will enable a robust assessment of any adverse effects on the Rural Campus and a consideration of mitigation measures.
- Considers that this adequately manages the potential adverse effects that may arise from future development of intensive farming activities on properties adjoining the Rural Campus

Point Number 577.4

Summary of Decision Requested: **Amend** Rule 22.2.3.3 P1 (a) Earthworks - Significant Natural Areas, as follows:

(a) Earthworks for the maintenance of existing tracks, fences or drains, and for the purpose of remediation and stabilisation of banks of a stream, river or other water body, within an identified Significant Natural Area must meet all of the following conditions:..

AND

Amend the Proposed District Plan for any further or other consequential relief required to give effect to the relief sought in this submission.

Decision Reasons:

- The Rural Campus site is bordered by the Mangatawhiri stream that floods and as such, represents a risk to the site. Stream restoration and erosion control works have been undertaken previously by way of resource consent. A portion of the area requiring works is within a Significant Natural Area.
- As such, the Proposed Plan needs to be enabling of earthworks for erosion control works for the remediation and stabilisation of stream banks to protect the health and safety of the students, staff and visitors to the site, and the buildings and property. Considers

that this is an issue that is relevant for all rural land in the Waikato District, and that the provisions for the Rural Zone must provide for earthworks for such a purpose.

Point Number 577.5

Summary of Decision Requested: **Amend** Rule 22.2.7 P1 (a) Indigenous vegetation clearance inside a Significant Natural Area, as follows:

(i) Gathering plants in accordance with Maaori customs and values; or

...

(vi) Remediating or stabilising the banks of a stream, river or other water body.

AND

Amend the Proposed District Plan for any further or other consequential relief required to give effect to the relief sought in this submission

Decision Reasons:

- There is no provision for indigenous vegetation clearance for the purpose of erosion control works for the remediation and stabilisation of banks of streams and rivers.
- The Proposed Plan must be enabling of erosion control works to protect the health and safety of the students, staff and visitors to the site, and the buildings and property, and to enable vegetation management and removal along the banks of streams and rivers for such purposes.

Point Number 577.6

Summary of Decision Requested: **Amend** Rule 22.2.8 P1 (a) Indigenous vegetation clearance - outside a Significant Natural Area, as follows:

(vii) A building platform and associated access, parking and manoeuvring up to a total of 500m² clearance of indigenous vegetation; or

(viii) Remediating or stabilising the banks of a stream, river or other water body.

AND

Amend the Proposed District Plan for any further or other consequential relief required to give effect to the relief sought in this submission

Decision Reasons:

- Provisions that apply to vegetation clearance outside of Significant Natural Areas are similarly not enabling of vegetation modification for the purposes of remediation and stabilisation of the banks of streams and rivers.
- Vegetation clearance must provide for such works.

Submitter Number: 578 **Submitter:** Ports of Auckland Limited

Point Number 578.1

Summary of Decision Requested: **Amend** Rule 20.2.5.1 P3 Earthworks - General, as follows:

(a) Earthworks for purposes other than creating a building platform for ~~residential~~ industrial within a site, using imported fill material (excluding cleanfill) must meet all of the following conditions:

(i) not exceed a total volume of 2,500m³;

~~(ii) not exceed a depth of 1m;~~

(iii) the slope of resulting filled area in stable ground must not exceed a maximum slope of 1:2 (1 vertical to 2 horizontal);

~~(iv) fill material is setback 1.5m from all boundaries;~~

(v) areas exposed by filling are revegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks;

(vi) sediment resulting from the filling is retained on the site through implementation and maintenance of erosion and sediment controls; and

(vii) do not divert or change the nature of natural water flows, water bodies ~~or established drainage paths;~~

(viii) within overland flow paths, the extent of earthworks must maintain the same entry and exit point at the boundaries of the site and not result in any adverse changes in flood hazards beyond the site.

OR

Add a new section 20.6 within Chapter 20 Industrial Zone, specifically providing for the Horotiu Industrial Park (see Schedule 2 of the submission for specific provisions).

AND

Amend the Proposed District Plan to make alternative or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- The extent of permitted earthworks proposed is insufficient to enable the comprehensive redevelopment of Industrial Zoned sites and in the context of greenfield industrial areas such as the Horotiu Industrial Plan.
- Therefore the permitted earthworks needs to be increased to 2500m² and 2500m³ per site within the Industrial Zone.
- Opposes the requirement for earthworks to be setback 1.5m from all boundaries.
- In the Industrial Zone there is a lower amenity expectation than other sensitive zones and these constraints are unnecessarily onerous and no justification has been provided for these provisions.
- Earthworks are not permitted to divert or change the nature of drainage paths and this is unnecessarily onerous, considering it can be enabled a permitted activity where the entry of exit point is not altered.
- References made to building platform for 'residential purposes' should be appropriately referenced 'industrial purposes'.

Point Number 578.2

Summary of Decision Requested: **Retain** Rule 20.2.5.1 RD1 Earthworks - General as notified, in that it is a restricted discretionary activity for earthworks that do not comply with Rule P1, P2, P3.

Decision Reasons:

- Supports the restricted discretionary activity status for earthworks that do not comply with rule P1, P2 and P3, and seek that RD1 be retained as notified.

Point Number 578.3

Summary of Decision Requested: **Amend** Rule 20.2.6 P1 Hazardous Substances, as follows:

(a) *The use, storage or disposal of any hazardous substances within a hazardous facility, where:*

(i) *the aggregate quantity of a hazardous substances of any hazard classification on a site is less than the quantity specified for the Industrial Zone in Table 5.1 contained within Appendix 5 (Hazardous Substances).*

OR

Add a new section 20.6 within Chapter 20 Industrial Zone, specifically providing for the Horotiu Industrial Park (see Schedule 2 of the submission for specific provisions).

AND

Amend the Proposed District Plan to make alternative or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- A clarification is required in Rule 20.2.6 P1 to link the storage of hazardous substances to a hazardous facility, thereby ensuring that the corresponding policies that are contained with Chapter 10 of the Proposed District Plan are implemented.

Point Number 578.4

Summary of Decision Requested: **Amend** Rule 20.2.6 D1 Hazardous Substances, from a discretionary activity to a restricted discretionary activity, as follows:

BD1

The use storage or disposal of any hazardous substances that does not comply with Rule 20.2.6 P1, P2 or C1.

Council's discretion shall be restricted to the following matters:

(i) *the proposed operation and site layout;*

(ii) *the separation distances from the receiving environment and other land uses;*

(iii) *the degree and acceptability of residual risk;*

(iv) *consideration of potential health and environmental hazards and exposure pathways arising from the proposed facility;*

(v) *minimising potential cumulative risks including in conjunction with other nearby hazardous facilities;*

(vi) *proposed emergency management planning;*

(vii) *transport routes times and frequencies for the transport of hazardous substances on and off-site;*

(viii) *waste management;*

(ix) *compliance with relevant codes of practice and standards for specific materials/substances;*

(x) *measures to minimise to mitigate potential adverse effects that may result from natural hazards; and*

(xi) *the social and economic benefits of hazardous facilities.*

OR

Add a new section 20.6 within Chapter 20 Industrial Zone, specifically providing for the Horotiu Industrial Park (see Schedule 2 of the submission for specific provisions).

AND

Amend the Proposed District Plan to make alternative or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Does not support a discretionary activity status for activities that do not comply with the permitted rules, and seeks a restricted discretionary activity status with respect to this matter.

Point Number 578.5

Summary of Decision Requested: **Amend** Rule 20.2.7.1 P2 (c) Signs - General, as follows:

(c) *Where the sign is a freestanding sign, it must:*

(i) *not exceed an area of 15m² for one sign per site, and 2+m² for any other freestanding sign on the site; and*

(ii) *be setback at least 5m from the boundary of any site a Residential, Village or Country Living Zone;*

OR

Add a new section 20.6 within Chapter 20 Industrial Zone, specifically providing for the Horotiu Industrial Park (see Schedule 2 of the submission for specific provisions).

AND

Amend the Proposed District Plan to make alternative or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Supports rule 20.2.7.1 as notified, however does not agree with the maximum area for freestanding signs. In the Industrial Zone, where large buildings are provided for as a permitted activity, the receiving environment has the ability to accommodate larger freestanding signs than 3m². A 15m² freestanding sign can be accommodated as a permitted activity.

Point Number 578.6

Summary of Decision Requested: **Retain** Rule 20.2.7.1 RD1 Signs - General, as notified.

Decision Reasons:

- Supports the restricted discretionary activity status and seeks that RD1 be retained as notified.

Point Number 578.7

Summary of Decision Requested: **Amend** Rule 20.2.8 P1 Outdoor storage of goods or materials, to read:

(a) *Outdoor storage of goods or materials must comply with all the following conditions:*

- (i) be associated with the activity operating from the site;
- (ii) not encroach on required parking or loading areas;
- (iii) not exceed a height of 9m unless located within the Horotiu Industrial Park where it must not exceed a height of 21m;
- (iv) not exceed 30% site coverage;

OR

Add a new section 20.6 within Chapter 20 Industrial Zone, specifically providing for the Horotiu Industrial Park (see Schedule 2 of the submission for specific provisions).

AND

Amend the Proposed District Plan to make alternative or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Does not support the application of the 'outdoor storage' rule to the Horotiu Industrial Park in its current form. The nature of the Port of Auckland Limited's activities are such that they will require stacking containers and other materials to heights up to 21 metres.
- The maximum permitted height for the Horotiu Industrial Park within the Operative District Plan is 25 metres. However given its location to more sensitive land uses, it is considered appropriate to enable the permitted outdoor storage of materials to 21 metres within the Horotiu Industrial Park.

Point Number 578.8

Summary of Decision Requested: **Retain** Rule 20.2.8 RD1 Outdoor storage of goods or materials, as notified.

Decision Reasons:

- Supports the restricted discretionary status and seeks that RD1 be retained as notified.

Point Number 578.9

Summary of Decision Requested: **Amend** Rule 20.3.IPI Building height, as follows:

(a) *The maximum height of a building must not exceed:*

(i) 15m; or

(ii) 10m if located on Tregowath Lane and within 50m of the Residential Zone in Huntly.

(iii) within the Horotiu Industrial Park;

A. it is located in Stage 1, Stage 2, Stage 3A or Stage 3B, and is:

1. more than 400m from Horotiu Road; and

2. height does not exceed 25m; and

3. height does not exceed 15m over 90% of the site; and

B. height does not exceed 10m within 50m of Horotiu Road boundary.

OR

Add a new section 20.6 within Chapter 20 Industrial Zone, specifically providing for the Horotiu Industrial Park (see Schedule 2 of the submission for specific provisions).

AND

Amend the Proposed District Plan to make alternative or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- The Proposed District Plan seeks to reduce the permitted height from 25m to 15m within the Horotiu Industrial Park.
- In the context of the 130 ha site such a reduction is significant. Opposes as it will not provide for an efficient use of the industrial site.
- Seeks the retention of the existing building height controls for the Horotiu Industrial Park.

Point Number 578.10

Summary of Decision Requested: **Add** a new permitted activity rule in Rule 20.3.1 Building height, to specifically address building height within the Horotiu Industrial Park as follows:

(g) Despite Rule 20.3.3 Daylight Admission, within the Horotiu Industrial Park the construction or alteration of an aerial and its support structures is a permitted activity if:

(i) the height of the aerial or support structures do not exceed:

A. 15m; or

B. 10m within 50m of the Horotiu Road boundary; or

C. 5m more than the height of a building the aerial is mounted on, where that building is higher than 20m; and

(b) no dish antennae exceed 5m diameter, and no panel antennae exceeds 2.5m in any dimension.

OR

Add a new section 20.6 within Chapter 20 Industrial Zone, specifically providing for the Horotiu Industrial Park (see Schedule 2 of the submission for specific provisions).

AND

Amend the Proposed District Plan to make alternative or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- The Operative District Plan provisions for the Horotiu Industrial Park relating to aerials have not been included within the Proposed District Plan. No justification is provided within the section 32 analysis to justify the deletion of the provisions. Seek the inclusions of the operative provisions within the Proposed District Plan.

Point Number 578.11

Summary of Decision Requested: **Add** a new permitted activity Rule in rule 20.3.1 Building height, to specifically provide for lighting masts within the Horotiu Industrial Park as follows:

Despite Rule 20.3.3 Daylight Admission, the construction or alteration of lighting masts is a permitted activity if:

(g) the height of the lighting masts:

(i) located more than 400m from Horotiu Road; and

(ii) do not exceed 25m in height.

OR

Add a new section 20.6 within Chapter 20 Industrial Zone, specifically providing for the Horotiu Industrial Park (see Schedule 2 of the submission for specific provisions).

AND

Amend the Proposed District Plan to make alternative or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Seek specific provisions for lighting masts within the Horotiu Industrial Park to a height of 25m. It is consistent with the maximum permitted height for other buildings within this part of the Industrial Zone and is consistent with the resource consent held by the Ports of Auckland Ltd. It is necessary to ensure the safe and efficient operation of industrial activities.

Point Number 578.12

Summary of Decision Requested: Retain Rule 20.3.1 RD1 Building height, as notified.

Decision Reasons:

- Supports the restricted discretionary status and seeks that RD1 be retained as notified.

Point Number 578.13

Summary of Decision Requested: Add a new restricted discretionary activity rule in Rule 20.3.1 Building height to specifically address activities within the Horotiu Industrial Park that do not comply with the permitted activity rules requested in this submission. The new rule will read:

(a) Any activity that does not comply with Rules 20.3.1 P2 and P3.

(b) Council's discretion is restricted to the following matters:

(i) the extent to which the visual amenities of the residential Zone are maintained.

OR

Add a new section 20.6 within Chapter 20 Industrial Zone, specifically providing for the Horotiu Industrial Park (see Schedule 2 of the submission for specific provisions).

AND

Amend the Proposed District Plan to make alternative or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- The Operative District Plan provisions for the Horotiu Industrial Park relating to aeriels have not been included within the Proposed District Plan. No justification is provided within the section 32 analysis to justify the deletion of the provisions. Seek the inclusions of the operative provisions within the Proposed District Plan.
- Seeks specific provisions for lighting masts within the Horotiu Industrial Park to a height of 25m. It is consistent with the maximum permitted height for other buildings within this part of the Industrial Zone and is consistent with the resource consent held by the Ports of Auckland Ltd. It is necessary to ensure the safe and efficient operation of industrial activities.

Point Number 578.14

Summary of Decision Requested: Retain Rule 20.3.3 Daylight admission, as notified.

Decision Reasons:

- Support rule 20.3.3 as notified.

Point Number 578.15

Summary of Decision Requested: Retain Rule 20.3.4.1 Building setbacks, as notified.

Decision Reasons:

- Support Rule 20.3.4.1 as notified

Point Number 578.16

Summary of Decision Requested: Amend Rule 20.3.4.2 P1 Building setback - waterbodies, as follows:

(a) A building must be set back a minimum of 30m from:

(i) the margin of any:

A. lake;

B. wetland; and

C. river bank whose bed has an average width of 3m or more, other than the Waikato River and Waipa River.

OR

Add a new section 20.6 within Chapter 20 Industrial Zone, specifically providing for the Horotiu Industrial Park (see Schedule 2 of the submission for specific provisions).

AND

Amend the Proposed District Plan to make alternative or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- The Port of Auckland Limited's inland freight hub site is bound by an unnamed tributary of the Te Rapa Stream. The Proposed District Plan has removed the 3m qualifying bed width which applied in the Operative District Plan.

- Does not support Rule 20.3.4.2 in its current format as it has the potential to constrain future developments within the inland freight hub.
- The imposition of the building setback requirement has the potential to constrain the efficient development of the significant regional industrial node.
- As a minimum, the submitter seeks that the Operative District Plan's qualifying standard is applied to the rule.

Point Number 578.17

Summary of Decision Requested: **Amend** Rule 20.3.4.2 P3 Building setback - water bodies, as follows:

A building must be setback a minimum of 10m from the bank of a perennial or intermittent stream whose bed has an average width of 3m or more.

OR

Add a new section 20.6 within Chapter 20 Industrial Zone, specifically providing for the Horotiu Industrial Park (see Schedule 2 of the submission for specific provisions).

AND

Amend the Proposed District Plan to make alternative or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- The Port of Auckland Limited's inland freight hub site is bound by an unnamed tributary of the Te Rapa Stream. The Proposed District Plan has removed the 3m qualifying bed width applied in the Operative District Plan.
- Does not support rule 20.3.4.2 in its current format as it has the potential to constrain future developments within the inland freight hub.
- The imposition of the building setback requirement has the potential to constrain the efficient developments of the significant regional industrial node.
- Seeks as a minimum that the Operative District Plan's qualifying standard is applied to this rule.

Point Number 578.18

Summary of Decision Requested: **Amend** Rule 20.3.4.2 D1 from a discretionary activity rule to a restricted discretionary activity rule and as follows:

BD1

A building that does not comply with Rule 20.3.4.2 P1, P2, P3 or P4.

Council's discretion shall be restricted to the following matters:

(a) effects of the location, intensity, scale and form of subdivision, use and development in relation to natural character;

(b) the extent of indigenous vegetation clearance and modification (including earthworks, disturbance and structures);

(c) cumulative effects on natural character and landscapes.

OR

Add a new section 20.6 within Chapter 20 Industrial Zone, specifically providing for the Horotiu Industrial Park (see Schedule 2 of the submission for specific provisions).

AND

Amend the Proposed District Plan to make alternative or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Opposes the discretionary activity status and seeks a restricted discretionary activity.

Point Number 578.19

Summary of Decision Requested: **Add** a new rule providing for subdivision within the Horotiu Industrial Park to be undertaken as a controlled activity under Rule 20.4.1 Subdivision - General. The new rule will read:

CL

(a) Subdivision within the Horotiu Industrial Park is a controlled activity where it complies with all of the following conditions:

(i) every allotment in the Horotiu Industrial Park area has a net site area of at least 500m², excluding access allotments or utility allotments which shall have a minimum net site area of 100m²;

(ii) prior to any subdivision or development of the Stage 3A areas on earth bund is constructed generally in the location of the farm and height shown on Figure 20.6(B);

(iii) any subdivision of land adjoining Horotiu Road includes a minimum 5m wide landscaping strip adjoining Horotiu Road (excluding access) to be planted and maintained with indigenous species that will achieve a height of at least 5m within 5 years and sufficient density to visually screen the land from the Residential Zone;

(iv) any subdivision of land adjoining the designated boundary of the Waikato Expressway includes landscape planting and maintenance of indigenous species that will achieve an average height of 3m within 5 years and of sufficient density to visually screen the industrial activity, from the Expressway in combination with any existing or proposed landscaping within the Expressway designation.

(b) Control is reserved over:

(i) amenity values;

(ii) construction and maintenance of bund area;

(iii) planting and maintenance of bund area.

OR

Add a new section 20.6 within Chapter 20 Industrial Zone, specifically providing for the Horotiu Industrial Park (see Schedule 2 of the submission for specific provisions).

AND

Amend the Proposed District Plan to make alternative or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Under the Operative District Plan, subdivision within the Horotiu Industrial Park can be undertaken as a controlled activity subject to standards.
- No justification has been provided within the section 32 analysis which supports the Proposed District Plan as to why a restricted discretionary activity status is necessary and why different subdivision standards are appropriate within the Horotiu Industrial Park.

Point Number 578.20

Summary of Decision Requested: Amend Rule 20.4.1 RD1 Subdivision - General, as follows:
(a) In all other areas, subdivision must comply with all of the following conditions...
OR
Add a new section 20.6 within Chapter 20 Industrial Zone, specifically providing for the Horotiu Industrial Park (see Schedule 2 of the submission for specific provisions).
AND
Amend the Proposed District Plan to make alternative or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Under the Operative District Plan, subdivision within the Horotiu Industrial Park can be undertaken as a controlled activity subject to standards.
- No justification has been provided within the section 32 analysis which supports the Proposed District Plan as to why a restricted discretionary activity status is necessary and why different subdivision standards are appropriate within the Horotiu Industrial Park.

Point Number 578.21
Summary of Decision Requested: Retain Rule 20.4.2 Subdivision - Boundaries for Records of Title, as notified.

Decision Reasons:

- Supports Rule 20.4.2 as notified.

Point Number 578.22
Summary of Decision Requested: Amend Rule 20.4.4 RD1 Subdivision - Esplanade Reserves and Esplanade Strips, as follows:
(a) Subdivision must create an esplanade reserve or strip 20m wide (or other width stated in Appendix 4 (Esplanade Priority Areas) from every proposed lot:
(i) less than 4ha and within 20m of any:
A. mean high water springs;
B. bank of any river whose bed has an average width of 3m or more and is not a perennial or intermittent stream; or
C. lane whose bed ..."

OR
Add a new section 20.6 within Chapter 20 Industrial Zone, specifically providing for the Horotiu Industrial Park (see Schedule 2 of the submission for specific provisions).
AND
Amend the Proposed District Plan to make alternative or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Supports the intent of Rule 20.1.1, however considers that item 'B' required further clarification that it is not intended to apply for a perennial or intermittent stream.

Point Number 578.23
Summary of Decision Requested: Add the staging plans for Horotiu Industrial Park, that reflect the resource consents that have been approved and granted to Ports of Auckland Limited. Refer to the staging plans, bunding map and proposed Horotiu Road intersection in the submission.
AND
Add a new rule 20.2.10 Land Use Staging in Chapter 20 Industrial Zone, to provide for the staged release of the land within Horotiu Industrial Park (see submission for details of the new rule).
AND
Amend the Proposed District Plan to make alternative or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- The Operative District Plan provided for a staged release of land in conjunction with staged improvements to the transport network and other infrastructure.
- An integrated approach to development within the Horotiu Industrial Park is required and there is concern that not including the 'Land Use Staging' within the Proposed District Plan will prevent this from occurring. Such an outcome would be contrary to the Waikato Regional Policy Statement.
- The staging plans shown in the submission reflect the resource consents that have been granted to the Ports of Auckland Limited.
- Under the Operative District Plan, subdivision within the Horotiu Industrial Park can be undertaken as a controlled activity subject to standards.
- No justification has been provided within the section 32 analysis which supports the Proposed District Plan as to why a restricted discretionary activity status is necessary and why different subdivision standards are appropriate within the Horotiu Industrial Park.
- The Operative District Plan provided for a staged release of land in conjunction with staged improvements to the transport network and other infrastructure.
- An integrated approach to development within the Horotiu Industrial Park is required and there is concern that not including the 'Land Use Staging' within the Proposed District Plan will prevent this from occurring. Such an outcome would be contrary to the Waikato Regional Policy Statement.

Point Number 578.24
Summary of Decision Requested: Retain the planning maps for the Horotiu area, as notified.

Decision Reasons:

- Supports the rezoning of the land to the north of the NIMT railway line from 'Heavy Industrial Zone' to 'Industrial Zone' and considers that there is further scope to extend the Industrial Zone at this location to strengthen the strategic industrial node.
- Generally supports the zoning pattern for the Horotiu area as notified.

Point Number 578.25
Summary of Decision Requested: Investigate rezoning the land to the south of Horotiu from "Rural Zone" to "Industrial Zone".
AND

Amend the Proposed District Plan to make alternative or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Considers that there is further scope to extend the Industrial Zone at this location to strengthen the strategic industrial node.

Point Number 578.26

Summary of Decision Requested: **Add** a new Section 20.6 to Chapter 20 Industrial Zone, that contains a set of standalone provisions for the Horotiu Industrial Park, as an alternative relief to amending the notified provisions for the Industrial Zone.

Refer to Schedule 2 of the submission for the requested provisions.

AND

Amend the Proposed District Plan to make alternative or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- This request is an alternative to altering the Industrial Zone provisions, which is consistent with the approach taken for the Nau Mai Business Park.

Point Number 578.27

Summary of Decision Requested: **Amend** Rule 16.1.2 P3 to remove retirement villages as a permitted activity within the Residential Zone.

AND

Amend Rule 16.1.3 Restricted Discretionary Activities, to include rules relating to new or altered retirement villages as follows:

RD2

A new retirement village or alterations to an existing retirement village that meets all of the following conditions:

(a) The Land Use – Effects rules in Rule 16.2, except that the following rules do not apply:

(i) Rule 16.2.7 (Signs);

(b) The Land Use – Buildings rules in Rule 16.3, except the following rules do not apply:

(i) Rule 16.3.1 (Dwelling);

(ii) Rule 16.3.3 (Building Height);

(iii) Rule 16.3.7 (Living Court);

(iv) Rule 16.3.8 (Service Court);

(c) The site or combination of sites where the retirement village is proposed to be located has a minimum net site area of 3ha;

(d) The site is either serviced by or within 400m walking distance of public transport;

(e) The site is connected to public water and wastewater infrastructure;

(f) Minimum living court or balcony area and dimensions:

(i) Apartment – 10m² area with minimum dimensions horizontal and vertical of 2.5m;

(ii) Studio unit or 1-bedroom unit – 12.5m² area with minimum dimension horizontal and vertical of 2.5m; or

(iii) 2 or more bedroomed unit – 15m² area with minimum dimension horizontal and vertical of 2.5m;

(g) Minimum service court is either:

(i) Apartment – Communal outdoor space (i.e. no individual service courts required); or

(ii) All other units – 10m² for each unit;

(f) Building height does not exceed 8m, except for 15% of the total building coverage, where buildings may be up to 10m high.

Council's discretion shall be restricted to the following matters:

(a) Density of the development;

(b) Adequacy of the information provided to address matters specified, and outcomes sought, within Sections 3, 4, 5 and 6 of Appendix XX (Multi-unit Design Guideline);

(c) Avoidance or mitigation of natural hazards

(d) Geotechnical suitability for building

(e) Amenity values and streetscapes

(f) Avoidance of reverse sensitivity effects on industrial activities

(g) Protection of noise sensitive activities from the effects of noise generated by industrial activities.

AND

Amend the Proposed District Plan to make alternative or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Concerned that the residential intensification that would be enabled through a retirement village has the potential to adversely affect the efficient operation of the Horotiu Industrial Park.
- Concerned that traffic generation associated with the permitted retirement villages will not be appropriately managed by the Proposed District Plan as they have unlimited density.
- Concerned that the density of permitted retirement villages will not be appropriately managed and therefore will not protect amenity of the receiving Residential Zone.
- Such an approach would be consistent with the approach taken by the Proposed District plan for 'Multi-unit' development and these are arguably smaller density and built form outcomes compared to that enabled for 'Retirement villages'.

Point Number 578.28

Summary of Decision Requested: **Add** matters of discretion to Rule 16.1.3RD1 to give consideration of reverse sensitivity effects as follows:

(a) Density of the development;

...

(j) Provision of infrastructure to individual units,

(k) Avoidance of reverse sensitivity effects on industrial activities;

(l) Protection of noise sensitive activities from the effects of noise generated by industrial activities.

AND

Amend the Proposed District Plan to make alternative or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- FutureProof recognises that residential development in this area needs to be carefully considered. There is a risk that significant residential intensification of the type that would be enabled by the Proposed District Plan would implicate the efficient operation of the Horotiu Industrial Park.
- If multi-unit housing development rule is retained, it is critical to ensure that the Horotiu Industrial Park is not adversely affected by considering reverse sensitivity effects.

Point Number 578.29

Summary of Decision Requested: **Add** a permitted activity rule to Rule 16.3.10 to manage reverse sensitivity effects associated with noise, as follows:

P2

Activities sensitive to noise must be subject to a restrictive no-complaint covenant in favour of Ports of Auckland Limited.

For the purposes of this rule a 'restrictive non-complaint covenant' is defined as a restrictive covenant registered on the Title to the property or a binding agreement to covenant, in favour of the Horotiu Industrial Park, by the landowner (and binding any successors in title) not to complain as to effects generated by the lawful operation of industrial activities from the Park. The restrictive no-complaint covenant is limited to the effects that could be lawfully generated by industrial activities at the time the agreement to covenant is entered into. This does not require the covenantor to forego any right to lodge submissions in respect of resource consent applications or plan changes in relation to industrial activities (although an industrial restrictive non-complaint covenant may do so).

AND

Amend Rule 16.3.10 RD1 Building-Horotiu Acoustic Area, as follows:

(a) Construction, addition to or alteration of a building that does not comply with Rule 16.3.10 #4

AND

Amend the Proposed District Plan to make alternative or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- The Proposed Plan enables the intensification of activities that are sensitive to noise within close proximity to the Horotiu Industrial Park.
- The RPS provides clear direction that the Proposed Plan should minimise potential reverse sensitivity effects
- The Proposed District Plan should provide clear direction on where and how sensitive activities should be enabled within the vicinity of the Horotiu Industrial Park to avoid and mitigate potential reverse sensitivity effects.
- Considers it is appropriate to require new buildings and the alteration of existing buildings within the Horotiu area to be subject to 'no complaints' covenants in favour of Ports of Auckland Ltd, and be subject to minimum acoustic insulation requirements which can be achieved through amendments to the Noise Control Boundary. This overlay should be applied to the entirety of the Horotiu residential area.
- Such measures will provide for the ongoing lawful operation and establishment of industrial activities.

Point Number 578.30

Summary of Decision Requested: **Retain** Appendix 1 Acoustic Insulation.

Decision Reasons:

- Supports Appendix 1 and considers that it will (in combination with the amendments that are sought to Rule 16.3.10) appropriately avoid, remedy or mitigate the potential reverse sensitivity effects on the Horotiu Industrial Park.

Point Number 578.31

Summary of Decision Requested: **Amend** the extent of the Horotiu Acoustic Area as sought in Schedule 3 of the submission, to include all land zoned Residential, Country Living and Business within Horotiu and that activities that are sensitive to noise within the overlay be subject to a restrictive no-complaints covenant in favour of Ports of Auckland.

AND

Amend the Proposed District Plan to make alternative or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Appropriate to establish noise contours within the Horotiu Acoustic Area to provide guidance to residents in respect of the anticipated noise levels when determining appropriate acoustic insulation.

Point Number 578.32

Summary of Decision Requested: **Retain** Rule 14.2.3 Discretionary Activities, as notified.

Decision Reasons:

- Supports a discretionary activity status for 'activities not otherwise provided for' and consider such an approach to be consistent with section 87B of the RMA.

Point Number 578.33

Summary of Decision Requested: **Retain** Rule 14.7.1 Permitted Activities as notified.

Decision Reasons:

- Retain the rule as notified.
- A high-pressure gas line intersects the eastern portion of the Ports of Auckland Limited's site at Horotiu Industrial Park. Ports of Auckland limited currently hold a resource consent to lower the gas line as part of the development of the inland freight hub.

Point Number 578.34

Summary of Decision Requested: **Amend** Rule 14.7.2 Discretionary Activities, to provide for pipelines and storage facilities that do not comply with the permitted activity rule as a restricted discretionary activity as follows:

14.7.2 Discretionary Activities

(a) The activities listed below are discretionary activities

D1

Pipelines for the conveyance of liquid fuels and gas that do not comply with one or more of the conditions of Rule 14.7.1.1 or 14.7.1.2

D2

Storage of facilities and pump stations for liquid fuels and gas that do not comply with one or more of the conditions of Rule 14.7.1.3

14.7.2 Restricted Discretionary Activities

(a) The activities listed below are restricted discretionary activities.

(b) Discretion to grant or decline consent and oppose conditions is restricted to the matters of discretion set out in the following table:

Activity	Matters of Discretion
RD1 <u>Pipelines for the conveyance of liquid fuels and gas that do not comply with one or more of the conditions of Rule 14.7.1.1 or 14.7.1.2</u>	(a) <u>The functional and operational needs of, and benefits derived from the infrastructure;</u> (b) <u>Visual, landscape, streetscape and amenity effects;</u> (c) <u>The risk of hazards affecting public or individual safety and risk of property damage;</u> (d) <u>Effects on the values, qualities and characteristics of any Identified Area.</u>
RD2 <u>Storage facilities and pump stations for liquid fuels and gas that do not comply with one or more of the conditions of Rule 14.7.1.3</u>	(a) <u>The functional and operational needs of, and benefits derived from the infrastructure;</u> (b) <u>Visual, landscape, streetscape and amenity effects;</u> (c) <u>The risk of hazards affecting public or individual safety and risk of property damage;</u> (d) <u>Effects on the values, qualities and characteristics of any Identified Area.</u>

AND

Amend the Proposed District Plan to make alternative or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- The matters that are required to be considered can be clearly determined and primarily relate to visual effects and safety.
- A Restricted Discretionary Activity status is considered appropriate in respect of pipeline or storage facilities that do not comply with one or more of the conditions.

Point Number 578.35

Summary of Decision Requested: Retain Rule 14.11.1 Permitted Activities, as notified.

Decision Reasons:

- Support rule as notified and the inclusion of an infrastructure chapter.

Point Number 578.36

Summary of Decision Requested: Retain Rule 14.11.2 Restricted Discretionary Activities, as notified.

Decision Reasons:

- Support rule as notified and the inclusion of an infrastructure chapter.

Point Number 578.37

Summary of Decision Requested: Retain Rule 14.11.3 Discretionary Activities, as notified.

Decision Reasons:

- Support rule as notified and the inclusion of an infrastructure chapter.

Point Number 578.38

Summary of Decision Requested: Retain Rule 14.11.4 Non-complying activities, as notified.

Decision Reasons:

- Support rule as notified and the inclusion of an infrastructure chapter.

Point Number 578.39

Summary of Decision Requested: Retain Rule 14.12.1 Permitted Activities, except for the amendments sought below.

AND

Amend activity specific condition 14.12.1.4 relating to P4 Traffic Generation as follows:

(1) Any activity must comply with the following traffic generation conditions:

...

(j) from the Horotiu Industrial Park: does not exceed 15.4 trips/ha gross land area/peak hour.

Note: Where the likely traffic generation rates of the actual generation rates of the actual activity are unknown, Table 14.12.5. provides indicative traffic generation rates for various activities.

AND

Amend the Proposed District Plan to make alternative or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Supports rule 14.12.1, with the exception of rule 14.12.1P4 Traffic generation
- The Proposed District Plan does not retain schedule 24B - Horotiu Industrial Park (from the Operative District Plan) and therefore the maximum permitted traffic generation has been altered.
- The Operative Waikato District Plan requires trip generation from the Horotiu Industrial Park not to exceed 15.4 trips per gross hectare of land during the peak hour, whereas the Proposed District Plan would result in the maximum permitted traffic generation being reduced to 250 vehicle movements per day. This will have implications on the operation of the Horotiu Industrial Park.
- Such a control does not recognise the regional significance of the Horotiu industrial Park.
- Clarification is required to the note that table 14.12.5.13 only applies where the likely traffic generation of the activity is unknown.

Point Number 578.40

Summary of Decision Requested: **Retain** Rule 14.12.2 Restricted Discretionary Activities, as notified.

Decision Reasons:

- Support rule as notified and the inclusion of an infrastructure chapter.

Point Number 578.41

Summary of Decision Requested: **Amend** Table 14.12.5.7 Required parking spaces and loading bays, as follows:

<i>Activity</i>	<i>Minimum Required Parking Spaces</i>	<i>Minimum Required Loading Bays</i>
...
<i>Industrial activity</i>	<i>1 car park space per 100m² GFA, or 0.7 per FTE employee (where the number of employees is known), whichever results in requiring a lower amount of on-site parking</i>	<i>1 HGV</i>

AND

Amend the Proposed District Plan to make alternative or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Warehousing and distribution activities are to be undertaken within the inland freight hub and will require large building footprints with comparatively low levels of staff. The standard to provide 1 car park per 100m² GFA is excessive.
- An example is within the first warehouse activity that will be established will be expected to provide 137 parking spaces under the Proposed District Plan, with only 9 FTE staff employed.
- This is not an efficient method for such activities within an Industrial Zone.
- Provide a more flexible approach to parking that recognises situations where staff numbers are low compared to the size of the building.

Point Number 578.42

Summary of Decision Requested: **Retain** the definition of "Accessory building" in Chapter 13 Definitions, as notified.

Decision Reasons:

- Support the definition as notified.

Point Number 578.43

Summary of Decision Requested: **Add** clause (f) to the definition of "building", as follows:

Building

Has the meaning in the Building Act 2004, excluding:

...

(g) a structure that is permeable and less than 4 metres in height to protect crops for agricultural uses; or;

(f) cargo and containers associated with industrial activities within the Horotiu Industrial Park.

AND

Amend the Proposed District Plan to make alternative or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- The stacking of cargo and containers is a permitted activity in the Industrial Zone and will be carried out daily in the inland freight hub. Cargo and containers should be excluded from the definition of 'building'.

Point Number 578.44

Summary of Decision Requested: **Retain** the definition of "building coverage" in Chapter 13 Definitions, as notified.

Decision Reasons:

- Support the definition as notified.

Point Number 578.45

Summary of Decision Requested: **Retain** the definition of "Building platform" in Chapter 13 Definitions, as notified.

Decision Reasons:

- Support the definition as notified.

Point Number 578.46

Summary of Decision Requested: **Retain** the definition of "Functional need" in Chapter 13 Definitions, as notified.

Decision Reasons:

- Support the definition as notified.

Point Number 578.47

Summary of Decision Requested: **Retain** the definition of "Gross floor area" in Chapter 13 Definitions, as notified.

Decision Reasons:

- Support the definition as notified.

Point Number 578.48

Summary of Decision Requested: **Add** exceptions to the definition of "Hazardous facility" in Chapter 13 Definitions as follows:

Hazardous facility

Means activities involving hazardous substances and premises at which these substances are used, stored or disposed of. Storage includes vehicles for their transport located at a facility for more than short periods of time, and excludes:

- fuel in mobile plant, motor vehicles, boats and small engines; and
- the temporary storage, handling and distribution of national or international cargo.

AND

Amend the Proposed District Plan to make alternative or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- The inland port operations are such they store hazardous substances within plant and machinery on the site. This needs to be recognised in the definition.
- Hazardous substances also travel through the freight hub regularly as part of cargo, break bulk and bulk cargo. Maximum dwell times for such cargo is less than one week.
- Significant cost and operational implications if the above matters are not excluded from the definition of hazardous facilities.

Point Number 578.49

Summary of Decision Requested: **Retain** the definition of "Hazardous substances" in Chapter 13 Definitions, as notified.

Decision Reasons:

- Support the definition as notified.

Point Number 578.50

Summary of Decision Requested: **Retain** the definition of "Heavy vehicle" in Chapter 13 Definitions, as notified.

Decision Reasons:

- Support the definition as notified.

Point Number 578.51

Summary of Decision Requested: **Amend** the definition of 'Height' in Chapter 13 Definitions as follows:

Height

Means, in relation to a structure, the vertical

No account shall also be taken of:

- lift wells;
- lift towers;
- elevator and stair bulkheads;
- roof water tanks;
- machinery rooms;
- plant, including cooling towers, air-conditioning units, including any access walkways and screening directly associated with the plant;
- cranes;
- derricks;
- reefer gantries;
- cargo stacking and lifting devices;
- conveyors;
- stacking of cargo;
- telecommunications equipment associated with industrial activities;
- lighting poles and associated equipment that are ancillary to industrial activities; and
- aerials that are ancillary to industrial activities.

AND

Amend the Proposed District Plan to make alternative or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- There are a range of ancillary structures that are necessary to ensure the efficient day-to-day operation of the industrial activities, including the inland freight hub, which may have the potential to infringe the maximum permitted height control.
- There are a number of structures that require exclusion, those of which are noted in the amendment sought.
- Should not be required to obtain resource consents for these critical ancillary structures imply because they may infringe the height control.
- It is not an effective and efficient use of the Industrial Zoned land.

Point Number	578.52
Summary of Decision Requested:	Retain the definition of 'Height control plane'.
Decision Reasons:	<ul style="list-style-type: none"> Support the definition as notified.
Point Number	578.53
Summary of Decision Requested:	Retain the definition of "Impervious surface" in Chapter 13 Definitions, as notified.
Decision Reasons:	<ul style="list-style-type: none"> Support the definition as notified.
Point Number	578.54
Summary of Decision Requested:	Retain the definition of "Industrial activity" in Chapter 13 Definitions as notified.
Decision Reasons:	Support the definition as notified.
Point Number	578.55
Summary of Decision Requested:	Retain the definition of "Minor infrastructure structure" in Chapter 13 Definitions, as notified.
Decision Reasons:	<ul style="list-style-type: none"> Support the definition as notified.
Point Number	578.56
Summary of Decision Requested:	Retain the definition of "Minor upgrading of existing infrastructure" in Chapter 13 Definitions, as notified.
Decision Reasons:	<ul style="list-style-type: none"> Support the definition as notified.
Point Number	578.57
Summary of Decision Requested:	<p>Amend Rule 20.1.2 Discretionary Activities, to provide for activities that do not comply with Land Use-Effects Rule 20.2 or Land Use-Building Rule 20.3, as follows:</p> <p><u>20.1.2A Restricted Discretionary Activities</u></p> <p><i>(a) The activities listed below are restricted discretionary activities.</i></p> <p><u>RD1 Any permitted activity that does not comply with an activity specific condition in Rule 20.1.1.</u></p> <p><u>RD2 Any activity that does not comply with Land Use – Effects Rule 20.2 or Land Use – Building Rule 20.3 unless the activity status is specified as controlled, discretionary or noncomplying.</u></p> <p>OR</p> <p>Add a new Section 20.6 within Chapter 20 Industrial Zone specifically providing for the Horotiu Industrial Park (see schedule 2 of the submission for specific provisions).</p> <p>AND</p> <p>Amend the Proposed District Plan to make alternative or consequential amendments as necessary to address the matters raised in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> The discretionary activity status rule required applicants to undertake a full assessment of the effects of the activity on the environment and infringements and this is considered unnecessary and onerous. A restricted discretionary activity status is more appropriate as it will enable applicants to undertake a focused analysis of the effects generated as a result of the infringement and therefore reducing inefficiencies, cost and time. Amendment is consistent with the Policies of the Industrial Zone that seek to maintain a sufficient supply of industrial land for industrial purposes.
Point Number	578.58
Summary of Decision Requested:	<p>Amend Rule 20.1.3 Non-complying Activities, as follows:</p> <p>NC1 Any activity that is not listed as a permitted or discretionary activity.</p> <p><u>NC1A Retail not otherwise provided for</u></p> <p><u>NC2 Offices not otherwise provided for</u></p> <p><u>NC3 Commercial services</u></p> <p><u>NC4 Community activities</u></p> <p><u>N5 Noise sensitive activities</u></p> <p><u>N6 Places of assembly</u></p> <p><u>N7 Sensitive land uses</u></p> <p>AND</p> <p>Amend Rule 20.1.2-Discretionary Activities as a consequential amendment, as follows:</p> <p>D1 Any permitted activity that does not comply with an activity specific condition in Rule 20.1.1.</p> <p>D2 Any activity that does not comply with Land Use – Effects Rule 20.2 or Land Use – Building Rule 20.3 unless the activity status is specified as controlled, restricted discretionary or noncomplying.</p> <p><u>D3 A waste management facility</u></p>

D4 Hazardous waste storage, processing or disposal

D5 An extractive industry

D6 ~~An office Ancillary offices not provided for as a permitted activity~~

D7 Any activity that is not listed as a permitted, discretionary or non-complying activity.

OR

Add a new section 20.6 within Chapter 20 Industrial Zone, specifically providing for the Horotiu Industrial Park (see schedule 2 of the submission for specific reasons).

AND

Amend the Proposed District Plan to make alternative or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Submitter does not support the default non-complying activity status for activities. Instead POAL considers that a discretionary activity status be considered the default for activities that are not specifically provided for.
- Discretionary activity status will enable the district plan to respond to future developments and innovative methods, whereas the non-complying activity status will act as a bar to innovation and development.
- The default non-complying activity status is inconsistent with section 87B of the RMA, which provides for a default discretionary activity for activities not specifically provided for within a district plan.
- Submitter does not agree that all office activities should be provided for as a discretionary activity. Offices not ancillary to industrial activities are not compatible with an industrial environment and have the potential to result in reverse sensitivity effects and/or constrain the efficient operation of the industrial activities.
- Considers it appropriate for the Proposed District Plan to identify activities that it wishes to actively discourage within the Industrial Zone as they would be inappropriate or inconsistent with the outcomes intended through a non-complying activity status.
- Amendments will be consistent with the objectives and policies of the Industrial zone.
- This is an outcome consistent with the policies of the Industrial Zone that seek to maintain a sufficient supply of industrial land for industrial purposes.

Point Number

578.59

Summary of Decision Requested:

Retain Rule 20.2.1 Servicing and hours of operation, as notified.

Decision Reasons:

- Submitter supports Rule 20.2.1 as notified and considers that it appropriately implements the policies for the Industrial Zone in respect of the management of adverse effects.

Point Number

578.60

Summary of Decision Requested:

Amend Rule 20.2.2 C1 (b) Landscape planting, as follows:

C1

(a)...

~~*(b) Any activity on a lot that contains, or is adjacent to a river or a permanent or intermittent stream shall provide an 8m wide landscaped strip measured from the top edge of the closest bank and extending across the entire length of the watercourse.*~~

(b) Any activity located in the Horotiu Industrial Park within 5m of the Horotiu Road boundary shall be planted and maintained with a 5m wide buffer strip of indigenous species that will achieve a height of at least 5m within 5 years and sufficient density to visually screen the activity, from the Residential Zone.

...

OR

Add a new section 20.6 within Chapter 20 Industrial Zone, specifically providing for the Horotiu Industrial Park (see Schedule 2 of the submission for specific provisions).

AND

Amend the Proposed District Plan to make alternative or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Ports of Auckland Limited sites share a boundary with a permanent or intermittent stream. The requirement for all activities to obtain a resource consent for matters pertaining to landscaping is onerous and will result in an inefficient and costly process.
- Will not support economic growth of the district's industry and does not provide for the efficient development of the industrial land resource.
- No justification has been provided in the section 32 analysis that supports the 8m landscape strip.
- To ensure consistency with the provisions of the Operative District Plan for the Horotiu Industrial Park, an amendment will require activities within 5m of Horotiu Road to provide a 5m wide buffer strip of planting to screen the Residential zone to appropriately manage adverse effects.
- The rule will constrain economic growth and reduce employment opportunities within the District.

Point Number

578.61

Summary of Decision Requested:

Amend Rule 20.2.3.1 Noise – General, as follows:

P1 Noise generated by emergency generators and emergency sirens.

P2 (a) Noise measured within any other site:

(i) In the Horotiu Industrial Park must not exceed:

A 75 dBA (LAeq) at any time.

Despite the above, construction noise and emergency sirens are not subject to this rule.

(i) In any other Industrial Zone must not exceed:

A 75dB (LAeq) 7am to 10pm; and

B. 55dB (LAeq) and 85dB (LMax) 10pm to 7am the following day.

P3 (g) Noise measured within the notional boundary of any site zoned Residential or Rural from an activity within the Horotiu Industrial Park must not exceed:

(i) 55 dBA(LAeq), 7am to 10pm

(ii) 45 dBA (LAeq) and 70 dBA(Lmax), 10pm to 7am the following day.

Despite the above, construction noise and emergency sirens are not subject to this rule.

(a) Noise measured within any site in any zone other, than the Industrial Zone and the Heavy Industrial Zone, must meet the permitted noise levels for that zone.

P4 (a) Noise levels must be measured in accordance with the requirements of NZS 680:2008 Acoustics – Measurement of Environmental Sound.

(b) Noise levels must be assessed in accordance with the requirements of NZS 6802:2008 "Acoustics Environmental noise".

~~BB2~~ (a) Noise that does not comply with Rule 20.2.3.1 P2, P3 or P4.

(g) Council's discretion is restricted to the following matters:

(i) effects on amenity values

(ii) hours of operation

(iii) location of noise sources in relation to boundaries

(iv) frequency or other special characteristics of noise;

(v) mitigation measures

(vi) noise levels and duration

OR

Add a new section 20.6 within Chapter 20 Industrial Zone, specifically providing for the Horotiu Industrial Park (see Schedule 2 of the submission for specific provisions).

AND

Amend the Proposed District Plan to make alternative or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Due to the deletion of the Horotiu Industrial Park schedule, the noise requirements are more stringent due to the Country Living Zone and Residential Zone boundaries.
- The Horotiu Industrial Park is identified within the Waikato Regional Policy Statement as a regionally significant industrial node and its proximity to the state highway and rail networks is intended to operate 24 hours a day. The imposition of the noise limit will constrain the efficient and effective operation of the industrial node and be detrimental to the economy.
- No justification has been provided within the section 32 analysis to impose the noise limits.
- Ports of Auckland limited have commenced the construction of a new inland freight hub which has good road and rail connections and will improve access to overseas markets for Waikato based exporters and encourage investment in the district.
- The proposed noise limits will undermine the delivery and operation of the freight hub.
- It is critical for the operation of the Horotiu Industrial Park that the noise standards under the Operative District Plan are retained.

Point Number

578.62

Summary of Decision Requested:

Retain Rule 20.2.3.2 Noise - Construction, as notified.

Decision Reasons:

- The New Zealand standard for construction noise is considered to be an appropriate mechanism to control the adverse effects of construction noise.

Point Number

578.63

Summary of Decision Requested:

Amend Rule 20.2.4 P1 Glare and Artificial Light Spill, as follows:

Glare and artificial light spill must not exceed 10 lux measured horizontally and vertically within any other site: beyond the boundary of the Industrial Zone and the Heavy Industry Zone. Lighting associated with plant and machinery is excluded from this Rule.

OR

Add a new section 20.6 within Chapter 20 Industrial Zone, specifically providing for the Horotiu Industrial Park (see Schedule 2 of the submission for specific provisions).

AND

Amend the Proposed District Plan to make alternative or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- The lighting levels proposed are considered to be unnecessarily onerous, and do not facilitate the safe and efficient use of the industrial land resource for industrial purposes and activities that require night time illumination.
- Given the remoteness of the Horotiu Industrial Park to any sensitive residential receivers, it is considered that this rule should be amended so 10 lux standard only applied to sites that contain a dwelling beyond the boundary of the Industrial zone.
- As the objective of the Industrial Zone is to protect the amenity values of sensitive activities and ecosystem values beyond the boundary of the Industrial Zone, it is appropriate for the rule to relate to sites not zoned industrial.
- Clarification is also required to confirm that lighting associated with plant and machinery is excluded from this control.

Point Number

578.64

Summary of Decision Requested:

Amend Rule 20.2.5.1 P1 Earthworks - General, as follows:

(a) Earthworks within a site must meet the following conditions:

(i) be located more than 1.5m from a public sewer, open drain, overland flow path or other service pipe;

(ii) not exceed a volume of more than ~~250m³~~ 2500m³ and an area of more than ~~4,000m²~~ 2500m² within a site;

(iii) the height of the resulting cut, filled areas or fill batter face in stable ground, not including any surcharge, does not exceed ~~1.5m~~ with a maximum slope of 1:2 (1 vertical to 2 horizontal);

(iv) areas exposed by earthworks are re-vegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks;

(v) sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls;

(vi) Do not divert or change the nature of natural water flows, water bodies ~~or established drainage paths;~~

(vii) ~~within overland flow paths, the earthworks must maintain the same entry and exit point at the boundaries of the site and not result in any adverse changes in flood hazards beyond the site.~~

OR

Add a new section 20.6 within Chapter 20 Industrial Zone, specifically providing for the Horotiu Industrial Park (see Schedule 2 of the submission for specific provisions).

AND

Amend the Proposed District Plan to make alternative or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- The extent of permitted earthworks proposed is insufficient to enable the comprehensive redevelopment of Industrial Zoned sites and in the context of greenfield industrial areas such as the Horotiu Industrial Plan.
- Therefore the permitted earthworks needs to be increased to 2500m² and 2500m³ per site within the Industrial Zone.

- Opposes the requirement for excavation or filling not to exceed 1.5m above or below ground level.
- In the Industrial Zone there is a lower amenity expectation than other sensitive zones and these constraints are unnecessarily onerous and no justification has been provided for these provisions.
- Earthworks are not permitted to divert or change the nature of drainage paths and this is unnecessarily onerous, considering it can be enabled as a permitted activity where the entry of exit point is not altered.

Point Number 578.65

Summary of Decision Requested: **Amend** Rule 20.2.5.1 P2 Earthworks - General, as follows:

(a) Earthworks for the purpose of creating a building platform for residential industrial purposes with a site using imported fill material must meet the following condition:

(i) be carried out in accordance with NZS 4431: 1989 Code of Practice for Earth Fill for Residential Development.

OR

Add a new section 20.6 within Chapter 20 Industrial Zone, specifically providing for the Horotiu Industrial Park (see Schedule 2 of the submission for specific provisions).

AND

Amend the Proposed District Plan to make alternative or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- References made to building platform for 'residential purposes' should be appropriately referenced 'industrial purposes'.

Point Number 578.66

Summary of Decision Requested: **Retain** Objective 4.6.1 - Economic growth of industry, as notified.

Decision Reasons:

- The objective and associated policies are considered to appropriately give effect to the Waikato Regional Policy Statement.

Point Number 578.67

Summary of Decision Requested: **Retain** Policy 4.6.2 Provide Industrial Zones with different functions, as notified.

Decision Reasons:

- Supports this policy as notified.

Point Number 578.68

Summary of Decision Requested: **Retain** Policy 4.6.3 Maintain a sufficient supply of industrial land, as notified.

Decision Reasons:

- Supports Policy 4.6.3 as notified.

Point Number 578.69

Summary of Decision Requested: **Retain** Policy 4.6.4 - Maintain industrial land for industrial purposes, as notified.

Decision Reasons:

- Supports policy 4.6.4 as notified.

Point Number 578.70

Summary of Decision Requested: **Retain** Policy 4.6.5 - Recognition of industrial activities outside of urban areas, as notified.

Decision Reasons:

- Support the policy as notified.

Point Number 578.71

Summary of Decision Requested: **Retain** Objective 4.6.6 Manage adverse effects, as notified.

Decision Reasons:

- Supports this objective as notified.

Point Number 578.72

Summary of Decision Requested: **Retain** Policy 4.6.7 - Management of adverse effects within industrial zones as notified.

Decision Reasons:

Supports policy 4.6.7 as notified.

Point Number 578.73

Summary of Decision Requested: **Add** new objectives and policies to Section 4.6 Industrial and Heavy Industrial Zones, that acknowledge the Horotiu Industrial Park, as follows:

Objectives

4.6.8

Industrial development is consistent with the long-term land use pattern for Horotiu and occurs in an integrated and coordinated manner.

4.6.9

The Horotiu Industrial Park is developed as a strategic industrial node in a manner which enables industrial activities to locate and function efficiently within the zone.

4.6.10

The Horotiu Industrial Park is protected from reverse sensitivity effects from activities sensitive to noise.

4.6.11

The Horotiu Industrial Park is serviced by efficient road and rail network connections.

Policies

4.6.12

Industrial development in the Horotiu Industrial Park is enabled in a manner that aligns with the capacity improvements to the infrastructure, including roading.

4.6.13

Industrial development in the Horotiu Industrial Park is encouraged to make use of both road and rail network connections to enable the efficient use of the industrial land resource.

4.6.14

Industrial development, prior to the require infrastructure capacity improvements being completed, should be managed in order to avoid, remedy or mitigate adverse effects on the existing and future planned road network, connections to that network, and on other infrastructure.

4.6.15

Traffic and transportation effects should be managed through land use planning, peak traffic generation controls and integrated, multi-modal transport approaches to ensure industrial development at the Horotiu Industrial Park does not adversely affect the safety and efficiency of the wider roading network.

4.6.16

Activities within the Horotiu Industrial Park that do not support the primary function of the zone are to be avoided.

4.6.17

Activities that are sensitive to noise are required to protect themselves from noise arising from the operation of the Horotiu Industrial Park.

AND

Amend the Proposed District Plan to make alternative or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Seeks a 'bespoke' set of provisions for Horotiu Industrial Park that recognise the importance of the Horotiu Industrial Node to the economic and social wellbeing of the Waikato Region.
- The provisions need to make a clear distinction between the Horotiu Industrial Park and other Industrial zoned land within the district and facilitate the efficient development of the Industrial Park without restricting the day-to-day practicalities within an industrial environment.
- Gives effect to the Waikato Regional Policy Statement by recognising the regional significance of the Horotiu Industrial Park and set the framework under which any residential growth may be enabled within the Horotiu area.
- The Horotiu Industrial Park connects to the State Highway network and North Island Main Trunk railway line, which are of strategic significance to the industrial node and need to be recognised.

Point Number

578.74

Summary of Decision Requested:

Add additional permitted activities in Rule 20.1.1, as follows:

P7 Workers accommodation

Activity Specific conditions: 1 unit per site

P8 Rail operations including associated sidings, structures, and earthworks within the Horotiu Industrial Park

Activity specific conditions: Nil

OR

Add a new Section 20.6 within Chapter 20 Industrial Zone, specifically providing for the Horotiu Industrial Park (see schedule 2 of the submission for specific provisions).

AND

Amend the Proposed District Plan to make alternative or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Supports the permitted activity status for the activities identified within Rule 20.1.1 for the Industrial zone for the activities and considers this is an efficient mechanism to achieve the objective of the zone and enable economic growth.
- A permitted activity status recognises and provides for a variety of industrial activities and the corresponding rules will ensure that the adverse effects are appropriately managed.
- Considers it necessary to provide for workers accommodation for people whose duties require them to live on site. Such activities are required from time to time to facilitate 24-hour operation of industrial activities as well as to provide safety and security that does not result in reverse sensitivity effects.
- Reference to rail operations and associated activities within the Horotiu Industrial Park are anticipated and provided for in this location and will enable the efficient use of the industrial land resource.

Point Number

578.75

Summary of Decision Requested:

Retain the definition of "Net site area" in Chapter 13 Definitions, as notified.

Decision Reasons:

- Support the definition as notified.

Point Number

578.76

Summary of Decision Requested:

Amend the definition of "Noise-sensitive activity" in Chapter 13 Definitions, as follows:

Noise-sensitive activity

Means the following:

(a) buildings for residential activities, including boarding establishments, rest homes, retirement villages, papakainga housing development, in-house aged care facilities, travellers' accommodation, and other buildings used for residential accommodation but excluding camping grounds, and worker's accommodation;

...

AND

Amend the Proposed District Plan to make alternative or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Does not incorporate worker's accommodation which is required to be located on land where noisy activities are likely to occur.
- Without the amendment sought, workers accommodation within the Industrial Zone will require resource consent as noise-sensitive activities.

Point Number 578.77

Summary of Decision Requested: **Retain** the definition of "Operational need" in Chapter 13 Definitions, as notified.

Decision Reasons:

- Support the definition as notified.

Point Number 578.78

Summary of Decision Requested: **Retain** the definition of "Road network activities" in Chapter 13 Definitions, as notified.

Decision Reasons:

- Support the definition as notified.

Point Number 578.79

Summary of Decision Requested: **Add** the definition of "Sensitive land use" as follows:

Sensitive land use

Means an education facility including a childcare facility, waananga and koohanga reo, a residential activity excluding worker's accommodation, ...

AND

Amend the Proposed District Plan to make alternative or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Exclude worker's accommodation from the definition of sensitive land uses.
- Without the amendment sought, workers accommodation within the Industrial Zone will require resource consent as sensitive land uses.

Point Number 578.80

Summary of Decision Requested: **Add** a definition of "Worker's accommodation" in Chapter 13 Definitions, as follows:

Worker's accommodation

A dwelling for people whose duties require them to live on-site, and in the rural zones for people who work on the site or in the surrounding rural area.

Includes:

a) accommodation for rangers;

b) artists in residence;

c) farm managers and workers; and

d) staff.

AND

Amend the Proposed District Plan to make alternative or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Provision has been sought for worker's accommodation within the Industrial Zone. A corresponding definition is therefore proposed.

Point Number 578.81

Summary of Decision Requested: **Retain** the definition of "Infrastructure" in Chapter 13 Definitions, as notified.

Decision Reasons:

- Support the definition as notified.

Point Number 578.82

Summary of Decision Requested: **Add** a matter of discretion to Rule 16.4.1 RD1(b) Subdivision - General, to give consideration to reverse sensitivity effects as follows:

Council's discretion shall be restricted to the following matters:

(i) Subdivision layout;

...

(xi) Avoidance of reverse sensitivity effects on industrial activities.

AND

Amend the Proposed District Plan to make alternative or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Generally supportive of the subdivision requirements set out but note that consideration of reverse sensitivity effects, particularly in regards to the Horotiu Industrial Park has not been included as a matter of discretion.

Point Number

578.83

Summary of Decision Requested:

Add a matter of discretion to Rule 16.4.4RD1 (b) Subdivision - Multi-unit development, to give consideration to reverse sensitivity effects as follows:

Council's discretion shall be restricted to the following matters:

(i) *Subdivision layout including common boundary and party walls for the Multi-unit development;*

...

(xi) *Avoidance of reverse sensitivity effects on industrial activities.*

AND

Amend the Proposed District Plan to make alternative or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Generally supportive of the subdivision requirements set out but note that consideration of reverse sensitivity effects, particularly in regards to the Horotiu Industrial Park has not been included as a matter of discretion.

Point Number

578.84

Summary of Decision Requested:

Add matters of discretion to Rule 17.1.3 RD1 Restricted Discretionary Activities, to provide for the avoidance of reverse sensitivity and protection of lawfully established industrial activities from reverse sensitive effects. The matters of discretion will read:

(a) *Council's discretion is limited to the following matters:*

(i) *The extent to which the development is consistent with Town Centre Guidelines contained in Appendix 3.3;*

...

(ix) *Geotechnical suitability for building.*

(x) *Avoidance of reverse sensitivity effects on industrial activities;*

(xi) *Protection of noise sensitive activities from the effects of noise generated by industrial activities.*

AND

Amend the Proposed District Plan to make alternative or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Generally supportive of the subdivision requirements set out but note that consideration of reverse sensitivity effects, particularly in regards to the Horotiu Industrial Park has not been included as a matter of discretion.

Point Number

578.85

Summary of Decision Requested:

Amend Rule 17.3.5 P1 Horotiu Acoustic Area, as follows:

Construction, addition to or alteration of a building for a noise-sensitive activity within the Horotiu Acoustic Area shall be designed and constructed to achieve the internal design sound level specified in Appendix 1 (Acoustic Insulation) - Table 9.1.1.

AND

Amend the Proposed District Plan to make alternative or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- Minor correction sought.

Point Number

578.86

Summary of Decision Requested:

Add a new permitted activity rule in Rule 17.3.5 Horotiu Acoustic Area, as follows:

P2

Activities sensitive to noise must be subject to a restrictive no-complaint covenant in favour of Ports of Auckland Limited.

For the purposes of this rule a 'restrictive non-complaint covenant' is defined as a restrictive covenant registered on the Title to the property or a binding agreement to covenant in favour of the Horotiu Industrial Park, by the landowner (and binding any successors in title) not to complain as to effects generated by the lawful operation of industrial activities from the Park. The restrictive no-complaint covenant is limited to the effects that could be lawfully generated by industrial activities at the time the agreement to covenant is entered into. This does not require the covenantor to forego any right to lodge submissions in respect of resource consent applications or plan changes in relation to industrial activities (although an individual restrictive non-complaint may do so).

AND

Amend Rule 17.3.5 RD1 Horotiu Acoustic Area, as follows:

(a) *Construction, addition to or alteration of a building that does not comply with Rule ~~17.3.4.3 P1~~ 17.3.5.*

(b)...

AND

Amend the Proposed District Plan to make alternative or consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- The Proposed plan enables the intensification of activities that are sensitive to noise within close proximity to the Horotiu Industrial Park.
- The RPS provides clear direction that the Proposed Plan should minimise potential reverse sensitivity effects that have the potential to occur on the Horotiu Industrial Park by the intensification that will be enabled within the area.
- The Proposed District Plan should provide clear direction on where and how sensitive activities should be enabled within the vicinity of the Horotiu Industrial Park to avoid and mitigate potential reverse sensitivity effects.
- Considers it is appropriate to require new buildings and the alteration of existing buildings within the Horotiu area to be subject to 'no complaints' covenants in favour of Ports of Auckland Ltd, and be subject to minimum acoustic insulation requirements which can be achieved through amendments to the Noise Control Boundary. This overlay should be applied to the entirety of the Horotiu residential area.
- Such measures will provide for the ongoing lawful operation and establishment of industrial activities.

Point Number 578.87
Summary of Decision Requested: Retain Objective 6.1.1 Development, operation and maintenance of infrastructure, as notified.
Decision Reasons:

- Supports this objective as notified and the inclusion of an infrastructure chapter.

Point Number 578.88
Summary of Decision Requested: Retain Policy 6.1.2 Development, operation and maintenance, as notified.
Decision Reasons:

- Support policy as notified.

Point Number 578.89
Summary of Decision Requested: Retain Policy 6.1.3 Technological advances, as notified.
Decision Reasons:

- Support policy as notified and the inclusion of an infrastructure chapter.

Point Number 578.90
Summary of Decision Requested: Retain Policy 6.1.4 Infrastructure benefits, as notified.
Decision Reasons:

- Supports this policy as notified and the inclusion of an infrastructure chapter.

Point Number 578.91
Summary of Decision Requested: Retain Policy 6.1.5 Natural hazards and climate change, as notified.
Decision Reasons:

- Support policy as notified and the inclusion of an infrastructure chapter.

Point Number 578.92
Summary of Decision Requested: Retain Objective 6.1.6 Reverse sensitivity, as notified.
Decision Reasons:

- Support objective as notified and the inclusion of an infrastructure chapter.

Point Number 578.93
Summary of Decision Requested: Retain Policy 6.1.7 Reverse sensitivity and infrastructure, as notified.
Decision Reasons:

- Support policy as notified and the inclusion of an infrastructure chapter.

Point Number 578.94
Summary of Decision Requested: Retain Objective 6.1.8 Infrastructure in the community and identified areas, as notified.
Decision Reasons:

- Support objective as notified and the inclusion of an infrastructure chapter.

Point Number 578.95
Summary of Decision Requested: Retain Policy 6.1.9 Environmental effects, community health, safety and amenity, as notified.
Decision Reasons:

- Support policy as notified and the inclusion of an infrastructure chapter.

Point Number 578.96
Summary of Decision Requested: Retain Policy 6.1.11 Undergrounding new infrastructure, as notified.
Decision Reasons:

- Support policy as notified and the inclusion of an infrastructure chapter.

Point Number 578.97

Summary of Decision Requested:	Retain Policy 6.1.12 Co-location of compatible facilities, as notified.
Decision Reasons:	<ul style="list-style-type: none"> • Support policy as notified and the inclusion of an infrastructure chapter.
Point Number	578.98
Summary of Decision Requested:	Retain Policy 6.1.13 Future growth areas, as notified.
Decision Reasons:	<ul style="list-style-type: none"> • Support policy as notified and the inclusion of an infrastructure chapter.
Point Number	578.99
Summary of Decision Requested:	Retain Policy 6.1.16 Water conservation, as notified.
Decision Reasons:	<ul style="list-style-type: none"> • Support policy as notified and the inclusion of an infrastructure chapter.
Point Number	578.100
Summary of Decision Requested:	Retain Objective 6.4.1 Integration of infrastructure with subdivision, land use and development, as notified.
Decision Reasons:	<ul style="list-style-type: none"> • Support objective as notified and the inclusion of an infrastructure chapter.
Point Number	578.101
Summary of Decision Requested:	Retain Policy 6.4.2 Provide adequate infrastructure, as notified.
Decision Reasons:	<ul style="list-style-type: none"> • Support policy as notified and the inclusion of an infrastructure chapter.
Point Number	578.102
Summary of Decision Requested:	Retain Policy 6.4.3 Infrastructure Location and Services, as notified.
Decision Reasons:	<ul style="list-style-type: none"> • Support policy as notified and the inclusion of an infrastructure chapter.
Point Number	578.103
Summary of Decision Requested:	<p>Add a new clause (b) to Policy 6.4.4 Road and rail network, as follows:</p> <p><i>(a) Discourage subdivision, use and development that would compromise:</i></p> <p><i>(i) The road function, as specified in the road hierarchy, or the safety and efficiency of the roading network; and</i></p> <p><i>(ii) The safety and efficiency of the railway network.</i></p> <p><i>(b) <u>Encourage subdivision, use and development that makes efficient use of the road and rail network.</u></i></p>
Decision Reasons:	<ul style="list-style-type: none"> • Support this policy, however consider that provision needs to be made for the efficient operation of the road and rail network to ensure the infrastructure can integrate efficiently with subdivision, use and development.
Point Number	578.104
Summary of Decision Requested:	Retain Policy 6.4.5 Roothing infrastructure, as notified.
Decision Reasons:	<ul style="list-style-type: none"> • Support policy as notified and the inclusion of an infrastructure chapter.
Point Number	578.105
Summary of Decision Requested:	Retain Objective 6.4.6 Stormwater and drainage, as notified.
Decision Reasons:	<ul style="list-style-type: none"> • Support objective as notified and the inclusion of an infrastructure chapter.
Point Number	578.106
Summary of Decision Requested:	Retain Policy 6.4.7 Stormwater, as notified.
Decision Reasons:	<ul style="list-style-type: none"> • Support policy as notified and the inclusion of an infrastructure chapter.

Point Number	578.107
Summary of Decision Requested:	Retain Objective 6.5.1 Land transport network, as notified.
Decision Reasons:	<ul style="list-style-type: none"> • Support objective as notified and the inclusion of an infrastructure chapter.
Point Number	578.108
Summary of Decision Requested:	Retain Policy 6.5.2 Construction and operation of the land transport network, as notified.
Decision Reasons:	<ul style="list-style-type: none"> • Support policy as notified and the inclusion of an infrastructure chapter.
Point Number	578.109
Summary of Decision Requested:	Retain Policy 6.5.7 Vehicle access, as notified.
Decision Reasons:	<ul style="list-style-type: none"> • Support policy as notified and the inclusion of an infrastructure chapter.
Point Number	578.110
Summary of Decision Requested:	Retain Objective 10.1.1 Effects of hazardous substances, as notified.
Decision Reasons:	<ul style="list-style-type: none"> • Support objective as notified.
Point Number	578.111
Summary of Decision Requested:	Retain Policy 10.1.2 Location of new hazardous facilities, as notified.
Decision Reasons:	<ul style="list-style-type: none"> • Support policy as notified.
Point Number	578.112
Summary of Decision Requested:	Retain Policy 10.1.3 Residual risks of hazardous substances, as notified.
Decision Reasons:	<ul style="list-style-type: none"> • Support policy as notified.
Point Number	578.113
Summary of Decision Requested:	Retain Policy 10.1.4 Reverse sensitivity effects, as notified.
Decision Reasons:	<ul style="list-style-type: none"> • Support policy as notified.
Point Number	578.114
Summary of Decision Requested:	Retain Rule 14.2.1 Permitted Activities, as notified.
Decision Reasons:	<ul style="list-style-type: none"> • Considers that it appropriately enables the provision of new infrastructure to service development.
Point Number	578.115
Summary of Decision Requested:	Retain Rule 14.2.2 Restricted Discretionary Activities as notified.
Decision Reasons:	<ul style="list-style-type: none"> • Supports the restricted discretionary activity status for new infrastructure that does not comply with the standards of rule 14.2.1 • Considers the matters of discretion to be appropriate.

Submitter Number:	579	Submitter:	Simon Ash
Organisation:	Lakeside Developments 2017 Limited		
Point Number	579.1		
Summary of Decision Requested:	Amend Rule 16.5.2PI (a)(i) Activity-Specific conditions as follows: (a) <i>Secondary Access Control:</i> (i) <i>A secondary road access into the Lakeside Precinct Plan Area (as shown on Lakeside Precinct Plan 16.5.1(3)(e)) must be opened for traffic before the number of dwellings include independent living units within a retirement village...</i>		

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Correct referencing.

Point Number

579.2

Summary of Decision Requested:

Delete matter of discretion (a) (ii) for Rule 16.5.3RD1 Restricted Discretionary Activities relating to matters identified in the assessment criteria.

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Incorrect reference as there are no assessment criteria.

Point Number

579.3

Summary of Decision Requested:

Amend Rule 16.5.3 (2) (RD1) (a) (ii) (e) as follows:

(ii) A CLDC is in accordance with the Lakeside Precinct Plans identified above if:

....

E. Lakeside Walkway is within ~~40~~30m of the location shown on Precinct Plan Rule 16.5.1(3)(c);...

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Update to allow amended alignment.

Point Number

579.4

Summary of Decision Requested:

Amend Rule 16.5.4 (1) D2 Discretionary Activities as follows:

(iii) Any activity that does not comply with one or more of the activity specific conditions for a permitted activity under Rule 16.1.2 ~~applies under the~~ or Land Use - Effects Rule 16.2 or Land Use Buildings Rule 16.3.

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Ensures provision is workable and correct.

Point Number

579.5

Summary of Decision Requested:

Delete Rule 16.5.7.2 P3 Earthworks - general.

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Flood risk area has been removed and as such provision is no longer required.

Point Number

579.6

Summary of Decision Requested:

Amend Rule 16.5.9.1 C1 (a) (i) Subdivision Lakeside - general as follows:

(i) Subdivision is for an existing or approved housing development or is applied for concurrently with an application for housing development.

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Allows housing development to be applied for at the same time in subdivision.

Point Number

579.7

Summary of Decision Requested:

Delete Rule 16.5.9.2 RD1 (b) (ii) Lakeside Comprehensive Subdivision Consent relating to matters identified in the assessment criteria.

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Incorrect reference as no assessment criteria.

Point Number

579.8

Summary of Decision Requested: **Amend** Rule 16.5.9.2RD1 (a) (iv) Lakeside Comprehensive Subdivision Consent (CS) as follows:
(iv) The Lakeside Walkway is within ~~4030m~~ of the location shown on Precinct Plan 16.5.1(3)(c);
AND
Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Update to allow amended alignment.

Point Number 579.9

Summary of Decision Requested: **Amend** Rule 16.5.9.2 D1 (a) (v) Lakeside Comprehensive Subdivision Consent (CS) as follows:
(v) Lakeside Walkway is within ~~40m-20m~~ 30-50m of the location shown on Precinct Plan Rule 16.5.1(3)(c);
AND
Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Update to allow amended alignment.

Point Number 579.10

Summary of Decision Requested: **Amend** Lakeside Te Kauwhata Precinct Plan 3 in Rule 16.5.1(3) to show the provision of four parks, with the park in the north western portion of the site being deleted.
OR
Retain Lakeside Te Kauwhata Precinct Plan 3 in Rule 16.5.1 (3) with five parks if Council confirms that it is financially able to maintain 5 parks.
AND
Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- LDL will form and vest parks at it own cost, but does not want to be in a position where the Council wants only four parks because the ongoing operational funding issues, but the plan provisions require five parks.
- Plan Change 20 originally proposed two parks, Council wanted to increase this to 5 which LDL accepted. The Council should either commit to the number of parks it wants or leave the number fluid and therefore remove the depiction of five parks within diagram 3.

Point Number 579.11

Summary of Decision Requested: **Retain** the Business Zone rules as applicable to Specific Area: Lakeside Te Kauwhata Precinct are appropriate, except those to which amendments are sought in subsequent submission points.

Decision Reasons:

- The Business Zone and Lakeside Te Kauwhata Precinct rules clearly identify what provisions apply.

Point Number 579.12

Summary of Decision Requested: **Amend** Rule 17.5.1(2) Application of rules as follows:
(2) The rules that apply to a permitted activity in Rule ~~17.5.2 P1-P17~~ 17.1.2 P1-P18 within the...
AND
Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Correct referencing.

Point Number 579.13

Summary of Decision Requested: **Delete** Rule 17.5.2 RD1 Restricted Discretionary Activities matters of discretion (a) (ii) relating to matters identified in the assessment criteria.
AND
Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Incorrect reference as non-assessment criteria.

Point Number 579.14

Summary of Decision Requested: **Amend** Rule 17.5.4 NCI Non-complying Activities as follows:
A CLDC that does not meet the requirements of Rule 17.5.2 RD1 ~~(b)~~ relating to infrastructure requirements.
AND
Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Correct referencing.

Point Number 579.15

Summary of Decision Requested: **Amend** Rule 17.5.5 PI Daylight admission as follows:

Any building shall not protrude through a height control plane rising at an angle of 45 degrees commencing at an elevation of 3.5m above ground level at every point of the site boundary where it adjoins a residential zone.

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Correct spelling.

Point Number 579.16

Summary of Decision Requested: **Amend** Rule 17.5.6 RD1 Gross floor area, as follows:

(a) Any building which does not comply with Rule 17.5.6~~2~~ P1.

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Correct referencing.

Point Number 579.17

Summary of Decision Requested: **Amend** Rule 17.5.9 RD1 (a) Subdivision as follows:

(a) A Comprehensive Subdivision Consent (CS) that meets all of the following conditions:

(i) is in accordance with Te Kawhata Lakeside Precinct Plan 16.5.1(3)(a); the roading network, walkways and cycleways shown on Precinct Plan 16.5.1(3)(b); and the open space shown on Precinct Plan ~~16.5.1(3)(c)~~, as set out in the precinct parameters below; and

(ii) A CS is in accordance with the Lakeside Precinct Plans identified above if:

A. Primary roads are within 50m of the location shown on Precinct Plan 16.5.1(3)(b); and

B. Bus route is either on the alignment shown on Precinct Plan 16.5.1(3)(b) or a continuous alignment that achieves the same circulation; and

~~C. Indicative areas of open space are within 200m of the location shown on Precinct Plan 16.5.1(3)(c).~~

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Correct referencing.

Point Number 579.18

Summary of Decision Requested: **Amend** Rule 17.5.9 RD1 (f)- Subdivision as follows:

(f) Council's discretion is limited to the following matters:

(i) consistency with the Te Kawhata Lakeside Precinct Plan in 16.5.1(3)(a), (b) and (c);

~~*(ii) matters identified in the assessment criteria in X;*~~

(iii) managing the effects of wastewater and stormwater;

(iv) roading network and compliance with a Council approved roading standard;

(v) provision and location of existing and future utilities and connections;

(vi) location of roads and their connections;

(vii) provision of open space, including linkages between residential areas, open space and Lake Waikare;

(viii) effects of natural hazards (including flooding), geotechnical suitability and land contamination;

(ix) provision of the historic Iwi overlay area shown on Precinct Plan 16.5.1.3(~~bc~~).

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Incorrect reference as no assessment criteria.
- Correct referencing.

Point Number 579.19

Summary of Decision Requested: **Amend** Rule 17.5.9 D1 Subdivision as follows:

(a) A CS that does not comply with Rule 17.5.9 RD1 and meets all of the following conditions and condition 17.5.9RD1(~~pe~~) relating to infrastructure...

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Correct reference.

Point Number 579.20

Summary of Decision Requested: **Amend** Rule 17.5.9 NC1 Subdivision as follows:

A CS that does not meet the requirements of Rule 17.5.9 RD1(eb) relating to Infrastructure Requirements, shall be a non-complying activity.

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Correct referencing.

Point Number 579.21

Summary of Decision Requested: **Add** a new restricted discretionary activity rule to Rule 22.8.3(1) as follows:

Activity:

RD1

(g) A comprehensive land development consent (CLDC) that meets all of the following conditions:

(i) is in accordance with Te Kauwhata Lakeside Precinct Plan 16.5.1(3)(g); the roading network, walkways and cycle ways shown on Precinct Plan 16.5.1(3)(y); and the open space shown on Precinct Plan 16.5.1(3)(c) as set out in the precinct parameters below; and

(b) A CLDC is in accordance with the Lakeside Precinct Plans identified below if:

(i) Primary roads are within 50m of the location shown on Precinct Plan 16.5.1(3)(b); and

(ii) Bus route is either on the alignment shown on Precinct Plan 16.5.1(3)(b) or a continuous alignment that achieves the same circulation; and

(iii) Subject to (y) below, the indicative walkways/cycle ways are within 100m of the location shown on Precinct Plan 16.5.1(3)(b), provided that connections are retained between the Lakeside Walkway and the residential development; and

(iv) Subject to (y) below, the Lakeside Walkway is within 30m of the location shown on Precinct Plan 16.5.1(3)(b);

(y) Any walkway/cycle way or the Lakeside Walkway that needs to be aligned so as to avoid an area of infested alligator weed as identified within an alligator weed management plan may be relocated from the alignment shown on 16.5.1(3)(b) to the extent necessary to avoid the infested area.

(c) A CLDC can relate to the entire Te Kauwhata Lakeside Precinct Plan Area, or may be for an individual stage or stages beyond the business zone, provided that an individual stage is 5ha or more.

(d) Applications for approval of a CLDC as a restricted discretionary activity will be considered without public notification and without the need to serve notice on or obtain the written approval of any affected persons.

(e) LDC approval does not constitute authorization by the Waikato District Council as road controlling authority in terms of Section 357 of the Local Government Act 1974. Written authorisation is required from the Waikato District Council prior to any works commencing that affect public roads.

Matters of Discretion:

(g) Council's discretion is reserved over:

(i) consistency with the Te Kauwhata Lakeside Precinct Plans in 16.5.1(3)(g), 16.5.1(3)(b) and 16.5.1(3)(c);

(ii) managing the effects of wastewater and stormwater;

(iii) roading network and compliance with a Council-approved roading standard;

(iv) provision and location of existing and future utilities and connections;

(v) location of roads and their connections;

(vi) provision of open space, including linkages between residential areas, open space and Lake Waikare;

(vii) effects of natural hazards (including flooding), geotechnical suitability and land contamination.

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- The provision for a Comprehensive Land Development Consent (CLDC) has been omitted from the provisions.
- The inclusion of a CLDC as a restricted discretionary activity is necessary as there is infrastructure and earthworks that need to be installed in the Rural Zone within the Te Kauwhata Precinct to service the residential development.
- The provision for a CLDC in the Rural Zone was accepted as part of Plan Change 20.

Point Number 579.22

Summary of Decision Requested: **Amend** Rule 22.8.1 Application of rules as follows:

(1) Rules 22.8.2, ~~22.8.3~~, 22.8.4 and 22.8.5 apply in the Lakeside Te Kauwhata Precinct, ~~in addition to the activity rules in:~~

~~22.1.2 (Permitted Activities);~~

~~22.1.3 (Restricted Discretionary Activities);~~

~~22.1.4 (Discretionary Activities); and~~

~~22.1.5 (Non-complying Activities);~~

(2) The rules that apply to a permitted activity in 22.8.2 P1-18 within the Lakeside Te Kauwhata Precinct are as follows:

(a) Rule 22.2 (Land Use - Effects), except:

(i) Rule 22.2.7.1 (Earthworks - General) does not apply where earthworks consent has been obtained under Rule 22.8.8 (Comprehensive Land Development Consent);

(b) The following provisions in Rule 22.3 (Land Use - Building):

(i) Rule 22.3.4 (Height);

(ii) Rule 22.3.5 (Daylight admission);

(iii) Rule 22.3.6 (Building coverage);

(iv) Rule 22.3.7 (Building setbacks);

(3) Rule 22.8.6 and 22.8.7 apply to subdivision in the Te Kauwhata Precinct in addition to:

(a) Rule 22.4.1.7 Subdivision creating Reserves; and

(b) Rule 22.4.7 (Esplanade reserves and Esplanade strips);

~~(4)~~ (4) The following precinct plan applies to the Rural Zone in the Lakeside Te Kauwhata Precinct as identified on the planning maps.

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Needs to be reformatted so that it is clear which provisions apply within the Precinct and also to be consistent with the layout of the Business Zone provisions.

Point Number 579.23

Summary of Decision Requested: **Delete** Rule 22.8.2 P1 relating to A Marae Complex or Papakainga Housing Development on Maaori Freehold Land or on Maaori Customary Land.

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Such an activity is inappropriate within the Te Kauwhata Precinct.

Point Number 579.24

Summary of Decision Requested: **Amend** Rule 22.8.2 P6 as follows:

P6 Pastoral Farming only.

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- The provisions provide for a wide range of activities including forestry, industrial activity and waste management facilities. It is unnecessary and inappropriate to provide for these activities in locations adjoining medium/high density residential development.
- These activities should be provided for in the wider Rural Zone, but it is not appropriate for these site specific provisions.

Point Number 579.25

Summary of Decision Requested: **Amend** the activity specific conditions for Rule 22.8.2 P21 relating to Information Kiosk as follows:

(a) Provided it is ~~entered~~ located within the cultural and heritage overlay show on on Precinct 4.

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Spelling correction.

Point Number 579.26

Summary of Decision Requested: **Add** a provision for a CLDC as a restricted discretionary activity to Rule 22.8.3 RD1 Restricted Discretionary Activities.

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Provision for a CLDC is necessary to enable the required infrastructure to be installed within the Rural zoned land in the Te Kauwhata precinct.

Point Number 579.27

Summary of Decision Requested: **Add** a provision within Rule 22.8.4 Discretionary Activities for a CDC that does not comply with the provisions for a Restricted Discretionary activity as follows:

(a) A CLDC that does not comply with Rule 22.8.3 RD1 and meets all of the following conditions:

(i) Primary roads are within 50m-100m of the location shown on Precinct Plan 16.5.3.1(3)(b); and

(ii) Bus route is either on the alignment shown on the Precinct Plan 16.5.3.1(3)(b) or a continuous alignments that achieved the same circulation; and

(iii) Indicative walkways are within 150m of the location shown on the Precinct Plan 16.5.3.1(3)(b);

(iv) Lakeside walkway is within 70m of the location shown on Proposed Plan 16.5.3.1(3)(b).

The matters over which Council reserves discretion shall be used for assessing discretionary applications under this rule.

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Provision for a CLDC is necessary to enable the required infrastructure to be installed within the Rural Zoned land of the Te Kauwhata Precinct.

Point Number 579.28

Summary of Decision Requested: **Delete** Rule 22.8.4 D4 Waste management facility.

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- These activities are not appropriate for the Rural Zoned land within the Te Kauwhata Precinct.

Point Number 579.29

Summary of Decision Requested: Delete Rule 22.8.5 NCI Non-complying Activities.

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- This provision is unnecessary as indicative roads can be re-aligned around buildings.

Point Number 579.30

Summary of Decision Requested: Delete Rule 22.8.6 Earthworks - General.

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- There is no need to provide for earthworks within a flood risk area as the flood risk control has been removed.

Point Number 579.31

Summary of Decision Requested: Amend Rule 22.8.7 C1 - Subdivision Lakeside General as follows:

Subdivision is in accordance with the Lakeside Precinct Plans identified above if...

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Amendment is necessary to understand and give effect to the provisions.

Point Number 579.32

Summary of Decision Requested: Retain the approach of Lakeside being a 'Specific Area'.

AND

Retain the 'Te Kauwhata Specific Area' provisions contained within the Residential, Business and Rural sections of the Proposed Waikato District Plan.

Decision Reasons:

- Lakeside is a comprehensive planned community with unique and special development controls.
- Supports the carrying over of Plan Change 20 into the Proposed Waikato District Plan for the following reasons:
 - It will create significant growth and development within the district, with approximately 1600 residential lots, a community hub, retirement village and recreational reserves.
 - Will take advantage of the Waikato expressway and will focus growth around the existing Te Kauwhata centre and economic corridor between Auckland and Hamilton.
 - Upgrade of wastewater infrastructure required to service the long term development will result in a significantly improved system.
 - Assist the Council in the provision of infrastructure for the broader Te Kauwhata area, and support Council with applications under the Housing Infrastructure Fund, and subsequently assist in providing upgraded wastewater, water and roading infrastructure for Te Kauwhata.
 - The creation of 43 hectares of recreational reserves on the land which borders the western edge of Lake Waikare and provides a public walkway network, in excess of 5km in length will be constructed.
 - Recreational opportunities proposed for the reserves include an Iwi Reserve, recreational sports ground, children's playground and an equestrian park. The remainder of the reserve land will be managed to allow wetland regeneration alongside replanting.
 - Consents have been granted which demonstrate a genuine commitment to the development of the Te Kauwhata Lakeside development. It is of fundamental importance in creating an efficient regulatory framework and under which the Lakeside development can progress.

Point Number 579.33

Summary of Decision Requested: Amend the title for Section 16.5 Lakeside Te Kauwhata Precinct as follows:

16.5 Specific Area: Lakeside Te Kauwhata Precinct

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- It is noted that the description of the Te Kauwhata provisions in the Business and Rural sections refer to a 'Specific Area'. This does not occur within the Residential Zone chapter.
- Amendment required to give consistency.

Point Number 579.34

Summary of Decision Requested: Retain Objective 4.1.1 Strategic as notified.

Decision Reasons:

- Objective recognises the need to clearly provide for significant growth in the Waikato and that this growth is focused around existing towns and villages, such as Te Kauwhata.

Point Number 579.35

Summary of Decision Requested: **Retain** Objective 4.1.2 Urban growth and development, except for the amendments sought below

AND

Amend Objective 4.1.2 Urban growth and development as follows:

(a) Future settlement pattern is consolidated in and around existing towns and villages in the district and along the rail corridor.

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Objective recognises the need to clearly provide for significant growth in the Waikato and that this growth is focused around existing towns and villages, such as Te Kauwhata.
- Considers that growth along the rail corridor should be provided for.

Point Number 579.36

Summary of Decision Requested: **Retain** Policy 4.1.4 Staging of developments as notified.

Decision Reasons:

- Policy recognises the need to clearly provide for significant growth in the Waikato and that this growth is focused around existing towns and villages, such as Te Kauwhata.

Point Number 579.37

Summary of Decision Requested: **Retain** Policy 4.1.3 Location of development, except for the amendments sought below

AND

Amend Policy 4.1.3 Location of development, as follows:

(a) Subdivision and development of a residential, commercial and industrial nature is to occur within towns and villages, and along the rail corridor, where infrastructure and services can be efficiently and economically provided.

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Policy recognises the need to clearly provide for significant growth in the Waikato and that this growth is focused around existing towns and villages, such as Te Kauwhata.
- Considers that growth along the rail corridor should be provided for.

Point Number 579.38

Summary of Decision Requested: **Retain** Policy 4.1.5 Density as notified.

Decision Reasons:

- Policy recognises the need to clearly provide for significant growth in the Waikato and that this growth is focused around existing towns and villages, such as Te Kauwhata.
- Supports the identification of minimum densities as this provides guidance on the nature and form of future development.

Point Number 579.39

Summary of Decision Requested: **Retain** Policy 4.1.8 Integration and connectivity as notified.

Decision Reasons:

- Policy recognises the need to clearly provide for significant growth in the Waikato and that this growth is focused around existing towns and villages, such as Te Kauwhata.

Point Number 579.40

Summary of Decision Requested: **Retain** Policy 4.1.12 Te Kauwhata as notified.

Decision Reasons:

- Policy recognises that growth at Te Kauwhata is an important method for achieving the overall growth objective within the Waikato District.

Point Number 579.41

Summary of Decision Requested: **Amend** Objective 6.4.6 Stormwater and drainage, as follows:

(a) The hydrological characteristics of the natural drainage processes are managed to achieve a treatment train process and minimise stormwater effects effects.

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- The effect of the amendment is to provide a managed process to control stormwater and promote best practice.
- The notified objective would prevent development like Lakeside which is a planned growth in Te Kauwhata which was previously rural land.
- The requested amendment will ensure high standards of stormwater management will be achieved in the urban development.

Point Number 579.42

Summary of Decision Requested: **Amend** Policy 6.4.7 Stormwater as follows:

(a) Ensure that stormwater and drainage infrastructure for subdivision, land use and development:

(i) Adopts, where appropriate, a best-practice low impact design approach to the management of stormwater;

(ii) Manages stormwater in accordance with a drainage hierarchy, with a preference for initial on-site treatment;

(iii) ~~Minimises~~ Manage impervious surfaces to meet agreed impervious standard within respective zones so as to reduce stormwater runoff;

~~(iv) Retains pre-development hydrological conditions as far as practicable;~~

(v) Manage ~~Does not increase~~ the flow of stormwater to minimise runoff onto adjoining properties or flood plains, ~~or reduce site storage capacity on-site;~~

(vi) ...

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- The effect of the amendment is to provide a managed process to control stormwater and promote best practice.
- The notified policy would prevent development like Lakeside.
- The requested amendments will ensure high standards of stormwater management will be achieved in the urban development.
- The objective and policy are unworkable as no new development that includes roads, houses and paved surfaces will be above the "pre-development hydrological conditions".
- The incorporation of "as far as practicable" in the policy is recognized by it is considered that this will invite debate on what that means.

Point Number 579.43

Summary of Decision Requested: **Retain** the "roll-over" of the Residential, Rural and Business Zones from Plan Change 20 on sites within the Lakeside Precinct (see Diagram 1 of submission).

Decision Reasons:

- The zones and overlays provide a clear indication to the community as to the outcomes sought within the site/area.
- Support the zones within the Proposed District Plan, which are effectively a 'roll-over' of the zones from Plan Change 20.

Point Number 579.44

Summary of Decision Requested: **Amend** the position of the Lakeside walkway to ensure it is located only within the Lakeside Development 2017 Limited property boundary, Te Kauwhata and west of the Significant Natural Area and Outstanding Natural Feature (see map included in submission).

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Supports the identification of the walkway along the edge of the property adjoining Lake Waikare.
- The walkway has been well supported by a range of parties through the Plan Change 20 process.
- Seeks the realignment of the Lakeside walkway to ensure that the walkway is entirely located within the Lakeside Property boundary.

Point Number 579.45

Summary of Decision Requested: **Delete** the Significant Natural Area overlays from the lake edge within the Lakeside Developments 2017 Limited property (see map included in submission).

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- It is considered that the mapping of the Significant Natural Area overlays should be pulled back from the walkway and from the lake edge.
- The overlapping of the walkway and the overlays may frustrate the consenting process and the works that are required for the stop bank and to keep out the koi carp and alligator weed.

Point Number 579.46

Summary of Decision Requested: **Delete** the Development Precinct from the Lakeside Development 2017 Limited property, Te Kauwhata.

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- The identification of the Development Precinct is considered to be unnecessary as it does not link to a particular rule and as the precincts are already shown on the Precinct Plans in the Residential Zone provisions.

Point Number 579.47

Summary of Decision Requested: **Retain** the Residential zone provisions as they relate to the Te Kauwhata Lakeside Precinct, except the provisions for which amendments are requested.

Decision Reasons:

- The Residential Zone is a fundamental tool in enabling the development of 1600 homes.
- The key enabling mechanism in the zone are the provision for a "Comprehensive Development Consent" and "Comprehensive Subdivision".
- These provisions enable for a bundled consent for the creation of lots and associated infrastructure.
- It is a comprehensive approach which will ensure the integration of housing development with the provision of infrastructure.

Point Number 579.48

Summary of Decision Requested: **Amend** Rule 16.5.1(1) Application of rules, as follows:

(1) The rules that apply to a permitted activity in Rule 16.5.2 within the Lakeside Te Kauwhata Precinct as identified in the planning maps are as follows:

(i) Rule 15.2 (Land Use - Effects) except:

...

A. Rule 16.2.4.1 (Earthworks - general) and Rule 16.2.4.2 (Earthworks - Maori Sites and Maori Areas of Significance) does not apply and Rule 16.5.7.2 applies instead

B....

C. Rule 16.2.6 Notable trees

~~¶~~ D. Rule 16.5.7.1 Noise and Vibration - North Island Main Trunk line (NIMT)

~~¶~~ E. Rule 16.3 (Land Use - Building) does not apply, Rule 16.5.8 (Land use- Building) applies instead.

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Correct referencing.

Point Number 579.49

Summary of Decision Requested: **Amend** Rule 16.5.1(3) by replacing the Lakeside Te Kauwhata Precinct plans with the updated Lakeside Te Kauwhata Precinct plans (included as Diagram within the submission).

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Revised precinct plans show new alignment of main boulevard.

Point Number 579.50

Summary of Decision Requested: **Amend** Rule 22.8.7 C1 (x) Subdivision Lakeside General as follows

(x) subject to v) below Lakeside Walkway is within ~~40~~30m of the location shown on Precinct Plan 16.5.1(3)(c);

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Amendment is necessary to enable works to locate appropriately given the stop bank, property boundary and alligator weed.

Point Number 579.51

Summary of Decision Requested: **Amend** Rule 22.8.8 RD1 (a) (ii) D Lakeside Comprehensive Subdivision Consent as follows:

D. Lakeside Walkway is within ~~40~~30m of the location shown on Precinct Plan 16.5.1(3)(c).

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Amendment is necessary to enable works to locate appropriately given the stop bank, property boundary and alligator weed.

Point Number 579.52

Summary of Decision Requested: **Delete** Rule 22.8.8 RD1 (c)(ii) Lakeside Comprehensive Subdivision Consent.

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Reference is not required.

Point Number 579.53

Summary of Decision Requested: **Amend** Rule 22.8.8 D1 (a)(iv) as follows:

iv) Lakeside Walkway is within ~~40m~~30-20~~50~~m of the location shown on Precinct Plan 16.5.1(3)(b).

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Amendment is necessary to enable works to locate appropriately given the stop bank, property boundary and alligator weed.

Point Number 579.54

Summary of Decision Requested: **Amend** Table 14.12.5.7 Required parking spaces and loading bays by annotating the control on dwellings with a sentence as follows:
except in Te Kauwhata Lakeside on sites 300m2 or less.
AND
Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Plan change 20 identified a special parking control for Lakeside applying for sites less than 300m2 to recognise the lower car ownerships of smaller households and promote affordable housing.
- Recognition of possible future public transport services to Te Kauwhata.

Point Number 579.55

Summary of Decision Requested: **Add** a new line within Table 14.12.5.7 Required parking spaces and loading bays as follows:
Te Kauwhata Lakeside dwelling on sites of 300m2 or less - minimum of one car parking space per dwelling plus on-street parking at a ratio of 0.7 carparking spaces per allotment, or...
AND
Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Plan change 20 identified a special parking control for Lakeside applying for sites less than 300m2 to recognise the lower car ownerships of smaller households and promote affordable housing.
- Recognition of possible future public transport services to Te Kauwhata.

Point Number 579.56

Summary of Decision Requested: **Amend** Table 14.12.5.7 Required parking spaces and loading bays by annotating the control on retirement villages as follows:
except in Te Kauwhata Lakeside.
AND
Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Plan change 20 identified a special parking control for Lakeside applying for sites less than 300m2 to recognise the lower car ownerships of smaller households and promote affordable housing.
- Recognition of possible future public transport services to Te Kauwhata.

Point Number 579.57

Summary of Decision Requested: **Add** a new line within Table 14.12.5.7 Required parking spaces and loading bays as follows:
Te Kauwhata Lakeside Retirement Village - 0.5 car parking spaces per independent living unit and one visitor space for every 10 residents
AND
Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Plan change 20 identified a special parking control for Lakeside applying for sites less than 300m2 to recognise the lower car ownerships of smaller households and promote affordable housing.
- Recognition of possible future public transport services to Te Kauwhata.

Point Number 579.58

Summary of Decision Requested: **Amend** Table 14.12.5.14 Access and road conditions (Residential, Village, Business, Business Town Centre and Industrial Zones) to insert specific provisions which provide for a minimum local road width of 16m and a reduction in the seal width from 8m to 6m.
AND
Amend Table 14.12.5.14 Access and road conditions (Residential, Village, Business, Business Town Centre and Industrial Zones) to insert specific provisions which provide for private ways which have passing bays and/or dual carriageway to serve more than 8 allotments.
AND
Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Plan change 20 identified a special parking control for Lakeside applying for sites less than 300m2 to recognise the lower car ownerships of smaller households and promote affordable housing.
- Recognition of possible future public transport services to Te Kauwhata.

Point Number 579.59

Summary of Decision Requested: **Amend** Table 14.12.5.19 Te Kauwhata Structure Plan - Road cross sections - Collector Roads to insert specific provisions which provide for a minimum local road width of 16m and a reduction in the seal width from 8m to 6m.
AND
Amend Table 14.12.5.19 Te Kauwhata Structure Plan - Road cross sections - Collector Roads to insert specific provisions which provide for private ways which have passing bays and/or dual carriageway to serve more than 8 allotments.
AND
Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Plan change 20 identified a special parking control for Lakeside applying for sites less than 300m² to recognise the lower car ownerships of smaller households and promote affordable housing.
- Recognition of possible future public transport services to Te Kauwhata.

Point Number 579.60

Summary of Decision Requested: **Amend** activity specific conditions in Rule 14.2.1.1 (1) (a) relating to P1 New Infrastructure as follows:

(a) Not exceed 10m² in area above-ground, for any one structure

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- The restriction on the size of above-ground infrastructure should apply individual structures.
- In developments it is possible there could be multiple structures such as pump stations.

Point Number 579.61

Summary of Decision Requested: **Amend** activity-specific conditions 14.11.1.(a)(ii) A relating to P1 Stormwater systems for new development or subdivision as follows:

(ii) Manages stormwater in the following manner:

A. Primary systems detain runoff from all impervious surfaces during a 10% Annual Exceedance Probability AEP storm event to ensure that the rate of any stormwater discharge offsite is at or below pre-development rates or connects to a stormwater treatment train, process approved by the Council as part of a previous consent.

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- This rule is unrealistic in greenfield subdivision or development.
- Lakeside will go through a comprehensive land development consent process and will address stormwater. When this is addressed, individual development of houses may still trigger discharges above pre-development rates.

Point Number 579.62

Summary of Decision Requested: **Amend** activity-specific conditions in Rule 14.11.1.2 relating to P2 Impervious surfaces as follows:

(a) The establishment of impervious surfaces associated with new development or subdivision that complies with the following condition:

(ii) The maximum impervious surface of a site within the Residential Zone, Rangitahi Peninsula Zone, Village Zone or Country Living Zone is 70% and within the Te Kauwhata Lakeside Precinct is 75%.

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- The impervious surface should be increased to 75% to take account of required driveways and paths.

Point Number 579.63

Summary of Decision Requested: **Amend** activity-specific conditions in Rule 14.11.1.8 (a) (i) relating to P8 Stormwater ponds or wetlands, as follows:

(i) The area of the pond or wetland does not exceed the equivalent site building coverage conditions applicable to the zone, except that this control does not apply in the Rural Zone.

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Stormwater ponds or wetland are limited in area to the site building coverage.
- While this works in most zones, to impose this control in the Rural Zone is inappropriate.

Point Number 579.64

Summary of Decision Requested: **Amend** the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in this submission.

Decision Reasons:

- Recognise there may be alternatives or other consequential changes that are necessary to give effect to the matters raised in this submission.
- Various as outlined in the submission.

Point Number 579.65

Summary of Decision Requested: **Delete** Rule 16.5.9.3 (b) (ii) Subdivisions- Sites less than 5ha.

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Reference is incorrect.

Point Number 579.66

Summary of Decision Requested: No specific decision sought, but submission supports the objectives and policies in Chapter 4 Urban Environment.

Decision Reasons:

- They recognise the need to clearly provide for significant growth in the Waikato and that this growth should be focused in and around existing towns and villages such as Te Kauwhata.

Point Number 579.67

Summary of Decision Requested: **Delete** the Significant Natural Feature overlays from the lake edge within the Lakeside Developments 2017 Limited property, Te Kauwhata (see map included in submission).

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

Point Number 579.68

Summary of Decision Requested: **Delete** Rule 22.8.2 P4 relating to A home occupation.

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Such an activity is inappropriate within the Te Kauwhata Precinct.

Point Number 579.69

Summary of Decision Requested: **Delete** Rule 22.8.2 P5 relating to Afforestation.

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Such an activity is inappropriate within the Te Kauwhata Precinct.

Point Number 579.70

Summary of Decision Requested: **Delete** Rule 22.8.2 P7 relating to Forestry.

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Such an activity is inappropriate within the Te Kauwhata Precinct.

Point Number 579.71

Summary of Decision Requested: **Delete** Rule 22.8.2 P9 relating to Homestay.

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Such an activity is inappropriate within the Te Kauwhata Precinct.

Point Number 579.72

Summary of Decision Requested: **Amend** the activity specific conditions for Rule 22.8.2 P22 relating to Structures providing information on culture, history or environment of the Lake Waikare and Te Kauwhata area as follows:

(a) Provided it is ~~entered~~ located within the cultural and heritage overlay shown on Precinct 4.

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Spelling correction.

Point Number 579.73

Summary of Decision Requested: **Amend** Rule 22.8.2 P23 relating to Memorials recognising the culture and history of the Lake Waikare and Te Kauwhata area as follows:

(a) Provided it is ~~entered~~ located within the cultural and heritage overlay shown on Precinct 4.

AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Spelling correction.

Point Number 579.74

Summary of Decision Requested: Delete Rule 22.8.3 RD1 Restricted Discretionary Activities (relating to Intensive Farming).
AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Rural industry and intensive farming are not appropriate to adjoin large scale residential development.

Point Number 579.75

Summary of Decision Requested: Delete Rule 22.8.4 D5 Hazardous waste storage, processing or disposal.
AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- This activity is not appropriate for the Rural Zoned land within the Te Kauwhata Precinct.

Point Number 579.76

Summary of Decision Requested: Delete Rule 22.8.4 D7 A correctional facility.
AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- This activity is not appropriate for the Rural Zoned land within the Te Kauwhata Precinct.

Point Number 579.77

Summary of Decision Requested: Delete Rule 22.8.4 D8 An extractive industry.
AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- This activity is not appropriate for the Rural Zoned land within the Te Kauwhata Precinct.

Point Number 579.78

Summary of Decision Requested: Delete Rule 22.8.4 D9 Commercial activity, excluding a produce stall.
AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- This activity is not appropriate for the Rural Zoned land within the Te Kauwhata Precinct.

Point Number 579.79

Summary of Decision Requested: Delete Rule 22.8.4 D10 Industrial activity.
AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- This activity is not appropriate for the Rural Zoned land within the Te Kauwhata Precinct.

Point Number 579.80

Summary of Decision Requested: Delete Rule 22.8.4 D11 Travellers accommodation for more than 5 people.
AND

Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- This activity is not appropriate for the Rural Zoned land within the Te Kauwhata Precinct.

Point Number 579.81

Summary of Decision Requested: Delete Rule 22.8.4 D12 Transport depot.
AND
Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- This activity is not appropriate for the Rural Zoned land within the Te Kauwhata Precinct.

Point Number 579.82

Summary of Decision Requested: Delete Rule 22.8.4 D13 Place of assembly.
AND
Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- This activity is not appropriate for the Rural Zoned land within the Te Kauwhata Precinct.

Point Number 579.83

Summary of Decision Requested: Delete Rule 22.8.4 D14 Boarding, breeding or animal training establishments.
AND
Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- This activity is not appropriate for the Rural Zoned land within the Te Kauwhata Precinct.

Point Number 579.84

Summary of Decision Requested: **Amend** Table 14.12.5.20 Te Kauwhata Structure Plan- Road cross sections- Local Roads to insert specific provisions which provide for a minimum local road width of 16m and a reduction in the seal width from 8m to 6m.
AND
Amend Te Kauwhata Structure Plan- Road cross sections- Local Roads to insert specific provisions which provide for private ways which have passing bays and/or dual carriageway to serve more than 8 allotments.
AND
Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.

Decision Reasons:

- Plan change 20 identified a special parking control for Lakeside applying for sites less than 300m² to recognise the lower car ownerships of smaller households and promote affordable housing.
- Recognition of possible future public transport services to Te Kauwhata.

Point Number 579.85

Summary of Decision Requested: No specific decision sought, but submission supports the identification of indicative roads in Lakeside, Te Kauwhata.

Decision Reasons:

- They provide a clear indication as to how the Lakeside development will integrate with the surrounding street network and Te Kauwhata in general.

Point Number 579.86

Summary of Decision Requested: No specific decision sought, but submission supports the straightened alignment of the main boulevard in Lakeside, Te Kauwhata as compared with Plan Change 20.

Decision Reasons:

- The new alignment will enable better views of the Iwi Reserve and Lake Waikare and beyond.

Point Number 579.87

Summary of Decision Requested: No specific decision sought, but submission supports the identification of the walkway along the edge of the property at Lakeside, Te Kauwhata adjoining Lake Waikare.

Decision Reasons:

- The walkway has been well established and well supported by a range of parties, including the community through the Plan Change 20 process.

Point Number 579.88

Summary of Decision Requested: No specific decision sought, but submission generally supports the objective and policies relating to Tangata Whenua (Chapter 2 Tangata Whenua).

Decision Reasons:

- No reasons provided.

Point Number 579.89

Summary of Decision Requested: No specific decision sought, but submission generally supports the objectives and policies relating to the Natural Environment (Chapter 3 Natural Environment).

Decision Reasons:

- No reasons provided.

Point Number 579.90

Summary of Decision Requested: No specific decision sought, but submission generally supports the objectives and policies relating to Rural development (Chapter 5 Rural Environment).

Decision Reasons:

- No reasons provided.

Point Number 579.91

Summary of Decision Requested: Delete Rule 22.8.3 RD2 Restricted Discretionary Activities (relating to Rural Industry).

Decision Reasons:

- No reasons provided.

Submitter Number: 580 **Submitter:** Andrew Feierabend

Organisation: Meridian Energy Limited

Point Number 580.1

Summary of Decision Requested: **Retain** the core activities listed in the definition of "Infrastructure" in Chapter 13 Definitions.
AND
Amend the definition of "Infrastructure" in Chapter 13 Definitions to explicitly include large-scale wind farms, subject to the confirmation of the National Planning Standards definition of "Infrastructure".
OR
Amend the definition of "Infrastructure" in Chapter 13 definitions to include large-scale wind farms and the ancillary activities necessary to support these including earthworks, access tracks, and ancillary structures, subject to the confirmation of the National Planning Standards definition.
OR
Amend the policies and rules for addressing "Infrastructure" to explicitly include "large scale windfarms" in a manner that includes all necessary supporting ancillary activities, subject to confirmation of the final Natural Planning Standards definitions.
OR
Add equivalent objectives, policies, and rules for "large scale wind farms" (including all ancillary activities and structures) as are currently provided for "Infrastructure" as sought in the submission.
AND
Amend the Proposed District Plan as necessary to address the matters raised in the submission.

Decision Reasons:

- The definition of "Infrastructure" only includes the core activities of a wind farm.
- The rules for establishing new wind farms refer to "large scale wind farms". The definition of 'large-scale wind farms' refers to access tracks, buildings and structure and is inclusive of most of the ancillary activities.
- The definition of "Infrastructure" is silent on these integral ancillary activities. The definition of "Infrastructure" should include these ancillary activities so that they are embraced by the policies and rules.
- This could be achieved by explicitly referencing "large-scale wind farms" in the definition of "Infrastructure".

Point Number 580.2

Summary of Decision Requested: **Retain** the definition of "minor upgrading" in Chapter 13 Definitions, provided it explicitly includes all the ancillary activities and structures necessary to support large-scale wind farms through the amended definition of "Infrastructure" as sought elsewhere in the submission, and subject to confirmation of the National Planning Standards definition.

Decision Reasons:

- There is ambiguity about whether all of the ancillary activities that are essential to large-scale wind farms are included in the permitted activity provision for 'minor upgrading' of 'infrastructure'.
- Ancillary activities and structures need to be included by definition, either including 'large-scale wind farms' in the definition of 'infrastructure' or by explicitly referencing the ancillary activities and structure in the definition of infrastructure.

Point Number 580.3

Summary of Decision Requested: **Retain** the definition of "Large-scale wind farm" in Chapter 13 Definitions.

Decision Reasons:

- The definition refers to access tracks, buildings and structures and is inclusive of most ancillary activities in addition to the core generation activity.

Point Number 580.4

Summary of Decision Requested: **Retain** the permitted activity provision for minor upgrading in Rule 14.3.1 P2, except for the amendments sought below

AND

Amend the activity specific conditions in Rule 14.3.1.1(1) as follows:

The realignment, configuration, relocation or replacement of infrastructure and associated structures that meet all of the following conditions:

- (a) *Are within ~~100m~~ 5m of the existing alignment or location;*
- (b) *Do not increase the height of any existing pole or support structure by more than ~~50%~~ 15%;*
- (c) *Do not increase the diameter (width) of any existing pole or support structure by more than ~~50%~~ 15%;*
- (d) *Do not increase the diameter of any existing above-ground pipe by more than 15%; and*
- (e) *Do not increase the area of any existing above-ground structure by more than 15%.*

AND

Amend the Proposed District Plan as necessary to address the matters raised in the submission.

Decision Reasons:

- The proposed limits do not allow flexibility to enable re-powering and upgrading of existing facilities and the consequential location changes that result from upgrading wind electricity generation componentry.

Point Number

580.5

Summary of Decision Requested:

Amend the activity-specific conditions in Rule 14.6.1.2(a)(ii) for research and exploratory-scale investigations for renewable electricity generation activities, as follows:

(ii) The height of any equipment must not exceed 80m the building height limit of the zone in which they are located by more than 3m;

AND

Amend the Proposed District Plan as necessary to address the matters raised in the submission.

Decision Reasons:

- The proposed height limit is too low to practically allow for meaningful investigations of potential wind energy at the height required for large-scale wind farms.

Point Number

580.6

Summary of Decision Requested:

Retain the discretionary activity status for large scale wind farms within the Rural Zone in Rule 14.6.3(D1) Discretionary Activities.

Decision Reasons:

- The discretionary activity classification is appropriate for wholly new large-scale wind farms in all situations.

Point Number

580.7

Summary of Decision Requested:

Add reference to NZ 6808:2010 as the accepted Industry-specific Standard applicable for the measurement of noise for large-scale wind farms.

AND

Amend the Proposed District Plan as necessary to address the matters raised in the submission.

Decision Reasons:

- No reference is made to NZS 6808:2010 other than in the standards for small-scale and community-scale electricity generation.
- The standard is not referred to in policies or rules for large-scale wind farms.
- It is important that the plan acknowledges the specific applicability of the standard.

Point Number

580.8

Summary of Decision Requested:

Amend the activity specific conditions of Rule 14.8.1.1(a)(ii) for Meteorological enclosures and buildings, including automatic weather stations, as follows:

(ii) Meteorological measurement masts must not exceed 80 metres in height and all other structures must comply with any relevant building height condition for the applicable zone; ~~The structure complies with any relevant building height condition for the applicable zone;~~

AND

Amend the Proposed District Plan as necessary to address the matters raised in the submission.

Decision Reasons:

- The proposed height limit is too low to practically allow meaningful investigations of potential wind energy at the height required for large-scale wind farms.

Point Number

580.9

Summary of Decision Requested:

Amend the activity-specific conditions of Rule 14.8.1.2(a)(i) for Meteorological and air quality monitoring structures and devices, as follows:

(i) Do not exceed ~~80m+2m~~ in height...

AND

Amend the Proposed District Plan as necessary to address the matters raised in the submission.

Decision Reasons:

- The proposed height limit is too low to practically allow meaningful investigations of potential wind energy at the height required for large-scale wind farms.

Point Number

580.10

Summary of Decision Requested:

Add a new clause (x) into Rule 22.3.7.2P1(a) Building setback sensitive land use, as follows:

(x) the distance necessary to ensure wind turbine noise from any authorised or lawfully established large-scale wind farm does not exceed 40 dBA measured at the sensitive land use in accordance with NZS6808:2010.

AND

Amend the Proposed District Plan as necessary to address the matters raised in the submission.

Decision Reasons:

- Non-compliance with this rule triggers a discretionary activity status.
- The same reverse sensitivity noise issues arise for lawfully established large-scale wind farms and they equally warrant the protection of a minimum setback distance.
- Inclusion of a setback distance for large-scale wind farms is necessary to give effect to Objective 6.1.6 and Policy 6.1.7 addressing reverse sensitivity.
- The minimum setback would be specified by NZS 6808:2010

Point Number 580.11

Summary of Decision Requested: **Add** to Rule 22.3.7.4 PI Building - Noise Sensitive Activities a new clause (b), as follows:

(b) Construction of, or addition, or alteration to a building containing a noise-sensitive activity is permitted provided the building is set back from any authorised or lawfully established large-scale wind farm by a distance necessary to ensure wind turbine noise does not exceed 40 dBA measured at the noise-sensitive activity in accordance with NZS6808:2010.

AND

Amend the Proposed District Plan as necessary to address the matters raised in the submission.

Decision Reasons:

- Non-compliance with this rule results in a discretionary activity status.
- The same reverse sensitivity effects relating to noise issues arise for lawfully established large-scale wind farms and they equally warrant the protection of a minimum setback distance.
- Inclusion of a setback distance of large-scale wind farms is necessary to give effect to Objective 6.1.6 and Policy 6.1.7 to address reverse sensitivity.
- Setback could be specified by reference to the relevant standard NZS 6808:2010 or as a minimum distance proxy to protect against reverse sensitivity effects.

Point Number 580.12

Summary of Decision Requested: **Amend** Objective 3.2.1 Significant Natural Areas as follows:

(a) Indigenous biodiversity in Significant Natural Areas is protected, ~~and enhanced.~~

AND

Amend the Proposed District Plan as necessary to address the matters raised in the submission.

Decision Reasons:

- The obligation of section 6(c) of the RMA is protection and does not require enhancement.

Point Number 580.13

Summary of Decision Requested: **Retain** Policy 3.2.3 Management Hierarchy, except for the amendments sought below

AND

Amend Policy 3.2.3(a)(iv) Management Hierarchy as follows:

(iv) after remediation or mitigation has been undertaken, provide for managing residual effects by means of environmental compensation or biodiversity offsets in accordance with Policy 3.2.4.

AND

Amend the Proposed District Plan as necessary to address the matters raised in the submission.

Decision Reasons:

- Environmental compensation is an important method in the toolbox of approaches to managing adverse effects and should be explicitly included in the management hierarchy particularly for the consideration of large infrastructure projects.

Point Number 580.14

Summary of Decision Requested: **Retain** Objective 6.1.6 Reverse Sensitivity.

Decision Reasons:

- Endorse the explicit protection of infrastructure from reverse sensitivity effects, noting that renewable energy facilities are included in "infrastructure".
- Seek to ensure that the Plan rules follow through by genuinely protecting authorised and existing lawfully established large-scale wind farms from adverse reverse sensitivity effects.

Point Number 580.15

Summary of Decision Requested: **Retain** Policy 6.1.7 Reverse sensitivity and infrastructure.

Decision Reasons:

- Endorse the explicit protection of infrastructure from reverse sensitivity effects, noting that renewable energy facilities are included in "infrastructure".
- Seek to ensure that the Plan rules follow through by genuinely protecting authorised and existing lawfully established large-scale wind farms from adverse reverse sensitivity effects.

Point Number 580.16

Summary of Decision Requested: **Retain** Objective 6.3.1 Renewable Energy, except for the amendments sought below

AND

Amend Objective 6.3.1 Renewable Energy as follows:

(a) Energy efficient design and an increase in renewable electricity generation, ~~activities are promoted.~~

OR

Add a new objective for renewable energy as follows:

Increased electricity, generation from renewable sources.

AND

Amend the Proposed District Plan as necessary to address the matters raised in the submission.

Decision Reasons:

- The objective of the National Policy Statement for Renewable Electricity Generation is not simply a promotion of renewable electricity generation.
- The objective is to achieve an increase in electricity generation from renewable energy sources to a level that meets or exceeds the New Zealand Government's national target for renewable electricity generation.

Point Number 580.17

Summary of Decision Requested: **Retain** Policy 6.3.3 Enabling renewable electricity generation.

Decision Reasons:

- Endorses this policy and seeks to ensure that the Plan rules follow through by genuinely enabling the investigation, use and development of renewable energy generation.

Point Number 580.18

Summary of Decision Requested: **Retain** Policy 6.3.4 Future renewable electricity.

Decision Reasons:

- Endorses this policy and seeks to ensure that the Plan rules follow through by genuinely enabling the investigation, use and development of renewable energy generation.

Point Number 580.19

Summary of Decision Requested: **Retain** Policy 6.3.5 Existing renewable electricity facilities.

Decision Reasons:

- Endorses this policy and seeks to ensure that the plan rules follow through by genuinely protecting authorised and existing lawfully established large-scale wind farms from adverse reverse sensitivity effects, including effects caused by allowing noise sensitive activities.

Point Number 580.20

Summary of Decision Requested: **Amend** the Proposed District Plan as necessary to address the matters raised in submission.

Decision Reasons:

- Various, as outlined in the submission.

Point Number 580.21

Summary of Decision Requested: **Retain** Policy 3.2.4 Biodiversity Offsetting, except for the amendments sought below

AND

Amend Policy 3.2.4(a) Biodiversity Offsetting to provide for environmental compensation as follows:

(a) Allow for a biodiversity offset or environmental compensation to be offered by a resource consent applicant where an activity will result in significant residual adverse effects on a Significant Natural Area, or on indigenous biodiversity outside such Significant Natural Areas.

AND

Amend the Proposed District Plan as necessary to address the matters raised in the submission.

Decision Reasons:

- Environmental compensation is an important method in the toolbox of approaches to managing adverse effects and should be explicitly included in the management hierarchy, particularly for the consideration of large infrastructure projects.

Point Number 580.22

Summary of Decision Requested: **Retain** Policy 3.3.2 Recognising values and qualities.

Decision Reasons:

- Endorses the approach proposed by Policy 3.3.2.

Point Number 580.23

Summary of Decision Requested: **Retain** Policy 3.3.3 Protection from inappropriate subdivision, use and development, except for the amendment sought below

AND

Amend Policy 3.3.3(a)(i) Protection from inappropriate subdivision, use and development as follows:

(i) requiring buildings and structures to be integrated into the Outstanding Natural Landscape or feature to the extent reasonably practicable to minimise any visual impacts.

AND

Amend the Proposed District Plan as necessary to address the matters raised in the submission.

Decision Reasons:

- Supports the approach provided it recognises the functional and operational difficulty that some large-scale infrastructure (e.g. wind turbines) will have integrating into the landscape.

Point Number 580.24

Summary of Decision Requested: **Retain** Policy 6.1.2 Development, operation and maintenance, except for the amendments sought below

AND

Amend Policy 6.1.2(a)(iii) to reference "site" as plural as follows:

(iii) Locational constraints related to the need to access suitable resources or sites;

AND

Amend the Proposed District Plan as necessary to address the matters raised in the submission.

Decision Reasons:

- Minor editorial matter to ensure the policy does not limit its application.
- Many forms of infrastructure will involve multiple sites.

Point Number 580.25

Summary of Decision Requested: **Retain** Policy 6.1.4 Infrastructure Benefits, except for the amendments sought below

AND

Add a new clause (b) to Policy 6.1.4 Infrastructure Benefits as follows:

(b) Have particular regard to the benefits that the use and development of renewable energy provides.

AND

Amend the Proposed District Plan as necessary to address the matters raised in the submission.

Decision Reasons:

- Amendment required to give effect to section 7(j) of the RMA and the National Policy Statement - Renewable Electricity Generation.

Submitter Number: 581 **Submitter:** Penny Gallagher

Organisation: Synlait Milk Ltd

Point Number 581.1

Summary of Decision Requested: **Retain** Section 1.5.1(c) Compact Urban development as notified.

Decision Reasons:

- This clause recognises the need for an integrated approach to growth to provide certainty to landowners and to inform long-term investment decisions.
- Synlait relies on Council to implement policies to integrate infrastructure with development, including wastewater, water and roading in a manner that anticipates and provide for heavy industry at the 45 McDonald Road, Pokeno site.
- Reliant on the Council to implement policies that will protect significant capital investment in the dairy industry from sensitive activities that may demand more restrictive environmental conditions.

Point Number 581.2

Summary of Decision Requested: **Retain** Section 1.5.5(c) Services and general infrastructure as notified.

Decision Reasons:

- The clause recognises that growth should be managed to avoid, remedy or mitigate conflicts or incompatibilities (including reverse sensitivity effects)
- Synlait relies on Council to implement policies to integrate infrastructure with development, including wastewater, water and roading in a manner that anticipates and provide for heavy industry at the 45 McDonald Road, Pokeno site.
- Reliant on the Council to implement policies that will protect significant capital investment in the dairy industry from sensitive activities that may demand more restrictive environmental conditions.

Point Number 581.3

Summary of Decision Requested: **Retain** Policy 4.1.6(b) Commercial and industrial activities.

Decision Reasons:

- Synlait's development at 45 McDonald Road is consistent with policy 4.1.6(b).
- Pokeno is identified as an "industrial strategic growth node".
- As an industrial strategic growth node, the provision of infrastructure and services is a strategic and regionally important matter.
- A range of industrial activity is provided for in this location and protected from sensitive activities which may undermine the efficient operation of the activity/site of strategic importance.

Point Number 581.4

Summary of Decision Requested: **Amend** Objective 4.6.1 Economic growth of industry to recognise that the economic growth of the district's industry is supported and strengthened by providing for heavy and general industrial activities.

Decision Reasons:

- Economic growth is strengthened where diversity in economic activity is provided for.
- The definition of industry covers a broad spectrum of activities from those industrial activities which operate at a service level through to heavier processing and manufacturing.
- The district plan objectives and policies require greater articulation to recognise the range in industrial activity and further explanation as to how these activities will be provided for.
- Heavier industrial activities need to have confidence that there are locations within the district where their associated traffic, bulk, scale and amenity effects will be provided for.

Point Number 581.5

Summary of Decision Requested: Amend Policy 4.6.2(ii) Provide Industrial Zones with different functions to provide greater distinction between the General Industrial and Heavy Industrial Zones in terms of the activities and environmental outcomes anticipated.

Decision Reasons:

- The policy difference in the Proposed District Plan between Industrial and Heavy Industrial zones is limited to being either close to or separated from more sensitive zones.
- The policy fails to acknowledge that it is important for heavy industry to have a place to go where it can operate efficiently with more lenient provisions.
- The policy fails to recognise the economic benefits of heavy industry that require protection from reverse sensitivity or having to reduce operation to address high environmental outcomes sought by sensitive activities.

Point Number 581.6

Summary of Decision Requested: Amend Policy 4.6.3 Maintain a sufficient supply of industrial land as follows:

Maintain a sufficient supply of appropriately located industrial land ~~within strategic nodes to meet foreseeable future demands, having regard to the requirement of different industries to avoid the need for industrial activities to located in non-industrial zones recognising the different locations required by heavy industry and general industry.~~

Decision Reasons:

- Part of a wider concern that the Proposed District Plan does not provide sufficient articulation of the different requirements between general and heavy industrial land uses.
- The location of Heavy Industrial Zoning should also be protected from encroachment by sensitive activities and proposals for residential and rural-residential rezoning.

Point Number 581.7

Summary of Decision Requested: Add a new objective **and policy** that recognises the adverse effects arising from General Industrial and Heavy Industrial Zones may require different management approaches with more lenient standards in the Heavy Industrial Zone being appropriate.

Decision Reasons:

- The current wording of Objective 4.6.6 is about managing effects on sensitive activities and ecosystem values outside industrial zones. It does not consider managing adverse effects between the two industrial zones.
- Managing effects approach should include the location of the zones.
- The role of the General Industrial Zone is to provide a buffer between Heavy industrial Zones and more sensitive zones.
- This policy approach would in turn enable different standards of management of environmental effects between the two zones, allowing the Heavy Industrial Zone to provide for heavier activities which have more noise, odour, heavy traffic etc.

Point Number 581.8

Summary of Decision Requested: Amend Policy 4.6.7 Management of adverse effects within industrial zones to address management of adverse effects through the location of zones (relative to more sensitive environments) and the use of the General Industrial Zone as a buffer.

Decision Reasons:

- Managing effects approach should include the location of the zones.
- The role of the General Industrial Zone is to provide a buffer between Heavy Industrial Zones and more sensitive zones.
- This policy approach would in turn enable different standards of management of environmental effects between the two zones, allowing the Heavy Industrial Zone to provide for heavier activities which have more noise, odour, heavy traffic etc.

Point Number 581.9

Summary of Decision Requested: Amend Policy 4.6.7 Management of adverse effects within industrial zones so that "significant" adverse effects from heavy industrial sites are managed and mitigated where practicable but otherwise that adverse effects (that are not significant) should be considered consistent with the environmental outcomes anticipated for heavy industrial activity.

Decision Reasons:

- The policy approach for management of adverse effects does not distinguish between general and heavy industrial zones.
- There needs to be an appropriate zone for Heavy industry which allows heavy industry to produce adverse effects with a more lenient threshold than general industry and general industry should buffer those zones from sensitive activities.
- There is no policy for protecting heavy industry within Heavy Industrial Zones from encroaching residential and sensitive activities.

Point Number 581.10

Summary of Decision Requested: Amend Policy 4.7.14 Structure and master planning to refer to approved structure or master plans that are either included within or incorporated by reference into the Proposed District Plan.

Decision Reasons:

- This scenario would mean that landowners and developers may be forced to comply with a Structure Plan which they have not had any ability to submit on in accordance with Schedule 1 processes of the RMA.

Point Number 581.11

Summary of Decision Requested: Add the Pokeno Structure Plan within the Proposed District Plan or incorporated by reference in the Proposed District Plan.

Decision Reasons:

- There is concern that a Structure Plan which is "approved" by the Council, but not included in the District Plan will take on the effect of a rule through application of Policy 4.7.14.

Point Number 581.12

Summary of Decision Requested: Add policies to Chapter 5 Rural Environment which specifically address the potential for increased housing density in the rural environment to encroach on lawfully established heavy industry activities in adjoining zones.

Decision Reasons:

- To achieve the objectives in Chapter 4.6 Heavy and Industrial Zones, it is essential that the efficient operation of heavy industrial activities located in appropriate zones is not threatened or undermined by the development and encroachment of dwellings or other sensitive activities within an adjoining rural zone.

Point Number 581.13

Summary of Decision Requested: Add a new clause (iv) to Policy 5.3.2 Productive rural activities as follows:

(iv) Encourage the adoption of sustainable farming practices to ensure long-term operation of farming as part of the rural economy.

Decision Reasons:

- Supports the adoption of best practice in farming.
- Synlait "Lead with Pride" programme recognises and rewards suppliers who achieve dairy farming practice. Synlait considers a similar policy should be incorporated into the Proposed District Plan to support long-term economic use and land use within a quality rural environment.

Point Number 581.14

Summary of Decision Requested: Retain the definition of 'Noise-sensitive activity' in Chapter 13 Definitions as notified.

Decision Reasons:

- The definition provides appropriate interpretation in administration of the District Plan.

Point Number 581.15

Summary of Decision Requested: Retain the definition of "Notional boundary" in Chapter 13 Definitions as notified.

Decision Reasons:

- The definition provides appropriate interpretation in administration of the District Plan.

Point Number 581.16

Summary of Decision Requested: Retain the definition of "Sensitive land use" in Chapter 13 Definitions as notified.

Decision Reasons:

- The definition provides appropriate interpretation in administration of the District Plan.

Point Number 581.17

Summary of Decision Requested: Retain the definition of "Significant Natural Areas" in Chapter 13 Definitions as notified.

Decision Reasons:

- The definition provides appropriate interpretation in administration of the District Plan.

Point Number 581.18

Summary of Decision Requested: Retain the definition of "Use" in Chapter 13 Definitions as notified.

Decision Reasons:

- The definition provides appropriate interpretation in administration of the District Plan.

Point Number 581.19

Summary of Decision Requested: Retain the definition of "Vegetation clearance" in Chapter 13 Definitions as notified.

Decision Reasons:

- The definition provides appropriate interpretation in administration of the District Plan.

Point Number 581.20

Summary of Decision Requested: Amend the definition of "industrial activity" in Chapter 13 Definitions to be consistent with the definition proposed in the Draft National Planning Standard.

OR

Amend the definition of "industrial activity" in Chapter 13 Definitions to include ancillary activities such as research facilities, laboratories, yard-based activities, logistics and transport related activities.

Decision Reasons:

- The definition in the Proposed District Plan is too limiting and does not take account of ancillary activities associated with industrial activities.
- The definition in the Proposed District Plan is inconsistent with the Draft National Planning Standard.

Point Number 581.21

Summary of Decision Requested: Delete Rule 14.11.IPI Permitted activity to remove duplication of regional rules concerning management of stormwater.

OR

Amend Rule 14.11.IPI Permitted activities to remove duplication of regional rules concerning management of stormwater.

Decision Reasons:

- These provisions appear to duplicate the regional council rules.
- The duplication of regional plan rules in a district plan is neither efficient or effective. It adds costs and duplication of compliance to achieve the same environmental outcome.

Point Number 581.22

Summary of Decision Requested: **Amend** Rule 14.12.IP4(l)(e) Permitted Activities to increase the maximum number of vehicle movements per day and the maximum percentage of heavy vehicle movements.

OR

Delete Rule 14.12.IP4(l)(e) Permitted activities and replace with a new rule where developments over 10,000m² trigger a requirement for an integrated transport assessment.

Decision Reasons:

- The rule is restrictive and the place for heavy vehicle movements is in a Heavy Industrial Zone. Any limit within this rule should reflect the types of activities anticipated in the zone.
- Require larger scaled developments to undertake an integrated transport assessment will enable the specific traffic profile associated with larger scaled activities and the characteristics of the locality to be assessed.

Point Number 581.23

Summary of Decision Requested: **Amend** Rule 21.1.1 Permitted Activities to broaden the range of ancillary activities permitted under the Heavy Industrial Zone.

Decision Reasons:

- The current list of ancillary activities provided for fails to acknowledge the broad range of activities which may be co-located or ancillary to a heavy industry activity.
- The submission provides as an example the ancillary activities at a dairy processing plant.

Point Number 581.24

Summary of Decision Requested: **Amend** Rule 20.2.2C1(b) Landscape planting to require that where a lot contains a permanent or intermittent stream, a total width of 4m on both sides of the the stream will provide an 8m wide landscape strip in total.

Decision Reasons:

- The creation of 8m wide landscape strips either side of a permanent or intermittent stream within an industrial zoned property may result in the loss of land available for efficient uses.
- A setback is not required for the purposes of enhancing a publicly accessible environment, although it is acknowledged that planting will assist in improved water quality.

Point Number 581.25

Summary of Decision Requested: **Retain** Rule 21.2.3.1 Noise - General.

Decision Reasons:

- The proposed rule provides for an appropriate level of noise effects, consistent with activities in a Heavy Industrial Zone.

Point Number 581.26

Summary of Decision Requested: **Retain** Rule 21.2.3.3 Noise - Construction.

Decision Reasons:

- The proposed rule provides for an appropriate level of noise effects, consistent with activities in a Heavy Industrial Zone.

Point Number 581.27

Summary of Decision Requested: **Delete** Rule 21.2.5.IP1(a), (ii), (iii) and (iv) Earthworks - General.

AND

Add new provisions to Rule 21.2.5.IP1 that enable earthworks to be permitted at scale consistent with the scale of buildings anticipated in a Heavy Industrial Zone, for example:

- total depth of fill or cut: 5m
- not exceed an area greater than 10,000m² for each earthwork project
- maximum volume: 10,000m³ for each earthwork project
- no controls on imported fill material where it is to be used for a building platform for which building consent has been obtained.

Decision Reasons:

- Imported fill for a building platform with building consent, there are no or negligible environmental effects arising from the use of the material.
- There should not be a limit on the volume or area of such material. This is also a potential duplication of regulation, with a resource consent offering non environmental outcomes beyond those already achieved through building consent.
- The construction of large-footprint buildings can be anticipated within the Heavy Industrial Zone. Accordingly, an earthworks rule should establish an appropriate threshold for consideration of environmental effects for permitted activities.
- The district plan provisions should align with the earthworks controls under the Regional Plan and the Building Act.

Point Number 581.28

Summary of Decision Requested: **Delete** Rule 21.2.5.IP3(a)(i) and (ii) Earthworks - General

AND

Add new provisions to Rule 21.2.5.IP3 that enable earthworks to be permitted at scale consistent with the scale of buildings anticipated in a Heavy Industrial Zone, for example:

- total depth of fill or cut: 5m
- not exceed an area greater than 10,000m² for each earthwork project
- maximum volume: 10,000m³ for each earthwork project
- no controls on imported fill material where it is to be used for a building platform for which building consent has been obtained.

Decision Reasons:

- There should not be a limit on the volume or area of such material. This is also a potential duplication of regulation, with a resource consent offering non environmental outcomes beyond those already achieved through building consent.
- The construction of large-footprint buildings can be anticipated within the Heavy Industrial Zone. Accordingly, an earthworks rule should establish an appropriate threshold for consideration of environmental effects for permitted activities.
- The district plan provisions should align with the earthworks controls under the Regional Plan and the Building Act.

Point Number 581.29

Summary of Decision Requested: **Add** a new rule to Rule 21.2.7.1 Signs - General to permit signs for way-finding, health and safety and other regulatory requirements e.g. signage required for storage of hazardous substances.

Decision Reasons:

- Signage relating to way-finding, health and safety and other regulatory requirements is typically internal to the operation of a site.
- These types of signs are generally sized to provide messages to users within a site and therefore have no external impact on the amenity values of the Heavy Industrial Zones.

Point Number 581.30

Summary of Decision Requested: **Amend** Rule 21.3.1 P1(ii) Height - general as follows:
~~to 25m~~ over the balance of the net site area.

Decision Reasons:

- Large buildings can be anticipated within the Heavy Industrial zone and may require height above 20m to accommodate the activities and storage associated with warehousing and distribution activities.

Point Number 581.31

Summary of Decision Requested: **Delete** the requirement for a recession plane in the Heavy Industrial Zone in Rule 21.3.3 Daylight admission, except where a Heavy Industrial Zone site adjoins a Residential Zone site.

Decision Reasons:

- Heavy Industrial Zones are where activities with the potential to create more adverse environmental effects are located within a district. The land values, activities and large buildings require a high degree of land use efficiency. These factors do not support a high degree of amenity access and therefore the inclusion of recession plane control is unnecessary and results in inefficient land use within the Heavy Industrial Zone.

Point Number 581.32

Summary of Decision Requested: **Amend** Rule 22.3.7.2 Building setback - sensitive land use to include a requirement for sensitive land uses to be setback from a Heavy Industrial Zone boundary.

Decision Reasons:

- The Proposed District Plan fails to protect sensitive activities for Heavy Industrial zones and/or prevent reverse sensitivity effects from encroaching housing and sensitive activities. Encroachment of housing and sensitive activities may result in restrictions on the efficient operation of heavy industrial activities within the Heavy Industrial Zone.

Point Number 581.33

Summary of Decision Requested: **Amend** Rule 22.3.7.4 Building setback - Noise sensitive areas to include a requirement for noise sensitive activities to be setback from a Heavy Industrial Zone boundary.

Decision Reasons:

- The Proposed District Plan fails to protect noise sensitive activities for Heavy Industrial zones and/or prevent reverse sensitivity effects from encroaching housing and sensitive activities. Encroachment of housing and sensitive activities may result in restrictions on the efficient operation of heavy industrial activities within the Heavy Industrial Zone.

Point Number 581.34

Summary of Decision Requested: **Amend** Rule 22.4.1.2RD1(b)(iv) General subdivision as follows:
(iv) potential for subdivision and subsequent activities to adversely affect adjoining activities through reverse sensitivity effects;

Decision Reasons:

- Concise wording would assist in the administration of the District Plan.
- Seeks a more clearly articulated provisions that describes the scenario where reverse sensitivity may arise as an issue.

Point Number 581.35

Summary of Decision Requested: **Amend** Rule 22.4.1.5RD1(b)(iv) Rural Hamlet Subdivision as follows:
(iv) potential for subdivision and subsequent activities to adversely affect adjoining activities through reverse sensitivity effects;"

Decision Reasons:

- Concise wording would assist in the administration of the District Plan.
- Seeks a more clearly articulated provisions that describes the scenario where reverse sensitivity may arise as an issue.

Point Number 581.36

Summary of Decision Requested: **Delete** Rule 21.2.6 Hazardous substances.

Decision Reasons:

- The inclusion of rules for hazardous substances in the Proposed District Plan duplicated legislation and offers no additional environmental protections to those already achieved through other regulations, such as in the Heavy Industrial Zone provisions where hazardous substances are anticipated.

Point Number 581.37

Summary of Decision Requested: **Delete** Rule 14.1.1.P7 Permitted activities to remove duplication of regional rules concerning management of stormwater.

OR

Amend Rule 14.1.1.P7 Permitted activities to remove duplication of regional rules concerning management of stormwater.

Decision Reasons:

- These provisions appear to duplicate the regional council rules.
- The duplication of regional plan rules in a district plan is neither efficient or effective. It adds costs and duplication of compliance to achieve the same environmental outcome.

Point Number 581.38

Summary of Decision Requested: **Add** a new rule to Rule 21.2.7.2 Signs - Effects on traffic to permit signs for way-finding, healthy and safety and other regulatory requirements e.g. signage required for storage of hazardous substances.

Decision Reasons:

Point Number 581.39

Summary of Decision Requested: **Amend** Objective 6.3.1 Renewable energy as follows:

Energy efficient design and an increase in renewable electricity generation activities and the use of carbon-free energy sources are promoted.

Decision Reasons:

- Supports initiatives to investigate, trial and potentially adopt practices that will positively contribute to the achievement of a low carbon economy.

Point Number 581.40

Summary of Decision Requested: **Add** new policy to Section 6.3 Energy as follows:

6.3.6 Policy - Future carbon free energy sources

(g) Provide for the investigation, development, operation, maintenance and upgrading of carbon free energy sources associated with industrial activities.

Decision Reasons:

- It is appropriate that the District Plan contains a policy that supports the introduction of structures and activities which may be required to investigate, develop, operate, maintain and upgrade new and non-traditional forms of energy generation for industrial activities.
- Supports initiatives to investigate, trial and potentially adopt practices that will positively contribute to the achievement of a low carbon economy.

Point Number 581.41

Summary of Decision Requested: **Retain** Policy 6.4.3 Infrastructure Location and Services.

Decision Reasons:

- Supporting that the zoning or urban areas, including Heavy Industrial Zones, is coordinated with the supply of infrastructure and services. This should ensure that the Heavy Industrial Zone is able to be used for its intended purposes without undue limitation on traffic movements and access to water and wastewater services.

Point Number 581.42

Summary of Decision Requested: **Delete** Section 10.1 Hazardous Substances and its attendant Objective 10.1.1 and Policies 10.1.1.4;

OR

Amend Section 10.1 so that the objectives and policies in the Proposed District Plan only concern the management of the Hazardous Substances in highly sensitive environments such as Significant Natural Areas.

Decision Reasons:

- Inclusion of objectives and policies for hazardous substances in the Proposed District Plan duplicates legislation and offer not additional protections. This is particularly relevant in the Heavy Industry Zone where hazardous substances are anticipated.

Point Number 581.43

Summary of Decision Requested: **Retain** the definition of "Earthworks" in Chapter 13 Definitions as notified.

Decision Reasons:

- The definition provides appropriate interpretation in administration of the District Plan.

Submitter Number: 582 **Submitter:** Sarah Clark

Point Number 582.1

Summary of Decision Requested: **Retain** Chapter 9.2 Te Kowhai Airpark, as notified.

Decision Reasons:

- As part owner of an aircraft currently being built, we require facilities to house aircraft.
- Te Kowhai is well located and it has a good community that uses the current facilities.
- It would be good to see this expand for private pilots/owners who would like to live nearer to the hangar and facilities.

Point Number 582.2
Summary of Decision Requested: Retain Chapter 27 Te Kowhai Airpark Zone, as notified.

Decision Reasons:

- As part owner of an aircraft currently being built, we require facilities to house aircraft.
- Te Kowhai is well located and it has a good community that uses the current facilities.
- It would be good to see this expand for private pilots/owners who would like to live nearer to the hangar and facilities.

Submitter Number: 583 **Submitter:** Katrina Langlands
On behalf of: Huntly Community Board

Point Number 583.1

Summary of Decision Requested: Amend the zoning of the 183ha sites on East Mine Road, Huntly (CFR 805391, CFR SA50A/762, CFR SA10D/800, CFR 1955501, CFR SA 61B/799, CFR SA 18B/1138, CFR SA30A/356, SA 40D/985, CFR SA251/176, SA 26C/345, SA 51/131) from Rural Zone to the appropriate zone(s) that will support the the Kimihia Lakes Restoration Re-development project.

Decision Reasons:

- The project will align with the Huntly Community Boards Plan and Project 5000.
- The project will have significant long term beneficial impacts on the community.
- The project will focus on outdoor activities such as cycling, walking, rowing, waka ama and most aquatic non-motorised activities will assist in re-branding Huntly as a high quality destination.
- The right people and momentum have gathered around this project and this adds to its credibility, sustainability and achievability.
- The project will provide a great place to live, work and play with employment opportunities and commuter convenience.
- The project will support a positive and optimistic future for families and young people.

Submitter Number: 584 **Submitter:** Murray & Jennifer Allen
Organisation: Allen Fabrics Limited

Point Number 584.1

Summary of Decision Requested: Add a new zone titled 'Kimihia Lakes Recreation and Events Zone' to the planning maps.
AND

Amend the zoning of the parcels of land with the legal descriptions Section 3 SO 482553, Lot 1 DPS 20619, Section 1 SO Plan 60522, Allotment 740 Parish of Taupiri, Allot 857 Parish of Taupiri and Allotment 6 Paris of Taupiri from Rural Zone to the proposed Kimihia Lakes Recreation and Events Zone (See Table 6.1 within the submission for details).

AND

Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- There is currently no zone/provisions within the Proposed District Plan that provide for a land use such as the Propose Kimihia Lakes Recreation and Events Park. Neither do the provisions contained within the existing zones be able to be relied on to establish the park.
- The District Plan provides for these 'out-of-box' developments through the creation of purpose-written zones (e.g. Hampton Downs Motorsport Park Zone). A comparison can be made between these sites and the Recreation and Events Park.
- Relying on resource consent creates uncertainty and may result on going costs and time delays and is deemed an uneconomic option.
- A specific overlay is not appropriate. It is recognised that overlays are in relation to significant tracts of land covering various zones (SNA etc).
- Waikato District Council no longer desire the use of site specific schedules within the district plan.
- The adoption of specific zoning is appropriate and will achieve the sought outcome.
- Excludes the existing Lake Kimihia which is owned and managed by the Department of Conservation.

Point Number 584.2

Summary of Decision Requested: Add a new section 9.5 Kimihia Lakes Recreation and Events Zone within Chapter 9 Specific Zones containing objectives and policies specifically catering for the Kimihia Lakes Recreation and Events Zone as set out in section 4.2.2 of the submission.

AND

Amend the Proposed District Plan for any further or other consequential relief required to give effect to the relief sought in this submission

Decision Reasons:

- There is currently no zone/provisions within the Proposed District Plan that provide for a land use such as the Propose Kimihia Lakes Recreation and Events Park. Neither do the provisions contained within the existing zones be able to be relied on to establish the park.
- The District Plan provides for these 'out-of-box' developments through the creation of purpose-written zones (e.g. Hampton Downs Motorsport Park Zone). A comparison can be made between these sites and the Recreation and Events Park.
- Relying on resource consent creates uncertainty and may result on going costs and time delays and is deemed an uneconomic option.
- A specific overlay is not appropriate. It is recognized that overlays are in relation to significant tracks of land covering various zones (SNA etc).
- Waikato District Council no linger desire the use of site specific schedules within the district plan.
- The adoption of specific zoning is appropriate and will achieve the sought outcome.

Point Number 584.3

Summary of Decision Requested: Add a new definition for "Ancillary Buildings (Kimihia Lakes Recreation and Events Park)"to Chapter 13 Definitions as follows:

Means a supporting building that is subordinate and incidental to a permitted activity undertaken in the Park, including storage units, administration and ablution facilities and clubrooms.

AND

Amend the Proposed District Plan for any further or other consequential relief required to give effect to the relief sought in this submission

Decision Reasons:

- New provisions are required to support the establishment of a zone to enable development of the Kimihia Lakes Recreation and Events Zone.

Point Number 584.4

Summary of Decision Requested: **Add** a new definition for "Commercial Node Areas" to Chapter 13 Definitions as follows:
Means those specified areas identified on Zone Maps in the Kimihia Lakes Recreation and Events Zone as 'Commercial Node Areas'
AND
Amend the Proposed District Plan for any further or other consequential relief required to give effect to the relief sought in this submission

Decision Reasons:

- New provisions are required to support the establishment of a zone to enable development of the Kimihia Lakes Recreation and Events Zone.

Point Number 584.5

Summary of Decision Requested: **Add** a definition for "Community Activities and Facilities (Kimihia Lakes Recreation and Event Park)" to Chapter 13 as follows:
Means in the Kimihia Lakes Recreation and Events Zone, land or building used for community activities, generally established on a not-for-profit basis, and includes buildings for educational purposes, community functions and public toilets or public rooms.
AND
Amend the Proposed District Plan for any further or other consequential relief required to give effect to the relief sought in this submission

Decision Reasons:

- New provisions are required to support the establishment of a zone to enable development of the Kimihia Lakes Recreation and Events Zone.

Point Number 584.6

Summary of Decision Requested: **Add** a definition for "Operational Facilities" to Chapter 13 Definitions as follows:
Means the construction and use of facilities and/or infrastructure to assist in the day to day operation of the Kimihia Lakes Recreation and Events Parks, including but not limited to car parking, internal access, ticketing offices, storage and maintenance sheds, and helipads.
AND
Amend the Proposed District Plan for any further or other consequential relief required to give effect to the relief sought in this submission

Decision Reasons:

- New provisions are required to support the establishment of a zone to enable development of the Kimihia Lakes Recreation and Events Zone.

Point Number 584.7

Summary of Decision Requested: **Add** a new definition for "Outdoor Education" to Chapter 13 Definitions as follows:
Means in the Kimihia Lakes Recreation and Events Zone, land or buildings used for the formal or informal education or training and includes (but is not limited to) confidence courses.
AND
Amend the Proposed District Plan for any further or other consequential relief required to give effect to the relief sought in this submission

Decision Reasons:

- New provisions are required to support the establishment of a zone to enable development of the Kimihia Lakes Recreation and Events Zone.

Point Number 584.8

Summary of Decision Requested: **Add** a new definition for "Outdoor Pursuits" to Chapter 13 as follows:
Means moving across land by non-powered means for example biking, orienteering, tramping, and horse trekking.
AND
Amend the Proposed District Plan for any further or other consequential relief required to give effect to the relief sought in this submission

Decision Reasons:

- New provisions are required to support the establishment of a zone to enable development of the Kimihia Lakes Recreation and Events Zone.

Point Number 584.9

Summary of Decision Requested: **Add** a definition for "Recreation Activity and Facilities" to Chapter 13 Definitions as follows:
Means any non-motorised indoor or outdoor passive or active leisure, sports, entertainment, games or recreational pursuits and buildings in the Kimihia Lakes Recreation and Events Park Zone for participants and/or spectators, whether or not they are undertaken for profit or reward or for which no charge is made, and shall include such activities on or in water or land, or in the air and includes but is not limited to:

- *Recreational events and activities*
- *Walking, running and cycling tracks*
- *Training or education*
- *Club Days and practice activities*
- *Organised Events and festivals*
- *Concerts*
- *Multi sport and off road running events*
- *Outdoor skate parks and playgrounds*
- *Informal Recreation*
- *Tourism related activities*
- *Outdoor Pursuits*

AND
Amend the Proposed District Plan for any further or other consequential relief required to give effect to the relief sought in this submission

Decision Reasons:

- New provisions are required to support the establishment of a zone to enable development of the Kimihia Lakes Recreation and Events Zone.

Point Number 584.10

Summary of Decision Requested: No specific decision sought, but the submission notes that the of the Regional Infrastructural Specifications (RITS) and the Waikato Regional Council Regional Plan will be the relevant documents for some developments in the park

AND

Amend the Proposed District Plan for any further or other consequential relief required to give effect to the relief sought in this submission

Decision Reasons:

- No reasons provided.

Point Number 584.11

Summary of Decision Requested: **Amend** the zoning of the parcels of land with the legal descriptions Allotment 746 Parish of Taupiri, Lot 20 DP 347582, Lot 21 DP 347582, Allotment 777 Parish of Taupiri and Lot 23A Section 463 Parish of Taupiri from Rural Zone to Residential Zone (See Table 6.1 of the submission for further details).

AND

Amend the Proposed District Plan for any further or other consequential relief required to give effect to the relief sought in this submission

Decision Reasons:

- This area is located abutting existing Residential Zoned land and so forms a contiguous residential tract, ensuring services and infrastructure can easily be extended to the new residential area.
- Tunnel mining was undertaken west of the site and under the Huntly township including State Highway 1, Schools, the Power Station, the Waikato River and Riverine Lakes but no tunnel mining was undertaken at the Huntly East Mine. Subsidence as a result of mining would not occur in this location. Residential use of the land is therefore not subject to that risk.

Point Number 584.12

Summary of Decision Requested: **Retain** the Residential Zone on the parcels of land with the legal descriptions Lot 18 DP 347582, Lot 19 DP 347582, Sec 3 SO Plan 400374, Allot 515 Parish of Taupiri and Allot 789 Parish of Taupiri (see Table 6.1 of the submission for further details).

Decision Reasons:

- Tunnel mining was undertaken west of the site and under the Huntly township including SH1, schools, the Power Station, the Waikato River and Riverine lakes but no tunnel mining was undertaken at the Huntly East Mine. Subsidence as a result of mining, would not occur in this location. Residential use of the land is therefore not subject to that risk.

Point Number 584.13

Summary of Decision Requested: **Add** a new Chapter 29 to Kimihia Lakes Recreation and Events Zone that contains rules for the Kimihia Lakes Recreation and Events Zone as outlined within section 4.2.4 of the submission.

AND

Amend the Proposed District Plan for any further or other consequential relief required to give effect to the relief sought in this submission

Decision Reasons:

- There is currently no zone/provisions within the Proposed District Plan that provide for a land use such as the Propose Kimihia Lakes Recreation and Events Park. Neither do the provisions contained within the existing zones be able to be relied on to establish the park.
- The District Plan provides for these 'out-of-box' developments through the creation of purpose-written zones (e.g. Hampton Downs Motorsport Park Zone). A comparison can be made between these sites and the Recreation and Events Park.
- Relying on resource consent creates uncertainty and may result on going costs and time delays and is deemed an uneconomic option.
- A specific overlay is not appropriate. It is recognised that overlays are in relation to significant tracts of land covering various zones (SNA etc).
- Waikato District Council no longer desire the use of site specific schedules within the district plan.
- The adoption of specific zoning is appropriate and will achieve the sought outcome.

Point Number 584.14

Summary of Decision Requested: **Amend** Rule 14.12.1 Activity specific conditions 14.12.1.1(1)(e) relating to P1 vehicle access for all activities as follows:

(1) All activities must comply with the following vehicle access conditions:

...

(e) On a site with legal access to two roads, the activity only accesses the road with the lower classification in the road hierarchy in Tables 14.12.5.5 and 14.2.5.6 (where the roads have the same classification, access is only to the road with the lower average daily traffic movements) except in the Kimihia Lakes Recreation and Events Zone where this rules does not apply;

...

AND

Amend the Proposed District Plan for any further or other consequential relief required to give effect to the relief sought in this submission

Decision Reasons:

- New provisions are required to support the establishment of a zone to enable development of the Kimihia Lakes Recreation and Events Zone.

Point Number 584.15

Summary of Decision Requested: **Add** a new clause (2) to Activity-specific conditions 14.12.1.2 relating to P2 on site parking and loading as follows:

(1) All activities must comply with the following..

(2) In the Kimihia Lakes Recreation and Events Zone the above standards do not apply, providing that:

(a) A minimum of 1500 on-site parking spaces shall be provided except where activities are undertaken within the carpark area or where activity demand exceeds 1500 car parks, then the temporary alternative on-site parking shall be provided.

AND

Amend the Proposed District Plan for any further or other consequential relief required to give effect to the relief sought in this submission

Decision Reasons:

- New provisions are required to support the establishment of a zone to enable development of the Kimihia Lakes Recreation and Events Zone.

Point Number

584.16

Summary of Decision Requested:

Add clause (j) to Activity-specific condition 14.12.1.4(1) relating to P4 traffic generation as follows:

(1) Any activity must comply with the following traffic generation conditions:

...

(j) Within the Kimihia Lakes Recreation and Events Zone, there shall be no maximum traffic generation provided that:

a) A certified Traffic Management Plan (which shall include, but is not limited to, the provisions of a wide area assessment) shall be in place and implemented for all activities. The Traffic Management Plan shall:

i) Provide for the supervision and control of patrons entering and exiting the Kimihia Lakes Recreation and Events Park, and the transportation of patrons to and from the Park;

ii) Limit the speed of traffic within the Kimihia Lakes Recreation and Events Park to 30km/h

iv) Provide for monitoring and reporting on the number of vehicle movements for all activities and events;

v) Include protocols for undertaking reviews of the Traffic Management Plan by an Implementation Monitoring Committee consisting of the New Zealand Police, the Council and the Kimihia Lakes Recreation and Events Park operator

vj) Be reviewed, certified and endorsed by Council, by (date) of each year.

b) For any activity or event, or combination of activities and events where there is likely to be in excess of 5,000 people, the operator of the park shall advise the Council a minimum of 10 working days before the activity and event occurs of the details of the activity and event and the relevant provisions of the Traffic Management Plan that are to be implemented.

AND

Amend the Proposed District Plan for any further or other consequential relief required to give effect to the relief sought in this submission

Decision Reasons:

- New provisions are required to support the establishment of a zone to enable development of the Kimihia Lakes Recreation and Events Zone.

Point Number

584.17

Summary of Decision Requested:

Add clause (b) to Activity-specific conditions 14.12.1.8 relating to P8 off-road pedestrian and cycle facilities as follows:

(b) In the Kimihia Lakes Recreation and Events Zone there shall be no activity specific conditions.

AND

Amend the Proposed District Plan for any further or other consequential relief required to give effect to the relief sought in this submission

Decision Reasons:

- New provisions are required to support the establishment of a zone to enable development of the Kimihia Lakes Recreation and Events Zone.

Submitter Number:

585

Submitter:

Lucy Roberts

Organisation:

Department of Conservation

Point Number

585.1

Summary of Decision Requested:

Delete policy 3.2.6(a)(iv) Providing for vegetation clearance.

Decision Reasons:

- The policy is too permissive for vegetation clearance in Significant Natural Areas.

Point Number

585.2

Summary of Decision Requested:

Delete Policy 3.2.6(b) Providing for vegetation clearance.

Decision Reasons:

- This policy is too permissive for vegetation clearance within a Significant Natural Area.

Point Number

585.3

Summary of Decision Requested:

Amend Objective 3.5.1 Natural Character as follows:

(a) The high and Outstanding Natural Character of the coastal environment...

Decision Reasons:

- Section 6(a) of the RMA and Policy 13 of the New Zealand Coastal Policy Statement requires consideration of all natural character in the coastal environment.

Point Number

585.4

Summary of Decision Requested:

Amend Policy 3.5.3(a)(iv) Protecting the natural character qualities of the coastal environment, as follows:

(a) Protect the qualities of outstanding and high natural character areas in the coastal environment from inappropriate subdivision, use and development by:

...

(iv) avoiding activities that damage the stability of functioning identified coastal dune systems;

Decision Reasons:

- Part of the functioning of coastal dune systems involves a level of instability and this should be reflected in the policy.
- All dune systems should be covered and not just those identified, to ensure protection for any which may have been overlooked during the mapping process.

Point Number 585.5

Summary of Decision Requested: **Amend** Policy 5.3.5 Earthworks activities to address the management of kauri dieback and measures to prevent the spread of the disease.

Decision Reasons:

- The disease is threatening kauri and any land disturbance works within three times the radius of the canopy of a kauri dripline can cause potential contamination of an uninfected site.
- Seek that the provisions of the final decision of the Thames Coromandel District Plan as appropriate are adopted into the Proposed District Plan.

Point Number 585.6

Summary of Decision Requested: **Delete** Policy 5.3.13(c) Waste management activities.

Decision Reasons:

- Waste management facilities should not be located within the identified outstanding landscape or natural character areas and significant natural areas.

Point Number 585.7

Summary of Decision Requested: **Amend** Policy 5.6.7 Earthworks to address the management of kauri dieback and measures to prevent the spread of the disease.

Decision Reasons:

- The disease is threatening kauri with functional extinction and requires collaborative work to manage the disease and control any further spread.
- Any land disturbance within three times the radius of the canopy of the dripline of a kauri tree can cause potential contamination of an uninfected site and spread of disease.
- The Director-General considers that provisions of the Thames Coromandel District Plan as appropriate be adopted into the Proposed Waikato District Plan.

Point Number 585.8

Summary of Decision Requested: **Amend** the forestry provisions in the Proposed District Plan to afford greater protection to indigenous vegetation and Significant Natural Areas within or adjacent to plantation forestry.

Decision Reasons:

- Under regulation 6(2)(b) of the National Environmental Standard for Plantation Forestry, a district plan may be more stringent than the regulations if the rule recognises and provides for Significant Natural Areas.
- The Director-General considers it necessary for the Plan to recognise and provide for the protection of Significant Natural Areas within or adjacent to plantation forest.

Point Number 585.9

Summary of Decision Requested: **Add** a new definition of "Biodiversity offset" to Chapter 13 Definitions, as follows:

Biodiversity offsets are measurable conservation outcomes resulting from actions designed to compensate for significant residual adverse biodiversity impacts arising from project development after appropriate prevention and mitigation measures have been taken. The goal of biodiversity offsets is to achieve no net loss and preferable a net gain of biodiversity on the ground.

Decision Reasons:

- The addition of a definition for biodiversity offsetting will reflect the Guidance for Biodiversity Offsetting in New Zealand.

Point Number 585.10

Summary of Decision Requested: **Add** a new definition of "Environmental Compensation" Definitions as follows:

Environmental compensation comprises actions offered as a means to address residual adverse effects on the environment arising from project development that are not intended to result in no net loss or a net gain of biodiversity on the ground.

Decision Reasons:

- The addition of a definition for environmental compensation will reflect Guidance on Biodiversity Offsetting in New Zealand.

Point Number 585.11

Summary of Decision Requested: **Add** additional matters of discretion to Rule 14.6.2 Restricted Discretionary activities to address any adverse effects to the environment associated with the construction, operation and decommissioning of small-scale and community-scale electricity generation projects, particularly wind farms.

Decision Reasons:

- Wind farms have the potential to have significant ecological impacts, particularly on avifauna and bats. Additional matters of discretion are requested to address these impacts for small-scale and community-scale electricity generation.

Point Number 585.12

Summary of Decision Requested: **Retain** Rule 14.6.3 Discretionary activities as notified.

Decision Reasons:

- Support the discretionary activity status for large scale wind farms located within the Rural Zone.

Point Number 585.13

Summary of Decision Requested: Retain Rule 14.6.4 Non complying activities as notified.

Decision Reasons:

- Supports the non-complying activity status of large-scale wind farms located outside the Rural Zone, including in identified areas.

Point Number 585.14

Summary of Decision Requested: Retain Appendix 6 Biodiversity offsetting, except for the amendments sought below

AND

Amend Appendix 6 Biodiversity offsetting as follows:

Introduction

....

The following sets out a framework for the use of biodiversity offsets. It should be read in conjunction with the New Zealand government Guidance on Good Practice Biodiversity Offsetting in New Zealand, New Zealand Government et al., August 2014 (or any successor document).

2 Biodiversity offsetting framework

....

2. A proposed biodiversity offset will contain an qualitative assessment of losses and gains commensurate with the scale of effects of the activity, and should demonstrate the manner in which no net loss can be achieved.

AND

Amend bullet 8 of Appendix 6 Biodiversity Offsetting to ensure that any offset not replacing biodiversity on a like for like basis should not 'trade up' from already threatened or at risk biodiversity.

Decision Reasons:

- Generally support appendix 6, however requests amendment to better reflect guidance on Biodiversity Offsetting.

Point Number 585.15

Summary of Decision Requested: Amend Rule 16.2.8 Indigenous vegetation clearance inside a Significant Natural Area as follows:

- Include a maximum vegetation clearance permitted activity rule for all purposes; and
- Include a minimum setback distance from water bodies for all purposes; and
- Change P2 to a maximum area of clearance rather than a maximum volume; and
- Any other relevant amendments.

Decision Reasons:

- The current rules for vegetation clearance within Significant Natural Areas fails to adequately protect or manage biodiversity values present in these areas.
- It is important to appropriately manage indigenous vegetation clearance to prevent further fragmentation and loss in the Waikato District.
- P2 describes a maximum volume of Manuka and kanuka that may be removed per 12 months outside of the coastal environment. A volume of timber is dependent on the size of trees and their density where 5m3 may be clearance of an area of a few 5m2, where a few large trees have been harvested.
- An area limit is more suitable to ensure consistency of removal.

Point Number 585.16

Summary of Decision Requested: Amend Rule 17.2.9 Indigenous vegetation clearance inside a Significant Natural Area as follows:

- Include a maximum vegetation clearance permitted activity rule for all purposes; and
- Include a minimum setback distance from water bodies for all purposes; and
- Change P2 to a maximum area of clearance rather than a maximum volume; and
- Any other relevant amendments.

Decision Reasons:

- The current rules for vegetation clearance within Significant Natural Areas fails to adequately protect or manage biodiversity values present in these areas.
- It is important to appropriately manage indigenous vegetation clearance to prevent further fragmentation and loss in the Waikato District.
- P2 describes a maximum volume of Manuka and kanuka that may be removed per 12 months outside of the coastal environment. A volume of timber is dependent on the size of trees and their density where 5m3 may be clearance of an area of a few 5m2, where a few large trees have been harvested.
- An area limit is more suitable to ensure consistency of removal.

Point Number 585.17

Summary of Decision Requested: Amend Rule 20.2.9 Indigenous vegetation clearance inside a Significant Natural Area as follows:

- Include a maximum vegetation clearance permitted activity rule for all purposes; and
- Include a minimum setback distance from water bodies for all purposes; and
- Change P2 to a maximum area of clearance rather than a maximum volume; and
- Any other relevant amendments.

Decision Reasons:

- The current rules for vegetation clearance within Significant Natural Areas fails to adequately protect or manage biodiversity values present in these areas.
- It is important to appropriately manage indigenous vegetation clearance to prevent further fragmentation and loss in the Waikato District.
- P2 describes a maximum volume of Manuka and kanuka that may be removed per 12 months outside of the coastal environment. A volume of timber is dependent on the size of trees and their density where 5m3 may be clearance of an area of a few 5m2, where a few large trees have been harvested.
- An area limit is more suitable to ensure consistency of removal.

Point Number 585.18

Summary of Decision Requested: **Amend** Rule 21.2.9 Indigenous vegetation clearance inside a Significant Natural Area as follows:

- Include a maximum vegetation clearance permitted activity rule for all purposes; and
- Include a minimum setback distance from water bodies for all purposes; and
- Change P2 to a maximum area of clearance rather than a maximum volume; and
- Any other relevant amendments.

Decision Reasons:

- The current rules for vegetation clearance within Significant Natural Areas fails to adequately protect or manage biodiversity values present in these areas.
- It is important to appropriately manage indigenous vegetation clearance to prevent further fragmentation and loss in the Waikato District.
- P2 describes a maximum volume of manuka and kanuka that may be removed per 12 months outside of the coastal environment. A volume of timber is dependent on the size of trees and their density where 5m3 may be clearance of an area of a few 5m2, where a few large trees have been harvested.
- An area limit is more suitable to ensure consistency of removal.

Point Number 585.19

Summary of Decision Requested: **Amend** Rule 22.2.7 Indigenous vegetation clearance inside a Significant Natural Area as follows:

- Include a maximum vegetation clearance permitted activity rule for all purposes; and
- Include a minimum setback distance from water bodies for all purposes; and
- Change P2 to a maximum area of clearance rather than a maximum volume; and
- Any other relevant amendments.

Decision Reasons:

- The current rules for vegetation clearance within Significant Natural Areas fails to adequately protect or manage biodiversity values present in these areas.
- It is important to appropriately manage indigenous vegetation clearance to prevent further fragmentation and loss in the Waikato District.
- P2 describes a maximum volume of manuka and kanuka that may be removed per 12 months outside of the coastal environment. A volume of timber is dependent on the size of trees and their density where 5m3 may be clearance of an area of a few 5m2, where a few large trees have been harvested.
- An area limit is more suitable to ensure consistency of removal.

Point Number 585.20

Summary of Decision Requested: **Amend** Rule 23.2.8 Indigenous vegetation clearance inside a Significant Natural Area as follows:

- Include a maximum vegetation clearance permitted activity rule for all purposes; and
- Include a minimum setback distance from water bodies for all purposes; and
- Change P2 to a maximum area of clearance rather than a maximum volume;

AND

Any other relevant amendments.

Decision Reasons:

- The current rules for vegetation clearance within Significant Natural Areas fails to adequately protect or manage biodiversity values present in these areas.
- It is important to appropriately manage indigenous vegetation clearance to prevent further fragmentation and loss in the Waikato District.
- P2 describes a maximum volume of manuka and kanuka that may be removed per 12 months outside of the coastal environment. A volume of timber is dependent on the size of trees and their density where 5m3 may be clearance of an area of a few 5m2, where a few large trees have been harvested.
- An area limit is more suitable to ensure consistency of removal.

Point Number 585.21

Summary of Decision Requested: **Amend** Rule 24.2.8 Indigenous vegetation clearance inside a Significant Natural Area as follows:

- Include a maximum vegetation clearance permitted activity rule for all purposes; and
- Include a minimum setback distance from water bodies for all purposes; and
- Change P2 to a maximum area of clearance rather than a maximum volume; and
- Any other relevant amendments.

Decision Reasons:

- The current rules for vegetation clearance within Significant Natural Areas fails to adequately protect or manage biodiversity values present in these areas.
- It is important to appropriately manage indigenous vegetation clearance to prevent further fragmentation and loss in the Waikato District.
- P2 describes a maximum volume of manuka and kanuka that may be removed per 12 months outside of the coastal environment. A volume of timber is dependent on the size of trees and their density where 5m3 may be clearance of an area of a few 5m2, where a few large trees have been harvested.
- An area limit is more suitable to ensure consistency of removal.

Point Number 585.22

Summary of Decision Requested: **Amend** Rule 25.2.8 Indigenous vegetation clearance inside a Significant Natural Area as follows:

- Include a maximum vegetation clearance permitted activity rule for all purposes; and
- Include a minimum setback distance from water bodies for all purposes; and
- Change P2 to a maximum area of clearance rather than a maximum volume; and
- Any other relevant amendments.

Decision Reasons:

- The current rules for vegetation clearance within Significant Natural Areas fails to adequately protect or manage biodiversity values present in these areas.
- It is important to appropriately manage indigenous vegetation clearance to prevent further fragmentation and loss in the Waikato District.
- P2 describes a maximum volume of manuka and kanuka that may be removed per 12 months outside of the coastal environment. A volume of timber is dependent on the size of trees and their density where 5m3 may be clearance of an area of a few 5m2, where a few large trees have been harvested.

- An area limit is more suitable to ensure consistency of removal.

Point Number 585.23

Summary of Decision Requested: **Amend** Rule 28.2.8 Indigenous vegetation clearance inside a Significant Natural Area as follows:

- Include a maximum vegetation clearance permitted activity rule for all purposes; and
- Include a minimum setback distance from water bodies for all purposes; and
- Change P2 to a maximum area of clearance rather than a maximum volume; and
- Any other relevant amendments.

Decision Reasons:

- The current rules for vegetation clearance within Significant Natural Areas fails to adequately protect or manage biodiversity values present in these areas.
- It is important to appropriately manage indigenous vegetation clearance to prevent further fragmentation and loss in the Waikato District.
- P2 describes a maximum volume of manuka and kanuka that may be removed per 12 months outside of the coastal environment. A volume of timber is dependent on the size of trees and their density where 5m³ may be clearance of an area of a few 5m², where a few large trees have been harvested.
- An area limit is more suitable to ensure consistency of removal.

Point Number 585.24

Summary of Decision Requested: **Add** rules for Indigenous vegetation clearance inside a Significant Natural Area in all Zones as follows:

- Include a maximum vegetation clearance permitted activity rule for all purposes; and
- Include a minimum setback distance from water bodies for all purposes; and
- Include a maximum area of clearance rather than a maximum volume; and
- Any other relevant amendments.

Decision Reasons:

- The current rules for vegetation clearance within Significant Natural Areas fails to adequately protect or manage biodiversity values present in these areas.
- It is important to appropriately manage indigenous vegetation clearance to prevent further fragmentation and loss in the Waikato District.
- A volume of timber is dependent on the size of trees and their density where 5m³ may be clearance of an area of a few 5m², where a few large trees have been harvested.
- An area limit is more suitable to ensure consistency of removal.

Point Number 585.25

Summary of Decision Requested: **Retain** Rule 16.2.8 DI Indigenous vegetation clearance inside a Significant Natural Area, in particular, retain the cascade to discretionary activity upon non-compliance with the permitted activity standards.

Decision Reasons:

- The Director-General supports vegetation clearance outside permitted activity standards becoming a discretionary activity.

Point Number 585.26

Summary of Decision Requested: **Retain** Rule 17.2.9 DI Indigenous vegetation clearance inside a Significant Natural Area, in particular, retain the cascade to discretionary activity upon non-compliance with the permitted activity standards.

Decision Reasons:

- The Director-General supports vegetation clearance outside permitted activity standards becoming a discretionary activity.

Point Number 585.27

Summary of Decision Requested: **Retain** Rule 20.2.9 DI Indigenous vegetation clearance inside a Significant Natural Area, in particular, retain the cascade to discretionary activity upon non-compliance with the permitted activity standards.

Decision Reasons:

- The Director-General supports vegetation clearance outside permitted activity standards becoming a discretionary activity.

Point Number 585.28

Summary of Decision Requested: **Retain** Rule 21.2.9 DI Indigenous vegetation clearance inside a Significant Natural Area, in particular, retain the cascade to discretionary activity upon non-compliance with the permitted activity standards.

Decision Reasons:

- The Director-General supports vegetation clearance outside permitted activity standards becoming a discretionary activity.

Point Number 585.29

Summary of Decision Requested: **Retain** Rule 22.2.7 DI Indigenous vegetation clearance inside a Significant Natural Area, in particular, retain the cascade to discretionary activity upon non-compliance with the permitted activity standards.

Decision Reasons:

- The Director-General supports vegetation clearance outside permitted activity standards becoming a discretionary activity.

Point Number 585.30

Summary of Decision Requested: **Retain** Rule 23.2.8 DI Indigenous vegetation clearance inside a Significant Natural Area, in particular, retain the cascade to discretionary activity upon non-compliance with the permitted activity standards.

Decision Reasons:

- The Director-General supports vegetation clearance outside permitted activity standards becoming a discretionary activity.

Point Number 585.31

Summary of Decision Requested: **Retain** Rule 24.2.8 D1 Indigenous vegetation clearance inside a Significant Natural Area, in particular, retain the cascade to discretionary activity upon non-compliance with the permitted activity standards.

Decision Reasons:

- The Director-General supports vegetation clearance outside permitted activity standards becoming a discretionary activity.

Point Number 585.32

Summary of Decision Requested: **Add** introductions and/or zone descriptions at the beginning of each chapter.

Decision Reasons:

- The lack of introductions and zone descriptions result do not provide plan users with sufficient information. In particular, Chapter 3 requires a good overview of the indigenous biodiversity within the district, the loss of indigenous vegetation and ecosystems over time, it significance now and therefore the issues relating to biodiversity in the area.
- More guidance on the Plan's structure is needed for plan users.

Point Number 585.33

Summary of Decision Requested: **Add** new objectives, policies and rules to address the management of kauri dieback, particularly around earthworks and measures to prevent spread of the disease.

Decision Reasons:

- The disease is threatening Kauri with functional extinction and requires collaboration work to manage the disease and control any further spread.
- Any land disturbance works within three times the radius of the canopy of the dripline of New Zealand Kauri Tree can cause potential contamination of an uninfected site.
- The provisions of Thames Coromandel District Plan, as they relate to Kauri Dieback, should be adopted into the Proposed District Plan where appropriate.

Point Number 585.34

Summary of Decision Requested: **Retain** the mapping of the Coastal Environment line, except for the amendments sought below
AND

Amend the coastal environment line at Port Waikato to take into account the position of the boundary for the coastal marine area as shown in the Waikato Regional Coastal Plan and make any consequential amendments.

Decision Reasons:

- Supports the mapping of the Coastal Environment line in the district, however requests a reassessment of any discrepancies.

Point Number 585.35

Summary of Decision Requested: **Retain** the mapping of Significant Natural Areas, except for the amendments sought below
AND

Amend the Plan to manage areas that are not mapped, but meet the criteria for Significant Natural Areas stated in the Waikato Regional Policy Statement.

Decision Reasons:

- Support the mapping of Significant Natural Areas but also request provisions to ensure unmapped areas that the Significant Natural Area criteria are managed appropriately.

Point Number 585.36

Summary of Decision Requested: **Add** a schedule identifying the Outstanding Natural Features and Outstanding Natural Landscapes.

Decision Reasons:

- Requests the reintroduction of schedules for Outstanding Natural Features and Landscapes to better recognise the individual attributes that make specific areas outstanding.

Point Number 585.37

Summary of Decision Requested: **Add** new objectives, policies and rules to recognise and implement measures to address and manage the revised conservation status of *Kunzea* and *Leptospermum taxa*.

Decision Reasons:

- With the advent of myrtle rust, all *Kunzea* and *Leptospermum taxa* are considered threatened.
- The taxonomy and current threatened status of Manuka and kanuka must be reflected and managed appropriately through objectives, policies and rules in the Proposed District Plan.

Point Number 585.38

Summary of Decision Requested: **Add** new maps, objectives, policies and rules recognising and providing for bat zones and tree protection (see submission for an example of a rule from the Draft Timaru District Plan).

Decision Reasons:

- Both exotic and native trees provide habitat for native and threatened bats. The removal of such trees on fragmented landscapes will impact on the native species habitat and survival.

Point Number 585.39
Summary of Decision Requested: Retain Objective 3.1.1 Biodiversity and ecosystems as notified.
Decision Reasons:

- The objective is consistent with section 6(c) of the RMA.
-

Point Number 585.40
Summary of Decision Requested: Amend Policy 3.1.2(a)(i) Policies as follows:
(a) Enable activities that maintain or enhance indigenous biodiversity including:
(i) planting and reintroducing eco-sourced using indigenous species suitable to the habitat;

Decision Reasons:

- Request recognition of potential initiatives to reintroduce fauna as components of habitats.
- Eco-sourcing refers to plants grown from seeds or propagules collected from the naturally occurring vegetation close to the restoration site. Application of this principle will support species adapting to local conditions.
- To avoid plant species not native to Waikato District becoming invasive and impacting on the local native vegetation, eco-sourced indigenous plants should be used.

Point Number 585.41
Summary of Decision Requested: Amend Policy 3.1.2 (a)(iii) Policies as follows:
Enable activities that maintain or enhance indigenous biodiversity including:
...
(iii) biosecurity works including management of plant diseases.

Decision Reasons:

- Plant diseases such as kauri dieback and myrtle rust present immediate threats to indigenous species. Recognising plant diseases will provide better acknowledgement of the potential risks from these diseases.

Point Number 585.42
Summary of Decision Requested: Retain Policy 3.2.2 (b) Policies except for the amendments sought below
AND
Amend Policy 3.1.2(b) as follows:
(b) Consider the following when avoiding, remedying or mitigating adverse effects on indigenous biodiversity including by considering:
....

Decision Reasons:

- Support the intent of this provision to avoid, remedy or mitigate adverse effects on indigenous biodiversity, however the current wording of the policy does not allow for consideration of aspects of indigenous biodiversity outside of those listed. Amendment of this policy will give effect to the Waikato Regional Policy Statement.

Point Number 585.43
Summary of Decision Requested: Amend Policy 3.1.2(c) Policies to appropriately recognise and implement measures to address and manage *Kunzea* and *Leptospermum* in light of their re-assessed conservation status.

Decision Reasons:

- A 2017 assessment identified that all species of *Kunzea* and *Leptospermum* are threatened due to the threat of Myrtle Rust.

Point Number 585.44
Summary of Decision Requested: Retain Objective 3.2.1 Significant Natural Areas as notified.

Decision Reasons:

- Director-General supports this objective.

Point Number 585.45
Summary of Decision Requested: Retain Policy 3.2.2 Identify and Recognise as notified.

Decision Reasons:

- The Director-General supports this policy.

Point Number 585.46
Summary of Decision Requested: Retain Policy 3.2.3 Management hierarchy, except for the amendments sought below
AND
Amend Policy 3.2.3 Management hierarchy as follows:
(a) Recognise and protect indigenous biodiversity within Significant Natural Areas by:
(i) avoiding the significant adverse effects of vegetation clearance and the disturbance of habitats unless specific activities need to be enabled as a preference;
...

Decision Reasons:

- Generally supports Policy 3.2.3, however seek amendments to ensure the policy gives effect to the Waikato Regional Policy Statement and is consistent with the Guidance for Biodiversity Offsetting.
- Avoidance of adverse effects should apply to all activities before other measures are considered.

Point Number 585.47

Summary of Decision Requested: **Retain** Policy 3.2.4 (b) Biodiversity Offsetting, except for the amendments sought below
AND

Amend Policy 3.2.4(b) Biodiversity as follows:

(b) Within a Significant Natural Area, a biodiversity offset will only be considered appropriate where adverse effects have been preferentially, avoided, then remedied or mitigated in accordance with the hierarchy established in Policy 3.2.3; and...

Decision Reasons:

- Supports the inclusion of a policy to address biodiversity offsets, however seeks amendment to reflect the management hierarchy in policy 3.2.3.

Point Number 585.48

Summary of Decision Requested: **Add** a new clause (c) to Policy 3.2.4 Biodiversity offsetting that provides for consideration of environmental compensation in cases where biodiversity offsetting cannot be reasonably achieved as to address environmental effects that cannot be avoided, remedied or mitigated.

Decision Reasons:

- Environmental compensation should be provided for in cases where it is demonstrated that biodiversity offsetting cannot achieve its no net loss goal.
- This gives effect to s104(ab) of the RMA.

Point Number 585.49

Summary of Decision Requested: **Amend** Policy 3.2.5 Biodiversity in the coastal environment by moving it to section 3.1
AND

Amend Policy 3.2.5 Biodiversity in the coastal environment as follows:

(a) Avoid the adverse effects of subdivision use and development ~~within Significant Natural Areas~~ of the coastal environment on:

Decision Reasons:

- Amendments to ensure the policy covers all of the coastal environment in the district, not just within Significant Natural Areas.
- Policy 11 of the New Zealand Coastal Policy Statement requires the protection of indigenous biological diversity in all areas of the coastal environment.

Point Number 585.50

Summary of Decision Requested: **Retain** Rule 25.2.8 DI Indigenous vegetation clearance inside a Significant Natural Area, in particular, retain the cascade to discretionary activity upon non-compliance with the permitted activity standards.

Decision Reasons:

- The Director-General supports vegetation clearance outside permitted activity standards becoming a discretionary activity.

Point Number 585.51

Summary of Decision Requested: **Retain** Rule 28.2.8 DI Indigenous vegetation clearance inside a Significant Natural Area, in particular, retain the cascade to discretionary activity upon non-compliance with the permitted activity standards.

Decision Reasons:

- The Director-General supports vegetation clearance outside permitted activity standards becoming a discretionary activity.

Submitter Number:

586

Submitter:

Simon Lockie

Organisation:

West Auckland Airport, Parakai

Point Number

586.1

Summary of Decision Requested: **Retain** Chapter 9.2 Te Kowhai Airpark, as notified.

Decision Reasons:

- The airport is a valuable asset to the NZ aviation community.
- Additional protections of the OLS as sought by Te Kowhai Airport will ensure the airports needs are able to be met well into the future.

Point Number

586.2

Summary of Decision Requested: **Retain** Chapter 27 Te Kowhai Airpark Zone, as notified.

Decision Reasons:

- The airport is a valuable asset to the NZ aviation community.
- Additional protections of the OLS as sought by Te Kowhai Airport will ensure the airports needs are able to be met well into the future.

Submitter Number:	587	Submitter:	Bruce Cameron
Point Number	587.1		
Summary of Decision Requested:	Amend the definition of "Intensive farming" in Chapter 13 Definitions to increase the stock permitted from 30 to 500.		
Decision Reasons:	<ul style="list-style-type: none"> The definition of "Intensive farming" is too restrictive, particularly when it limits as a permitted activity less than 30 stock unless rearing for own replacements. 		
Point Number	587.2		
Summary of Decision Requested:	No specific decision sought, but the submission states (with reference to policy 5.3.7 Reverse sensitivity effects) that intensive farming must operate within their own boundaries and any setbacks must not extend into neighbouring properties and must not affect neighbouring properties in any activities they wish to carry out within their boundaries.		
Decision Reasons:	<ul style="list-style-type: none"> Intensive farming must not affect neighbouring properties in any activities they wish to carry out within their boundaries. 		
Point Number	587.3		
Summary of Decision Requested:	Amend the Significant Natural Areas to be confirmed through direct consultation with the landowner.		
Decision Reasons:	<ul style="list-style-type: none"> The Significant Natural Areas must only come about with direct consultation with the landowner. The landowners are the ones that need to drive it with support from Council. 		
Point Number	587.4		
Summary of Decision Requested:	Amend Policy 3.2.7(a)(i) Managing Significant Natural Areas, to enable conservation subdivision with transferable titles to support stock exclusion from Significant Natural Areas.		
Decision Reasons:	<ul style="list-style-type: none"> Provides the landowner an opportunity to sell the title and afford to undertake fencing to exclude stock from the Significant Natural Area. Gives the landowner an incentive to conserve the Significant Natural Area and does not require Council to financially contribute. 		
Point Number	587.5		
Summary of Decision Requested:	Amend Rule 22.2.7 P2 Indigenous vegetation clearance inside a Significant Natural Area, as follows: <i>Removal of up to 5m3 of manuka and/or kanuka outside of the Coastal Environment per single consecutive 12 month period per property Significant Natural Area..</i>		
Decision Reasons:	<ul style="list-style-type: none"> A landowner could have a 2000ha property and not be permitted to remove more than 5m2 of vegetation even though there is only one Significant Natural Area. 		
Point Number	587.6		
Summary of Decision Requested:	Amend Rule 22.2.7 P2 Indigenous vegetation clearance inside a Significant Natural Area, to allow removal of bastard Totara trees.		
Decision Reasons:	<ul style="list-style-type: none"> Bastard totara trees are thinly dispersed totara trees that have grown a wide spread of low branches and needs to be added to the list. 		
Point Number	587.7		
Summary of Decision Requested:	Amend Policy 3.2.7 Managing Significant Natural Areas, to not require fencing of a Significant Natural Area if no transferable title is granted or other sources of financing are available.		
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided. 		
Point Number	587.8		
Summary of Decision Requested:	No specific decision sought, but submission fully supports the submission from Federated Farmers.		
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided. 		
Point Number	587.9		
Summary of Decision Requested:	Amend the Proposed District Plan to include provisions enabling one transferable title per Significant Natural Area or one transferable title per 3ha area or part thereof.		
Decision Reasons:	<ul style="list-style-type: none"> Provides the landowner an opportunity to sell the title and afford to undertake fencing to exclude stock from the Significant Natural Area. Gives the landowner an incentive to conserve the Significant Natural Areas and does not require Council to financially contribute. Just recognising Significant Natural Areas on council maps is going to achieve nothing. 		

Point Number 587.10

Summary of Decision Requested: **Amend** the Proposed District Plan to ensure there are no setbacks imposed on farm operations adjacent to a Significant Natural Area.

Decision Reasons:

- There should be no setbacks imposed on any farm operation adjacent to an Significant Natural Area.

Point Number 587.11

Summary of Decision Requested: **Amend** the Proposed District Plan to recognise that landowners need the ability to clear bush and prepare building sites within a Significant Natural Areas.

Decision Reasons:

Landowners need the ability to clear bush and soil for building sites within an Significant Natural Area.

Submitter Number: 588 **Submitter:** Peter Buchan

Organisation: Woolworths NZ Ltd

Point Number 588.1

Summary of Decision Requested: **Delete** Policy 4.5.29 New Buildings - Business Zone.

AND

Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.

Decision Reasons:

- The content of these repetitive policies is more appropriately addressed in standards and assessment criteria.

Point Number 588.2

Summary of Decision Requested: **Amend** Policy 4.5.31 Reverse sensitivity as follows:

(a) Reverse sensitivity is ~~managed by ensuring residential activities and development~~ within Business and Business Town Centre Zones ~~is managed by ensuring residential activities and development~~ are acoustically insulated to mitigate adverse effects of noise.

AND

Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.

Decision Reasons:

- No reasons provided.

Point Number 588.3

Summary of Decision Requested: **Delete** Policy 4.5.33 Reverse sensitivity.

AND

Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.

Decision Reasons:

- No reason provided.

Point Number 588.4

Summary of Decision Requested: **Retain** Policy 4.5.32 Adjoining site amenity as notified.

Decision Reasons:

- No reason provided.

Point Number 588.5

Summary of Decision Requested: **Delete** Policy 4.5.42 Adjoining site amenity.

AND

Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.

Decision Reasons:

- No reason provided.

Point Number 588.6

Summary of Decision Requested: **Amend** Policy 4.5.36 Signage as follows:

(a) In the Business Town Centre and Business Zone provide for:

- The establishment of signs where they are associated with the activity carried out on the site on which they are located;*
- Public information signs that are of benefit to community well-being; and*
- Establishment of signage to support the commercial function and vibrancy of the zones with controls on the site, location, appearance and number of signs to ensure they do not detract from the visual amenity of the surrounding environment, including avoiding, remedying or mitigating adverse effects arising from*

illumination, light spill, flashing or reflection;

iv. Control of the location, colour, content and appearance of signs directed at traffic are controlled to ensure signs do not distract, confuse or obstruct motorists, pedestrians and other road users;

v. the placement of signs that do not obstruct the free movement of;

A. Pedestrians along the footpath;

B. Vehicle use of the road carriageway,

AND

Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.

Decision Reasons:

- Assessment of signage in commercial zones needs to consider the importance of corporate branding for consistency and cohesion and ensure that consideration sites along the urban design aspirations for the centres in the district.
- Businesses need to be instantly recognisable for customers and not "watered down" to achieve a character

Point Number 588.7

Summary of Decision Requested: Delete Policy 4.5.37 Managing the adverse effects of signs.

AND

Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.

Decision Reasons:

- This policy is a copy and achieves the outcomes sought within other policies.

Point Number 588.8

Summary of Decision Requested: **Amend** Rule 14.12.1P2 On-site parking and loading activity-specific conditions 14.12.1.2(1)(a)(i) as follows:

(i) On-site parking spaces and loading bays are not required on sites with sole frontages to the following (but for the avoidance of doubt, can still be provided without result in a non-compliance with this rule);

(i) Main Street, Huntly...

AND

Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.

Decision Reasons:

- Require clarification to ensure that parking, loading and on-site manoeuvring and queuing space for sites on the listed streets are not precluded but rather that their provision is optional in favour of urban design controls for those centres.
- As it reads, it might suggest that provision for these matters on the identified streets would result in a non-compliance and a require a traffic assessment.

Point Number 588.9

Summary of Decision Requested: **Amend** Rule 14.12.1 P3 On-site manoeuvring and queuing activity-specific conditions 14.12.1.3(1)(f) as follows:

(f) On-site manoeuvring and queuing spaces are not required on sites with vehicle accesses / entrances to the following (but for the avoidance of doubt, can still be provided without resulting in a non-compliance with this rule);

(i)...

AND

Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.

Decision Reasons:

- Require clarification to ensure that parking, loading and on-site manoeuvring and queuing space for sites on the listed streets are not precluded but rather that their provision is optional in favour of urban design controls for those centres.
- As it reads, it might suggest that provision for these matters on the identified streets would result in a non-compliance and a require a traffic assessment.

Point Number 588.10

Summary of Decision Requested: **Amend** Rule 14.12.1P4 Traffic generation activity-specific conditions 14.12.1.4(1) as follows:

(1) Any activity must comply with the following traffic generation conditions:

...

(c) Within the Business Zone Tamahere, Business Zone or Business Town Centre Zone there is a maximum of 300 vehicle movements per day and no more than 15% of these vehicle movements are heavy vehicle movements, except for supermarkets which are governed by (c)(i) below;

(c)(i) Supermarkets within the Business Zone or Business Town Centre Zone must not exceed traffic generation of 100 vehicles per hour (any hour) or must not exceed 1667m² gross floor area.

AND

Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.

Decision Reasons:

- Traffic generation rates are too low.
- Seeks the adoption of the standard employed within the Auckland Unitary Plan that requires a restricted discretionary activity for activities that exceed 100 vehicles per hour or for retail activities that exceed 1667m² gross floor area.
- Suggested that the permitted threshold is too low and requires reconsideration.

Point Number 588.11

Summary of Decision Requested: **Amend** Table 14.12.5.7 - Required parking spaces and loading bays as follows:

Activity	Minimum Required Parking Spaces	Minimum Required Loading Bays
...

Supermarket

1 car space per 25m² GFA

~~2-HGV~~

Under 2500m² GFA – 1 HGV

Over 2500m² GFA – 2HGV

AND

Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.

Decision Reasons:

- Support the minimum parking rate for supermarkets, but does not support any parking rate maxima.
- Seek that the loading rate should be relative to gross floor area, rather than a blanket 2 HGV loading space requirement for all supermarkets.

Point Number

588.12

Summary of Decision Requested:

Amend Table 14.12.5.10 Required Bicycle Spaces as follows:

Activity

Number of bicycle spaces

All activities

Bicycle parking spaces are provided at a ratio of 1 bicycle space for ever ~~10~~15 car park spaces required

AND

Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.

Decision Reasons:

- Bicycle parking rates are too onerous and suggest that 1 bike park per 15 car parking spaces is sufficient to accommodate demand.

Point Number

588.13

Summary of Decision Requested:

Amend Rule 17.1.2 P2 Commercial activities Activity Specific Condition as follows:

~~##~~ Subject to Control 17.3[x] regarding Gross floor area

AND

Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.

Decision Reasons:

- Seek amendment to achieve the differentiated roles for Business Zone as per the objectives and policies

Point Number

588.14

Summary of Decision Requested:

Add a new rule within Section 17.1 Land Use - Activities as follows:

17.3[x] Gross floor area

PI

Any individual tenancy must have a gross floor area of greater than 500m²

BDI

(a) Any individual tenancy with a gross floor area less than 500m²

(b) The Council's discretion shall be limited to the following matters:

i. Design and location of the building

ii. Effects on vitality and amenity of nearby Business Town Centre zones and centres.

AND

Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.

Decision Reasons:

- Insert a gross floor area limitation on small-scale retail activities to achieve the differentiated roles for Business and Business Town Centre zones as per the objectives and policies.

Point Number

588.15

Summary of Decision Requested:

Amend Rule 17.2.3D1 On-site parking areas - Landscaping from a discretionary activity to a restricted discretionary activity as follows:

BDI

(a) On-site parking areas that do not comply with Rule 17.2.3 PI.

(b) The Council's discretion shall be limited to the following matters:

i. Design and location of the parking area

ii. Effects on streetscape amenity.

AND

Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.

Decision Reasons:

- Adopt restricted discretionary activity status where activities infringe the various standards.
- Incorporate appropriate assessment criteria alongside the retention of a restricted discretionary activity status.

Point Number

588.16

Summary of Decision Requested:

Amend Rule 17.2.7.1 Signs - General to read:

P2

(a) A sign must comply with all of the following conditions:

...

(v) where the sign is a freestanding sign, it must:

A. Not exceed an area of ~~20~~2m² for one sign ~~face~~ and 4m² for any other free-standing sign on the site;

B. Must not exceed one sign per site; and

C. Be set back at least 5m from the boundary of the Residential Zone.

...

RD1

...

(xi) extent to which the signage is consistent with corporate branding and represents a cohesive visual appearance with the commercial activity on-site.

AND

Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.

Decision Reasons:

- Permitted limits for signage are too prescriptive and unrealistic.
- Seek an increase in respect of the area per sign face for free-standing signs and suggests a restricted discretionary activity status is appropriate.
- Assessment of signage in commercial zones needs to consider the importance of corporate branding for consistency and cohesion and consideration sits alongside the urban design aspirations within the district.
- Effects arising from signage can be appropriately assessed via a restricted discretionary activity assessment.

Point Number

588.17

Summary of Decision Requested:

Amend Rule 17.3.4.1 Building setbacks - Zone boundaries as follows:

PI

(a) A building must be set back at least:

i. ~~7.5~~3m from rear and side boundaries adjoining any:

A. Residential Zone

B...

BD1

(g) Any building that does not comply with Rule 17.3.4.1 PI.

(b) The Council's discretion shall be limited to the following matters:

i. Height, design and location of the building relative to the boundary.

ii. Privacy on other site

iii. Effects on amenity values of adjacent property.

AND

Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.

Decision Reasons:

- A 3m side and rear yard is a more appropriate separation distance than the 7.5m as notified, when considering how best to manage the interface with sensitive activities yet retain an efficient use of a business zoned site.
- 7.5m yard setback from residential zones is excessive.
- The Auckland Unitary Plan suggests a side and rear yard to residential zones of 3m.
- Considering a height to boundary control also applies a 3m setback is considered suitable and allows for the efficient use of the commercial sites.

Point Number

588.18

Summary of Decision Requested:

Amend Rule 18.1.2 Permitted Activities to read:

P4 Retail activity

~~##~~ Subject to Control 18.3.3 regarding Gross floor area

P4A Supermarket

Nil (for the avoidance of doubt, this activity is not subject to Control 18.3.3 regarding Gross floor area).

AND

Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.

Decision Reasons:

- Ensure an appropriate permitted activity status for supermarkets as set out in the assessment contained in the submission.
- In comparison, the Proposed District Plan as notified ascribes a non-complying activity status for supermarkets in the Business Town Centre zone, while the Operative District Plan allows for any activity in the zone as permitted, provided similar urban design controls are met.

Point Number

588.19

Summary of Decision Requested:

Amend Rule 18.1.3 RD2 Restricted Discretionary Activity as follows:

(a) ~~The construction of any new building that meets all of the following conditions:~~

...

(a) The Council's discretion shall be limited to the following matters:

(i)...

(iii) For the purpose of assessing supermarkets against the above criteria, regard shall be had to the following operational and functional requirements:

a) store visibility that is easily identifiable when viewed from the street and surrounding area

b) the provision of appropriate customer parking, which is clearly visible, accessible to motorists approaching the store from the local road network and to customers on site, and functionally well connected to the store entrance

c) where large building formats are required, there is provision for solid facades to facilitate internal shelving and fresh produce display.
d) adequate and accessible servicing areas that are preferably separated from customer vehicle traffic and pedestrian movements.

AND

Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.

Decision Reasons:

- A restricted discretionary activity status remains appropriate, rather than defaulting to a more onerous discretionary status remains appropriate.
- Restricted discretionary activity status can be accompanied by suitably limited criteria that still ensure an appropriate assessment of effects is undertaken, whilst providing certainty to applicants where activities are anticipated.

Point Number 588.20

Summary of Decision Requested: **Amend** Rule 18.2.7.1 Signs - General as follows:

P2

(a) A sign must comply with all of the following conditions:

...

(v) Where the sign is a freestanding sign, it must:

A. Not exceed an area of ~~320~~2 for one sign face and 1m² for any other freestanding sign on the site;

B. Must not exceed one sign per site; and

C. Be set back at least 5m from the boundary of the Residential Zone.

....

RD1

(a) A sign that does not comply with Rules 18.2.7.1 P2 or P3.

(b) The Council's discretion shall be limited to the following matters:

...

(xi) Extent to which the signage is consistent with corporate branding and represents a cohesive visual appearance with the commercial activity on-site.

AND

Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.

Decision Reasons:

- Permitted limits for signage are too prescriptive and unrealistic.
- Seek an increase in respect of the area per sign face for free-standing signs and suggests a restricted discretionary activity status is appropriate.
- Assessment of signage in commercial zones needs to consider the importance of corporate branding for consistency and cohesion and consideration sits alongside the urban design aspirations within the district.
- Effects arising from signage can be appropriately assessed via a restricted discretionary activity assessment.

Point Number 588.21

Summary of Decision Requested: **Amend** Rule 18.3.3 Gross leasable floor area as follows:

18.3.3 Gross ~~leasable~~ floor area

P1

Any individual tenancy must have a gross ~~leasable~~ floor area of no more than ~~500~~50m²

~~RD1~~

Any individual tenancy with a gross ~~leasable~~ floor area over ~~500~~50m² and no greater than 500m²

~~NC1~~

~~Any individual tenancy with a gross leasable floor area over 500m²~~

The Council's discretion shall be limited to the following matters:

(i) The matters listed in 18.1.3 RD2(b).

(ii) Extent to which operational and functional requirements dictate the necessity for a floor area over 500m².

AND

Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.

Decision Reasons:

- Considers that the urban form component is already addressed by the restricted discretionary activity consent status for new buildings and the urban design controls.
- There is no need to go beyond restricted discretionary status for activities that exceed 500m² as an appropriately comprehensive assessment can still be made so long as the specific matters listed cover the recognised and relatable effects.

Point Number 588.22

Summary of Decision Requested: **Retain** Rule 18.3.4 P1 Display windows and building facades as notified

AND

Amend Rule 18.3.4 D1 Display windows and building facades to be a restricted discretionary rather than a discretionary activity, as follows:

~~RD1~~

(a) A building that does not comply with Rule 18.3.4 P1

(b) The Council's discretion shall be limited to the following matters:

i. Design and location of the building having regard to the operational and functional requirements of the activity to be accommodated

ii. Extent to which the activity achieves the intent of the control by other means, to enable passive surveillance and promote pedestrian safety.

Effects on amenity values and town centre character.

AND

Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.

Decision Reasons:

- Propose a set of appropriate restricted matters of discretion to address potential effects of this infringement.

Point Number 588.23

Summary of Decision Requested:

Retain Rule 18.3.5 P1 Verandahs as notified

AND

Amend Rule 18.3.5 D1 Verandahs, to be a restricted discretionary activity rather than a discretionary activity as follows:

RD1

(a) A building that does not comply with Rule 18.3.5 P1.

(b) The Council's discretion shall be limited to the following matters:

i. Design and location of the building having regard to the operational and functional requirements of the activity to be accommodated

ii. Extent to which the activity achieves the intent of the control by other means, to encourage continuous pedestrian shelter and maintain pedestrian amenity

iii. Effects on amenity values and town centre character.

AND

Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.

Decision Reasons:

- Propose a set of appropriate restricted matters of discretion to address potential effects of this infringement.

Point Number 588.24

Summary of Decision Requested:

Amend Rule 18.3.6 Building setbacks - zone boundaries, as follows:

PI

(a) A building must be set back a minimum of:

i. ~~7.5~~3m from rear and side boundaries adjoining any:

A. Residential Zone

...

RD1

(g) A building that does not comply with Rule 18.3.6 P1

(b) The Council's discretion shall be limited to the following matters:

i. Height design and location of the building relative to the boundary

ii. Privacy on other site

iii. Effects on amenity values of adjacent property.

AND

Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.

Decision Reasons:

- Propose a set of appropriate restricted matters of discretion to address potential effects of this infringement,
- 7.5m yard setback from residential zones is excessive.
- The Auckland Unitary Plan suggests a side and rear yard to residential zones of 3m.
- Considering a height to boundary control also applies a 3m setback is considered suitable and allows for the efficient use of the commercial sites.

Point Number 588.25

Summary of Decision Requested:

Add a rule within Section 20.1 Land Use - Activities as follows:

20.1(x) Restricted Discretionary Activities

RD1

(g) Supermarkets

(b) The Council's discretion shall be limited to the following matters:

i. Reverse sensitivity effects on industrial areas

ii. Effects on vitality and amenity of nearby Business Town Centre zones.

AND

Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.

Decision Reasons:

- Non-industrial activity that does not undermine the integrity of the Industrial Zone, in terms of avoiding reverse sensitivity, and compatible, should be able to be assessed via a resource consent process.
- Seeks that supermarkets be provided for as a restricted discretionary activity within the Industrial Zone and the assessment criteria appropriately address any potential effects on the amenity and vitality of town centres and reverse sensitivity effects on industrial activities.

Point Number 588.26

Summary of Decision Requested:

Amend Rule 20.2.7.1 Signs - General as follows:

P2

...

(c) where the sign is a freestanding sign, it must:

A. Not exceed an area of 203m² for one sign face and 1m² for any other freestanding sign on the site;

B. Must not exceed one sign per site; and

C. Be set back at least 5m from the boundary of any site a Residential, Village or Country Living Zone.

...

RD I

...

(b) Council's discretion shall be restricted to the following matters:

...

(ix) extent to which the signage is consistent with corporate branding and represents a cohesive visual appearance with the commercial activity on-site.

AND

Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.

Decision Reasons:

- Permitted limits for signage are too prescriptive and unrealistic.
- Seek an increase in respect of the area per sign face for free-standing signs and suggests a restricted discretionary activity status is appropriate.
- Assessment of signage in commercial zones needs to consider the importance of corporate branding for consistency and cohesion and consideration sits alongside the urban design aspirations within the district.
- Effects arising from signage can be appropriately assessed via a restricted discretionary activity assessment.

Point Number 588.27

Summary of Decision Requested: **Amend** Rule 20.3.4.1 Building setbacks as follows:

PI

(a) A building must be set back at least:

(i) 5m from a road boundary;

(ii) ~~7.5~~3m from any other boundary where the site adjoins another zone, other than the Heavy Industrial Zone;...

RD I

(b) The Council's discretion shall be limited to the following matters:

(i) effects on amenity values;

~~ii~~(ii) effects on streetscape;

~~iii~~(iii) traffic and road safety; and

~~iiii~~(iv) effects on the earth bund located on Lot 17 DP 494347 (53 Holmes Road, Horotiu).

Decision Reasons:

- 7.5m yard setback from residential zones is excessive.
- The Auckland Unitary Plan suggests a side and rear yard to residential zones of 3m.
- Considering a height to boundary control also applies a 3m setback is considered suitable and allows for the efficient use of the commercial sites.

Point Number 588.28

Summary of Decision Requested: **Add** a new definition of "Supermarket" in Chapter 13 Definition as follows:

An individual retail outlet having a store footprint over 1,000m² GFA that sells, primarily by way of self-service, a comprehensive range of:

a) domestic supplies, fresh food, groceries, such as fresh meat and produce, chilled, frozen, packaged, canned and bottled foodstuffs and beverages; and general housekeeping and personal goods, including (but not limited to) cooking, cleaning and washing products; kitchenwares; toilet paper, diapers and other paper tissue products; pharmaceuticals, health and personal hygiene products and other toiletries; cigarettes, magazines and newspapers, greeting cards and stationery, batteries, flashlights, light bulbs and related products; and

b) non-domestic supplies and comparison goods comprising not more than 20 per cent of all products offered for sale as measured by retail floor space, including (but not limited to) clothing and footwear; furniture; electrical appliances; office supplies; barbeque and heating fuels; audio visual products.

Note

Retail floor space means that area of the premises to which the public has access for the purpose of shopping, together with any area:

a) taken up for the purpose of display of goods; and

b) any counter areas used by or occupied exclusively by staff members whilst actively engaged in serving the public.

This area does not include floor space used for:

- storerooms
- back of house including delivery areas
- trolley storage areas
- entrance lobbies
- behind counter areas; and
- checkouts

AND

Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.

Decision Reasons:

- Supermarkets are distinct from general retail activity.
- The Proposed District Plan provides for supermarkets as a distinct category within the Transport chapter.
- Seeks inclusion of a suitable definition of a Supermarket.

Point Number 588.29

Summary of Decision Requested: **Retain** Policy 4.5.2 Commercial function and purpose, so long as the amendments sought regarding the importance and appropriate nature of supermarkets within town centres are accepted.

Decision Reasons:

- Support the policy, so long as the amendments sought regarding the importance of supermarkets as appropriate town centre activities are recognised.

Point Number 588.30

Summary of Decision Requested: **Retain** Policy 4.5.3 Commercial purpose: Business Town Centre Zone in respect of the Proposed District Plan is intended purpose for the Business Town Centre Zone, so long as the amendments sought elsewhere in this submission are incorporated into the Proposed Waikato

District Plan.

Decision Reasons:

- The policy is supported in respect of the Proposed Waikato District Plan's intended purpose for the Business Town Centre Zone, with amendments sought.

Point Number

588.31

Summary of Decision Requested:

Retain Policy 4.5.4 Commercial Purpose: Business Zone in respect of the Proposed District Plan's intended purpose for the Business Zone, provided the ability for supermarkets to be accommodated within the Business Town Centre Zone are not precluded.

Decision Reasons:

- Support the policy provided they do not preclude the ability for supermarkets to be accommodated within the Business Town Centre Zone

Point Number

588.32

Summary of Decision Requested:

Consider that Pokeno be removed from the Proposed District Plan and not subject to the Proposed District Plan review process.

AND

Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.

Decision Reasons:

- The zoning layout for Pokeno would benefit of a broader strategic assessment into how the town centre should develop. Pockets of residentially zoned land dissect Business and Town Centre zoned land.
- Proposals for alternative focal points for the centre exist along Great South Road and have not been determined through any strategic assessment.
- A large proportion of Pokeno's residential growth has occurred to the north and the Proposed District Plan has not considered connecting the new community to the existing town centre.
- Proposed District Plan has not considered a Mixed Use Zone within the settlement to engender more compact growth in the future.
- It will enable a strategic and comprehensive assessment of the best way to encourage growth in Pokeno, in line with the higher order objectives of the Proposed District Plan.

Point Number

588.33

Summary of Decision Requested:

Amend Policy 4.5.10 Policy - Retail: Business Town Centre Zone and Business Zone as follows:

(a) Locate small scale retail activities and key commercial activities, including supermarkets within the Business Town Centre Zone and discourage other large scale retail activities from establishing within the Business Town Centre Zone.

(b) Locate other large scale retail and commercial activities ~~to~~ within the Business Zone.

AND

Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.

Decision Reasons:

- Supports the overarching centres focus of the Proposed Waikato District Plan.
- Understand the intention to achieve high intensity yet fine grained town centres across the District, recognising the unique character of each settlement, however a failing in this approach is the absence of provision for supermarkets within the Business Town Centre.
- Supermarkets are recognised as retail anchors for centres and commercial development and act as a catalyst for investment by others.
- The scale and function of supermarkets unique operational and functional requirements can be managed through consideration of design, bulk and location.
- It is important to recognise that urban design aspirations should not be used to veto the operational and functional requirements of commercial activities in commercial zones.
- Supports the current approach in the Proposed District Plan that does not preclude consideration of 'out-of-centre' supermarkets where it can be demonstrated that the activity will not have adverse effects in terms of vitality and amenity of centres, nor traffic effects.
- Seek a number of amendments to the centre specific objectives and policies in Chapter 4.5 to ensure that the sensible outcome sought by Objective 4.5.12 is not overlooked in favour of prescriptive urban design controls.

Point Number

588.34

Summary of Decision Requested:

Amend Policy 4.5.13 Policy – Town centre built form as follows:

(a) The scale and form of new development in the Business Town Centre Zone is to:

(i) Provide for a safe, accessible, compact and attractive town centre environment;

(ii) Facilitate the integration of retail shopping, administration and commercial services, residential, civic and community activities, recognising that the operational and functional requirements of these activities need to be taken into account when assessing built form;

(iii) Reflect the role and character of the business town centre;

(iv) Increase the prominence of buildings on street corners;

(v) Maintain a low rise built form and small scale, pedestrian focused retail activities, with the exception of supermarkets; and

(vi) Manage adverse effects on the surrounding environment, particularly at the interface with residential areas.

AND

Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.

Decision Reasons:

- Supports the overarching centres focus of the Proposed Waikato District Plan.
- Understand the intention to achieve high intensity yet fine grained town centres across the District, recognising the unique character of each settlement, however a failing in the approach is the absence of provision for supermarkets within the Business Town Centre.
- Supermarkets are recognised as retail anchors for centres and commercial development and act as a catalyst for investment by others.
- The scale and function of supermarkets unique operational and functional requirements can be managed through consideration of design, bulk and location.
- It is important to recognise that urban design aspirations should not be used to veto for the operational and functional requirements of commercial activities in commercial zones.
- Seek a number of amendments to the centre specific objectives and policies in Chapter 4.5 to ensure that the sensible outcome sought by Objective 4.5.12 is not overlooked in favour of prescriptive urban design controls.

Point Number

588.35

Summary of Decision Requested:

Amend Policy 4.5.14 Policy - Raglan Town Centre as follows:

(a) Development maintains and enhances the role of the Raglan Town Centre by:

- (i) Maintaining wide footpaths and high quality public space, prioritising and providing for pedestrian movement and safety;
- ~~(ii) Maintaining a pedestrian focus by discouraging vehicle access across footpaths;~~
- (iii) Maintaining built form framing views towards Raglan Harbour;
- (iv) Providing for a building scale appropriate to the town centre;
- (v) Protecting and enhancing the character of ~~the existing buildings centre~~ through new built form being consistent with the outcomes of the Town Centre Character Statement for Raglan Town Centre (Appendix 10.1), ~~in particular by:~~
 - ~~A. Promoting traditional roof forms (hipped or gable ends) and symmetry through window design and placement;~~
 - ~~B. Providing continuous post supported verandahs sheltering footpaths;~~
 - ~~C. Promoting recessed shop fronts;~~
 - ~~D. Providing parking, loading and storage where rear access to buildings exists;~~
 - ~~E. Promoting active street frontages by developing up to the street boundaries;~~
 - ~~F. Reinforcing the street corners by ensuring the design is two storey and is transparent on both sides of the street corner;~~
 - ~~G. Encouraging the preservation and promotion of cultural features.~~

AND

Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.

Decision Reasons:

- Supports the overarching centres focus of the Proposed Waikato District Plan.
- Understand the intention to achieve high intensity yet fine grained town centres across the District, recognizing the unique character of each settlement, however a failing is the absence of provision for supermarkets within the Business Town Centre.
- Supermarkets are recognised as retail anchors for centres and commercial development and act as a catalyst for investment by others.
- The scale and function of supermarkets unique operational and functional requirements can be managed through consideration of design, bulk and location.
- It is important to recognise that urban design aspirations should not be used to veto for the operational and functional requirements of commercial activities in commercial zones.
- Seek a number of amendments to the centre specific objectives and policies in Chapter 4.5 to ensure that the sensible outcome sought by Objective 4.5.12 is not overlooked in favour of prescriptive urban design controls.
- The detail in this policy is more appropriately covered by standards as assessment criteria.

Point Number

588.36

Summary of Decision Requested:

Amend Policy 4.5.15 Policy - Huntly Town Centre as follows:

(a) Development maintains and enhances the role of the Huntly Town Centre by:

- (i) Maintaining wide footpaths and high quality public space, prioritising and providing for pedestrian movement and safety;
- ~~(ii) Maintaining a pedestrian focus by discouraging vehicle access across footpaths;~~
- (iii) Providing for a building scale appropriate to the town centre;
- (iv) Protecting and enhancing the character of ~~the existing buildings centre~~ through new built form being consistent with the outcomes of the Town Centre Character Statement for Huntly Town Centre (Appendix 10.3), ~~in particular by:~~
 - ~~A. Providing transparent facades and window displays at ground level;~~
 - ~~B. Providing continuous suspended verandahs sheltering footpaths;~~
 - ~~C. Symmetrical window detailing; and~~
 - ~~D. Promoting active street frontages by developing up to the street boundary.~~

AND

Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.

Decision Reasons:

- Supports the overarching centres focus of the Proposed Waikato District Plan.
- Understand the intention to achieve high intensity yet fine grained town centres across the District, recognising the unique character of each settlement, however a failing in the approach is the absence of provision for supermarkets within the Business Town Centre.
- Supermarkets are recognised as retail anchors for centres and commercial development and act as a catalyst for investment by others.
- The scale and function of supermarkets unique operational and functional requirements can be managed through consideration of design, bulk and location.
- It is important to recognise that urban design aspirations should not be used to veto the operational and functional requirements of commercial activities in commercial zones.
- Seek a number of amendments to the centre specific objectives and policies in Chapter 4.5 to ensure that the sensible outcome sought by Objective 4.5.12 is not overlooked in favour of prescriptive urban design controls.
- The detail in this policy is more appropriately covered by standards or assessment criteria.

Point Number

588.37

Summary of Decision Requested:

Amend Policy 4.5.16 Policy - Ngaaruwaahia Town Centre as follows:

(a) Development maintains and enhances the role of the Ngaaruwaahia Town Centre by:

- (i) Maintaining wide footpaths, prioritising and providing for pedestrian movement and safety;
- ~~(ii) Maintaining a pedestrian focus by discouraging vehicle access across footpaths;~~
- (iii) Promoting improved pedestrian and cycle linkages with Te Awa River ride, Ngaaruwaahia swimming pool and town centre;
- (iv) Providing for an appropriate building scale and narrow frontages;
- (v) Protecting and enhancing the character of ~~the existing buildings centre~~ through new built form being consistent with the outcomes of the Town Centre Character Statement for Ngaaruwaahia Town Centre (Appendix 10.2), ~~in particular by:~~
 - ~~A. Recognising and promoting Ngaaruwaahia's cultural and heritage value set within the setting of the Waikato River and Hakerimata Range.~~
 - ~~B. Encouraging the preservation and promotion of Maori heritage;~~
 - ~~C. Providing transparent facades and window displays at ground level;~~
 - ~~D. Providing continuous suspended verandahs sheltering footpaths;~~
 - ~~E. Providing parking, loading and storage where rear access to buildings exists; and~~
 - ~~F. Promoting active street frontages by developing up to the street boundary.~~

AND

Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.

Decision Reasons:

- Supports the overarching centres focus of the Proposed Waikato District Plan.
- Understand the intention to achieve high intensity yet fine grained town centres across the District, recognising the unique character of each settlement, however a failing in this approach is the absence of provision for supermarkets within the Business Town Centre.
- Supermarkets are recognised as retail anchors for centres and commercial development and act as a catalyst for investment by others.
- The scale and function of supermarkets unique operational and functional requirements can be managed through consideration of design, bulk and location.
- It is important to recognise that urban design aspirations should not be used to veto for the operational and functional requirements of commercial activities in commercial zones.
- Seek a number of amendments to the centre specific objectives and policies in Chapter 4.5 to ensure that the sensible outcome sought by Objective 4.5.12 is not overlooked in favour of prescriptive urban design controls.
- The detail in this policy is more appropriately covered by standards or assessment criteria.

Point Number 588.38

Summary of Decision Requested: **Amend** Policy 4.5.17 Policy - Te Kauwhata Town Centre as follows:

- (a) *Development maintains and enhances the role of the Te Kauwhata Town Centre by:*
- (i) *Maintaining wide footpaths, prioritising and providing for pedestrian movement and safety;*
- (ii) ~~Maintaining a pedestrian focus by discouraging vehicle access across footpaths;~~
- (iii) *Providing for an appropriate building scale with narrow frontages; and*
- (iv) *Protecting and enhancing the character of the existing buildings-centres through new built form being consistent with the outcomes of the Town Centre Character Statement for Te Kauwhata Town Centre (Appendix 10.5) in particular by:*
- ~~A. Providing transparent facades and window displays at ground level;~~
- ~~B. Providing continuous suspended verandahs sheltering footpaths;~~
- ~~C. Symmetrical window detailing;~~
- ~~D. Promoting flat or low pitched roofs;~~
- ~~E. Providing parking, loading and storage where rear access to buildings exists;~~
- ~~F. Promoting mixed use and residential activities on upper floors;~~
- ~~G. Recognising the connections between the town centre and Whangamarino Wetland;~~
- ~~H. Encouraging the preservation and promotion of cultural features; and~~
- ~~I. Promoting active street frontages by developing up to the street boundary.~~

AND

Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.

Decision Reasons:

- Supports the overarching centres focus of the Proposed Waikato District Plan.
- Understand the intention to achieve high intensity yet fine grained town centres across the District, recognising the unique character of each settlement, however a failing in this approach is the absence of provision for supermarkets within the Business Town Centre.
- Supermarkets are recognised as retail anchors for centres and commercial development and act as a catalyst for investment by others.
- The scale and function of supermarkets unique operational and functional requirements can be managed through consideration of design, bulk and location.
- It is important to recognise that urban design aspirations should not be used to veto for the operational and functional requirements of commercial activities in commercial zones.
- Seek a number of amendments to the centre specific objectives and policies in Chapter 4.5 to ensure that the sensible outcome sought by Objective 4.5.12 is not overlooked in favour of prescriptive urban design controls.
- The detail in this policy is more appropriately covered by standards or assessment criteria.

Point Number 588.39

Summary of Decision Requested: **Amend** Policy 4.5.18 Pokeno Town Centre as follows:

- (a) *Development maintains and enhances the role of the Pokeno Town Centre by:*
- i. *Maintaining wide footpaths, prioritising and providing for pedestrian movement and safety;*
- ii. ~~Maintaining a pedestrian focus by discouraging vehicle access across footpaths;~~
- iii. *Providing for an appropriate building scale with narrow frontages; and*
- iv. ~~Protecting and enhance the character of the existing centre buildings through new built form being consistent with the outcomes of the Town Centre Character Statement for Pokeno Town Centre (Appendix 10.4) in particular by:~~
- ~~A. Promoting transparent facades and window displays at ground level;~~
- ~~B. Providing continuous suspended verandahs sheltering footpaths;~~
- ~~C. Providing parking, loading and storage where rear access to buildings exists;~~
- ~~D. Encouraging the preservation and promotion of cultural features;~~
- ~~E. Promoting active street frontages by developing up to the street boundary;~~
- ~~F. Ensuring built form is consistent with Waikato District Council Pokeno Town Centre Architectural Form, Materials and Signage Design Guide, and in particular section 6 (Architectural Style, Material and Appearance)~~

AND

Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.

Decision Reasons:

- Supports the overarching centres focus of the Proposed Waikato District Plan.
- Understand the intention to achieve high intensity yet fine grained town centres across the District, recognising the unique character of each settlement, however a failing in this approach is the absence of provision for supermarkets within the Business Town Centre.
- Supermarkets are recognised as retail anchors for centres and commercial development and act as a catalyst for investment by others.
- The scale and function of supermarkets unique operational and functional requirements can be managed through consideration of design, bulk and location.
- It is important to recognise that urban design aspirations should not be used to veto for the operational and functional requirements of commercial activities in commercial zones.
- Seek a number of amendments to the centre specific objectives and policies in Chapter 4.5 to ensure that the sensible outcome sought by Objective 4.5.12 is not overlooked in favour of prescriptive urban design controls.
- The detail in this policy is more appropriately covered by standards or assessment criteria.

Point Number 588.40

Summary of Decision Requested: **Amend** Policy 4.5.19 Tuakau Town Centre as follows:

- (a) *Development maintains and enhanced the role of the Tuakau Town Centre by;*

- i. Maintaining wide open streets, with wide pedestrian footpaths;
 - ~~ii. Maintaining a pedestrian focus by discouraging vehicle access across footpaths;~~
 - iii. Providing for an appropriate building scale ~~with narrow frontages;~~ and
 - ~~iv. Protecting and enhancing the character of the existing centre buildings through new built form being consistent with the outcomes of the Town Centre Character Statement for Tuakau Town Centre (Appendix 10.6)-in particular by:~~
 - ~~A. Providing parking, loading and storage where rear access to buildings exists;~~
 - ~~B. Promoting mixed use and residential activities on upper floors;~~
 - ~~C. Providing transparent facades and window displays at ground level;~~
 - ~~D. Providing continuous suspended verandahs sheltering footpaths;~~
 - ~~E. Encouraging the preservation and promotion of cultural features;~~
 - ~~F. Promoting active street frontages by developing up to the street boundary;~~
- AND

Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.

Decision Reasons:

- Supports the overarching centres focus of the Proposed Waikato District Plan.
- Understand the intention to achieve high intensity yet fine grained town centres across the District, recognising the unique character of each settlement, however a failing in this approach is the absence of provision for supermarkets within the Business Town Centre.
- Supermarkets are recognised as retail anchors for centres and commercial development and act as a catalyst for investment by others.
- The scale and function of supermarkets unique operational and functional requirements can be managed through consideration of design, bulk and location.
- It is important to recognise that urban design aspirations should not be used to veto for the operational and functional requirements of commercial activities in commercial zones.
- Seek a number of amendments to the centre specific objectives and policies in Chapter 4.5 to ensure that the sensible outcome sought by Objective 4.5.12 is not overlooked in favour of prescriptive urban design controls.
- The detail in this policy is more appropriately covered by standards or assessment criteria.

Point Number 588.41

Summary of Decision Requested: Delete Policy 4.5.20 Pedestrian frontages: active street frontages - Business Town Centre Zone.

AND

Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.

Decision Reasons:

- The content of these repetitive policies is more appropriately addressed in standards and assessment criteria.

Point Number 588.42

Summary of Decision Requested: Delete Policy 4.5.21 Corner Buildings - Business Town Centre Zone.

AND

Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.

Decision Reasons:

- The content of these repetitive policies is more appropriately addressed in standards and assessment criteria.

Point Number 588.43

Summary of Decision Requested: Delete Policy 4.5.22 Landscaping - Business Town Centre Zone.

AND

Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.

Decision Reasons:

- The content of these repetitive policies is more appropriately addressed in standards and assessment criteria.

Point Number 588.44

Summary of Decision Requested: Delete Policy 4.5.23 Height - Business Town Centre Zone.

AND

Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.

Decision Reasons:

- The content of these repetitive policies is more appropriately addressed in standards and assessment criteria.

Point Number 588.45

Summary of Decision Requested: Delete Policy 4.5.24 New Buildings - Business Town Centre zone.

AND

Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.

Decision Reasons:

- The content of these repetitive policies is more appropriately addressed in standards and assessment criteria.

Point Number 588.46

Summary of Decision Requested: Delete Objective 4.5.25 Character - Business Zone.

AND

Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.

Decision Reasons:

- The content of this repetitive objective is more appropriately addressed in standards and assessment criteria.

Point Number 588.47

Summary of Decision Requested: Delete Policy 4.5.26 Landscaping of onsite parking areas - Business Zone.

AND

Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.

Decision Reasons:

- The content of these repetitive policies is more appropriately addressed in standards and assessment criteria.

Point Number 588.48

Summary of Decision Requested: Delete Policy 4.5.27 Front setback - Business Zone.

AND

Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.

Decision Reasons:

- The content of these repetitive policies is more appropriately addressed in standards and assessment criteria.

Point Number 588.49

Summary of Decision Requested: Delete Policy 4.5.28 Height - Business Zone.

AND

Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.

Decision Reasons:

- The content of these repetitive policies is more appropriately addressed in standards and assessment criteria.

Point Number 588.50

Summary of Decision Requested: Retain Policy 4.5.8 Role and function of the Business Zone, subject to an amendment to discourage small-scale retail activities within this zone is controlled with a limit on gross floor area.

AND

Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.

Decision Reasons:

- The policy is supported regarding the role and function of the Business Zone, noting the above suggested amendment that this intention to discourage small-scale retail activities within the zone is carried through into the rules with a limit on gross floor area.

Point Number 588.51

Summary of Decision Requested: Retain Policy 4.5.9 Employment opportunities: Business Town Centre Zone and Business Zone.

Decision Reasons:

- Support this policy in that it recognises the importance of both the Business Town Centre and Business Zones to encourage and increase employment opportunities. Supermarkets will achieve this

Point Number 588.52

Summary of Decision Requested: Retain Objective 4.5.12 Business Town Centre - Character, insofar as it ensures development is designed in a functional manner.

Decision Reasons:

- To ensure development is designed in a functional and attractive manner is appropriate within the commercial environment.

Point Number 588.53

Summary of Decision Requested: Retain the approach where a restricted discretionary activity status is ascribed to an activity that infringes certain standards e.g. Rule 18.2.2 Servicing and hours of operation and Rule 18.2.8 Outdoor storage.

Decision Reasons:

- The submitter suggests that where activities infringe identified standards, a restricted discretionary activity status remains appropriate, rather than defaulting to a more onerous discretionary, where discretion is unfettered in assessment.,

Point Number 588.54

Summary of Decision Requested: Amend the Proposed District Plan to clarify that where buildings (which already require restricted discretionary activity consent) infringe standards, the activity status does not default to discretionary but remains restricted discretionary and a suitably limited set of criteria is applied.

AND

Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.

Decision Reasons:

- Restricted discretionary activity status can be accompanied by suitably limited criteria that still ensure an appropriate assessment of effects is undertaken, whilst providing a level of certainty to applicants that where activities of effects is undertaken, whilst providing a level of certainty to applicants that where activities are anticipated, such assessments will be rational and streamlined.

Point Number 588.55

Summary of Decision Requested: **Retain** the objectives and policies for the Industrial Zone in Section 4.6 Industrial and Heavy Industrial.

Decision Reasons:

- The objectives and policies for the Industrial Zone as they sensibly allow consideration of non-industrial use in the zone where it is compatible with industrial activities and uses.

Point Number 588.56

Summary of Decision Requested: **Retain** Rule 16.1.5 Non-complying Activities, insofar as supermarkets are more appropriately accommodated in zones that provide principally for commercial activities.

Decision Reasons:

- Supports the non-complying activity status for supermarkets within the Residential Zone as it will suitably assess the activity under section 104D of the Act and this approach is generally consistent with other plans in the region.

Point Number 588.57

Summary of Decision Requested: **Retain** restricted discretionary activity status for activities that infringe permitted activity standards in terms of transport, including the assessment criteria.

Decision Reasons:

- Support the well drafted and appropriate assessment criteria associated with the restricted discretionary activity status within the Transport chapter.

Point Number 588.58

Summary of Decision Requested: **Delete** the New Zealand Transport Agency designation J14 that applies to the frontage of 16-18 Tumate Mahuta Drive, Huntly and allow unrestricted access to and from the affected frontage for the supermarket site.

AND

Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.

Decision Reasons:

- Operates a supermarket at 16/18 Tumate Mahuta Drive, Huntly and the site frontage is designated (NZTA, J14), which precludes vehicle access.
- It is understood that this section of the road will have its State Highway status rescinded and the designation will be surrendered.

Point Number 588.59

Summary of Decision Requested: **Amend** Rule 14.12.1 P4 Traffic generation activity-specific conditions 14.12.1.4(1)(d) as follows:

(d) Within the Industrial Zone and Heavy Industrial Zone (excluding the Huntly Power Station and Huntly Quarry);

(i) Maximum ~~250 vehicle movements per day~~ 100 vehicles per hour (any hour), and no more than 15% of these vehicle movements are heavy vehicle movements

AND

Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.

Decision Reasons:

- It is inconsistent that activities in the Industrial Zone have an even lower traffic generation permitted threshold since the Industrial Zone is anticipated to accommodate heavy traffic and at greater volumes.

Submitter Number: 589

Submitter: Z Energy Ltd

Point Number 589.1

Summary of Decision Requested: **Amend** the zoning of the property at 41 Great South Road, Pokeno from Business Town Centre Zone to Business Zone.

OR

Amend the provisions for Business Town Centre Zone to enable additions and alterations to the existing truckstop at 41 Great South Road, Pokeno to recognise the investment, the benefits to the community, the need to maintain and upgrade facilities, and not be consistent with urban design guidelines in the event that the rezoning request is not accepted.

AND

Amend the Proposed District Plan, including consequential amendments, to address the matters raised in the submission.

Decision Reasons:

- The Business Town Centre zone is inappropriate for the site at 41 Great South Road, Pokeno.
- Business Town Centre is appropriate for small retail/commercial services.
- The Business Zone provides for a wide range of commercial activities at a scale that supports the commercial viability of towns and villages and discourages small retail/commercial services, and therefore more appropriate for the Z Energy truck stop refuelling facility to be located within.
- The existing facility is appropriate in the context of the Business Zone policy framework.

Point Number 589.2

Summary of Decision Requested: **Delete** the Verandah Overlay applied to the frontage of 41 Great South Road, Pokeno.

AND

Amend the Proposed District Plan, including consequential amendments, to address the matters raised in the submission.

Decision Reasons:

- The Verandah Overlay is inappropriately applied to the site at 41 Great South Road, Pokeno. This may be in part as a result of being inappropriately zoned as Business Town Centre zone, rather than the Business Zone.
- It will be triggered irrespective of the extent or location of the alteration or new buildings, including applying to above ground tanks.

Point Number

589.3

Summary of Decision Requested:

Amend Rule 18.3.5 D1 Verandahs from a Discretionary activity to a Restricted Discretionary activity and include relevant matters of discretion:

~~DRD1~~

Any verandah that does not comply with Rule 18.3.5 P1.

Discretion is restricted to:

- (i) The effects on the amenity of the streetscape;*
- (ii) The character and layout of the building;*
- (iii) The nature, design and location of the verandah; and*
- (iv) The functional requirements of the activities that the buildings are intended to accommodate.*

AND

Amend the Proposed District Plan, including consequential amendments, to address the matters raised in the submission.

Decision Reasons:

- This rule captures a "new building or the alteration of an existing building" and will be triggered irrespective of the extent or location of the alteration or new building.
- Non-compliance with the overlay rule triggers a full discretionary activity and this is inappropriate. It is possible to restrict the matters relevant and required to be considered and therefore should be considered a restricted discretionary activity.
- It needs to be recognised that there are some commercial activities that have a different form and function to that enshrined in the proposed approach, but which are still appropriately located in the business environment.
- The Z Pokeno truckstop is an established business that provides a function and facility to the public. The design requirements of a service station will not meet the verandah overlay standard. It is important that the operating requirements of such activities are accommodated.

Point Number

589.4

Summary of Decision Requested:

Amend Policy 4.5.29 New Buildings: Business Zone, as follows:

(a) New buildings within the Business Zone are consistent with the Waikato District Council Urban Design Guidelines Town Centres (Appendix 3.3), and in particular:

- (i) Responds to the specific site characteristics and wider street;*
- (ii) Promotes architectural form, building features and placement;*
- (iii) Provides landscape and open space design that responds to the characteristics and qualities of the area;*
- (iv) Minimises visual and visual amenity impacts of accessways and parking facilities; and*
- (v) Accommodates pedestrian access and safety.*

Except that where an activity has a specific functional or operational design or layout requirement, to consider (i) - (v) in the context of the following;

- (i) the investment in existing activities;
- (ii) the nature of the existing environment;
- (iii) the degree to which new buildings have been designed to address the street and the street edge, to the degree practicable, and otherwise to mitigate the visual impact of blank walls, including through design features or landscaping; and
- (iv) the degree to which visibility of and for pedestrians is maintained and pedestrian movements along the footpath can be prioritised.

AND

Amend the Proposed District Plan, including consequential amendments, to address the matters raised in the submission.

Decision Reasons:

- Does not make satisfactory provision for the continued use and redevelopment of existing commercial use and redevelopment of existing commercial sites.
- There is a need to recognise that there are business activities which have a different form and function, but which are appropriately located in a business environment.
- Service stations are activities that provide important functions for the public and the design requirements of service stations mean that many of the requirements within the Proposed District Plan will not be able to be met. It is important that their operating requirements are accommodated, To do otherwise would be inefficient and ineffective and will generate greater costs than benefits.

Point Number

589.5

Summary of Decision Requested:

Retain the Waikato River Catchment Overlay, insofar as consultation with iwi is to be determined on a case by case basis, as is relevant to the application and its associated effects.

Decision Reasons:

- The Waikato River Catchment Overlay is supported insofar as consultation with iwi is to be determined on a case by case basis, as is relevant to the application and its associated effects.

Point Number

589.6

Summary of Decision Requested:

Retain the Industrial Zone at 392 Great South Road, Huntly.

Decision Reasons:

- The zoning is appropriate.
- Provides for a variety of industrial activities that can operate in close proximity to more sensitive zones due to the nature and relatively limited effects of these activities.
- Appropriate in the context of the proposed Industrial Zone policy framework.

Point Number	589.7
Summary of Decision Requested:	Retain the Business Zone at 106 Great South Road, Ngaruawahia.
Decision Reasons:	<ul style="list-style-type: none"> This zone provides for a wide range of commercial activities at a scale that supports the viability of towns/villages and discourages small scale retail activities/commercial services in this zone. It is considered appropriate the site is zoned Business Zone given the context of the Business Zone policy framework. The provision of services stations as permitted within this zone is appropriate.

Submitter Number:	590	Submitter:	Jenny Kelly
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Point Number	590.1
Summary of Decision Requested:	Amend the rules supporting Objective 5.1.1(a)(i), (ii) and (iii) to be stringent, not politically pragmatic, and according to the soil productivity levels, including the following: <ul style="list-style-type: none"> Subdivision should not be permitted in the Rural Zone Rule 22.3.1 P1(b) and Rules 22.4.1.2 RD1(a)(v)A and B do not comply with Objective 5.1.1(a) Soil testing should be mandatory before any proposed minor or other building is considered Any building should be on the least productive land.
Decision Reasons:	<ul style="list-style-type: none"> As the population increases Waikato District is well placed and experienced as a primary produce provider. Once land is subdivided or built on, its natural productivity is lost. The nation's long-term needs must be considered, not just limited short-term gains.

Point Number	590.2
Summary of Decision Requested:	Amend the Proposed District Plan to consider the inclusion of a central district repository of heritage and community archives within Chapter 7 Historic Heritage.
Decision Reasons:	<ul style="list-style-type: none"> Following the Waikato District Heritage Strategy in 2015, the need for a central district repository for Heritage and Community Archives was identified. More democracy, respecting the collective knowledge of community representatives, rather than staff-drive bureaucracy might enable wiser expenditure.

Point Number	590.3
Summary of Decision Requested:	Retain Policy 5.6.2(a)(i) Country Living character, and ensure it is not contradicted.
Decision Reasons:	<ul style="list-style-type: none"> The Resource Management Act's liberal provision for resource consents have enabled this policy to be contradicted in Te Kauwhata. The Resource Management Act is a flawed system that required significant resources and expenditure under the guide of a democratic process. As for elected Council Representatives not being able to hear community concerns, relating to the planning process, because they are commissioners is farcical. This is not democracy.

Point Number	590.4
Summary of Decision Requested:	Retain Policy 5.6.3(a)(i) and (ii) Subdivision within the Country Living Zone, and ensure it is not contradicted.
Decision Reasons:	<ul style="list-style-type: none"> The Resource Management Act's liberal provision for resource consents have enabled this policy to be contradicted in Te Kauwhata. The Resource Management Act is a flawed system that required significant resources and expenditure under the guide of a democratic process. As for elected Council Representatives not being able to hear community concerns, relating to the planning process, because they are commissioners is farcical. This is not democracy.

Submitter Number:	591	Submitter:	Stevenson Waikato Ltd
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Point Number	591.1
Summary of Decision Requested:	Add a new permitted activity within Rule 22.2.3.1 Earthworks - General, as follows: <i>P5 Earthworks for extractive industry within the Aggregate Extraction Areas and Aggregate Resource Areas shown on the planning maps, provided that sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls.</i> <i>NB earthworks for extractive industry within the Aggregate Extraction Areas and Aggregate Resource Areas shown are not subject to the conditions of P2 above.</i>
Decision Reasons:	<ul style="list-style-type: none"> Provision should be made for earthworks in association with extractive industry in the Aggregate Extraction Areas and Aggregate Resource Areas shown on the planning maps as a permitted activity.

Point Number	591.2
Summary of Decision Requested:	Add a new permitted activity rule within Rule 22.2.3.3 Earthworks - Significant Natural Areas, as follows: <i>P3 Earthworks for extractive industry within the Aggregate Extraction Areas and Aggregate Resource Areas shown on the planning maps, provided that sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls.</i>
Decision Reasons:	

- Provision should be made for earthworks in association with extractive industry within Aggregate Extractive Areas and Aggregate Resource Areas shown on planning maps as a permitted activity including within the Significant Natural Area.

Point Number 591.3

Summary of Decision Requested: **Add** a new permitted activity rule within Rule 22.2.7 Indigenous vegetation clearance within Significant Natural Areas, as follows:
P7 Indigenous Vegetation clearance for extractive industry within the Aggregate Extraction Areas and Aggregate Resource Areas shown on the planning maps.

Decision Reasons:

- Provision should be made for vegetation clearance in association with extractive industry in the Aggregate Extraction Areas and Aggregate Resource Areas shown on the planning maps as a permitted activity including within Significant Natural Area.

Point Number 591.4

Summary of Decision Requested: **Add** a new permitted activity rule within Rule 22.2.8 Indigenous vegetation clearance outside a Significant Natural Area, as follows:
P4 Indigenous Vegetation clearance for extractive industry within the Aggregate Extraction Areas and Aggregate Resource Areas shown on the planning maps.

Decision Reasons:

- Provision should be made for vegetation clearance in association with extractive industry in the Aggregate Extraction Areas and Aggregate Resource Areas shown on the planning maps as a permitted activity.

Point Number 591.5

Summary of Decision Requested: **Retain** Policy 3.2.6 Providing for vegetation clearance, except for the amendments sought below
AND

- Amend** Policy 3.2.6(a) Providing for vegetation clearance as follows:
- (a) Provide for the clearance of indigenous vegetation in Significant Natural Areas when:
- (i) maintaining tracks, fences and farm drains
 - (ii) avoiding loss of life injury or damage to property
 - (iii) collecting material to maintain traditional Maaori cultural practices
 - (iv) collecting firewood for domestic use
 - (v) undertaking extractive industry within Aggregate Extraction and Aggregate Resource Areas shown on the planning maps.

Decision Reasons:

- Supports providing for the clearance of indigenous vegetation in Significant Natural Areas for a range of activities but seeks that the policy be extended to cover the extractive industry, where Significant Natural Areas are shown within these areas.
- There is little point in identifying areas for aggregate extraction or future aggregate extraction if it is prevented by the presence of a Significant Natural Area.

Point Number 591.6

Summary of Decision Requested: **Amend** Policy 5.4.2 Access to minerals and extractive industries as follows:

(a) Enable extractive industries, provided that adverse effects are avoided, remedied or mitigated.

(b) Protect access to, and ~~enable the~~ extraction of, mineral resources by:

- (i) Identifying lawfully established extractive industries in Aggregate Extraction Areas and Coal Mining Areas on planning maps and enabling extractive industry within those areas;
- (ii) Identifying the site of a potential extractive industry within an Aggregate Resource Areas on planning maps and enabling the expansion of extractive industry from within adjacent Aggregate Extraction Areas;
- (c) Ensure that ~~lawfully established~~ extractive industries within Aggregate Extraction Areas and Aggregate Resource Areas are not compromised by new subdivision, use or development;
- (d) Avoid the location of any sensitive land use within 500 metres of Aggregate Extraction Areas and Aggregate Resource Areas in the case of a rock resource and 200 metres in the case of a sand resource specified buffer areas otherwise risk the effective operation of a lawfully established extractive industry.

Decision Reasons:

- The policy does not give effect to the Waikato Regional Policy Statement or Objectives 5.4.2 or 5.4.1 of the Proposed District Plan.
- The policy should protect access to and extraction of mineral resources by enabling that access and extraction within the areas identified for that purpose.
- Where Aggregate Resource Areas are adjacent to Aggregate Extraction Areas it is clear they provide expansion areas for the lawfully established extractive industry and this should be recognised in the policy.
- Vague reference to "specified buffer areas" needs to be made specific and apply not only to existing extractive industry.
- It is unnecessary to repeat "lawfully established" when referring to extractive industry within the Aggregate Extraction Area as by definition all such industry within such an area has been lawfully established.

Point Number 591.7

Summary of Decision Requested: **Amend** the definition of "Extractive Industry" in Chapter 13 Definitions, as follows:
...The term also includes the removal, stockpiling and filling of overburden sourced from the same site and the following activities:

- blasting;
- storing, distributing and selling mineral products;
- accessory earthworks;
- treating stormwater and waste water;
- landscaping and rehabilitation of quarries;
- cleanfills and managed fills;
- recycling or reusing aggregate from demolition waste such as concrete, masonry, or asphalt;
- accessory activity and accessory buildings and structure such as weighbridges, laboratories and site offices.

It includes all ...

Decision Reasons:

- The definition does not include all the activities commonly carried out at a quarry or other extractive industry.

Point Number 591.8

Summary of Decision Requested: **Amend** Rule 14.12.1 P4(d) Traffic Generation, as follows:

(d) *Within the Rural Zone:*

(i) *There is a maximum 200 vehicle movements per day and no more than 15% of these vehicle movement are heavy vehicle movements; or*

(ii) *Within the Agricultural Research Centres identified on the planning maps as a Specific Area there is maximum 3000 vehicle movements per day; or*

(iii) *Within the Aggregate Extraction Areas or Aggregate Resource Areas identified on the planning maps there is a maximum of 400 vehicle movements per day including heavy vehicle movements.*

Decision Reasons:

- There is no provision in the permitted traffic generation rule for lawfully established extractive industry and their associated truck movements other than a specific provision for the "Huntly Quarry".
- Most extractive industry sites are located in the Rural Zone. The rule has a maximum of 200 vehicle movement of which no more than 15% can be heavy vehicle movements. Quarries cannot comply with this rule and some lawfully established extractive industry can generate up to a maximum of 400 heavy vehicle movements a day.
- It cannot have been Council's intention to make all quarries non-compliant with regard to this rule.

Point Number 591.9

Summary of Decision Requested: **Add** a new permitted rule within Rule 22.1.2 Permitted Activities, as follows:

P1.3 Extractive Industry within the Aggregate Extractive Areas and Aggregate Resource Areas shown on the planning maps.

AND

Amend Rule 22.1.5 D8 Discretionary Activities, as follows:

An extractive industry outside the Aggregate Extraction Areas and Aggregate Resource Areas shown on the planning maps.

AND

Add new rules for noise and vibration specifically in relation to extractive industry activities (see the submission for specific amendments sought).

AND

Add a new provision within Rule 22.2.1 Noise to specifically address noise standards within the Aggregate Extraction Areas and Aggregate Resource Areas, as follows:

22.2.1.4 Noise and Vibration - Extraction Industry within the Aggregate Extraction Areas and Aggregate Resource Areas shown on the planning map

P1 Noise from extractive industry must not exceed the noise levels in Table 1 below at a notional boundary from any dwelling outside the Aggregate Extraction Areas and Aggregate Resource Areas and not in the ownership of the operator of the extractive industry. Noise must be measured and assessed in accordance with New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008), and New Zealand Standard on Acoustics - Environmental Noise (NZS 6802:2008).

Table 1

Noise levels	Times
<u>7am-10pm, Monday to Saturday</u>	<u>LAeq 55dB</u>
<u>All other times and on public holidays</u>	<u>LAeq 45dB LAFmax 75dB</u>

P2 Noise created from the use of explosives must not exceed a peak overall sound pressure of 128dB Lzpeak.

P3 The measurement of blast noise (air blast) and ground vibration from blasting must be measured at the notional boundary of a dwelling outside the Aggregate Extraction Areas and Aggregate Resource Areas and not in the ownership of the operator of the extraction industry.

P3 Vibration generated by blasting shall be measured within a building in accordance with Appendix J of Part 2 of Australian Standard AS 2187 2006.

P4 All blasting is restricted to:

(a) 9am-5pm, Monday to Saturday.

(b) an average of two occasions per day over a calendar fortnight except where necessary because of safety reasons.

P5 Blasting activities must be controlled to ensure any resulting ground vibration does not exceed the limits set out in German standard DIN 1503 1999: Structural vibration - Part 3 Effects of vibration on structures when measured on the foundation in the horizontal axis on the highest floor of an affected building.

RD1 Noise or vibration that does not comply with the above standards.

Council's discretion is restricted to the following matters:

(i) effects on amenity values;

(ii) hours and days of operation;

(iii) noise levels, location of noise source, frequency, duration or other special characteristics of noise;

(iv) benefits derived from extracting the resource; and

(v) mitigation measures.

Decision Reasons:

- Agree that extractive industry should be a discretionary activity where it is not identified within the Aggregate Extraction Areas and Aggregate Resource Areas shown on planning maps.
- Where an Aggregate Extraction Area and Aggregate Resource Area is identified then extractive industry should be enabled subject to appropriate standards.
- This approach is adopted by the Franklin section of the Operative District Plan, Waipa District Plan and the Auckland Unitary Plan.
- There is no basis for adopting a more restrictive approach in the Proposed Waikato District Plan.
- The proposed amendment can be accommodated within the existing Rural Zone and there is no need to adopt a special purpose zone as asserted in the section 32 analysis.
- The duplication and inefficiencies from administering multiple zones as noted in the section 32 report as the only reason for rejecting this option does not exist.

Point Number 591.10

Summary of Decision Requested: **Add** a new height rule within Rule 22.3.4 Height, as follows:

22.3.4.5 Building Height for extractive industry in industry in the Aggregate Extraction Areas and Aggregate Resource Areas shown on the planning maps

P1

Building height must not exceed 20m.

RD1

Building height that does not comply with above standard.

Council's discretion is restricted to the following matters:

(i) effects on amenity values;

(ii) extent and visibility of non-compliance from adjacent zones;

(iii) building form, location, external cladding and colour.

Decision Reasons:

- Provision should be made for buildings up to 20 metres in height in association with extractive industry in the Aggregate Extraction Areas and Aggregate Resource Areas shown on the planning maps as a permitted activity.

Point Number 591.11

Summary of Decision Requested: **Amend** Rule 22.3.7.2 P1 Building setback sensitive land use, as follows:

- (a) Any building for a sensitive land use must be set back a minimum of:*
- (i) 5m from the designated boundary of the railway corridor;*
 - (ii) 15m from a national route or regional arterial road;*
 - (iii) 35m from the designated boundary of the Waikato Expressway;*
 - (iv) 200m from Aggregate Extraction Area or Aggregate Resource Area containing a sand resource;*
 - (v) 500m from an Aggregate Extraction Area or Aggregate Resource Area containing a rock resource;*
 - (vi) 100m from a site in the...*

Decision Reasons:

- Where Aggregate Resource Areas are adjacent to Aggregate Extraction Areas it is clear that they provide expansion areas for the lawfully established industry and this should be recognised.
- The building setback needs to applied in the Aggregate Extraction Areas and Aggregate Resource Areas identified in the planning maps.

Point Number 591.12

Summary of Decision Requested: **Amend** the extent of the Aggregate Extraction Area to cover the overburden areas in association with the Stevenson Huntly Quarry at 300 River Road, Huntly and shown in the plan attached to the submission.

Decision Reasons:

- Overburden disposal is included in the definition of extractive industry and consequently should be mapped as an integral part of the Aggregate Extraction Area.

Point Number 591.13

Summary of Decision Requested: **Delete** the Significant Natural Area overlay in areas where it overlaps with the Aggregate Extraction Area or Aggregate Resource Area at Stevenson's Huntly Quarry at 300 River Road, Huntly.

Decision Reasons:

- There is little point in identifying areas of aggregate extraction or future aggregate extraction if it will be prevented by a significant natural area.
- Alternative is to make a special provision for earthworks and vegetation clearance within the policies and rules for the situation where the Extraction Areas and Aggregate Resource Area overlaps overlap with the Significant Natural Area.
- The Significant Natural Area should be removed from the planning maps. This Significant Natural Area is considered to be only of local significance.

Submitter Number: 592 **Submitter:** Christine Montagna
On behalf of: David James Evans

Point Number 592.1

Summary of Decision Requested: **Amend** the zoning of the properties located on the southern side of Whangarata Road, Tuakau to Country Living Zone.

Decision Reasons:

- Will provide a wide range of housing options and ensure buildings are positioned in a manner that provides for transition from large lots to smaller lots in Tuakau.
- Will promote the development of a variety of housing densities, diversity of building styles and a high quality living environment in Tuakau.
- Will ensure existing farming activities are protected from the effects of reverse sensitivity by considering the location of new residential development.
- The properties are located on the southern side of Whangarata Road back onto the pony club and need to stay rural.

Submitter Number: 593 **Submitter:** Christine Montagna

Point Number 593.1

Summary of Decision Requested: **Retain** the rural zoning around Buckville Road, Logan Road and Golding Road, Buckland.

Decision Reasons:

- Rural zoning of this area is appropriate as it enables a rural lifestyle, which would otherwise be lost if any more subdivision was to occur.
- It is important to retain existing productive farmland in order to sustainably manage the resource.

Point Number 593.2

Summary of Decision Requested: **Retain** Rule 22.4.1.2 General Subdivision, as notified.

Decision Reasons:

- Constraints upon subdivision are appropriate in order to retain productive rural land and preserve the soil resource.
- Further rural subdivision has adverse effects on wildlife, the environment and amenity of local residents.

Submitter Number: 594 **Submitter:** Douglas Birt

Organisation: NZ Association of Radio Transmitters Inc (NZART)

Point Number 594.1

Summary of Decision Requested: **Add** a definition for 'Amateur radio configurations' in Chapter 13 Definitions, as follows:
Means aerials, antennas and associated support structures which are owned and operated by licensed amateur radio operators

Decision Reasons:

- The Proposed Plan does not define 'amateur radio configurations'. The requested definition would effectively capture all antennas, aerials and support structures used by licensed radio amateurs.

Point Number 594.2

Summary of Decision Requested: **Amend** the Proposed District Plan including Rule 14.9.1 P1 and P2 Permitted Activities, by clarifying the difference between antennas and aerials.

Decision Reasons:

- The term 'antenna' is defined although 'aerial' is not. From a technological point of view, these are alternative terms for the same thing.

Point Number 594.3

Summary of Decision Requested: **Amend** Rule 14.9.1 Permitted Activities, by removing inconsistencies between P2 Aerials associated with amateur radio configurations (Rule 14.9.1.2) and P3 Support structures associated with amateur radio configurations (Rule 14.9.1.3), so that there are consistent references across the clauses in these two rules to zone height plus 2 metres (as per Rule 14.9.1.3 (a)(iv)).

Decision Reasons:

- It is appropriate to have consistency across the rules in respect to expressing the allowable dimensions for aerials and support structures.

Point Number 594.4

Summary of Decision Requested: **Retain** Rule 14.9.1 P1 Antennas associated with amateur radio configurations, as notified.

Decision Reasons:

- No reasons provided.

Point Number 594.5

Summary of Decision Requested: **Amend** Rule 14.9.1 P2 (a) (v) Aerials associated with amateur radio configurations, to correct a reference error as follows:
(a)(v) No part of the aerial exceeds the maximum stated height applying to buildings in the applicable zone by more than 2m (except for vertical aerials as provided for in ~~Rule 14.9.1.2(f)(f) below~~ Rule 14.9.1.2(g)(v));

Decision Reasons:

- The reference to Rule 14.9.1.2(f)(f) appears to be an error and needs to be replaced with a reference to Rule 14.9.1.2(a)(vi) instead.

Point Number 594.6

Summary of Decision Requested: **Amend** Rule 14.9.1.2 P2 Aerials associated with amateur radio configurations, to enable at least one additional pole structure which exceeds the height limits applying to zone height rules, but this second pole need not be 20m.

Decision Reasons:

- For 3.6MHz aerials, one end of such a wire could be attached to the main supporting structure, but unless some other provision is made in say 14.9.1.2(a), there is no way of holding up the other end at the required height because zone height plus 2m is not high enough. There needs to be provision for just one additional pole to be at, say, 14m height. Without this exception, the very simple low visual impact wire antenna cannot be used in its preferential horizontal configuration.

Point Number 594.7

Summary of Decision Requested: **Amend** Rule 14.9.1 P2 (a)(vi) Aerials associated with amateur radio configurations, to correct a referencing error as follows:
(a)(vi) For vertical aerials, one vertical aerial to a maximum height of 20m, provided there is only one vertical aerial or one supporting structure (and attached aerial(s) or antenna(s) under ~~Rule 14.9.1.3(i)(c) below~~ Rule 14.9.1.3(g)(iii)) per site that exceeds the maximum stated height applying to buildings in the applicable zone by more than 2m;

Decision Reasons:

- The reference to Rule 14.9.1.3(i)(c) appears to be an error and should be replaced with a reference to Rule 14.9.1.3(a)(iii).

Point Number 594.8

Summary of Decision Requested: **Amend** Rule 14.9.1 P3 Support structures associated with amateur radio configurations, so that the numbering of clauses and format are improved.

AND

Amend Rule 14.9.1.3 P3 Support structure associated with amateur radio configurations to be clearer and replace with the following:

(a) Support structures associated with amateur radio configurations that comply with all of the following;

(i) For wire aerials of less than 1 / 5mm in outside diameter, no more than six support poles per site provided that:

A. The maximum height of the support poles does not exceed the maximum building height in the zone in which they are located by more than 2m;

B. The setback and height in relation to boundary shall not apply to these support poles;

(ii) Where guy wire are used these must not exceed 12mm in diameter;

(iii) At no point must any guy wire or aerial overhang the boundary;

(iv) For each site, one support structure can exceed the maximum stated height applying to buildings in the applicable zone by more than 2m, provided that:

A. The maximum height of the support structure and any attached aerials or antennas is 20m;

B. The support structure may be a pole or lattice mast, it may be guyed or self supporting but the inscribed circle of the structure below 9m shall be 1000mm, and above 9m must fit within a tapering envelope with a maximum inscribed circle of 660mm at 9m, and 420mm at 20m.

AND

Amend Rule 14.9.1.2 P2 (a) (vi) as follows:

(a)(vi) For each site, one pole structure or vertical antenna to a maximum height of 14 metres provided there is only one vertical aerial in addition to the one supporting structure under rule 14.9.1.3 below per site that exceeds the maximum stated height applying to buildings in the applicable zone by more than 2m.

Decision Reasons:

- The numbering and format of clauses in Rule 14.9.1 P3 need improvement.

Point Number

594.9

Summary of Decision Requested:

No specific decision sought, but submission considers that where amateur radio clubrooms are set up, amateur radio configurations should be erected on a permitted basis at those clubroom sites.

Decision Reasons:

- The Proposed District Plan is silent on this issue.

Submitter Number:

595

Submitter:

Philip Parkes

Point Number

595.1

Summary of Decision Requested:

Add provisions that would support any project suggested to improve the use of the Huntly East Mine and increase the availability to the public/community of Huntly.

Decision Reasons:

- This will bring people into the area.
- It will give/make jobs for local people.

Submitter Number:

596

Submitter:

Raewyn Detmar

On behalf of:

Pokeno Playcentre

Point Number

596.1

Summary of Decision Requested:

Amend Rule 16.1.2 Permitted Activities, to add a Childcare Facility as a Permitted Activity.

Decision Reasons:

- Supports a play centre being in close vicinity to residential homes.
- Does not support childcare centres being in amongst the commercial buildings as per the current rules.

Point Number

596.2

Summary of Decision Requested:

Amend Rule 22.1.2 Permitted Activities, to add a Child Care facility as a permitted activity.

Decision Reasons:

- Supports a play centre being in close vicinity to homes.
- Does not support childcare centres being in amongst commercial buildings as per the current rules.

Submitter Number:

597

Submitter:

Jackie Rogers

Organisation:

Shand Properties Ltd

Point Number

597.1

Summary of Decision Requested:

Amend the Proposed District Plan to enable the Kimihia Lakes Restoration and Development Plan through a new specific zone and corresponding rules.

Decision Reasons:

- This will create outdoor education and recreational opportunities for the benefit of Huntly and North Waikato.
- This will help the community thrive, share and engage in activities together, including the development of the project.

Submitter Number:	598	Submitter:	Withers Family Trust
Point Number	598.1		
Summary of Decision Requested:	Defer the hearing of submissions on Stage 1 until after the National Planning Standards have been adopted and/or until completion of both Stage 2 of the Future Proof Strategy and the updated Waikato Regional Policy Statement.		
Decision Reasons:	<ul style="list-style-type: none"> Legislative reforms are currently occurring with respect to the National Planning Standards (NPS) which are expected to be adopted in 2019. The NPS intend to improve consistency in the format and content of a district plan, particularly definitions. The Waikato Regional Policy Statement (WRPS) will be reviewed to account for the area of the former Franklin District that is now part of Waikato District. The Future Proof Strategy will be reviewed over the 2018/2019 period and will inform the WRPS in respect to settlement patterns. In turn, the district plan is required to give effect to the WRPS. The timing of the review is therefore questioned because changes to the district plan that result from changes to other legislative documents will be unnecessarily time-consuming and expensive. 		
Point Number	598.2		
Summary of Decision Requested:	Amend Section 1.4.4(a) The urban environment, as follows: (a) A key issue for the district is to maintain <u>and enhance</u> the productive capacity of the rural resource and ensure that population growth and associated built development is managed in a way that results in efficient and high-amenity urban areas. ...		
Decision Reasons:	<ul style="list-style-type: none"> The impact of urban development on the rural environment should not restrict the productive capacity of the rural resource to existing levels. The policy should therefore allow for enhanced rural productivity. 		
Point Number	598.3		
Summary of Decision Requested:	Amend Section 1.5.2(a) Planning for urban growth and development as follows: (a) Defined growth areas have been zoned and their development will be guided through the application of objections and policies and through processes such as the development of master plans, comprehensive structure plans, within the district plan and any future changes to the district plan. The agreed Future Proof settlement pattern for urban growth and development is to will assist to avoid unplanned encroachment into rural land and is to be contained within defined urban areas to avoid rural residential fragmentation.		
Decision Reasons:	<ul style="list-style-type: none"> The Environment Court has questioned the legality of structure plans and master plans and the like which determine the activity status of a proposal. The need for landowners within a structure plan area to collaborate is questionable. Reference to the current Future Proof document may be misleading because this is a dynamic document that will change. 		
Point Number	598.4		
Summary of Decision Requested:	Delete Section 1.12.1 (b) and (c) Strategic direction.		
Decision Reasons:	<ul style="list-style-type: none"> The policy relating to the use of master plans where adherence to the plans may change the activity status of a proposal is questioned. The Environment court has questioned the legality of structure plans and master plans and the like which determine the activity status of a proposal. Further, it is not clear what is meant by master plans and where they are referenced in the rules (despite reference to them in Policy 4.7.14). 		
Point Number	598.5		
Summary of Decision Requested:	Retain Objective 4.1.1 (a) and (b) Strategic.		
Decision Reasons:	<ul style="list-style-type: none"> This objective supports sustainable communities and will provide for 13,300-17,500 additional dwellings within the district in the period 2018-2045. 		
Point Number	598.6		
Summary of Decision Requested:	Retain Objective 4.1.2 - Urban growth and development.		
Decision Reasons:	<ul style="list-style-type: none"> This objective will consolidate growth around existing towns and villages. 		
Point Number	598.7		
Summary of Decision Requested:	Retain Policy 4.1.3 (b) Location of development, except for the amendments sought below AND Amend Policy 4.1.3(b) Location of development as follows: (b) Locate urban growth areas only where they are consistent with legislative requirements and strategic documents such as Future Proof, the Future Proof Strategy Planning for Growth 2017.		
Decision Reasons:	<ul style="list-style-type: none"> Urban growth should align with the Waikato Regional Policy Statement which is informed by Future Proof. However, the Future Proof Strategy is to be updated in 2018/2019 in accordance with legislative reform which includes the National Policy Statement - Urban Development Capacity and strategic requirements. 		
Point Number	598.8		

Summary of Decision Requested: Retain Policy 4.1.4 Staging of development.

Decision Reasons:

- An integrated and staged approach to development is appropriate where it is supported by infrastructure.

Point Number 598.9

Summary of Decision Requested: Retain Policy 4.1.5(b) but the submitter notes that physical/geotechnical limitations, market trends and fragmented land ownership may impede achieving these minimum density requirements.

Decision Reasons:

- Achieving a minimum density of 12-15 households per hectare in the Residential Zone may be impeded due to physical/geotechnical limitations, market trends and fragmented land ownership.

Point Number 598.10

Summary of Decision Requested: Retain Objective 4.2.14 Earthworks.

Decision Reasons:

- Earthworks that facilitate residential subdivision are supported.

Point Number 598.11

Summary of Decision Requested: Retain Policy 4.7.3 Residential subdivision, insofar as subdivision development responds to the outcomes of the Urban Design Guidelines.

AND

Clarify the Urban Design Guidelines and the activity status and/or the process for changing these guidelines.

Decision Reasons:

- Reference is made to the operative plan provisions rather than the Proposed Plan. The status of the document 'Waikato District Council's Urban Design Guidelines Residential Subdivision' in Appendix 3.1 is questionable as to the public's ability to submit on changes to these guidelines.

Point Number 598.12

Summary of Decision Requested: Delete Policy 4.7.6 (a)(ii) and (iii) Coordination between servicing and development and subdivision.

Decision Reasons:

- Oppose reference to structure plans, as the Environment Court has questioned the legality of structure plans and master plans and the like which determine the activity status of a proposal.

Point Number 598.13

Summary of Decision Requested: Retain Policy 4.7.7 Achieving sufficient development density to support the provision of infrastructure services.

Decision Reasons:

- The subdivision rules need to ensure this policy outcome.

Point Number 598.14

Summary of Decision Requested: Retain Policy 6.4.2 - Provide adequate infrastructure.

Decision Reasons:

- Ensure that the Rules relating to subdivision give effect to the proposed Policies, and that where greenfield sites are identified for urban growth, that the ability to appropriately, effectively and efficiently service these areas in comparison to other areas has been adequately investigated through Section 32 RMA analysis.

Point Number 598.15

Summary of Decision Requested: Retain Policy 6.4.3 Infrastructure Location and Services.

Decision Reasons:

- Ensure that the Rules relating to subdivision give effect to the proposed Policies, and that where greenfield sites are identified for urban growth, that the ability to appropriately, effectively and efficiently service these areas in comparison to other areas has been adequately investigated through Section 32 RMA analysis.

Point Number 598.16

Summary of Decision Requested: Retain Policy 6.4.4 Road and rail network.

Decision Reasons:

- Ensure that the Rules relating to subdivision give effect to the proposed Policies, and that where greenfield sites are identified for urban growth, that the ability to appropriately, effectively and efficiently service these areas in comparison to other areas has been adequately investigated through Section 32 RMA analysis.

Point Number 598.17

Summary of Decision Requested: Retain Policy 6.4.5 Roading infrastructure.

Decision Reasons:

- Ensure that the Rules relating to subdivision give effect to the proposed Policies, and that where greenfield sites are identified for urban growth, that the ability to appropriately, effectively and efficiently service these areas in comparison to other areas has been adequately investigated through Section 32 RMA analysis.

Point Number 598.18

Summary of Decision Requested: Retain Objective 6.4.6 Stormwater and drainage.

Decision Reasons:

- Ensure that the Rules relating to subdivision give effect to the proposed Policies, and that where greenfield sites are identified for urban growth, that the ability to appropriately, effectively and efficiently service these areas in comparison to other areas has been adequately investigated through Section 32 RMA analysis.

Point Number 598.19

Summary of Decision Requested: Retain Policies 6.4.7 Stormwater.

Decision Reasons:

- Ensure that the Rules relating to subdivision give effect to the proposed Policies, and that where greenfield sites are identified for urban growth, that the ability to appropriately, effectively and efficiently service these areas in comparison to other areas has been adequately investigated through Section 32 RMA analysis.

Point Number 598.20

Summary of Decision Requested: Retain the definition of "Fill Material" in Chapter 13 Definitions, except for the amendments sought below

AND

Amend the definition of "Fill Material" in Chapter 13 Definitions as follows:

Means material used for filling activities including, but not limited to, materials such as sand, soil, clay or aggregate.

Decision Reasons:

- The list of allowable fill materials needs to be expanded and should include sand.

Point Number 598.21

Summary of Decision Requested: Retain the definition of "impervious surface" in Chapter 13: Definitions, except for the amendments sought below

AND

Amend the definition of "impervious surface" in Chapter 13: Definitions as follows:

Means a surface such as a road, rooftop, footpath, paving, decking, swimming pool, patio, driveway, vehicle access and manoeuvring area or highly-compacted soil that is not vegetated and does not infiltrate runoff. It excludes wooden decks with spacing between boards of 4mm or more, or surfaces such as gabi paving, where water is allowed to drain through to a permeable surface below the deck.

Decision Reasons:

- The notified definition is unduly restrictive and does not cater for pervious materials that may be used for driveways, etc.

Point Number 598.22

Summary of Decision Requested: Amend terminology so that there is consistency between the district plan text and planning maps, for example Natural Character versus Outstanding Natural Character.

Decision Reasons:

- There appears to be inconsistency between terminology in the district plan text and planning maps. For example, the Rural Zone refers to 'Outstanding Natural Character' whereas the planning maps refer to 'Natural Character'.

Point Number 598.23

Summary of Decision Requested: Amend the Proposed District Plan (including planning maps) to explain what is meant by Stage 1.

Decision Reasons:

- There is no explanation that the notified planning maps (including the legend) relate to Stage 1 of the review process.

Point Number 598.24

Summary of Decision Requested: Amend the extent of Residential zoning at Pokeno (after examining all zoning options) to provide for growth within a 30 year time period as signalled in the Future Proof Strategy and potentially postpone zoning (including for the 160 ha block known as 'Pokeno West') until new legislative requirements and revised regional growth strategies are determined.

Decision Reasons:

- Rezoning for the 160ha block known as 'Pokeno West' has not involved a consultation process or an independent section 32 report which is typically required for a private plan change before being adopted by Council.
- There has been no analysis of alternative sites on the periphery of Pokeno having noted the physical constraints with the 'Pokeno West' block and the target of 12-15 households per hectare.
- Further, the large areas of 'open space' within the 'Master Plan' for this particular block raises questions about public ownership and the burdens on ratepayers for its development and maintenance.
- The constraints of the land will make the density targets of both Future Proof and the Proposed District Plan unachievable.

Point Number	598.25
Summary of Decision Requested:	Amend the zoning of the 27ha property located at 135 Potter Road, Pokeno (Lot 3 DP 176205) from Rural Zone to Residential Zone.
Decision Reasons:	<ul style="list-style-type: none"> The notified Rural zoning for this property is not consistent with the objectives and policies for the Rural Zone or the residential growth expectations set out in the Future Proof Strategy. This property is 400 metres from the current Residential Zone boundary and urban services can be extended to it if and when the neighbouring property immediately to the east (157 Potter Road) is similarly developed. Its separation from Rural land to the north by the railway line and the covenanted bush to the south also make the property ideal for residential development. The property does not contain any dwelling or other substantial impediments to development.
Point Number	598.26
Summary of Decision Requested:	Retain Policy 4.7.11 Reverse sensitivity. AND Amend the Proposed District Plan to encourage new Residential areas to be developed where topographical or physical constraints provide a natural separation between conflicting land uses, for example, roads, railway lines, significant planted areas could be used as a buffer.
Decision Reasons:	<ul style="list-style-type: none"> While policies discuss protecting against reverse sensitivity, areas identified for residential development (such as Pokeno) are not buffered from rural activities and may therefore give rise to reverse sensitivity issues between proposed residential and existing rural environment. Residential development has the potential to impact on existing farming operations whether or not they are intensive in nature and/or may be negatively impacted by existing farming practices.
Point Number	598.27
Summary of Decision Requested:	Clarify what is meant by "master plans", as referenced in various provisions such as Section 1.12.1(f) and Policy 4.7.14, and where they are referenced in the rules.
Decision Reasons:	<ul style="list-style-type: none"> It is not clear in the document what is meant by master plans.
Point Number	598.28
Summary of Decision Requested:	Add policies and support for additional residential zoning opportunities to cater for anticipated demand for the next 27 years.
Decision Reasons:	<ul style="list-style-type: none"> Support sustainable communities and the objective of providing for 13,300-17,500 additional dwellings within the District 2018-2045.
Point Number	598.29
Summary of Decision Requested:	Retain Policy 4.7.8 Staging of subdivision.
Decision Reasons:	<ul style="list-style-type: none"> The subdivision rules need to achieve this policy outcome.
Point Number	598.30
Summary of Decision Requested:	Retain Policy 4.7.9 Connected neighbourhoods.
Decision Reasons:	<ul style="list-style-type: none"> The subdivision rules need to achieve this policy outcome.
Point Number	598.31
Summary of Decision Requested:	Retain Policy 4.7.10 Recreation and access.
Decision Reasons:	<ul style="list-style-type: none"> The subdivision rules need to achieve this policy outcome.
Point Number	598.32
Summary of Decision Requested:	Delete Policy 4.7.14 Structure and master planning.
Decision Reasons:	<ul style="list-style-type: none"> Oppose reference to structure plans/master plans. The Environment Court has questioned the legality of structure plans and master plans and the like which determine the activity status of a proposal.
Point Number	598.33
Summary of Decision Requested:	Retain Objective 6.4.1 Integration of infrastructure with subdivision, land use and development.
Decision Reasons:	<ul style="list-style-type: none"> Infrastructure needs to be integrated with subdivision and development.

Submitter Number:	599	Submitter:	Martin Hastings
Point Number	599.1		
Summary of Decision Requested:	Add strong precautionary and prohibitive provisions, rules and policies relating to the management of Genetically Modified Organisms, made similar or the same as those in the Far North District Plan, the Whangarei District Plan, and the Auckland Unitary Plan.		
Decision Reasons:	<ul style="list-style-type: none"> To ensure a consistent approach across Northland, Auckland and the Waikato and to eliminate cross boundary issues. GMOs have the potential to adversely affect ecological, economic, resource management values, the cultural and social well-being of people and tangata whenua. The release of GMOs has the potential to cause significant adverse effects on the environment. No matter how carefully conditions of consent are crafted, there is a risk that conditions may be breached. Once GMOs are in the environment, they would be very difficult if not impossible to eradicate. Application of integrated management and a precautionary approach to GMO under the RMA is the best available technique for managing the potential adverse effects posed by GMOs It is consistent with the sustainable management purpose and Part II of the RMA to establish district plan provisions that manage the release, location, and management of GMOs where they have the potential to adversely affect the environment and other land use activities. 		
Point Number	599.2		
Summary of Decision Requested:	Add a resource management framework for the management of Genetically Modified Organisms that is regionally specific, taking into account environmental, economic, and social well-being considerations.		
Decision Reasons:	<ul style="list-style-type: none"> GMOs have the potential to adversely affect ecological, economic, resource management values, the cultural and social well-being of people and Tangata whenua. No matter how carefully conditions of consent are crafted, there is a risk that conditions may be breached. Application of integrated management and a precautionary approach to GMO under the RMA is the best available technique for managing the potential adverse effects posed by GMOs. It is consistent with the sustainable management purpose and Part II of the RMA to establish district plan provisions that manage the release, location, and management of GMOs where they have the potential to adversely affect the environment and other land use activities. The release of GMOs has a potential to cause significant adverse effects on the environment, which could include: <ul style="list-style-type: none"> biological or ecosystem harm harm to Tangata whenua cultural values such as mauri and tikanga harm to the cultural values and lifestyle decisions of people and communities at a local level concerning what constitutes their wellbeing harm to existing or potential forms of land use including farming, forestry, beekeeping, marine farming and other primary production activities dependent on an uncontaminated environmental brand reputational damage loss of markets and premiums paid for GMO free produce loss of livelihood The Waikato has three major milk suppliers - Tatua, Fonterra and Miraka Milks have a GMO Free requirement for the milk products and rely on shareholders farmers milk supply. Once GMOs have been released into the environment, they are difficult to eradicate. In the case of a food product, the GE Free status of a district would likely be lost permanently along with the market advantages. 		
Point Number	599.3		
Summary of Decision Requested:	Add a requirement for public notification when consents require exemption from Plan rules, whether Genetically Modified Organism-related or any other matter.		
Decision Reasons:	<ul style="list-style-type: none"> No matter how carefully conditions are crafted, there is a risk that conditions be breached by poor management, human error, natural events, or sabotage of projects. 		

Submitter Number:	600	Submitter:	Susanne Giessen-Prinz
Point Number	600.1		
Summary of Decision Requested:	Amend item 140 in Schedule 30.1 Historic Heritage Items, to reflect the significant features of interest for 58 Wallis Street, Raglan.		
Decision Reasons:	<ul style="list-style-type: none"> The relevant text for item 140 in Schedule 30.1 states that the significant features to be protected are "The location to be protected." but the meaning of this is not clear. 		

Submitter Number:	601	Submitter:	Robert Limmer
On behalf of:	Limmer Ltd		
Point Number	601.1		
Summary of Decision Requested:	Amend the area of Significant Natural Area at 596 Waikare Road, Te Kauwhata, to reflect the original bush area of seven acres that existed in 18 September 1987.		
Decision Reasons:	<ul style="list-style-type: none"> The proposed Significant Natural Area will impose costs and limit the farming potential of the land The original seven acres of bush from 1987 is the best quality bush of the property No persons allowed on property The farm is for sale. 		
Point Number	601.2		
Summary of Decision Requested:	Amend the area of Significant Natural Area on the property at 209 Whangamarino Road, Te Kauwhata.		

Decision Reasons:

- The proposed Significant Natural Area will impose costs on the landowner and limit the farming potential of the land.
- No persons allowed on the property.

Submitter Number: 602 **Submitter:** Greig Metcalfe

Point Number 602.1

Summary of Decision Requested: **Delete** Rule 24.3.6.1 P3 Building setbacks.
AND
Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- There are instances when it is appropriate to locate the garage in front of the façade of the dwelling.

Point Number 602.2

Summary of Decision Requested: **Amend** Rule 24.3.3.2 Height - Buildings, structures of vegetation within an airport obstacle limitation surface, as follows:
PI A building, structure or vegetation must not protrude through the airport obstacle limitation surface as identified in Appendix 9 - Te Kowhai Airpark and as shown on the planning maps.
DI A building, structure or vegetation that does not comply with Rule 24.3.3.2 PI.
OR
Amend Rule 24.3.3.2 Height - Buildings, structures of vegetation within an airport obstacle limitation surface, as follows:
PI A building, structure or vegetation not already existing at 18 July 2018 must not protrude through the airport obstacle limitation surface as identified in Appendix 9 - Te Kowhai Airpark and as shown on the planning maps.
AND
Any consequential amendments to Rule 24.3.3. Height.
AND
Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Rule 25.49 (c) in the Operative Waikato District Plan only controls the height of buildings in the airport obstacle limitation surface (AOLS), not vegetation.
- The property legally described as Lot 2 DP 456538 (CFR 590290) contains a large number of trees that will breach the proposed AOLS but will benefits from existing use rights in terms of section 10 of the Resource Management Act.
- While consultation between the submitter and Te Kowhai Airpark landowners is on-going, there is not yet any understanding or agreement as to how breaches of the proposed AOLS will be managed.

Point Number 602.3

Summary of Decision Requested: **Amend** Rule 24.3.6.3 P1 Building setback - water bodies as follows:
(a) A building must be setback a minimum of 30m
(i) from the margin of any:
A. Lake with a bed area of 8ha or more;
B. Wetland with an area greater than 1ha; and
C. River bank, other than the Waikato River and Waipa River whose bed has an average width 3m or more.
AND
Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- There needs to be parameters as to when this rule applies.
- The parameters from the Operative Waikato District Plan are sought.

Point Number 602.4

Summary of Decision Requested: **Amend** Rule 24.3.7 P1 Building - Airport Noise Outer Control Boundary, as follows:
PI Construction, addition to or alteration of a dwelling within the Airport Noise Outer Control Boundary must achieve the internal design sounds levels specified in Appendix 1 - Acoustic Insulation, Section 3 Table 6.
AND
Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- This rule should only apply to dwellings located within the identified Airport Noise Outer Control Boundary.

Point Number 602.5

Summary of Decision Requested: **Amend** Rule 24.4.2 RD1 and RD2 Subdivision, as follows:
RD1 (a) Subdivision in Te Kowhai and Tuakau must comply with all of the following conditions:
(i) Proposed lots not connected to public water and reticulated wastewater infrastructure must have a minimum net area of 3000m², except where the proposed lot is an access allotment, utility allotment or reserve lot.
RD2 (a) Subdivision in Te Kowhai and Tuakau must comply with all of the following conditions:

(j) Proposed lots connected to ~~public water and reticulated~~ wastewater infrastructure must have a minimum net site area of 1000m², except where the proposed lot is an access allotment, utility allotment or reserve lot.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- It is feasible for development in the Village Zone to be serviced by reticulated services that are privately owned (i.e. community scale) and therefore this provision should not be limited to publicly owned infrastructure network.

Point Number

602.6

Summary of Decision Requested:

Amend Rule 24.4.4 C2 (a) Subdivision - Amendments to cross lease and flats plans and conversions, as follows:

~~(a) Amendment or update to a cross lease flats plan including additions or alterations to any buildings, and areas for exclusive use by an owner or owners.~~

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Changing an exclusive area is not deemed to be a subdivision under section 218 of the Resource Management Act as it is a private covenant matter which is not able to be controlled by Council.

Point Number

602.7

Summary of Decision Requested:

Amend Rule 24.4.9 RDI (a) Road frontage, by deleting RDI (a) and replacing with the following:

~~(a) Every proposed lot must have at least 20m frontage to a road boundary, except where the proposed lot is an access allotment, utility allotment or a right of way or access leg is provided.~~

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The requested replacement wording for RDI (a) is an improvement to the notified version.

Point Number

602.8

Summary of Decision Requested:

Amend Rule 24.4.10 (a) RDI Subdivision - Building platform, as follows:

~~(a) Every proposed lot, other than a new lot specifically for access, utility allotment & an access allotment, utility allotment or reserve allotment, must be capable of containing a building platform upon which a dwelling could be sited as a permitted activity, with the building platform being contained within either of the following dimensions:~~

...

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The requested wording for RDI (a) is an improvement to the notified version and reserve allotments need to be included.

Point Number

602.9

Summary of Decision Requested:

Add the following activities to Rule 27.1.1 Activity Status Table:

- Flight training school - Non-complying activity in all precincts
- Circuit training - Non-complying activity in all precincts

AND

Add definitions for these terms to Chapter 13 Definitions.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Pilot training associated with a flight training school based at Te Kowhai Airpark or another airfield that uses Te Kowhai Airpark as a de facto training runway could lead to increases in noise and neighbour irritation/anxiety.

Point Number

602.10

Summary of Decision Requested:

Amend Rule 27.2 Land Use - Effects, by inserting appropriate standards for "general aviation" and "recreational flying" so that these activities are carried out in accordance with "Fly Neighbourly" principles to avoid adverse impacts on neighbours. These standards should include, but not be limited to:

- A requirement to adhere to an "Airpark Management Plan" prepared in consultation with neighbours and Te Kowhai community.
- A stipulation on the hours of operation to limit night flying.
- A stipulation on the maximum of aircraft movements being 21,000 per annum.

• AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Adherence to 'Fly Neighbourly' principles will ensure that the type of, and repetitive nature of, noise from aircraft operations is managed in and around noise-sensitive areas. Further reading can be found in the NZ Aviation Industry Association Environmental Code of Practice and the Helicopter Association International (HAI) "Fly Neighbourly Guide".

Point Number

602.11

Summary of Decision Requested:

Amend Rule 27.2.6 P1(a) and P2 Noise - Other than Taxiways, as follows:

P1 (a) Noise from any activity in PRECINCT B must not exceed the following noise limits when measured at the notional boundary of a site within the Rural Zone or Village Zone....

P2 (a) Noise from any activity in PRECINCTS C OR D must not exceed the following noise limits when measured at the notional boundary of any site in the Rural zone or Village Zone outside of the Te Kowhai Airpark Zone ...

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The Village Zone is located near Te Kowhai Airpark and should therefore be included in this noise rule.

Point Number

602.12

Summary of Decision Requested:

Amend Rule 27.2.7 P1 (a)(ii) Noise - Taxiways, as follows:

(ii) When measured at the notional boundary of any other site in the Rural Zone or Village Zone ...

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The Village Zone is near Te Kowhai Airpark and should therefore be included in this noise rule.

Point Number

602.13

Summary of Decision Requested:

Amend Appendix 9: Te Kowhai Airfield, so that it carries over the existing Obstacle Limitation Surfaces in the Operative Waikato District Plan, which satisfies the requirement in the CAA Advisory Circular AC 139-7 Section 3.2 Day VFR Runway.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The Obstacle Limitation Surfaces (OLS) in the Operative Waikato District Plan satisfy the Civil Aviation Authority's Advisory Circular AC 139-7 section 3.2 Day VFR Runway.
- Lot 2 DP 456538 (CRF 590290) is affected by the proposal to lower the OLS to satisfy the Civil Aviation Authority's Advisory Circular AC 139-7 section 3.3 Night or instrument approach runway.
- This means a reduction in the potential building height (i.e. where the OSL is lower than the zone limit of 7.5m) and a large number of trees that breach the proposed OSL, notwithstanding that they would have existing use rights under section 10 of the Resource Management Act.
- While consultation between this submitter and Te Kowhai Airpark landowners is on-going, there is not yet any understanding or agreement as to how these breaches would be managed in the future.

Point Number

602.14

Summary of Decision Requested:

Amend Rule 18.1.2 P2 Permitted Activities, as follows:

Located above ground floor level exclusive of any entrance lobby, stairwell, lift, vehicle access, parking, manoeuvring or service court.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Ancillary residential activities on the ground floor are inevitable and should not require resource consent as a non-complying activity.

Point Number

602.15

Summary of Decision Requested:

Amend Rule 18.1.3 RD1 (b) Restricted Discretionary Activities, as follows:

(b) The multi-unit development must be located above the ground floor level exclusive of any entrance lobby, stairwell, lift, vehicle access, parking, manoeuvring or service court.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Ancillary residential activities on the ground floor are inevitable and should not require resource consent to a non-complying activity.

Point Number

602.16

Summary of Decision Requested:

Amend Rule 18.1.3 RD1 (e) Restricted Discretionary Activities, by adding text to RD1 (e), as follows:

(e) A communal service court is provided comprising:

A. a minimum area of 20m²; and

B. a minimum dimension of 3m;

Or alternatively a private service court is provided for each residential unit comprising:

A. a minimum area of 10m²; and

B. a minimum dimension of 2.5m.

Decision Reasons:

- Standards are required for service courts to provide clarity.

Point Number

602.17

Summary of Decision Requested:

Amend Rule 18.1.3 Restricted Discretionary Activities, by deleting RD1 (c) and replacing with the following minimum floor area requirements:

(c) A detailed site plan depicting the proposed title boundaries for each residential unit and any common areas (including access and services) must be provided, ensuring that a freehold (fee simple) or unit title subdivision complies with Rule 18.1.2 (Subdivision of multi-unit developments).

The floor area of any unit or apartment in a Multi-Unit Development must comply with the following:

<u>Unit or Apartment</u>	<u>Minimum Floor Area</u>
<u>Studio unit</u>	<u>35m²</u>
<u>1 bedroom unit</u>	<u>45m²</u>
<u>2 bedroom unit</u>	<u>70m²</u>
<u>3 or more bedroom unit</u>	<u>90m²</u>

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The multi-unit developments currently contained in the subdivision rules should be within the land use section. The requested unit floor areas are consistent with those in Hamilton City.

Point Number 602.18

Summary of Decision Requested: **Amend** Rule 18.1.3 RD1 (f) Restricted Discretionary Activities, as follows:

<u>Residential unit</u>	<u>Minimum Living Court Area</u>	<u>Minimum dimension</u>
<u>Studio unit or 1 bedroom</u>	<u>10m²</u>	<u>2m</u>
<u>2 or more bedroom</u>	<u>15m² <u>12m²</u></u>	<u>2m</u>
<u>Communal living court</u>	<u>10m² per unit</u>	<u>2m</u>

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The requested living court areas are consistent with those in Hamilton City.

Point Number 602.19

Summary of Decision Requested: **Amend** Rule 18.1.5 NC2 Non-Complying Activities, as follows:

NC2 Residential activity on the ground floor exclusive of any lobby, stairwell, lift, vehicle access, parking, manoeuvring or service court.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Ancillary residential activities on the ground level are inevitable and should not require resource consent as a non-complying activity.

Point Number 602.20

Summary of Decision Requested: **Amend** Rule 18.1.5 NC3 Non-Complying Activities, as follows:

NC3 A multi-unit development located on the ground floor exclusive of any entrance lobby, stairwell, lift, vehicle access, parking, manoeuvring or service court.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Ancillary residential activities on the ground floor are inevitable and should not require resource consent as a non-complying activity.

Point Number 602.21

Summary of Decision Requested: **Amend** Rule 18.2.8 P1(a)(i) Outdoor storage, as follows:

(i) Be associated with the activity, operating from the site.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The word 'activity' is missing from this sentence.

Point Number 602.22

Summary of Decision Requested: **Amend** Rule 18.3.4 P1(a) Display windows and building facades, as follows:

(a) Any new building façade adjoining a road boundary, or alteration of an existing building façade adjoining a road boundary, must comply with the following conditions:

(i) Not be set back from the road boundary at ground floor level; and

(ii) Provide display windows comprising at least 50% of the building façade at ground floor level.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The display window interface is only relevant to facades facing a road boundary and at ground floor level only.

Point Number 602.23

Summary of Decision Requested: Amend Rule 18.3.8 P1(a)(i) Dwelling, as follows:
(i) The dwelling must not be located at ground level exclusive of any entrance lobby, stairwell, lift, vehicle access, parking, manoeuvring or service court.
AND
Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Ancillary residential activities on the ground floor are inevitable and should not require resource consent as a non-complying activity.

Point Number 602.24

Summary of Decision Requested: Amend Rule 18.3.9 P1(a)(iii) Living court, as follows:
(iii) It is located on a balcony containing at least 10m² and with a minimum dimension of 2m, +5m² and a circle with a diameter of at least 2.4m.
AND
Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Consistency is required with the multi-unit development standards.

Point Number 602.25

Summary of Decision Requested: Amend Rule 18.4.1 RD1(a)(i) Subdivision - general, as follows:
(a) Subdivision shall comply with all of the following conditions:
(i) Proposed lots shall have a minimum size of 225m² net site area, with the exception of access or utility allotments, ~~or~~ reserves to vest, or a Unit Title subdivision of existing lawfully established buildings;
AND
Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Rule 18.3.3 anticipates small tenancies in the Town Centre Zone. Individual tenancies should be able to be held in unit title tenure.

Point Number 602.26

Summary of Decision Requested: Amend Rule 18.4.2 RD1(a)(i) Subdivision - Multi-unit subdivision, as follows:
(i) An application for land use consent under Rule 18.1.3 (Multi-Unit Development) must either accompany the subdivision application or have been granted resource consent by Council. The subdivision (including boundaries for each residential unit and any common areas including access and services) shall be in accordance with the land use consent.
AND
Delete Rule 18.4.2 RD1(a)(iii) Subdivision-Multi Unit Subdivision.
AND
Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Unit sizes should be established through the land use consent process. A subdivision should be in accordance with the approved land use.

Point Number 602.27

Summary of Decision Requested: Add a definition of "real estate sign" to Chapter 13 Definitions, as follows:
A real estate sign advertising a property or business for sale, for lease, for rent or by any other such method.
AND
Add a definition for "Header Real Estate Sign" in Chapter 13 Definitions.
AND
Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Real estate signs are not currently defined and they can include more than just for sale as per the notified rule.
- A header sign can be used for the sale of a rear site off a private lane. In this situation, the sign needs to be located on another property to indicate that the property for sale is down the private lane.

Point Number 602.28

Summary of Decision Requested: Amend Rule 16.2.7.1 P3(a) Sign - general as follows:
(a) Any real estate ~~for sale~~ sign relating to the site on which it is located must comply with all of the following conditions:
(i) There is no more than 1 sign per agency measuring 600mm x 900mm per road frontage of the site to which the sign relates;
(ii) There is no more than 1 sign measuring 1800mm x 1200mm per site to which the sign relates;
(iii) There is no more than 1 real estate header sign measuring 1800mm x 1200mm on one other site;
~~*(iv) The sign is not illuminated;*~~
~~*(v) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials;*~~
~~*(vi) The sign does not project into or over road reserve.*~~
(vii) Any real estate sign shall be removed from display within 60 days of sale/lease or upon settlement, whichever is the earliest.
AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The notified rules for real estate signs are too restrictive.
- Corner sites should be able to have additional sign opportunities without adversely affecting residential character and amenity.
- Allowance should be made for feature signs which are commonly used for properties going to auction or tender.
- Header signs should be able to be established on another sign (often on a high volume road) to direct purchasers to the site which is for sale (often on a low volume road).

Point Number

602.29

Summary of Decision Requested:

Amend Rule 17.2.7.1 P3 (a) Signs - general as follows:

(a) ~~Any real estate 'for sale' sign relating to the site on which it is located~~ must comply with all of the following conditions:

~~(i) There is no more than 1 sign per agency measuring 600mm x 900mm per road frontage of the site to which the sign relates;~~

~~(ii) There is no more than 1 sign measuring 1800mm x 1200mm per site to which the sign relates;~~

~~(iii) There is no more than 1 real estate header sign measuring 1800mm x 1200mm on one other site;~~

~~(iv) The sign is not illuminated;~~

~~(v) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials;~~

~~(vi) The sign does not project into or over road reserve.~~

~~(vii) Any real estate sign shall be removed from display within 60 days of sale/lease or upon settlement, whichever is the earliest.~~

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The notified rules for real estate signs are too restrictive.
- Corner sites should be able to have additional sign opportunities without adversely affecting residential character and amenity.
- Allowance should be made for feature signs which are commonly used for properties going to auction or tender.
- Header signs should be able to be established on another sign (often on a high volume road) to direct purchasers to the site which is for sale (often on a low volume road).

Point Number

602.30

Summary of Decision Requested:

Amend Rule 18.2.7.1. P3 (a) Signs - general as follows:

(a) ~~Any real estate 'for sale' sign relating to the site on which it is located~~ must comply with all of the following conditions:

~~(i) There is no more than 1 sign per agency measuring 600mm x 900mm per road frontage of the site to which the sign relates;~~

~~(ii) There is no more than 1 sign measuring 1800mm x 1200mm per site to which the sign relates;~~

~~(iii) There is no more than 1 real estate header sign measuring 1800mm x 1200mm on one other site;~~

~~(iv) The sign is not illuminated;~~

~~(v) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials;~~

~~(vi) The sign does not project into or over road reserve.~~

~~(vii) Any real estate sign shall be removed from display within 60 days of sale/lease or upon settlement, whichever is the earliest.~~

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The notified rules for real estate signs are too restrictive.
- Corner sites should be able to have additional sign opportunities without adversely affecting residential character and amenity.
- Allowance should be made for feature signs which are commonly used for properties going to auction or tender.
- Header signs should be able to be established on another sign (often on a high volume road) to direct purchasers to the site which is for sale (often on a low volume road).

Point Number

602.31

Summary of Decision Requested:

Amend Rule 19.2.6.1. P3 (a) Signs - general as follows:

(a) ~~Any real estate 'for sale' sign relating to the site on which it is located~~ must comply with all of the following conditions:

~~(i) There is no more than 1 sign per agency measuring 600mm x 900mm per road frontage of the site to which the sign relates;~~

~~(ii) There is no more than 1 sign measuring 1800mm x 1200mm per site to which the sign relates;~~

~~(iii) There is no more than 1 real estate header sign measuring 1800mm x 1200mm on one other site;~~

~~(iv) The sign is not illuminated;~~

~~(v) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials;~~

~~(vi) The sign does not project into or over road reserve.~~

~~(vii) Any real estate sign shall be removed from display within 60 days of sale/lease or upon settlement, whichever is the earliest.~~

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The notified rules for real estate signs are too restrictive.
- Corner sites should be able to have additional sign opportunities without adversely affecting residential character and amenity.
- Allowance should be made for feature signs which are commonly used for properties going to auction or tender.
- Header signs should be able to be established on another sign (often on a high volume road) to direct purchasers to the site which is for sale (often on a low volume road).

Point Number 602.32

Summary of Decision Requested: **Retain** the proposed Village zoning of the two titles located at 702 Horotiu Road (Lot 2 DP 456538) and 730 Horotiu Road (Lot 3 DP 353526);

AND

Amend the extent of the Obstacle Limitation Surface as a consequential amendment.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The Village Zone allows for large lot residential development and is consistent with the Future Proof settlement pattern which identifies Te Kowhai as a growth centre.

Point Number 602.33

Summary of Decision Requested: **Add** the following terms and definitions to Chapter 13 Definitions:

- Identified Area
- Boundary adjustment
- Wastewater treatment plant
- General aviation
- Recreational flying
- Flight training school
- Circuit training
- Community scale wastewater system
- Wastewater treatment plant
- Real estate header sign

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Not having definitions for these terms leads to ambiguity and uncertainty.

Point Number 602.34

Summary of Decision Requested: **Amend** Policy 4.1.5(c) - Density, as follows:

(c) Achieve a minimum density of 8-10 households per hectare in the Village Zone where ~~public~~ reticulated services can be provided.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- It is feasible for development in the Village Zone to be serviced by privately owned and managed reticulation (i.e. community scale) and therefore the policy should not be limited to publicly owned infrastructure networks.

Point Number 602.35

Summary of Decision Requested: **Amend** Policy 4.1.17(a) - Te Kowhai, as follows:

(a) The scale and density of residential development in Te Kowhai Village Zone achieves:

(i) Lower density (3000m2 ~~sections-lots~~) where the development can be serviced by on-site non-reticulated wastewater, ~~water and stormwater networks~~; or

(ii) higher density (1000m2 ~~sections-lots~~) where the development can be serviced by ~~public~~ reticulated wastewater, ~~water and stormwater networks~~;

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- It is feasible for development in the Village Zone to be serviced by reticulation that is privately owned and managed (i.e. community scale) and therefore this policy should not be limited to publicly owned and managed infrastructure networks.
- The term "sections" is not defined and should be replaced by the defined term "lot".

Point Number 602.36

Summary of Decision Requested: **Amend** Policy 4.3.2(a)(iii) - Character, as follows:

(iii) Recognises lower levels of infrastructure and in some locations the absence of ~~Council~~ reticulated wastewater services.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Reticulated wastewater services are anticipated in the future for Te Kowhai and Tuakau.

Point Number 602.37

Summary of Decision Requested: **Add** clauses to Policies 9.2.2.1 - Airpark standards as follows:

(a) Manage adverse airpark effects through the application of general and airpark-specific performance standards including:

(i) Noise

(ii) Hazardous substances;

(iii) Building setbacks;

(iv) Minimum site areas; ~~and~~

(v) Subdivision allotment size;

(vi) Management Plan based on Fly Neighbourly principles;

(vii) Hours of operation; and

(viii) Maximum aircraft movements.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Adherence to 'Fly Neighbourly' principles will ensure that the operation of aircraft recognises the issues with flying in and around noise-sensitive areas.
- A proactive approach should be taken by managing the type of, and repetitive nature of, aircraft noise. Further reading can be found in the NZ Aviation Industry Association Environmental Code of Practice and the Helicopter Association International (HAI) 'Fly Neighbourly Guide'.

Point Number 602.38

Summary of Decision Requested: Amend Rule 14.3.1.8 P12 Permitted Activities, as follows:

14.3.1.8

...

(2) Rule 14.3.1.8(1)(a) does not apply to any allotment that is serviced by a site-contained wastewater system in accordance with Rule 14.1.1.3; and Rule 14.3.1.8(1)(b) does not apply where reticulated water supply is unavailable.

(3) Within all zones, except the Rural, Village and Country Living Zones, the water supply required under Rule 14.3.1.8(1)(b) must be adequate for fire fighting purposes.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- In some situations, water supply will be from roof water harvesting or a bore and will not be provided by a service connection at the boundary. Like the Rural and Country Living Zones, water supply in the Village Zone may not be pressurised.

Point Number 602.39

Summary of Decision Requested: Retain Rule 14.1.1.3 P3(a)(ii) Permitted Activities, which allows for connections to community-scale wastewater systems.

Decision Reasons:

- This clause allows for a range of wastewater solutions to be considered at the time of subdivision or development.

Point Number 602.40

Summary of Decision Requested: Delete Rule 14.1.1.8 relating to P8 Storm water ponds or wetlands.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Stormwater ponds and wetlands are not buildings and should not be subject to building coverage provisions.

Point Number 602.41

Summary of Decision Requested: Add Village Zone to Rule 14.1.1.3 D2 Wastewater treatment plants.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- A wastewater management plan may need to be established in the Village Zone to service proposed development and this should be considered as a discretionary activity.

Point Number 602.42

Summary of Decision Requested: Delete Rule 14.1.1.4 NC2 (xxi) which refers to the Village Zone.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- A wastewater management plant may need to be established in the Village Zone to service development and this should be considered as a discretionary activity rather than a non-complying activity.

Point Number 602.43

Summary of Decision Requested: Amend Rule 14.12.1.2 P2(1)(i) On-site parking and loading, as follows:

(i) On-site car parking spaces and loading bays are not required on sites with ~~side~~ frontages to the following.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Corner sites in town centres should also be exempt from providing parking and loading as they benefit from on-street provisions in the same way as other main street properties.

Point Number 602.44

Summary of Decision Requested: **Amend** Table 14.12.5.14 Access and road conditions, to require the following minimum access widths for the Village and Residential Zones:

- 1 to 4 lots = 3.6m
- 5 to 8 lots = 4.5m

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The notified access width (8 metres) is excessive and will result in inefficient use of land.

Point Number 602.45

Summary of Decision Requested: **Amend** Table 14.12.5.7 - Required parking spaces and loading bays, so that the calculation for the minimum required parking spaces for a retailing activity reads, as follows:

Retail activity 1 car space per ~~30m²~~ 45m² GFA, including indoor and outdoor retail area.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The calculation for retail activities should be carried over from the Operative Waikato District Plan (Waikato Section).

Point Number 602.46

Summary of Decision Requested: **Add** a new rule to Rule 24.1.1 Permitted Activities for "A new retirement village or alterations to an existing retirement village" and appropriate activity-specific conditions.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Retirement villages are an appropriate land use in the Village Zone.

Point Number 602.47

Summary of Decision Requested: **Delete** Rule 24.2.4.1 P1(a)(i) Earthworks - General.

AND

Delete Rule 24.2.1 P3(a)(iv) Earthworks - General.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Earthworks within 1.5m of a boundary are inevitable and even the most minor activity, such as digging a posthole, would trigger the requirement for resource consent.

Point Number 602.48

Summary of Decision Requested: **Delete** Rule 24.2.4.1 NCI Earthworks - General.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The importation of cleanfill is provided for as a permitted activity by other rules (P2 and P3).

Point Number 602.49

Summary of Decision Requested: **Amend** Rule 24.3.5 P1 and P2 Building coverage, as follows:

P1 On a lot connected to ~~public reticulated~~ wastewater ~~and a water supply~~, the total building coverage must not exceed 40%.

P2 On a lot not connected to ~~public reticulated~~ wastewater ~~and a water supply~~, the total building coverage must not exceed 20%.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- It is feasible for development in the Village Zone to be serviced by reticulated services that are privately owned (i.e. community scale) and therefore this provision should not be limited to publicly owned infrastructure networks.

Point Number 602.50

Summary of Decision Requested: **Amend** Rule 20.2.7.1. P3 (a) Signs - general, as follows:

(a) ~~Any real estate 'for sale' sign relating to the site on which it is located~~ must comply with all of the following conditions:

(i) There is no more than 1 sign per agency measuring 600mm x 900mm per road frontage of the site to which the sign relates;

(ii) There is no more than 1 sign measuring 1800mm x 1200mm per site to which the sign relates;

(iii) There is no more than 1 real estate header sign measuring 1800mm x 1200mm on one other site;

~~##~~ (v) The sign is not illuminated;

~~##~~ (y) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials;

~~##~~ (vi) The sign does not project into or over road reserve.

(vii) Any real estate sign shall be removed from display within 60 days of sale/lease or upon settlement, whichever is the earliest.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The notified rules for real estate signs are too restrictive.
- Corner sites should be able to have additional sign opportunities without adversely affecting residential character and amenity.
- Allowance should be made for feature signs which are commonly used for properties going to auction or tender.
- Header signs should be able to be established on another sign (often on a high volume road) to direct purchasers to the site which is for sale (often on a low volume road).

Point Number

602.51

Summary of Decision Requested:

Amend Rule 21.2.7.1. P3 (a) Signs - general as follows:

(a) ~~Any real estate 'for sale' sign relating to the site on which it is located~~ must comply with all of the following conditions:

(i) There is no more than 1 sign per agency measuring 600mm x 900mm per road frontage of the site to which the sign relates;

(ii) There is no more than 1 sign measuring 1800mm x 1200mm per site to which the sign relates;

(iii) There is no more than 1 real estate header sign measuring 1800mm x 1200mm on one other site;

~~##~~ (v) The sign is not illuminated;

~~##~~ (y) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials;

~~##~~ (vi) The sign does not project into or over road reserve.

(vii) Any real estate sign shall be removed from display within 60 days of sale/lease or upon settlement, whichever is the earliest.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The notified rules for real estate signs are too restrictive.
- Corner sites should be able to have additional sign opportunities without adversely affecting residential character and amenity.
- Allowance should be made for feature signs which are commonly used for properties going to auction or tender.
- Header signs should be able to be established on another sign (often on a high volume road) to direct purchasers to the site which is for sale (often on a low volume road).

Point Number

602.52

Summary of Decision Requested:

Amend Rule 22.2.6.1. P3 (a) Signs - general as follows:

(a) ~~Any real estate 'for sale' sign relating to the site on which it is located~~ must comply with all of the following conditions:

(i) There is no more than 1 sign per agency measuring 600mm x 900mm per road frontage of the site to which the sign relates;

(ii) There is no more than 1 sign measuring 1800mm x 1200mm per site to which the sign relates;

(iii) There is no more than 1 real estate header sign measuring 1800mm x 1200mm on one other site;

~~##~~ (iv) The sign is not illuminated;

~~##~~ (v) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials;

~~##~~ (vi) The sign does not project into or over road reserve.

(vii) Any real estate sign shall be removed from display within 60 days of sale/lease or upon settlement, whichever is the earliest.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The notified rules for real estate signs are too restrictive.
- Corner sites should be able to have additional sign opportunities without adversely affecting residential character and amenity.
- Allowance should be made for feature signs which are commonly used for properties going to auction or tender.
- Header signs should be able to be established on another sign (often on a high volume road) to direct purchasers to the site which is for sale (often on a low volume road).

Point Number

602.53

Summary of Decision Requested:

Amend Rule 23.2.6.1. P3 (a) Signs - general as follows:

(a) ~~Any real estate 'for sale' sign relating to the site on which it is located~~ must comply with all of the following conditions:

(i) There is no more than 1 sign per agency measuring 600mm x 900mm per road frontage of the site to which the sign relates;

(ii) There is no more than 1 sign measuring 1800mm x 1200mm per site to which the sign relates;

(iii) There is no more than 1 real estate header sign measuring 1800mm x 1200mm on one other site;

~~##~~ (v) The sign is not illuminated;

~~##~~ (y) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials;

~~##~~ (vi) The sign does not project into or over road reserve.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The notified rules for real estate signs are too restrictive.
- Corner sites should be able to have additional sign opportunities without adversely affecting residential character and amenity.
- Allowance should be made for feature signs which are commonly used for properties going to auction or tender.
- Header signs should be able to be established on another sign (often on a high volume road) to direct purchasers to the site which is for sale (often on a low volume road).

Point Number 602.54

Summary of Decision Requested: Amend Rule 24.2.7.1. P3 (a) Signs - general, as follows:

- (a) ~~Any real estate 'for sale' sign relating to the site on which it is located~~ must comply with all of the following conditions:
- (i) ~~There is no more than 1 sign per agency measuring 600mm x 900mm per road frontage of the site to which the sign relates;~~
- (ii) ~~There is no more than 1 sign measuring 1800mm x 1200mm per site to which the sign relates;~~
- (iii) ~~There is no more than 1 real estate header sign measuring 1800mm x 1200mm on one other site;~~
- ~~(iv) (y) The sign is not illuminated;~~
- ~~(v) (y) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials;~~
- ~~(vi) (y) The sign does not project into or over road reserve.~~
- ~~(vii) Any real estate sign shall be removed from display within 60 days of sale/lease or upon settlement, whichever is the earliest.~~

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The notified rules for real estate signs are too restrictive.
- Corner sites should be able to have additional sign opportunities without adversely affecting residential character and amenity.
- Allowance should be made for feature signs which are commonly used for properties going to auction or tender.
- Header signs should be able to be established on another sign (often on a high volume road) to direct purchasers to the site which is for sale (often on a low volume road).

Point Number 602.55

Summary of Decision Requested: Amend Rule 26.2.11 P2 (a) Signs - general, as follows:

- (a) ~~Any real estate 'for sale' sign relating to the site on which it is located~~ must comply with all of the following conditions:
- (i) ~~There is no more than 1 sign per agency measuring 600mm x 900mm per road frontage of the site to which the sign relates;~~
- (ii) ~~There is no more than 1 sign measuring 1800mm x 1200mm per site to which the sign relates;~~
- (iii) ~~There is no more than 1 real estate header sign measuring 1800mm x 1200mm on one other site;~~
- ~~(iv) (y) The sign is not illuminated;~~
- ~~(v) (y) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials;~~
- ~~(vi) (y) The sign does not project into or over road reserve.~~
- ~~(vii) Any real estate sign shall be removed from display within 60 days of sale/lease or upon settlement, whichever is the earliest.~~

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The notified rules for real estate signs are too restrictive.
- Corner sites should be able to have additional sign opportunities without adversely affecting residential character and amenity.
- Allowance should be made for feature signs which are commonly used for properties going to auction or tender.
- Header signs should be able to be established on another sign (often on a high volume road) to direct purchasers to the site which is for sale (often on a low volume road).

Point Number 602.56

Summary of Decision Requested: Amend Rule 27.2.12 P3 (a) Signs - general as follows:

- (a) ~~Any real estate 'for sale' sign relating to the site on which it is located~~ must comply with all of the following conditions:
- (i) ~~There is no more than 1 sign per agency measuring 600mm x 900mm per road frontage of the site to which the sign relates;~~
- (ii) ~~There is no more than 1 sign measuring 1800mm x 1200mm per site to which the sign relates;~~
- (iii) ~~There is no more than 1 real estate header sign measuring 1800mm x 1200mm on one other site;~~
- ~~(iv) (y) The sign is not illuminated;~~
- ~~(v) (y) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials;~~
- ~~(vi) (y) The sign does not project into or over road reserve.~~
- ~~(vii) Any real estate sign shall be removed from display within 60 days of sale/lease or upon settlement, whichever is the earliest.~~

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The notified rules for real estate signs are too restrictive.
- Corner sites should be able to have additional sign opportunities without adversely affecting residential character and amenity.
- Allowance should be made for feature signs which are commonly used for properties going to auction or tender.
- Header signs should be able to be established on another sign (often on a high volume road) to direct purchasers to the site which is for sale (often on a low volume road).

Point Number 602.57

Summary of Decision Requested: Amend Rule 28.2.6.1 P2 (a) Signs - general as follows:

(a) ~~Any real estate 'for sale' sign relating to the site on which it is located~~ must comply with all of the following conditions:

(i) ~~There is no more than 1 sign per agency measuring 600mm x 900mm per road frontage of the site to which the sign relates;~~

(ii) ~~There is no more than 1 sign measuring 1800mm x 1200mm per site to which the sign relates;~~

(iii) ~~There is no more than 1 real estate header sign measuring 1800mm x 1200mm on one other site;~~

~~(iv) The sign is not illuminated;~~

~~(v) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials;~~

~~(vi) The sign does not project into or over road reserve.~~

(vii) Any real estate sign shall be removed from display within 60 days of sale/lease or upon settlement, whichever is the earliest.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The notified rules for real estate signs are too restrictive.
- Corner sites should be able to have additional sign opportunities without adversely affecting residential character and amenity.
- Allowance should be made for feature signs which are commonly used for properties going to auction or tender.
- Header signs should be able to be established on another sign (often on a high volume road) to direct purchasers to the site which is for sale (often on a low volume road).

Point Number 602.58

Summary of Decision Requested: Retain the provisions for dwellings in Table 14.12.5.7 Required Parking Spaces and loading bays.

Decision Reasons:

- The notified parking requirements for dwellings are appropriate.

Point Number 602.59

Summary of Decision Requested: Retain the provisions for multi-unit development in Table 14.12.5.7 Required for parking spaces and roading bays.

Decision Reasons:

- The notified parking requirements for multi-unit developments are appropriate.

Submitter Number: 603 **Submitter:** Helen Clotworthy

On behalf of: Pokeno Community Committee

Point Number 603.1

Summary of Decision Requested: Add to the Proposed District Plan the suggestions and concerns expressed by the Pokeno Community Group relating to the blueprint workshop.

Decision Reasons:

- The submitter understands there will be modifications to the District Plan and agree with the process and the variations put forward.

Point Number 603.2

Summary of Decision Requested: No specific decision sought, but submission agrees with the work being done on the Economic Corridor.

Decision Reasons:

- The submitter is hoping for a positive outcome for Pokeno.

Point Number 603.3

Summary of Decision Requested: Identify car and bus parking in Pokeno Town Centre.

Decision Reasons:

- No reasons provided.

Point Number 603.4

Summary of Decision Requested: Amend the Proposed District Plan to require residential car parking spaces to be located one block back from Great South Road, Pokeno (excluding parking spaces for hotel/motel accommodation).

Decision Reasons:

- No reasons provided.

Point Number 603.5

Summary of Decision Requested:	Retain the character statement for the Business Town Centre Zone/Pokeno Town Centre.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.

Submitter Number:	604	Submitter:	Lee Slomp
Point Number	604.1		
Summary of Decision Requested:	Amend Rule 24.4.2 RD1 Subdivision - Te Kowhai and Tuakau to ensure that subdivision in Te Kowhai does not proceed until wastewater infrastructure is available to every property in Te Kowhai (existing, new and proposed capacity).		
Decision Reasons:	<ul style="list-style-type: none"> Wastewater infrastructure would enable better utilization of the land resource by enabling subdivision down to smaller lots. Current minimum lot size of 3000m2 means Te Kowhai will not achieve good growth, land utilization, and future optional sizes of properties (for less than 3000m2). With options for smaller property sizes the village can maintain its tone and not sprawl. 		

Submitter Number:	605	Submitter:	Wendy Harlock
Point Number	605.1		
Summary of Decision Requested:	Amend zoning of 183ha around the former Huntly East Mine at East Mine Road, Huntly to accommodate a multipurpose development, including a recreation and events zone alongside a housing zone.		
Decision Reasons:	<ul style="list-style-type: none"> Huntly needs to move ahead and the Kimihia Lakes Project will be a wonderful positive way to achieve this. The submission suggests the Kimihia Lakes Project could be similar to Rotorua's entertainment and adventure business. Huntly needs something to bring people to Huntly to see what it has to offer. Huntly needs to be a destination, not just a place people drive past. 		

Submitter Number:	606	Submitter:	Bill Wasley
Organisation:	Future Proof Implementation Committee		
Point Number	606.1		
Summary of Decision Requested:	Retain Section 1.4 Issues for Waikato district.		
Decision Reasons:	<ul style="list-style-type: none"> The issues are consistent with the principles outlined in section 1.3 of the Future Proof Strategy. The submitter particularly supports the issues identified in section 1.4.4 on the urban environment. 		

Point Number	606.2		
Summary of Decision Requested:	Retain the strategic directions and objectives in Section 1.12, but move these so that they are contained in a single chapter with other strategic directions and objectives from various chapters.		
Decision Reasons:	<ul style="list-style-type: none"> There is benefit in having all strategic directions and objectives for the Waikato District contained in a single chapter to provide a strategic overview for the whole of the District Plan. For example, some of these strategic directions and objectives are hidden in Chapter 1 - Introduction. 		

Point Number	606.3		
Summary of Decision Requested:	Amend Section 1.10.2.5 (b) Future Proof Growth Strategy and Implementation Plan, as follows: <i>(b) The Future Proof Growth Strategy identifies fifty thirty year land supply needs in the subregion and proposes a sequenced release and development of the land according to its ability to be serviced by appropriate infrastructure and to be funded equitably. The original land use and settlement pattern has been incorporated in the Waikato Regional Policy Statement. This district plan gives effect to this settlement pattern through adopting policy direction, rules, and a zoning pattern for the Waikato district that is consistent with the WRPS and the Future Proof Growth Strategy.</i>		
Decision Reasons:	<ul style="list-style-type: none"> The Future Proof Strategy was updated in 2017 and the timeframe for the settlement pattern has shifted to 30 years to be consistent with the National Policy Statement on Urban Development Capacity. 		

Point Number	606.4		
Summary of Decision Requested:	Retain Section 4.1 Strategic Direction, except for the amendments sought below; AND Amend Section 4.1 Urban Environment and the policies for each of the urban areas, to reflect the Hamilton-Auckland Corridor Plan as required.		
Decision Reasons:	<ul style="list-style-type: none"> The strategic direction in section 4.1 is consistent with the Future Proof Strategy and Future Proof Housing and Business Development Capacity Assessment. The policies for each of the urban areas are consistent with the direction set out in the Future Proof Strategy. FutureProof also wishes to signal that the Proposed Plan may need to be updated to reflect the outcome of the work currently underway for the Hamilton-Auckland Corridor Plan. 		

Point Number 606.5

Summary of Decision Requested: **Amend** Section 4.1 Strategic Direction in Chapter 4 Urban Environment, so that a distinction is made between the growth of towns and villages and a greater concentration of growth in the townships.

Decision Reasons:

- The focus of future urban growth should be in the townships.
- Greater distinction is needed between towns and villages.
- The submitter supports the strategic direction outlined in Section 4.1.

Point Number 606.6

Summary of Decision Requested: **Amend** the Proposed District Plan following a review of the extent of live zoning and its ability to be serviced with infrastructure;
AND
If the Zoning approach is retained, **add** stronger development staging rules which are linked to the provision of infrastructure and the development of infrastructure, including Chapter 4 Urban Environment, Chapter 16 Residential Zone, Planning Maps and any other linked chapters.

Decision Reasons:

- No reasons provided.

Point Number 606.7

Summary of Decision Requested: **Review** the extent of the Village Zones in collaboration with Hamilton City Council, with consequential amendments to Chapter 4 Urban Environment and Chapter 24 Village Zone.

Decision Reasons:

- The extent of Village zoning around key growth areas could undermine the objective of having a more compact and concentrated urban form.
- The minimum density of 8-10 households per hectare where reticulation can be provided will be much lower if on-site servicing occurs which could encourage a dispersed land use pattern around main townships and compromise efficient infrastructure servicing.
- Further investigation and structure planning should be undertaken for these areas which could result in a Residential Zone, rather than Village Zone, such as at Tuakau.
- Waikato District Council and Hamilton City Council should work closely on this matter, particularly as it relates to the Hamilton Area of Interest map provided with Hamilton City Council's submission so that future strategic land use plans are not compromised.

Point Number 606.8

Summary of Decision Requested: **Amend** 4.1.16 Policy - Horotiu and associated rules and maps, following a review of residential growth at Horotiu that is the result of the demand for industrial land and the need for further cross-boundary and infrastructure investigations.

Decision Reasons:

- The Future Proof Strategy and the Waikato Regional Policy Statement identify Horotiu as a Strategic Industrial Note.
- Land at Horotiu therefore needs to be safeguarded to ensure that sufficient industrial land is provided.
- Providing additional residential development in this location is therefore opposed until Future Proof works with Council to achieve better integration between land use and infrastructure and ensure that environmental effects are managed.

Point Number 606.9

Summary of Decision Requested: **Amend** the Proposed District Plan provisions and maps to provide for the outcomes identified in the Auckland-Hamilton Corridor Plan, the Future Proof Strategy Phase 2 Update and Waikato District Council's local area blueprints.

Decision Reasons:

- The submitter wishes to signal that work on these documents may result in significant changes to Waikato District's settlement pattern. The more minor amendments should be incorporated in onto the Proposed District Plan.

Point Number 606.10

Summary of Decision Requested: **Retain** Objective 4.2.16 Housing options.

Decision Reasons:

- This is consistent with a key Future Proof principle relating to providing housing choices.

Point Number 606.11

Summary of Decision Requested: **Amend** the Proposed District Plan, to allow for higher density and mixed use developments close to transport hubs, especially train stations that have been signalled for potential re-opening, town centres and community hubs, through amendments to the following parts of the Proposed District Plan:

- Policy 4.1.5 Density
- Chapter 16 Residential Zone
- Chapter 17 Business Zone
- Chapter 18 Business Centre Zone
- Planning Maps; and
- Any other relevant chapters.

Decision Reasons:

- The submitter supports the additional land identified in key growth areas such as Tuakau, Pokeno and Te Kauwhata. This is in line with the Future Proof Strategy (see section 6.2 on Growth Management Areas), the Regional Policy Statement (see Policy 6.14 and section 60, table 6-1) and work completed as part of the Northern Waikato Programme Business Case with the NZ Transport Agency.
- The submitter has concerns around the approach of 'live' zoning significant areas of land rather than undertaking a more staged approach, e.g. through the use of future urban zones. Some of the areas that have been zoned for development have uncertainties around provision of infrastructure.
- Policy PA1 of the National Policy Statement on Urban Development Capacity requires that development capacity must be feasible, zoned and serviced with development infrastructure for the short term, or that the funding for development infrastructure required must be identified in the long-Term Plan or Infrastructure Strategy for the medium and long-term.
- It is important that growth areas are adequately planning for and funded.

- A piecemeal approach to infrastructure servicing, including on-site infrastructure, could compromise the ability of these areas to grow in the future.
- There are also significant funding implications of not servicing development or undertaking a staged approach, this includes the ability to collect appropriate development contributions under the local Government Act 2002.
- An integrated approach to land use, infrastructure and funding is consistent with Future Proof Strategy principles which set out that the settlement pattern should align with the partners long-term plans and that development should be encouraged within established settlements to support existing infrastructure (Section 1.3 of the Future Proof Strategy 2017).

Point Number 606.12

Summary of Decision Requested: Consider alternatives to live zoning including:

- Using a Rural Zone with an overlay similar to Hamilton's Urban Expansion overlay
- Applying an urban zone with an overlay that signals that additional subdivision and development will not be considered until there is certainty about infrastructure provision.
- A new Urban Expansion Zone with its own suite of provisions for managing land use and subdivision
- A Future Urban Zone to signal additional land would need to be serviced with infrastructure and structure planned before it is zoned for urban development.

Decision Reasons:

- Future Proof has concerns around the approach of 'live' zoning significant areas of land rather than undertaking a more staged approach, e.g. through the use of future urban zones. Some of the areas that have been zoned for development have uncertainties around provision of infrastructure.
- If the live zoning approach is to be used then the Council should consider a much stronger approach to staging which is tied to the provision of infrastructure and structure planning.
- Policy PA1 of The National Policy Statement on Urban Development Capacity requires that development capacity must be feasible, zoned and serviced with development infrastructure for the short term, or that the funding for development infrastructure required must be identified in the long-Term Plan or Infrastructure Strategy for the medium and long-term.
- It is important that growth areas are adequately planned for and funded. A piecemeal approach to infrastructure servicing, including on-site infrastructure, could compromise the ability of these areas to grow in the future. There are also significant funding implications of not servicing development or undertaking a staged approach, this includes the ability to collect appropriate development contributions under the local Government Act 2002. An integrated approach to land use, infrastructure and funding is consistent with Future Proof Strategy principles which set out that the settlement pattern should align with the partners long-term plans and that development should be encouraged within established settlements to support existing infrastructure.

Point Number 606.13

Summary of Decision Requested: **Amend** the provisions relating to the growth of Te Kowhai (including Section 4.3 Village Zone, Policy 4.3.3 Future development - Te Kowhai, Chapter 24 Village Zone, Chapter 27 Te Kowhai Park Airpark Zone and planning maps) by restricting additional growth at Te Kowhai until detailed structure planning work is undertaken and servicing is in place. An infrastructure plan for reticulated services, transport and community facilities is needed.

Decision Reasons:

- Further investigative work is required regarding the provision of infrastructure for Te Kowhai as the Future Proof Strategy identifies this village for future development. Development needs to be of a form and scale that allows integration into Hamilton City's infrastructure network in the future.
- This requires further study of the structure plan for Ngaruawahia and its surrounds, the Te Kowhai Blueprint, development of a detailed structure plan/infrastructure plan for a 30 year time frame and the need to provide infrastructure before development occurs.

Point Number 606.14

Summary of Decision Requested: **Amend** (as necessary) Chapter 5 Rural Environment, Chapter 22 Rural Zones and Planning Maps after undertaking further work on the objectives, policies, rules and methods that cover the cross boundary area between Hamilton City and Waikato District to manage this area appropriately.

Decision Reasons:

- The submitter supports the idea of a cross boundary area between Hamilton City and Waikato District such as that shown on the Hamilton area of interest map attached to the Hamilton City Council submission. However, this will require further investigation, in particular the cross-boundary land use effects.
- Any cross boundary or area of influence will need to be determined via an evidence base. This is fundamental given the third party rights that the Resource Management Act confers.
- Objectives, policies, rules and methods need to emanate from the evidence.
- There needs to be a strategic, integrated approach to this work and the submitter wishes to work alongside the Hamilton City Council, and the Waikato District Council to assist this outcome.

Point Number 606.15

Summary of Decision Requested: **Amend** Chapter 20 Industrial Zone, Chapter 21 Industrial Zone Heavy and the Planning Maps as a result of reviewing the amount of land zoned at Horotiu for industrial purposes and market demand.

AND

Any consequential amendments to any other relevant plan provisions.

Decision Reasons:

- There may be insufficient land at Horotiu for industrial purposes given market demand.
- The Future Proof Housing and Business Development Capacity Assessment has found that industrial land demand in Waikato District is high. The Future Proof Strategy identifies that Horotiu will become a substantial inland freight hub and employment area.
- This requires a staged development for a large land area. Future Proof and the Waikato Regional Policy Statement provide for additional industrial land to be added and brought forward for development if certain criteria are met.

Point Number 606.16

Summary of Decision Requested: **Amend** Rule 22.1 Land Use - Activities, by changing the activity status for non-rural activities in the Urban Expansion Area to prohibited.

Decision Reasons:

- The Urban Expansion Area has been in place for some time as it reflects the strategic agreement between Waikato District Council and Hamilton City Council.
- It is important that this land is not compromised through fragmentation or establishment of non-rural activities.
- The existing prohibited rule therefore needs to be carried over from the Operative Waikato District Plan.

Point Number	606.17
Summary of Decision Requested:	Amend Chapters 4, 5, 14, 16 - 24 and Planning Maps following a review of provisions relating to cross boundary integration to ensure that pressures from Auckland and Hamilton are managed. AND Any consequential amendments to any other provisions.
Decision Reasons:	<ul style="list-style-type: none"> The submitter notes and supports statements in the Proposed District Plan relating to cross boundary pressures with both Auckland and Hamilton. Cross boundary issues are an important feature of the Future Proof Strategy 2017. Waikato District Council should continue to work closely with Auckland Council and Hamilton City Council. In particular on any specific actions arising from the Hamilton-Auckland Corridor Plan. For success these will require a partnership approach. Through the Future Proof partnership, Waikato DC and Hamilton City Council should work closely on the area of interest to Hamilton City. This wider partnership also involves the Waikato Regional Council, Waipa DC, the NZ Transport Agency and Tangata whenua.

Submitter Number:	607	Submitter:	Stephanie Hooper
Point Number	607.1		
Summary of Decision Requested:	Amend Rule 16.1.2 Permitted Activities by adding childcare facility as a permitted activity.		
Decision Reasons:	<ul style="list-style-type: none"> Pokeno Playcentre is due to lose its facility as Pokeno School is reclaiming the land for expansion. Early childcare education allows great benefits for preschools and families within the Pokeno community. The Plan permits that early childcare education is in the Business Zone only. Within the Business Zone adds further risk to children on the road during drop offs and pick up times. 		
Point Number	607.2		
Summary of Decision Requested:	Amend Rule 22.1.2 Permitted Activities by adding childcare facility as a permitted activity.		
Decision Reasons:	<ul style="list-style-type: none"> Pokeno Playcentre is due to lose its facility as Pokeno School is reclaiming the land for expansion. Early childcare education allows great benefits for preschools and families within the Pokeno community. The Plan permits that early childcare education is in the Business Zone only. Within the Business Zone adds further risk to children on the road during drop offs and pick up times. 		

Submitter Number:	608	Submitter:	Michael Draper
Point Number	608.1		
Summary of Decision Requested:	Retain the extent of the Proposed Residential zoning (with particular reference to northern Ngaruawahia).		
Decision Reasons:	<ul style="list-style-type: none"> Residential growth to the north of Ngaruawahia and in the vicinity of Starr Road represents a sensible approach given connectivity to transport corridors and integration with existing residential land use to the south. The land surrounding Starr Road contains an area that used to contain intensive farming activities however that particular land use has now ceased. The flat developable nature of land in the vicinity of Starr Road will integrate with residential land use to the south-west and will cater for urban development demand. 		

Submitter Number:	609	Submitter:	Helen Thomas
Point Number	609.1		
Summary of Decision Requested:	Amend the current rural zoning of 134 Logan Road, Buckland, to become Country Living Zone.		
Decision Reasons:	<ul style="list-style-type: none"> Surrounding area to the North and West within the Auckland Council Territory boundary, under the Auckland Unitary Plan, has been zoned future urban. Potential for a residential environment in this locality, rather than a large open space rural environment. The areas close proximity to Bucklands Village and Pukekohe means a change of zoning from Rural to Country Living Zone is a logical progression. 		

Submitter Number:	610	Submitter:	Ken Barry
Point Number	610.1		
Summary of Decision Requested:	No specific decision sought, but submission refers to property located at 45 Checkley Road, Te Uku, and references coastal/rural zoning, high quality soil and hill country.		
Decision Reasons:	<ul style="list-style-type: none"> Struggle to farm profitably under increased costs. Increasing requirements to require hill country erosion problems, fencing waterways and planting out areas. 		

Submitter Number:	611	Submitter:	David Gibberd
Point Number	611.1		
Summary of Decision Requested:	Amend the Proposed District Plan so that further restrictions are not imposed on the farming operation at 53B McGovern Road, Taniwha, Waerenga.		
Decision Reasons:	<ul style="list-style-type: none"> • Submitter has chosen not to eradicate several native areas and have fenced some to prevent stock from entering. • Have also fenced some waterways. • Do not think it is appropriate that the Waikato District Council is wanting to impose further restrictions on our farming operation. • Submitter disagrees with the limiting of track and road maintenance per year on their farm, as this is necessary for Health and Safety management of their operation. 		

Submitter Number:	612	Submitter:	CDL Land New Zealand Ltd
Point Number	612.1		
Summary of Decision Requested:	Amend Rule 22.4.1.1 PR1 Prohibited Subdivision, to change the activity status for subdivision in the Urban Expansion Area to Discretionary; AND Add the following standards: <u>Subdivision within the Urban Expansion Area must comply with the following conditions:</u> - <u>(g) The Record of Title to be subdivided must have been issued prior to 18 July 2018.</u> - <u>(b) The Record of Title to be subdivided must be at least 1.6ha.</u> - <u>(c) The proposed subdivision must create no more than 1 additional record of title.</u> - <u>(d) The additional Record of Title must contain a lawfully established dwelling existing as at 18 July 2018.</u> - <u>(e) The additional Record of Title must have a net area between 3000m² and 1ha.</u> - <u>(f) A consent notice must be registered on the Record of Title for the balance lot advising that no additional dwellings are permitted under Rules 22.3.1 and 22.3.2.</u>		
Decision Reasons:	<ul style="list-style-type: none"> • The submitter has recently acquired a large landholding in the R2 growth cell, situated between the eastern boundary of Hamilton City and the Waikato Expressway. • In the future it is intended for R2 to be transferred from Waikato District to Hamilton City Council, with provisions in the Proposed Plan seeking to protect the Urban Expansion Area for future development, of which the submitter is fully supportive. • Concerned that prohibition of all subdivision in the Urban Expansion Area is a blunt tool and does not allow for interim subdivision, which is capable of facilitating better long term urban growth outcomes via aggregation of land. • Land in the Urban Expansion Area can potentially be aggregated for future development. • Overcome issues of land fragmentation and land banking by existing owners who want to remain in their dwellings. 		

Point Number	612.2		
Summary of Decision Requested:	Amend Rule 22.4.1.1 PR3 (b) Prohibited Subdivision, to include the following provisions: <u>(v) Subdivision within the Urban Expansion Area (Rule number TBC),</u> <u>(vi) Boundary Relocation (Rule 22.4.1.4),</u> <u>(vii) Rural Hamlet Subdivision (Rule 22.4.1.5),</u>		
Decision Reasons:	<ul style="list-style-type: none"> • As a consequence of amendment sought to Rule 22.4.1.1 PR1, within the Urban Expansion Area subdivision must be provided as an exception to PR3. • Boundary relocation and Rural Hamlet subdivision also needs to be provided as an exception as they should be able to occur irrespective of issuing of Record of Title. 		

Point Number	612.3		
Summary of Decision Requested:	Amend Rule 22.4.1.4 Boundary Relocation RD1, as follows: (a) A Boundary relocation must: (i) Relocate a common boundary or boundaries between two records of title that existed prior to 18 July 2018. (ii) The Records of Title must form a continuous landholding; (iii) Not result in additional lot <u>Records of Title.</u> (iv) Create one lot of at least 8000m ² <u>except in the Urban Expansion Area where one lot shall be at least 3000m².</u> (b) Council's discretion is restricted to the following matters: (i) subdivision layout and design including dimension, shape and orientation of the proposed lots; (ii) effects on rural character and amenity values; (iii) effects on landscape values; and (iv) potential for reverse sensitivity effects.		
Decision Reasons:	<ul style="list-style-type: none"> • Boundary location must occur irrespective of when Record of Title was issued. • Replacement of 'lot' in (iii) with 'Record of Title' enables boundary relocation to be given effect by way of amalgamation. • In the Urban Expansion Area, the size of one allotment should be encouraged to be as big as possible to facilitate better future urban growth opportunities. 		

Submitter Number:	613	Submitter:	Dave Norris
Organisation:	Kiwi Balloon Company		
Point Number	613.1		
Summary of Decision Requested:	Retain Chapter 9.2 Te Kowhai Airpark, as notified.		
Decision Reasons:	<ul style="list-style-type: none"> • Policy framework recognizes the significance of the existing aerodrome to the aviation community. • Objectives and policies align with the sustainability principles of the RMA. • Development represents a practical use of a scarce and limited resource. • Objectives and policies safeguard the future needs of the aviation community. • Policy framework provides for a diversity of residential and commercial opportunities. • Makes use of existing infrastructure, which cannot be easily replicated elsewhere. • Te Kowhai Airpark is and will remain a strategic site associated with hot air ballooning. 		
Point Number	613.2		
Summary of Decision Requested:	Retain Chapter 27 Te Kowhai Airpark Zone, as notified.		
Decision Reasons:	<ul style="list-style-type: none"> • Provisions allow for flexibility of land use activity. • Proposed obstacle limitation surface (OLS) enables use of aerodrome for both VFR and IFR non-air transport operations. • Proposed obstacle limitation surface (OLS) enhances safety and functionality of Te Kowhai aerodrome. • Proposed zoning gives an opportunity to establish an integrated and unique airpark, able to take advantage of existing critical infrastructure and proximity to Hamilton. • Proposed airpark meets the niche requirements of the aviation community. • Provisions of Chapter 27 recognizes the distinct nature of the proposed airpark and its extreme scarcity as a physical resource. • Without such provisions, ongoing operational needs of the aerodrome would not be met. • Rezoning of Te Kowhai Aerodrome from 'Rural' to 'Airpark zone' is entirely appropriate. • Te Kowhai Airpark is and will remain a strategic site associated with hot air ballooning. 		
Submitter Number:	614	Submitter:	Neil & Margaret Dudley
Point Number	614.1		
Summary of Decision Requested:	Retain proposed Residential zoning at 7 Dromgools Road, Tuakau.		
Decision Reasons:	<ul style="list-style-type: none"> • Need for more residential sections. • Close proximity to both primary and secondary schools, sporting and recreational areas, and waste water disposal. • Ease of roading construction. 		
Submitter Number:	615	Submitter:	David & Jill Messent
Point Number	615.1		
Summary of Decision Requested:	Amend the zoning to allow for the Kimihia Lakes and Events Zone and special overlay at 191 Kimiha Road, Huntly.		
Decision Reasons:	<ul style="list-style-type: none"> • Enables further lake associated attractions. • Raise awareness of how uniquely appealing and welcoming Huntly is. • Seeing new development area has given a sense of appreciation for the owners foresight and incredible generosity. • Looking forward to others enjoying future views and activities alongside them. 		
Submitter Number:	616	Submitter:	Kim Bredenbeck
Point Number	616.1		
Summary of Decision Requested:	<p>Amend the Rural Zone of 183 hectares on East Mine Road, Huntly to a multi-purpose recreation and events zone alongside a residential zoning for the following properties:</p> <p>CFR 805391, CFR SA50A/762, CFR SA10/800, CFR 1955501, CFR SA 61B/799, CFR SA18B/1138, CFR SA30A/356, SA 40D/985, CFR SA251/176, SA 26C/345, SA 51/131</p>		
Decision Reasons:	<ul style="list-style-type: none"> • The rezoning will provide the following benefits: <ul style="list-style-type: none"> - The designation of a multi-use or Mixed Use Development is key to success of this project for Huntly; - Significant opportunities for local youth; - Employment outcomes for locals; - Enhanced recreational lifestyles for all connecting the outdoors through water based activities; - The tourism potential of a key destination of the future; and - Huntly needs this to shift outside perceptions and instill local pride. 		
Submitter Number:	617	Submitter:	Nicole Falkner
Organisation:	Pokeno Playcentre		

Point Number 617.1
Summary of Decision Requested: Amend Rule 16.1.2 Permitted Activities, by adding childcare facility as a permitted activity.

Decision Reasons:

- Early childcare education provides a large benefit to the young, growing community of Pokeno.
- Appropriate for early childcare education centres to be located in Residential Zone, close to where people reside.
- Will not have adverse effects on residential activities.
- Only zone permitting early childcare education centres is the Business Zone, however the area is limited resulting in dangerous pick ups/drop offs.
- Losing current site due to expansion of school.

Point Number 617.2
Summary of Decision Requested: Amend Rule 22.1.2 Permitted Activities, by adding childcare facility as a permitted activity.

Decision Reasons:

- Early childhood education provides a large benefit to the young, growing community of Pokeno.
- Appropriate for early childcare education centres to be located in Residential Zone, close to where people reside.
- Will not have adverse effects on recreational activities.
- Only zone permitting early childcare education centres is the Business Zone, however the area is limited resulting in dangerous pick ups/drop offs.
- Losing current site due to expansion of school.

Submitter Number: 618 **Submitter:** William James Walker

Point Number 618.1
Summary of Decision Requested: Amend the zoning at East Mine Road, Huntly, to allow for the development of a multipurpose recreation and events zone, alongside a residential zoning for the following titles totalling 183ha:
CFR 805391, CFR SA50A/762, CFR SA10D/800, CFR 1955501, CFR SA61B/799, CFR SA 18B/1138, CFR SA 30A/356, SA 40D/985, SA 251/176, SA26C/345, SA 51/131.

Decision Reasons:

- Provides educational outcomes for youth.
- Provides significant employment opportunities.
- Improved recreational living and lifestyle for residents.
- Opportunity for Huntly to become a tourist destination.

Submitter Number: 619 **Submitter:** Dawn Walker

Point Number 619.1
Summary of Decision Requested: Amend the zoning at East Mine Road, Huntly, to allow for the development of a multipurpose recreation and events zone, alongside a residential zoning for the following titles totalling 183ha:
CFR 805391, CFR SA50A/762, CFR SA10D/800, CFR 1955501, CFR SA61B/799, CFR SA 18B/1138, CFR SA 30A/356, SA 40D/985, SA 251/176, SA26C/345, SA 51/131.

Decision Reasons:

- Provides educational outcomes for youth.
- Provides significant employment opportunities.
- Improved recreational living and lifestyle for residents.
- Opportunity for Huntly to become a tourist destination.

Submitter Number: 620 **Submitter:** Waikato District Heritage Forum

Point Number 620.1
Summary of Decision Requested: Add the Rangiriri Heritage Precinct Design Guide to the Proposed District Plan as currently included in the Operative District Plan (Rule 23.62 and Appendix D in Part 3) around the Rangiriri Hotel and village, Rangiriri Road, and Talbot Street.

Decision Reasons:

- Rangiriri is a significant part of Waikato District and NZ Heritage, with growing tourism opportunities.
- One professional opinion should not be sufficient for the Council to abandon the fostering of a heritage concept.
- Rangiriri's significant, small and confined village provides the opportunity for the Council to demonstrate its claims in Objective 7.1.1(a).

Submitter Number: 621 **Submitter:** Peter Varga

Point Number 621.1
Summary of Decision Requested: Retain Chapter 9.2 Te Kowhai Airpark, as notified.

Decision Reasons:

- The airpark development will provide a unique environment which will allow like-minded people the opportunity to live and dream their passions.

- With this one-off special area, aviation will stay alive for generations to come.

Point Number 621.2

Summary of Decision Requested: Retain Chapter 27 Te Kowhai Airpark, as notified.

Decision Reasons:

- The airpark development will provide a unique environment which will allow like-minded people the opportunity to live and dream their passions.
- With this one-off special area, aviation will stay alive for generations to come.

Submitter Number: 622

Submitter: Ken Williamson

Point Number 622.1

Summary of Decision Requested: Retain the proposed zone changes in the District Plan, with specific reference to Great South Road and Kernott Road, Horotiu: CT References 789960, SAC30C/689, 749406.

Decision Reasons:

- Horotiu is a developing community and needs more amenities and residential housing as this area continues to grow.
- There is no value in industry being based in our Awa and the submitter supports the proposed zone change from Rural Residential to Residential as proposed in the District Plan.

Submitter Number: 623

Submitter: Paul Hoogeveen

Point Number 623.1

Summary of Decision Requested: Delete the Significant Natural Area from the property at 156 Paddy Road, Te Kauwhata.

Decision Reasons:

- This small area of the Significant Natural Area is poor quality vegetation with recent regrowth of undesirable species.

Point Number 623.2

Summary of Decision Requested: Delete the Outstanding Natural Feature from the property at 156 Paddy Road, Te Kauwhata.

Decision Reasons:

- The Outstanding Natural Feature is separate from the main wetland by the railway corridor and is not part of the wetland in a practical sense.

Submitter Number: 624

Submitter: Glenn Soroka & Louise Meredith

Organisation: Trustees of the Pakau Trust

Point Number 624.1

Summary of Decision Requested: Add new Rural Zone subdivision rules in Rule 22.4 Subdivision, to recognise Pakau Trust's residual entitlement of 35 Environmental Lots which can be used as transferable rural title rights as follows:

Rule 22.4.XX Pakau Trust Entitlement Rule

For the purpose of Rule 22.4.XX, 35 transferable rural lot rights exist, that were secured by the protection of 204 hectares of significant indigenous vegetation at Klondyke Road, Port Waikato. Those transferable rural lot rights may be utilised under Rule 22.4.XXX where:

(i) The number of transferable rural lot rights available, will reduce by the number utilised at each receiving property, when a survey plan is lodged for the subdivision approved at that receiving property;

(ii) A subdivision plan is only required for the receiver property;

(iii) Transferable rural lot rights cannot be generated on any other donor property.

Rule 22.4.XXX Transferable Rural Lot Right Subdivision

RD1

(a) Transferable Rural Lot Right Subdivisions utilising transferable rural lot rights under Rule 22.4.XX [Pakau Trust Entitlement Rule] must comply with all of the following conditions:

(i) The Record of Title to be subdivided must be 1 hectare or greater in area;

(ii) The additional lots must have a proposed area of between 2500m² and 1.6 hectares;

(iii) One transferable lot right originating under Rule 22.4.XX [Pakau Trust Entitlement Rule] shall be utilised for every two additional lots created on the receiver property;

(b) For the purposes of this rule a subdivision plan is required only for the receiver property and not the donor property.

(c) Council's discretion is restricted to the following matters on the receiving property;

(i) subdivision layout and design including dimensions, shape and orientation of the proposed lots;

(ii) effects on rural character and landscape values;

(iii) potential for reverse sensitivity effects;

(iv) extent of earthworks required for building platforms and accessways.

D1

Transferable rural lot right subdivision that does not comply with Rule 22.4.XXX RD1

AND

Amend the Proposed District Plan further with any necessary consequential or other relief that addresses Pakau Trust's concerns.

Decision Reasons:

- The Proposed District Plan fails to provide an appropriate opportunity for, and recognition of, the protection in perpetuity of significant indigenous vegetation.
- The cost to a property owner of protecting and maintaining, in perpetuity, significant stands of indigenous vegetation are substantial, in real financial terms.
- The property owner foregoes development potential, and subdivision of that property, where a significant environmental and community benefit is achieved by the protection of significant indigenous vegetation.
- In effect, the legal protection of significant indigenous vegetation provides a public benefit, at the expense of the private property owner. This should be recognised and compensated for.
- The subdivision application lodged in April 2012 secured Pakau Trust's entitlement to 64 Environmental Lots - 29 of which have been used and 35 remain to be used as transferable rural lot rights.
- Transferable rural lot rights enable an environmental feature to be protected while relocating the development potential elsewhere on appropriate receiver properties.
- Pakau Trust's position is unique.

Point Number

624.2

Summary of Decision Requested:

Add new Country Living Zone subdivision rules in Rule 23.4 Subdivision, to recognise Pakau Trust's residual entitlement of 35 Environmental Lots which can be used as transferable rural title rights, as follows:

Rule 23.4.XX Pakau Trust Entitlement Rule

For the purpose of Rule 23.4.XX, 35 transferable rural lot rights exist, that were secured by the protection of 204 hectares of significant indigenous vegetation at Klondyke Road, Port Waikato. Those transferable rural lot rights may be utilised under Rule 23.4.XXX where:

(i) The number of transferable rural lot rights available, will reduce by the number utilised at each receiving property when a survey plan is lodged for the subdivision approved at that receiving property;

(ii) A subdivision plan is only required for the receiver property;

(iii) Transferable rural lot rights cannot be generated on any other donor property;

Rule 23.4.XXX Transferable Rural Lot Right Subdivision

BDI

(a) Transferable Rural Lot Right Subdivisions utilising transferable rural lot rights under Rule 23.4.XX [Pakau Trust Entitlement Rule] must comply with all of the following conditions:

(i) All proposed lots must have a net site area of at least 2500m²;

(ii) Two additional lots can be created on the receiver property for every one transferable lot right originating under Rule 23.4.XX [Pakau Trust Entitlement Rule];

(b) For the purposes of this rule a subdivision plan is required only for the receiver property and not the donor property;

(c) Council's discretion is restricted to the following matters at the receiving property;

(i) subdivision layout and design including dimensions, shape and orientation of the proposed lots;

(ii) adverse effects on amenity values;

DI

Transferable rural lot right subdivision that does not comply with Rule 23.4.XXX BDI

AND

Amend the Proposed District Plan further with any necessary consequential or other relief that addresses Pakau Trust's concerns.

Decision Reasons:

- The Proposed District Plan fails to provide an appropriate opportunity for, and recognition of, the protection in perpetuity of significant indigenous vegetation.
- The cost to a property owner of protecting and maintaining, in perpetuity, significant stands of indigenous vegetation are substantial, in real financial terms.
- The property owner foregoes development potential, and subdivision of that property, where a significant environmental and community benefit is achieved by the protection of significant indigenous vegetation.
- In effect, the legal protection of significant indigenous vegetation provides a public benefit, at the expense of the private property owner. This should be recognised and compensated for.
- The subdivision application lodged in April 2012 secured Pakau Trust's entitlement to 64 Environmental Lots - 29 of which have been used and 35 remain to be used as transferable rural lot rights.
- Transferable rural lot rights enable an environmental feature to be protected while relocating the development potential elsewhere on appropriate receiver properties.
- Pakau Trust's position is unique.

Point Number

624.3

Summary of Decision Requested:

Add new Village Zone subdivision rules in 24.4 Subdivision, to recognise Pakau Trust's residual entitlement of 35 Environmental Lots which can be used as transferable rural title rights, such rules shown in underlined italics as follows:

Rule 24.4.XX Pakau Trust Entitlement Rule

For the purpose of Rule 24.4.XX, 35 transferable rural lot rights exist, that were secured by the protection of 204 hectares of significant indigenous vegetation at Klondyke Road, Port Waikato. Those transferable rural lot rights may be utilised under Rule 24.4.XXX where:

(i) The number of transferable rural lot rights available, will reduce by the number utilised at each receiving property when a survey plan is lodged for the subdivision approved at that receiving property;

(ii) A subdivision plan is only required for the receiver property;

(iii) Transferable rural lot rights cannot be generated on any other donor property;

Rule 24.4.XXX Transferable Rural Lot Right Subdivision

BDI

(a) Transferable Rural Lot Right Subdivisions utilising transferable rural lot rights under Rule 24.4.XX [Pakau Trust Entitlement Rule] must comply with all of the following conditions:

(i) All proposed lots must have a net site area of at least 2000m²;

(ii) Two additional lots can be created on the receiver property for every one transferable lot right originating under Rule 24.4.XX [Pakau Trust Entitlement Rule];

(b) For the purposes of this rule a subdivision plan is required only for the receiver property and not the donor property;

(c) Council's discretion is restricted to the following matters at the receiving property;

(i) Shape, location and orientation of proposed lots;

(ii) Matters referred to in the Infrastructure chapter;

(iii) Consistency with the matters, and outcomes sought, in Appendix 3.1 (Residential Subdivision Guidelines);

(iv) Impacts on stormwater and wastewater disposal;

(v) Impacts on Significant Natural Areas;

(vi) Impacts on identified Maaori Sites of Significance; and

(vii) Roads and pedestrian networks.

DI

Transferable rural lot right subdivision that does not comply with Rule 24.4.XXX RD1.

AND

Amend the Proposed District Plan further with any necessary consequential or other relief that addresses Pakau Trust's concerns.

Decision Reasons:

- The Proposed District Plan fails to provide an appropriate opportunity for, and recognition of, the protection in perpetuity of significant indigenous vegetation.
- The cost to a property owner of protecting and maintaining, in perpetuity, significant stands of indigenous vegetation are substantial, in real financial terms.
- The property owner foregoes development potential, and subdivision of that property, where a significant environmental and community benefit is achieved by the protection of significant indigenous vegetation.
- In effect, the legal protection of significant indigenous vegetation provides a public benefit, at the expense of the private property owner. This should be recognised and compensated for.
- The subdivision application lodged in April 2012 secured Pakau Trust's entitlement to 64 Environmental Lots - 29 of which have been used and 35 remain to be used as transferable rural lot rights.
- Transferable rural lot rights enable an environmental feature to be protected while relocating the development potential elsewhere on appropriate receiver properties.
- Pakau Trust's position is unique.

Submitter Number:

625

Submitter:

Sharon Burman

On behalf of:

Kainui Homes

Point Number

625.1

Summary of Decision Requested:

Amend Rule 16.4.1 Subdivision - General, for greater intensification of existing residential properties by allowing subdivisions of properties to 420m² as opposed to the 450m² set in the District Plan.

Decision Reasons:

- Reduced costs for establishing new subdivision amenities.
- Subdivision of a smaller size would enable intensive use of sections within the residential area which would mean slower urban sprawl into rural areas.
- Large sections within town boundaries could create more properties required for home dwellings.
- Opportunity for home ownership and meeting housing needs.
- Sections of smaller size have in the past been previously set.

Submitter Number:

626

Submitter:

Vineyard Road Properties Limited

Point Number

626.1

Summary of Decision Requested:

Amend the zoning of the following properties from Country Living Zone to the Village Zone:

- Properties on the eastern side of Vineyard Road from 4 to 122 Vineyard Road, Te Kauwhata; and
- Properties on the western side of Vineyard Road from 186 Wayside Road to 122 Vineyard Road, Te Kauwhata (see map attached to the submission)

OR

Amend the minimum lots size for the Country Living Zone from 5,000m² to 2,000m².

Decision Reasons:

- These properties on Vineyard Road exhibit a compromised and fragmented rural character and therefore rural residential subdivision will not compromise productive potential and will be the best use of the land resource.
- Changing the zoning to Country Living Zone in this location would:
 - Give effect to the National Policy Statement - Urban Development Capacity which identifies Waikato District as a high growth urban area and would represent a consistent and fair approach to growth as provided for in both Te Kowhai and Tuakau.
 - Complement the aim of the Future Proof Strategy to achieve a more compact and concentrated urban form over time, including the target of 10-12 households per hectare, and lead to more affordable infrastructure and amenity facilities.
 - Te Kauwhata is recognised as important for the Auckland 'spill over' and, as a result of established transport links, educational facilities, playgrounds and a shopping precinct, can easily absorb an increased density of residential development (more so than Te Kowhai).
 - The change to Village Zone will not increase any loss of productive Rural land and is a more effective and efficient use of land.
 - It is unclear from the section 32 analysis how the Countryside Living Zone and Village Zone are determined. The Countryside Living Zone is said to predominantly enable a residential development with a less dense character, low intensity development and rural outlook compared to an urban zone. Yet the Village Zone is intended to provide a wide range of living opportunities, of rural lifestyle.
 - There is no justification for the 5000m² lot size in the Countryside Living Zone and the values that are strived for in this zone are not set out in Objective 5.6.1.
 - The section 32 report does not acknowledge that on-site servicing is possible with a lot size of 2000m².
 - The section 32 report does not acknowledge that open space, rural views and landscaped areas between houses can be achieved with a lot size of 2000m² and design and servicing matters can be sufficiently considered when subdivision applications are made.

Point Number

626.2

Summary of Decision Requested:

Amend the minimum net site area for general subdivision in the Village Zone to 2000m², whether or not the lots are publicly reticulated;

AND/OR

Amend the Proposed District Plan with any necessary consequential or other relief that addresses these concerns.

Decision Reasons:

- A lot size of 2000m² creates an open space rural-residential character but can be planted, fenced, mowed and maintained easily while achieving a rural setting.
- This lot size can still accommodate on-site services and it also involves a more efficient use of the land resource compared to 5000m² lots in the Country Living Zone.

- A smaller lot size of 2000m2 achieves an appropriate level of amenity while still having a low intensity of development and a Rural outlook and character.

Point Number 626.3

Summary of Decision Requested: **Retain** the restricted discretionary activity status for general subdivision in the Country Living Zone and the matters of discretion for those.

Decision Reasons:

- No reasons provided.

Point Number 626.4

Summary of Decision Requested: **Retain** the restricted discretionary activity status for general subdivision in the Village Zone and the matters of discretion for those.

Decision Reasons:

- No reasons provided.

Submitter Number: 627

Submitter: Gloria Jean Beverland

Point Number 627.1

Summary of Decision Requested: **Amend** the zoning of properties on McVie Road, Huntly to allow Kimihia Lakes Recreation and Events to develop.

Decision Reasons:

- Supports positive developments for Huntly.

Submitter Number: 628

Submitter: Maris O'Rourke

Point Number 628.1

Summary of Decision Requested: No specific decision sought, but submission opposes the proposed developments in Raglan such as the condominiums proposed for Wainui Road and Stewart Street.

Decision Reasons:

- Concerned Raglan's special character is being eroded.
- True community and charming place of character.
- Wants to see Raglan's unique nature continue.

Point Number 628.2

Summary of Decision Requested: **Add** provisions for Raglan/Whaingaroa area to be granted special character status. The following matters to be included in the Special Character Designation:

- Concerned Raglan's special character is being eroded.
- True community and charming place of character.
- Wants to see Raglan's unique nature continue.
- Preservation and augmentation of natural environment particularly the wild seashore and sand dunes.
- Maintenance of diverse local businesses e.g. ban the introduction of big box chain stores and fast food outlet as they have in many places in France.
- Maintenance of a strong Maori partnership with local iwi and cultural respect for their views and wishes as tangata whenua.
- Maintenance of a relaxed friendly lifestyle.
- Maintenance of a business area confined to a small central zone which is pedestrian and cycle friendly.
- Limited population e.g. a limited number of subdivisions so residents don't live on top of each other.
- Limited number of businesses in town centre so business are not on top of each other.
- Maintenance of human dimensions of buildings e.g. limit heights of buildings to two or three storeys to preserve character.
- Maintenance and augmentation of pedestrian walkways, cycleways and sea views for all e.g. regulations so that people don't build each other out.
- Limit to the amount of holiday accommodation so there is a true community, not a tourist centred economy where locals cannot find accommodation.
- Attention to infrastructure e.g. the use of tourist dollars to fund public parking lots, lighting, upgrade sewerage system and/or e.g. introduce a per night tourist tax (such as Banff and other tourist areas in Canada) where the money goes directly back to Raglan to fund services for the public.

Decision Reasons:

- Concerned Raglan's special character is being eroded.
- True community and charming place of character.
- Wants to see Raglan's unique nature continue.
- Preservation and augmentation of natural environment particularly the wild seashore and sand dunes.

Point Number 628.3

Summary of Decision Requested: **Amend** the Proposed District Plan to require all building activity in the district that do not comply with District Plan to be publicly notified.

Decision Reasons:

- No reasons provided.

Submitter Number:	629	Submitter:	Sharon Burman
On behalf of:	Burman Family Trust		
Point Number	629.1		
Summary of Decision Requested:	Amend Rule 22.4.1.2 General Subdivision, to allow for sites less than 20 hectare in the Rural Zone to be subdivided to create one additional site.		
Decision Reasons:	<ul style="list-style-type: none"> • At present rural farms can subdivide one property if over 20 hectares. • Properties under 20 hectares are often less productively viable. • It would make greater sense to allow smaller blocks to create areas of subdivision – home ownership and occupancy. 		

Submitter Number:	630	Submitter:	John Loe
Point Number	630.1		
Summary of Decision Requested:	Decline the proposal which prohibits horse access to the Ngarunui Beach in Raglan via the north-end carpark track.		
Decision Reasons:	<ul style="list-style-type: none"> • To allow for safe access to the beach. 		

Submitter Number:	631	Submitter:	Allan Dennis
Point Number	631.1		
Summary of Decision Requested:	Retain Chapter 9.2 Te Kowhai Airpark as notified.		
Decision Reasons:	<ul style="list-style-type: none"> • Secure a future for the Light Aviation Fraternity. • Allow for the expansion of existing facilities. 		
Point Number	631.2		
Summary of Decision Requested:	Retain Chapter 27 Te Kowhai Airpark Zone as notified.		
Decision Reasons:	<ul style="list-style-type: none"> • Secure a future for the Light Aviation Fraternity. • Allow for the expansion of existing facilities. 		

Submitter Number:	632	Submitter:	Amanda Church
Point Number	632.1		
Summary of Decision Requested:	Decline the proposal for the prohibition of horse access to Ngarunui Beach, Raglan via the North end carpark track.		
Decision Reasons:	<ul style="list-style-type: none"> • Charisma of Raglan. • Enjoyment of recreational facilities and nature by all. • Safety via prevention of having to use the only other access which is a thin dangerous road. • Minimal to nil impact. • Have been using access for years. • Have already lost the mountain bike trails. • Are happy to share these places but do not want to be kicked out completely. 		

Submitter Number:	633	Submitter:	Alan Henderson
Organisation:	Van Den Brink Group		
Point Number	633.1		
Summary of Decision Requested:	Delete Policy 4.5.42(a)(ii) Adjoining site amenity to reduce height adjoining residential or reserve zoned land. AND Any consequential amendments and/or additional relief required to address the matters raised in the submission.		
Decision Reasons:	<ul style="list-style-type: none"> • Policy 4.5.42 Adjoining site amenity is a duplicate of Policy 4.5.31 Reverse sensitivity. • The policy is not supported by the rules, and is inconsistent with the relief sought elsewhere in the submission. 		

Point Number 633.2
Summary of Decision Requested: **Retain** Objective 4.6.1 Economic growth of industry, insofar as it gives effect to the relief sought.
Decision Reasons:

- Supports objective to the extent that the property at Whangarata Road retains its industrial zone.
- The enabling provisions to support economic growth are not reflected in the land use provisions.

Point Number 633.3
Summary of Decision Requested: **Retain** Policy 4.6.2 Provide Industrial Zones with different functions, insofar as it gives effect to the relief sought.
Decision Reasons:

- Supports the intention of the policy to enable a range of activities.
- This policy is not reflected in the land use provisions.

Point Number 633.4
Summary of Decision Requested: **Retain** Policy 4.6.3 Maintain a sufficient supply of industrial land, insofar as it gives effect to the relief sought.
Decision Reasons:

- Supports the intention of the policy to enable a sufficient supply of industrial zone land, which includes the rezoning of the land at Whangarata Road.
- This policy is not reflected in the land use provisions.

Point Number 633.5
Summary of Decision Requested: **Retain** Policy 4.6.4 Maintain Industrial land for industrial purposes, insofar as it gives effect to the relief sought.
Decision Reasons:

- Supports the intention of the policy to enable ancillary activities to industrial activities.
- This policy is not reflected in the land use provisions.

Point Number 633.6
Summary of Decision Requested: **Retain** Policy 4.6.5 Recognition of industrial activities outside of urban areas, insofar as it gives effect to the relief sought.
Decision Reasons:

- Supports the intention of the policy to recognise and provide for existing industrial activities.
- This policy is not reflected in the land use provisions.

Point Number 633.7
Summary of Decision Requested: **Retain** Objective 4.6.6 Manage adverse effects, insofar as it gives effect to the relief sought.
Decision Reasons:

- Supports the intention of the objective to manage adverse effects on sensitive activities in other zones and ecosystems.
- The provisions are unnecessarily restrictive and could be modified to achieve the same outcome.

Point Number 633.8
Summary of Decision Requested: **Retain** Policy 4.6.7 Management of adverse effects within industrial zones, insofar as it gives effect to the relief sought.
Decision Reasons:

- Supports the intention of the objective to manage adverse effects on sensitive activities in other zones and ecosystems.
- The provisions are unnecessarily restrictive and could be modified to achieve the same outcome.

Point Number 633.9
Summary of Decision Requested: **Amend** Policy 4.7.2 Subdivision location and design to provide an exclusion for Industrial zones.
AND
Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The policy requires subdivision design and layout to adhere to a grid pattern and which enable public viewing for all urban zones. These features are unnecessarily restrictive for industrial development.
- As Industrial areas are generally of a lower amenity than town centre or residential areas and subject to less pedestrian throughfare, there is no reason to require industrial areas to adhere to the same amenity standards as residential and higher amenity zones.

Point Number 633.10
Summary of Decision Requested: **Delete** any requirement to adhere to "Guidelines" in Policy 4.7.3 Residential subdivision.

AND

Amend Policy 4.7.3 Residential subdivision to ensure the policy enables infill development in existing residential areas without making it adhere to the same standards as new greenfield development.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Policies should not require development to adhere to guidelines.
- The direct outcome should instead be the matters listed in the policy.
- The police outcomes seek to achieve design and layout which is only readily achievable on new greenfield sites, rather than infill development in existing towns.
- The policy should make a distinction between the outcomes to be achieved in each scenario.

Point Number

633.11

Summary of Decision Requested:

Amend Policy 4.7.5 to provide an exclusion for Industrial zones for provision of cycleways/pedestrian connections.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- As Industrial areas are subject to less pedestrian throughfare or recreational cyclist facilities, there is no reason to require industrial areas to adhere to the same amenity standards as residential and higher amenity zones.

Point Number

633.12

Summary of Decision Requested:

Retain Policy 4.7.7(a) Achieving sufficient development density to support the provision of infrastructure services to the extent that the industrial lot sizes are retained or reduced.

Decision Reasons:

- The proposed lot sizes are considered as a minimum the efficient use of land for industrial activities, whilst enabling provision for industrial subdivision.
- The policy in its current form would also support a reduction in average or minimum lot size.

Point Number

633.13

Summary of Decision Requested:

Amend Policy 4.7.9 Connected neighbourhoods to provide an exclusion for provision of cycleways/pedestrian connections in industrial zones.

AND

Amend Policy 4.7.9 Connected neighbourhoods to enable infill development in existing residential areas without making it adhere to the same standards as new greenfield development.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- As industrial areas are subject to less pedestrian throughfare or recreational cyclist facilities, there is no reason to require industrial areas to adhere to the same amenity standards as residential and higher amenity zones.
- The police outcomes seek to achieve design and layout which is only readily achievable on new greenfield sites, rather than infill development in existing towns.
- The policy should make a distinction between the outcomes to be achieved in each scenario.

Point Number

633.14

Summary of Decision Requested:

Amend Policy 4.7.10 Recreation and access to provide an exclusion for industrial zones for the provision of cycleways/pedestrian connections.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- As industrial areas are subject to less pedestrian throughfare or recreational cyclist facilities, there is no reason to require industrial areas to adhere to the same amenity standards as residential and higher amenity zones.

Point Number

633.15

Summary of Decision Requested:

Retain Objective 6.4.1 Integration of infrastructure with subdivision, land use and development, insofar as it gives effect to the relief sought.

Decision Reasons:

- Support the intention of the objective.

Point Number

633.16

Summary of Decision Requested:

Amend Policy 6.4.5 (a)(i) and (ii) Roading infrastructure to provide an exclusion for Industrial zones.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- As Industrial areas are subject to less pedestrian throughfare or recreational cyclist facilities, there is no reason to require industrial areas to adhere to the same amenity standards as residential and higher amenity zones.

Point Number 633.17

Summary of Decision Requested: **Delete** Rule 14.12.1 P4(c) Permitted Activities in its entirety.
AND
Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Concerns at the traffic generation threshold allowable for the Business zone. Being a maximum 300 vehicle movements per day and no more than 15% of these vehicle movements are heavy vehicle movements.
- The Business zones are characterised by heavy vehicle movements and to limit these to only 15% of the trip generations unnecessarily restricts business operations.
- The objectives and policies do not support this restriction on transportation.

Point Number 633.18

Summary of Decision Requested: **Delete** Rule 14.12.1P4(e) Permitted Activities in its entirety.
AND
Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The applicant is concerned at the traffic generation threshold allowable for the industry zone, being "Maximum 250 vehicle movements per day and no more than 15% of these vehicle movements are heavy vehicle movements".
- The Industrial zones are characterised by heavy vehicle movements and to limit these to only 15% of the trip generations unnecessarily restrictive on industrial operations.
- The objectives and policies and contained in Chapter 6.5 do not support this restriction on transportation.

Point Number 633.19

Summary of Decision Requested: **Retain** the activities listed in Rule 17.1.2 P1 – P14 as Permitted Activities
AND
Add Retail activities as a Permitted activity to Rule 17.1.2 Permitted Activities.
AND
Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The specific activity status of retail activities is unclear - it could fall under a commercial activity.
- In the Town Centre zone, it is specifically listed which could cause ambiguity for future resource consent applications.
- Large format retail is specifically envisaged by Policy 4.5.8 and 4.5.10.

Point Number 633.20

Summary of Decision Requested: **Add** the construction of a building as a permitted activity (which complies with the development controls) to Rule 17.1.2 Permitted Activities.
AND
Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The activity status of buildings is unclear.
- The amendment is needed to clarify the activity status.

Point Number 633.21

Summary of Decision Requested: **Amend** the activity status for more than one dwelling (i.e. multi-unit development) from Restricted Discretionary (Rule 17.1.3) to Permitted activity (Rule 17.1.2).
AND
Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Mixed use development should be encouraged in the Business Zones as well as maximising an efficient use of land.
- Only enabling one dwelling per building as a permitted activity is inefficient.

Point Number 633.22

Summary of Decision Requested: **Delete** Rule 17.3.2 Daylight Admission in its entirety.
AND
Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- This control is without precedent and represents a restrictive and inappropriate regime.

Point Number 633.23

Summary of Decision Requested: **Retain** Rule 17.2.3 P1 On site parking areas - Landscaping in relation to the 1.5m landscape strip.
OR

Amend Rule 17.2.3 P1 On site parking areas to reduce the 1.5m landscape strip requirement.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The control is considered suitable to ensure adequate amenity.
- Would also support a reduction in width.

Point Number 633.24

Summary of Decision Requested: **Retain** Rule 17.2.5.1 Earthworks - General.

Decision Reasons:

- The control is appropriate in managing effects.

Point Number 633.25

Summary of Decision Requested: **Add** clarification to Rule 17.2.7.1 P2 (a) Signs that the rule applies to free standing signs only.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- There is no reason to restrict signage of buildings to the criteria in P2 (a).

Point Number 633.26

Summary of Decision Requested: **Amend** Rule 17.2.7.1 P2 Signs to increase the area to at least 10m² per site.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The signage rules are unnecessarily restrictive in terms of free standing sign size being limited to one sign per site at 3m².
- This does not take into account the use of a site for more than one activity and combined with the allowance for all other signs to be 1m² would create more visual clutter than allowing a larger free standing in the first instance.

Point Number 633.27

Summary of Decision Requested: **Amend** Rule 17.2.7.1 Signs to exclude signs from the yard setbacks.

AND

If the relief on daylight admission is not accepted, **amend** to exclude signs Rule 20.3.3 Daylight Admission.

OR

Amend the definition of "buildings" in Chapter 13 Definitions to exclude free-standing signs.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Without the proposed exclusions, signs should not be easily visible from the road, as they would be classified as a "building".
- This will create significant costs of compliance to achieve signage for site identification purposes.

Point Number 633.28

Summary of Decision Requested: **Amend** Rule 17.2.7.2 Signs - Effects on Traffic to specify that Rule 20.2.7.2 does not apply to site identification signs.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- It is unclear what is meant by "any sign directed at road users".
- Arguably any sign for identification of a business could be deemed to be directed at road users.
- Effects associated with identification signs are already managed by Rule 20.2.7.1.

Point Number 633.29

Summary of Decision Requested: **Amend** Rule 17.3.2 P1(a) (Daylight Admission) to increase height from 2.5m to 3m.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- There is no justification to reduce the height to boundary recession plane to a height which is lower than the previous Franklin provisions.

Point Number 633.30

Summary of Decision Requested: **Amend** Rule 17.3.4.1 P1(a)(i) Building setback – Zone boundaries to reduce the setback between sites with other zones to 3m.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- There is no justification to increase the yard setbacks to 7.5m when the previous Franklin provisions were more permissive.

Point Number

633.31

Summary of Decision Requested:

Amend Rule 17.3.7 P1 (a) Living Court to reduce the balcony size requirements to 8m2 and a depth of 1.5m.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The balcony size requirements are too onerous and should be reduced to as a maximum the former Franklin standard.
- There is no justification to increase the balcony size from 8m2 to 15m2.

Point Number

633.32

Summary of Decision Requested:

Amend the zoning of properties at Ryders Road and Harrisville Road, Tuakau from Industrial Zone to Business Zone (see attachment 2 to the submission).

AND

Rezone a portion of the property at 24 Ryders Road, Tuakau from Village Zone to Business Zone. (see attachment 2 to the submission).

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Proposed rezoning effectively represents a downzoning of this land.
- Will remove development potential and commercial value.
- Council should not zone land based solely on current land uses.
- The land is situated within proximity to the centre of Tuakau, with redevelopment can provide opportunities to support the residential growth projected for this area.
- The location of this land lends itself to commercial development opportunities such as retail, office to support an increasing population .
- The Proposed District Plan has not sought to rezone additional business or industrial land in Tuakau, even though the predicted population growth is significant.
- Consequently, the potential self sufficiency of Tuakau for retail, commercial services and employment activities will be reduced as the population grows. This is not effective or efficient resource management, nor does it promote the wellbeing of the local community.
- The expansion of the zone into 24 Ryders Road, also reflects the use of that part of the site for car parking associated with the existing processing plant (authorised by Resource Consent)
- This land also provides an effective opportunity for increased business development opportunities as Tuakau grows.

Point Number

633.33

Summary of Decision Requested:

Retain Industrial zoning of the submitter's properties at the Whangarata Business Park, Tuakau as notified.

Decision Reasons:

- Zoning represents the most appropriate zone for the land and reflects it existing zoning under the Franklin Section of the District Plan.

Point Number

633.34

Summary of Decision Requested:

Retain Objective 4.5.1 Commercial function and purpose, insofar as it gives effect to the relief sought.

Decision Reasons:

- Supports this objective to the extent that the submitters land is zoned Business.

Point Number

633.35

Summary of Decision Requested:

Retain Policy 4.5.2 Commercial function and purpose, insofar as it gives effect to the relief sought.

Decision Reasons:

- Supports this policy to the extent that the land is zoned Business.

Point Number

633.36

Summary of Decision Requested:

Retain Policy 4.5.4 Commercial purpose: Business Zone, insofar as it gives effect to the relief sought.

Decision Reasons:

- Supports the intention of the policy to enable a range of commercial activities.

Point Number

633.37

Summary of Decision Requested:

Retain Policy 4.5.8 Role and function of the Business Zone insofar as it gives effect to the relief sought.

Decision Reasons:

- Supports the intention of the policy to enable large scale retail and commercial activities in the Business Zone.

- This is not reflected in the land use provisions.

Point Number 633.38

Summary of Decision Requested: Retain Policy 4.5.9 Employment opportunities: Business Town Centre Zone and Business Zone insofar as it gives effect to the relief sought.

Decision Reasons:

- Supports the intention of the policy to provide for employment opportunities.

Point Number 633.39

Summary of Decision Requested: Retain Policy 4.5.10 Retail: Business Town Centre Zone and Business Zone insofar as it gives effect to the relief sought.

Decision Reasons:

- Supports the intention of the policy to enable large scale retail and commercial activities in the Business Zone.
- This is not reflected in the land use provisions.

Point Number 633.40

Summary of Decision Requested: Retain Policy 4.5.11 Residential upper floors: Business Town Centre Zone and Business Zone insofar as it gives effect to the relief sought.

Decision Reasons:

- Supports the intention of the policy to mixed use developments, in particular residential activities in the Business Zone.
- Considers that providing for more than one residential activity as a Restricted Discretionary activity only does not given effect to this policy in the most efficient way.

Point Number 633.41

Summary of Decision Requested: No specific decision requested, but submission opposes Objective 4.5.25 Business Zone Character; where this is inconsistent with the submitter's primary relief to have their landholding re-zoned as Business.

Decision Reasons:

- The objective only requires maintenance of character - this is not consistent with developing new business areas to support residential growth.

Point Number 633.42

Summary of Decision Requested: Retain Policy 4.5.26 Landscaping of onsite parking areas - Business Zone insofar as it gives effect to the relief sought.

Decision Reasons:

- Supports intention of these policies to manage effects in the Business Zone (and on other more sensitive activities in adjoining zones) subject to the relief sought by the submitter.

Point Number 633.43

Summary of Decision Requested: Retain Policy 4.5.27 Front setback - Business Zone insofar as it gives effect to the relief sought.

Decision Reasons:

- Supports intention of these policies to manage effects in the Business Zone (and on other more sensitive activities in adjoining zones) subject to the relief sought by the submitter.

Point Number 633.44

Summary of Decision Requested: Retain Policy 4.5.28 Height - Business Zone, insofar as it gives effect to the relief sought.

Decision Reasons:

- Supports intention of these policies to manage effects in the Business Zone (and on other more sensitive activities in adjoining zones) subject to the relief sought by the submitter.

Point Number 633.45

Summary of Decision Requested: Delete the policy reference to design guidelines and architectural form in Policy 4.5.29 New Buildings: Business Zone.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The policy is not supported by the rules and is inconsistent with the relief sought elsewhere in the submission.

Point Number 633.46

Summary of Decision Requested: Retain Objective 4.5.30 Business Zone and Business Town Centre Zone - Amenity, insofar as it gives effect to the relief sought.

Decision Reasons:

- Supports the intention of the objective to protect amenity values, subject to the relief sought by the submitter.

Point Number	633.47
Summary of Decision Requested:	Retain Policy 4.5.31 Reverse Sensitivity, insofar as it gives effect to the relief sought.
Decision Reasons:	<ul style="list-style-type: none"> • Supports the intention of the objective to protect amenity values, subject to the relief sought elsewhere in the submission. • Policy 4.5.31 is a duplicate of Policy 4.5.33.
Point Number	633.48
Summary of Decision Requested:	Retain Policy 4.5.33 Reverse Sensitivity, insofar as it gives effect to the relief sought.
Decision Reasons:	<ul style="list-style-type: none"> • Supports the intention of the objective to protect amenity values, subject to the relief sought elsewhere in the submission. • Policy 4.5.33 is a duplicate of Policy 4.5.31.
Point Number	633.49
Summary of Decision Requested:	Delete Policy 4.5.32(a)(ii) Adjoining site amenity to reduce height adjoining residential or reserve zoned land. AND Any consequential amendments and/or additional relief required to address the matters raised in the submission.
Decision Reasons:	<ul style="list-style-type: none"> • Policy 4.5.31 Reverse sensitivity is a duplicate of Policy 4.5.42 Adjoining site amenity. • The policy is not supported by the rules and is inconsistent with the relief sought elsewhere in the submission.
Point Number	633.50
Summary of Decision Requested:	Retain Rule 17.4.1(a) General Subdivision in relation to the minimum lot size of 225m2. OR Amend Rule 17.4.1(a) General Subdivision to reduce the minimum lot size. AND Any consequential amendments and/or additional relief required to address the matters raised in the submission.
Decision Reasons:	<ul style="list-style-type: none"> • The proposed lot sizes are considered an efficient use of land for business activities. • Would also support a decrease in minimum area.
Point Number	633.51
Summary of Decision Requested:	Add the following to include the following permitted activities as a minimum to Rule 20.1.1 Permitted Activities: <i>(a) Hire Centres</i> <i>(b) Wholesale</i> <i>(c) Trade Sub/ly outlet</i> <i>(d) Transport depot</i> <i>(e) Garden Centres</i> <i>(f) Retailing of agricultural and industrial motor vehicles and machinery</i> <i>(g) Processing, storage, distribution and sale (wholesale or retail) of aggregates</i> AND Any consequential amendments and/or additional relief required to address the matters raised in the submission.
Decision Reasons:	<ul style="list-style-type: none"> • There is no activity distinction between those activities provided for in the Heavy Industry zone and Industry zone – the listed permitted activities are the same. • This is inconsistent with Policy 4.6.2 which seeks to provide for “different functions” with the zones, but also a “range of activities”. • The range of permitted activities is too constrained and does not take into account activities which are more land intensive and of a lower amenity value, which should locate in these areas rather than the Business Zone (where they are otherwise provided for as “commercial activities”). • These activities could locate in an Industry area (and not be incompatible with surrounding activities) and do not fall under the listed P – P6 and unless specifically provided for would therefore default to Non-Complying (under NC1).
Point Number	633.52
Summary of Decision Requested:	Delete any restrictions on gross floor area from Rule 20.1.1 Permitted Activities. AND Amend Rule 20.1.1 Permitted Activities to allow for any office which is ancillary to a permitted activity. AND Any consequential amendments and/or additional relief required to address the matters raised in the submission.
Decision Reasons:	<ul style="list-style-type: none"> • There is no reason to restrict offices associated with permitted activities where these support the efficient and effective operation of a permitted activity.

Point Number 633.53

Summary of Decision Requested: **Add** the construction of a building for any permitted activity as a permitted activity (which complies with the development controls) to Rule 20.1.1 Permitted Activities.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The activity status of buildings is unclear.
- The amendment is needed to clarify the activity status.

Point Number 633.54

Summary of Decision Requested: **Delete** Rule 20.2.1 Servicing and hours of operation in its entirety.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- This control is without precedent and represents a restrictive and inappropriate regime.

Point Number 633.55

Summary of Decision Requested: **Amend** Rule 20.2.2 C1 Landscape Planting from a Controlled Activity, to become a Permitted Activity instead.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- This control is without precedent and represents a restrictive and inappropriate regime.

Point Number 633.56

Summary of Decision Requested: **Delete** Rule 20.2.2 C1(b) in its entirety.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- This control creates a mandatory requirement for planting of streams irrespective of what the proposal is (for example a car parking shortfall) and without any consideration of the costs associated with the rule.

Point Number 633.57

Summary of Decision Requested: **Retain** the noise standards in Rule 20.2.3 Noise.

Decision Reasons:

- This control is appropriate in managing effects between zones.

Point Number 633.58

Summary of Decision Requested: **Add** an exclusion to Rule 20.2.4 Glare and Artificial Light spill to ensure that it does not apply between sites in the industrial zones.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- These rules should only apply to sites adjoining a residential, reserve or countryside living zone (similar to the landscape screening and lower noise limits) and should not be applicable between Industrial sites.

Point Number 633.59

Summary of Decision Requested: **Retain** the earthworks standards in Rule 20.2.5.1 Earthworks - General.

Decision Reasons:

- The control is appropriate in managing effects.

Point Number 633.60

Summary of Decision Requested: **Add** clarification that Rule 20.2.7.1 P2(a) Signs applies to free standing signs only.

Decision Reasons:

- There is no reason to restrict signage of buildings to the criteria in (a).

Point Number 633.61

Summary of Decision Requested: **Amend** Rule 20.2.7.1 P2 Signs to increase the area to at least 10m2.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The signage rules are unnecessarily restrictive in terms of free standing sign size being limited to one sign per site at 3m2.
- This does not take into account the use of a site for more than one activity and combined with the allowance for all other signs to be 1m2 would create more visual clutter than allowing a larger free standing in the first instance.

Point Number 633.62

Summary of Decision Requested: Amend Rule 20.2.7.1 (Signs) to exclude signs from the yard setbacks;

AND

If the above relief is not accepted, amend Rule 20.3.3 Daylight Admission to exclude signs;

OR

Amend the definition of "buildings" in Chapter 13 Definitions to exclude free-standing signs;

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Without the proposed exclusions signs would not be easily visible from the road, as they would be classified as a "building".
- This will create significant costs of compliance to achieve signage for site identification purposes.

Point Number 633.63

Summary of Decision Requested: Amend Rule 20.2.7.2 Signs – Effects on traffic to specify that this rule does not apply to site identification signs.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- It is unclear what is meant by "any sign directed at road users."
- Arguably any sign for identification of a business could be deemed to be directed at road users.
- Effects associated with identification signs are already managed by Rule 20.2.7.1.

Point Number 633.64

Summary of Decision Requested: Delete Rule 20.2.8 PI (iv) Outdoor Storage of goods for material.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Any restriction on the percentage of the site allowable to be used for storage should be deleted, as storage activities are permitted.
- Any visual effects associated with outdoor storage are already mitigated by the maximum height, setback and screening requirements contained in this rule.

Point Number 633.65

Summary of Decision Requested: Amend Rule 20.3.1 PI (a) Building Height to increase the maximum height to 18m or greater.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- A height of 18m is similar to that which has already started to develop/establish in the Whangarata Industrial zone and there is no reason for this height to be decreased to 15m.

Point Number 633.66

Summary of Decision Requested: Amend Rule 20.3.3 PI Daylight Admission to increase height from 2.5m to 3m.

AND

Amend Rule 20.3.3 Daylight Admission to specifically exclude roads from any daylight admission plane.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- There is no justification to reduce the height to boundary recession plane to a height which is lower than the previous Franklin provisions when the maximum height has been kept the same.
- There is no reason to apply a daylight recession plan against roads in the Industrial zones, as these are areas are generally lower amenity and less pedestrian trafficked.
- No reason to apply a daylight restriction against the road network.

Point Number 633.67

Summary of Decision Requested: Retain Rule 20.3.4.1 PI (i) Building setback in relation to the maximum front yard setback of 5m.

OR

Amend Rule 20.3.4.1 PI (i) Building Setback to have a reduced front yard setback.

AND

Retain Rule 20.3.4.1 PI (ii) Building setback so that the rule does not apply to boundaries of other industrial zoned sites.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- A front yard setback of 5m is similar to that which has already started to develop/establish in the Whangarata Industrial zone.
- There is no reason for the setback to be increased.
- Would support a decrease in setback.
- Supports the provisions for side yards to only apply to zones other than the Industrial and Heavy Industrial zones.
- Also backed up with the daylight provisions which also do not apply to adjoining industrial zoned sites.

Point Number

633.68

Summary of Decision Requested:

Amend Rule 20.3.4.1 PI (ii) Building setbacks to reduce the setback between sites with other zones to 3m.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- There is no justification to increase the yard setbacks between the industrial zoned site with other zones to 7.5m when the previous Franklin provisions were more permissive.
- The 3m landscape buffer is sufficient.
- No reason to have an additional 4.5m of building setback.

Point Number

633.69

Summary of Decision Requested:

Retain Rule 20.4.1 RD1(a) General Subdivision in relation to a minimum lot size of 1,000m² and average of 2,000m².

OR

Amend Rule 20.4.1 RD1(a) General subdivision to reduce the minimum lot size and average lot size.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The proposed lot sizes are considered an efficient use of land for industrial activities.
- Would also support a decrease in minimum area and average.

Point Number

633.70

Summary of Decision Requested:

Delete Rule 20.4.1 RD1(a)(iii) General Subdivision in relation to the 20% restriction on rear lots.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- The restriction on 20% rear sites creates inefficiencies of land resources
- It will significantly reduce the amount of land available for industrial activities (and other similar uses).
- These types of areas are generally of a "lower amenity" than town centre or residential areas and subject to less pedestrian throughfare.
- There is no reason to restrict the number of rear lots created via subdivision.

Submitter Number:

634

Submitter:

Kathryn Gold

Point Number

634.1

Summary of Decision Requested:

Rebuild the single lane bridge at Wainui Road, Raglan.

Decision Reasons:

- Has become an urgent project.
- Need to cater for all recreational and residential movement that use this bridge as access to homes, beaches and boat ramps.
- Leaving the bridge as is for another nine years is reckless.
- Congestion caused by the one lane bridge is a major disruption to residents and visitors.
- Emergency services are extremely disadvantaged.
- Safety issues for children crossing the bridge for school due to the constant stream of traffic.
- From early morning until late evening residents unable to get into town in the weekends with roads blocked with cars, waiting as far as 3km away.

Submitter Number:

635

Submitter:

Neroli Henwood

Point Number

635.1

Summary of Decision Requested:

Retain Chapter 9.2- Te Kowhai Airpark, as notified.

Decision Reasons:

- Te Kowhai airfield is an important community asset with a long history for both the aviation community and the Waikato area.
- For a viable future, the airfield needs to be able to develop into a sustainable area.
- Changes will protect and fulfill the needs of airpark's users.

Point Number 635.2

Summary of Decision Requested: Retain Chapter 27-Te Kowhai Airpark Zone, as notified.

Decision Reasons:

- Te Kowhai airfield is an important community asset with a long history for both the aviation community and the Waikato area.
- For a viable future, the airfield needs to be able to develop into a sustainable area.
- Changes will protect and fulfill the needs of airpark's users.

Submitter Number: 636 **Submitter:** Anna Noakes

Point Number 636.1

Summary of Decision Requested: Amend definition of "Intensive Farming" by reverting to the definition in the Operative District Plan.
AND
Delete "Goat Farming" from the definition of "Intensive Farming."

Decision Reasons:

- The definition is confusing and contradictory.
- Intensive Goat Farming should not form part of the intensive farming list.
- Goat farming, whether housed or outdoor, is dependent on the fertility of the soils on which it is located.
- The only difference between housed and outdoor dairy stock is housed have their grass cut and brought to them while outdoor walk to the paddock and eat the grass.

Point Number 636.2

Summary of Decision Requested: Delete the catch all rule from the Proposed District Plan.

Decision Reasons:

- If Council hasn't allowed for an activity it shouldn't automatically be given a non-complying activity status.
- A non-complying activity status would pose an applicant a lot of work, time and cost which may not be of value.
- It indicates the high possibility of a refusal.

Point Number 636.3

Summary of Decision Requested: Delete Policy 5.3.6 (a) Intensive farming activities.

Decision Reasons:

- Policy is not clearly defined and open for interpretation.

Point Number 636.4

Summary of Decision Requested: Amend Policy 5.3.2 Productive rural activities, to include Intensive Farming.

Decision Reasons:

- Policy is not clearly defined and open for interpretation.
- Intensive farming relies on the productive capacity of soils on the site.

Point Number 636.5

Summary of Decision Requested: Amend the definition of Intensive Farming, by reverting to the Operative Plan definition for Intensive Farming.

Decision Reasons:

- The proposed Intensive Farming definition is inconsistent.

Point Number 636.6

Summary of Decision Requested: Amend the activity status for Intensive farming from Restricted Discretionary to Permitted Activity.

Decision Reasons:

- Rules should support the status of intensive farming reliant on productive soils as a permitted activity
- Intensive farming should then need to be compliant with rural rules around their activities eg noise, odour, visual etc.

Submitter Number: 637 **Submitter:** Livestock Improvement Corporation

Point Number 637.1

Summary of Decision Requested: Delete Policy 5.3.16 Specific Area- Agricultural Research Centres

AND

Add the following new Objectives and Policies:

5.7 Specific Area – Agricultural Research Centres

5.7.1 Objective – Specific Area – Agricultural Research Centres

To recognise, provide for and protect the continued operation and development of Agricultural Research Centres that are an integral part of the agricultural sector.

5.7.1.1 Policy – Operation and Development of Agricultural Research Centres

Enable the continued operation and development of the Livestock Improvement Corporation and DairyNZ Agricultural Research Centres by providing for a wide range of agricultural research activities and rural activities that complement each other.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Policy 5.3.16(a) focuses on recognising and protecting the continued operation of Agricultural Research Centres, but does not adequately recognise and provide for the future development of these facilities.
- This is inconsistent with the parallel Policy 6.8.4 in the Operative District Plan (submission sets this out).
- The submitter seeks that provision for future development of Agricultural Research Centres be continued in the relevant policy framework of the Proposed District Plan.
- Policy 5.3.16 is one of the various policies listed to implement Objective 5.3 Rural Character and Amenity.
- Policy 5.3.16 is focused on recognising and protecting Agricultural Research Centres so is not considered relevant to rural character and amenity issues.
- In comparison, the Operative District Plan includes Objective 6.8.1 which is relevant to Agricultural Research Centres (submission sets out objective). Objective 6.8.1 is supported by four policies in the Operative District Plan.
- The submitter considers that the Proposed District Plan should continue the same approach by including an Objective and Policy specific to Agricultural Research Centres.

Point Number

637.2

Summary of Decision Requested:

Retain the definition of "Agricultural and horticultural research activities" in Chapter 13 Definitions as notified.

Decision Reasons:

- No reasons provided.

Point Number

637.3

Summary of Decision Requested:

Retain the definition of "Agricultural Research Centres" in Chapter 13 Definitions, as notified.

Decision Reasons:

- Supports retention of the definition.

Point Number

637.4

Summary of Decision Requested:

Retain the definition of "Campus" in Chapter 13 Definitions, as notified.

Decision Reasons:

- Supports retention of the definition.

Point Number

637.5

Summary of Decision Requested:

Retain Rule 14.12.1.4(d)(ii) Permitted Activities - Traffic Generation.

Decision Reasons:

- Rule 14.12.1.4(d)(ii) (Traffic Generation) retains the permitted traffic movements for an Agricultural Research Centre from Schedule 25C of the Operative Waikato District Plan, which is supported.

Point Number

637.6

Summary of Decision Requested:

Amend Rule 22.2.3.1 P1 (a)(iv) Earthworks - General as follows:

(a) Earthworks for...

...~~(iv) A building platform for a residential activity, including accessory buildings identified on a building consent, or required outside the building, platform to maintain stable slopes for the authorised construction work.~~

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Rule 22.2.3.1(P1) provides for "ancillary rural earthworks", "farm quarry", "construction and/or maintenance of tracks, fences or drains" and "a building platform for a residential activity, including accessory buildings" as permitted activities which is supported by the submitter.
- The rule provides for earthworks associated with "A building platform for a residential activity, including accessory buildings" as a permitted activity. However there is no permitted activity provision for building platforms associated with non-residential activities (such as farm buildings, or in the case of the submitter, buildings associated with Agricultural Research Centres)

Point Number

637.7

Summary of Decision Requested:

Amend Rule 22.2.3.1 P2(b) Earthworks - General as follows:

(b) With the exception of earthworks for the activities listed in Rule 22.2.3.1 P1, eEarthworks within a site must meet all of the following conditions...

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Current permitted activity limits on earthworks in Rule 22.2.3.1(P2) could trigger resource consent for future development work either within the Campus area or on the Research Farm.
- Seeks to amend rule 22.2.3.1 P1 to permit earthworks incidental to an approved building consent.
- Would avoid unnecessary bureaucracy and cost associated with resource consent.
- Rule 22.2.3.1(P2) applies various limits to earthworks within a site. The way the rule are written, the limits would apply to the list of permitted activities in Rule 22.2.3.1 (P1), which could unnecessarily trigger resource consent for typical and accepted farming activities.
- Amendment is required to ensure the various limits do not apply to the list of permitted activities in P1.
- These activities are a fundamental requirement for being able to undertake efficient farming operation and an accepted element in the rural landscape.
- Earthworks are already regulated by the Regional Plan.
- A requirement for resource consent would impose unnecessary duplication and compliance costs onto typical farming operations.

Point Number

637.8

Summary of Decision Requested:

Amend Rule 22.5.2 Permitted Activities – Agricultural and Horticultural Research, as follows:

(a) The rules that apply to a permitted activity within the Agricultural Research Centres Specific Area as identified on the planning maps are as follows:

(i) Rule 22.2 Land use – Effects;

(ii) Rule 22.3 Land Use – Building; except for building within a Campus.

A. Rule 22.3.4.1 Height – Building general will not apply and Rule 22.5.3.4 will apply instead; and Rule 22.5.3.4 will apply instead; and

B. Rule 22.3.6 Building coverage will not apply and Rule 22.5.4.5 will apply instead.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Rule 22.5.2 lists permitted activities within the Agricultural Research Centres Specific Area. “An agricultural or horticultural research activity” is permitted in addition to various activities incidental to agricultural or horticultural research.
- Under Schedule 25C (Agricultural Research Centres) of the Operative District Plan, Rule 25C.4.1(e) provides for “a commercial activity” that is “incidental to agricultural and horticultural research” as a permitted activity.
- This rule has not been transferred to Rule 22.5.2.
- As a result, Rule 22.1.5(1)(D), a discretionary activity resource consent would be required for a “commercial activity”.
- The submitter seeks a continued permitted activity status consistent with Schedule 25C of the Operative District Plan.

Point Number

637.9

Summary of Decision Requested:

Add “Agricultural Research Centre Campus” in Table 5.1 of Appendix 5 Hazardous Substances Activity Status Table – Permitted Activity Thresholds in the column for the Business, Business Town Centre, Business Tamahere, Industrial, Heavy Industrial, Hampton Downs Motor Sport and Recreation and Te Kowhai Airpark Zones.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- In the Operative Waikato District Plan, Appendix H (Hazardous Substances) includes “Agricultural Research Centre Campus” and “Waikato Innovation Park” with the Industrial Zone in Table HT1 (Permitted Activities by Zone).
- No corresponding provision for an “Agricultural Research Centre Campus” in Table 5.1 Activity Status Table – Permitted Activity Thresholds.
- Consequently, the more restrictive permitted activity thresholds from the underlying Rural zone would apply.

Point Number

637.10

Summary of Decision Requested:

Amend the Proposed District Plan to include the provisions from the Operative District Plan in Schedule 25C for Agricultural Research Centres as they were originally intended.

Decision Reasons:

- No reasons provided.

Point Number

637.11

Summary of Decision Requested:

Amend the Proposed District Plan to recognise and provide for all key existing and future activities in the Agricultural Research Centres.

Decision Reasons:

- No reasons provided.

Point Number

637.12

Summary of Decision Requested:

Delete any site-specific conditions relating to Agricultural Research Centres that are sufficiently covered by District-wide provisions.

Decision Reasons:

- No reasons provided.

Point Number

637.13

Summary of Decision Requested:	<p>Retain the parts of Rule 22.2.3.1 (P1) relating to:</p> <ul style="list-style-type: none"> • Earthworks that provide for ancillary rural earthworks, • Farm quarry construction and/or maintenance of tracks, fences or drains, and • Building platform for a residential activity, including accessory buildings.
Decision Reasons:	<ul style="list-style-type: none"> • No reasons provided.
Point Number	637.14
Summary of Decision Requested:	<p>Retain the boundaries of the "Agricultural Research Centre LIC".</p> <p>AND</p> <p>Retain the "Agricultural Research Centre LIC/DairyNZ Campus".</p> <p>AND</p> <p>Retain the "Specific Area/Activity" overlay.</p> <p>AND</p> <p>Retain the underlying Rural Zone.</p>
Decision Reasons:	<p>The boundaries of the "Agricultural Research Centre LIC" and the "Agricultural Research Centre LIC/DairyNZ Campus" have been shown correctly as a "Specific Area/Activity" overlay on the planning maps.</p>
Point Number	637.15
Summary of Decision Requested:	<p>Amend Rule 22.5.2 Permitted Activities – Agricultural and Horticultural Research as follows:</p> <p>P6 Disposal or storage of solid organic waste or cleanfill that is incidental to agricultural or horticultural research where the extracted material is used on the Agricultural Research Centre site.</p> <p>AND</p> <p>Any consequential amendments and/or additional relief required to address the matters raised in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> • P6 is not necessary to provide for the on-site disposal or storage of solid organic or cleanfill waste, or an extractive industry for on-site use. The relevant Waikato Regional Plan rules are adequate and can be relied upon.
Point Number	637.16
Summary of Decision Requested:	<p>Amend Rule 22.5.2 Permitted Activities – Agricultural and Horticultural Research as follows:</p> <p>P7 A staff facility that is incidental to agricultural or horticultural research that includes:</p> <ol style="list-style-type: none"> 1. A dwelling located at least 200m from the site containing Inghams Feed Mill in Hamilton City Council's jurisdiction; 2. A recreational facility; 3. Social club; 4. Cafeteria or café. <p>AND</p> <p>Any consequential amendments and/or additional relief required to address the matters raised in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> • P7 is not necessary, as there is no need for a 200m setback for a dwelling in relation to the Inghams Feed Mill under P7(1). • This rule has been transferred from Rule 25C.4.1(j) of Schedule 25C of the Operative DP. • It was only relevant to the AgResearch Centre, which is no longer located within the Waikato District (now within HCC). • The Inghams Feed Mill is located over 2.5km from the nearest boundary of the LIC or DairyNZ Agricultural Research Centres. • 200m setback is not necessary. • A "social club" has not been included as an example of a staff facility despite being included in the original Rule 25C.4.1(j) of Schedule 25C of the Operative DP.
Point Number	637.17
Summary of Decision Requested:	<p>Add the following activities to Rule 22.5.2 Permitted Activities – Agricultural and Horticultural Research as follows:</p> <p><u>P7 A Commercial activity that is incidental to agricultural or horticultural research.</u></p> <p><u>P8 Offices that are incidental to agricultural or horticultural research.</u></p> <p><u>P9 Laboratories that are incidental to agricultural or horticultural research.</u></p> <p><u>P10 Warehouse or storage facilities that are incidental to agricultural or horticultural research.</u></p> <p><u>P11 Conference facilities that are incidental to agricultural or horticultural research.</u></p> <p>Amend Rule 22.5.2 Permitted Activities – Agricultural and Horticultural Research as follows:</p> <p>P7 A staff facility that is incidental to agricultural or horticultural research that includes:</p> <ol style="list-style-type: none"> 1. A dwelling located at least 200m from the site containing Inghams Feed Mill in Hamilton City Council's jurisdiction; 2. A recreational facility; 3. Social club; 4. Cafeteria or café. <p>AND</p> <p>Any consequential amendments and/or additional relief required to address the matters raised in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> • Under Rule 22.5.2, there are a number of other key activities integral and essential to the operation of the LIC and DairyNZ Agricultural Research Centres which are not listed as permitted activities. • These include: offices, laboratories, conference facilities, warehouse or storage facilities and staff cafeterias or cafes. • Concern that these activities would default to a non-complying activity. • This was not as problematic with the Operation District Plan because it has a more effects based where any activity is permitted if it complies with the relevant performance standards (and is not listed as restricted discretionary, discretionary or prohibited).

Point Number	637.18
Summary of Decision Requested:	Retain Chapter 22.5 Specific Area – Agricultural Research Centres, with amendments sought in the submission.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.

Submitter Number:	638	Submitter:	Nora van der Voorden
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Point Number	638.1
Summary of Decision Requested:	Amend the Proposed Waikato District Plan to include a resource management framework for the management of Genetically Modified Organisms that is regionally specific taking into account environmental, economic and social well-being considerations.
Decision Reasons:	<ul style="list-style-type: none"> There is currently a major push in Aotearoa to adopt GE technology, citing competition from other countries attempting to be lower cost producers. Industry lobby pressure is being applied to the public and EPA to process experiments in containment to actual release into the environment without robust regulations on release. Therefore it is crucial that protective mechanisms are included in the Proposed District Plan to reduce potential liability. Concerned about potential risks posed by release of GMOs into the environment. GMOs have the potential to adversely affect ecological, economic and resource management values, and the social and cultural wellbeing of people, communities and Tangata whenua. Release of GMOS have potential to cause significant adverse effects on the environment. Regardless of the care given to crafting consent conditions for GMOs, there inevitably remains a risk (albeit small) that conditions may be breached by poor management, human error, natural events and even sabotage of projects. Once GMOs are released into the environment, they would be difficult, if not impossible, to eradicate. 'GE Free' status of a district would likely be lost as well as their market advantages. Application of integrated management and precautionary approach to GMOs under the RMA is best available technique for managing potential adverse effects posed by GMOs within region. It is consistent with sustainable management purpose and Part II of the RMA to establish district plan provisions that manage the release, location and management of GMOs where they have the potential to adversely affect the environment and other land use activities. Numerous significant adverse effects on the environment which would include biological or ecosystem harm, cultural values, contamination to existing farming, reputational damage and loss of markets and premiums paid for GMO free produce.

Point Number	638.2
Summary of Decision Requested:	Amend the Proposed District Plan to include strong precautionary and prohibitive provisions, policies and rules relating to Genetically Modified Organisms that are the same (or similar) as those in the Far North District Plan, the Whangarei District Plan and Auckland Unitary Plan.
Decision Reasons:	<ul style="list-style-type: none"> There is currently a major push in Aotearoa to adopt GE technology, citing competition from other countries attempting to be lower cost producers. Industry lobby pressure is being applied to the public and EPA to process experiments in containment to actual release into the environment without robust regulations on release. Therefore it is crucial that protective mechanisms are included in the Proposed District Plan to reduce potential liability. Concerned about potential risks posed by release of GMOs into the environment. GMOs have the potential to adversely affect ecological, economic and resource management values, and the social and cultural wellbeing of people, communities and Tangata whenua. Release of GMOS have potential to cause significant adverse effects on the environment. Regardless of the care given to crafting consent conditions for GMOs, there inevitably remains a risk (albeit small) that conditions may be breached by poor management, human error, natural events and even sabotage of projects. Once GMOs are released into the environment, they would be difficult, if not impossible, to eradicate. 'GE Free' status of a district would likely be lost as well as their market advantages. Application of integrated management and precautionary approach to GMOs under the RMA is best available technique for managing potential adverse effects posed by GMOs within region. It is consistent with sustainable management purpose and Part II of the RMA to establish district plan provisions that manage the release, location and management of GMOs where they have the potential to adversely affect the environment and other land use activities. Numerous significant adverse effects on the environment which would include biological or ecosystem harm, cultural values, contamination to existing farming, reputational damage and loss of markets and premiums paid for GMO free produce.

Point Number	638.3
Summary of Decision Requested:	Amend the Proposed Waikato District Plan to require consents which require exemption from plan rules to be automatically publicly notifiable, whether the rules are on Genetically Modified Organisms, or any other matter.
Decision Reasons:	<ul style="list-style-type: none"> There is currently a major push in Aotearoa to adopt GE technology, citing competition from other countries attempting to be lower cost producers. Industry lobby pressure is being applied to the public and EPA to process experiments in containment to actual release into the environment without robust regulations on release. Therefore it is crucial that protective mechanisms are included in the Proposed District Plan to reduce potential liability. Concerned about potential risks posed by release of GMOs into the environment. GMOs have the potential to adversely affect ecological, economic and resource management values, and the social and cultural wellbeing of people, communities and Tangata whenua. Release of GMOS have potential to cause significant adverse effects on the environment. Regardless of the care given to crafting consent conditions for GMOs, there inevitably remains a risk (albeit small) that conditions may be breached by poor management, human error, natural events and even sabotage of projects. Once GMOs are released into the environment, they would be difficult, if not impossible, to eradicate. 'GE Free' status of a district would likely be lost as well as their market advantages. Application of integrated management and precautionary approach to GMOs under the RMA is best available technique for managing potential adverse effects posed by GMOs within region. It is consistent with sustainable management purpose and Part II of the RMA to establish district plan provisions that manage the release, location and management of GMOs where they have the potential to adversely affect the environment and other land use activities. Numerous significant adverse effects on the environment which would include biological or ecosystem harm, cultural values, contamination to existing farming, reputational damage and loss of markets and premiums paid for GMO free produce.

Submitter Number:	639	Submitter:	Dairy NZ Incorporated
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Point Number	639.1
Summary of Decision Requested:	Delete Policy 5.3.16 Specific Area- Agricultural Research Centres AND Add the following new Objectives and Policies:

5.7 Specific Area – Agricultural Research Centres

5.7.1 Objective – Specific Area – Agricultural Research Centres

To recognise, provide for and protect the continued operation and development of Agricultural Research Centres that are an integral part of the agricultural sector.

5.7.1.1 Policy – Operation and Development of Agricultural Research Centres

Enable the continued operation and development of the Livestock Improvement Corporation and DairyNZ Agricultural Research Centres by providing for a wide range of agricultural research activities and rural activities that complement each other.

Amend Rule 22.5.2 Permitted Activities – Agricultural and Horticultural Research as follows:

~~PZ~~ A staff facility that is incidental to agricultural or horticultural research that includes:

1. A dwelling ~~located at least 200m from the site containing Inghams Feed Mill in Hamilton City Council's jurisdiction;~~
2. A recreational facility;
3. Social club;
4. Cafeteria or café.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Policy 5.3.16(a) focuses on recognising and protecting the continued operation of Agricultural Research Centres, but does not adequately recognise and provide for the future development of these facilities.
- This is inconsistent with the parallel Policy 6.8.4 in the Operative District Plan (submission sets this out).
- The submitter seeks that provision for future development of Agricultural Research Centres be continued in the relevant policy framework of the Proposed District Plan.
- Policy 5.3.16 is one of the various policies listed to implement Objective 5.3 Rural Character and Amenity.
- Policy 5.3.16 is focused on recognising and protecting Agricultural Research Centres so is not considered relevant to rural character and amenity issues.
- In comparison, the Operative District Plan includes Objective 6.8.1 which is relevant to Agricultural Research Centres (submission sets out objective). Objective 6.8.1 is supported by four policies in the Operative District Plan.
- The submitter considers that the Proposed District Plan should continue the same approach by including an Objective and Policy specific to Agricultural Research Centres.

Point Number 639.2

Summary of Decision Requested: **Retain** the definition of "Agricultural and horticultural research activities" in Chapter 13 Definitions as notified.

Decision Reasons:

- No reasons provided.

Point Number 639.3

Summary of Decision Requested: **Retain** the definition of "Agricultural Research Centres" in Chapter 13 Definitions as notified.

Decision Reasons:

- The submitter supports retention of the definition.

Point Number 639.4

Summary of Decision Requested: **Retain** the definition of "Campus" in Chapter 13 Definitions as notified.

Decision Reasons:

- The submitter supports retention of the definition.

Point Number 639.5

Summary of Decision Requested: **Retain** Rule 14.12.1.4(d)(ii) Permitted Activities - Traffic Generation.

Decision Reasons:

- Rule 14.12.1.4(d)(ii) Permitted Activities Traffic Generation retains the permitted traffic movements for an Agricultural Research Centre from Schedule 25C of the Operative Waikato District Plan, which is supported.

Point Number 639.6

Summary of Decision Requested: **Amend** Rule 22.2.3.1 P1 (a)(iv) Earthworks - General as follows:

(a) Earthworks for...

...~~(iv) A building platform for a residential activity, including accessory buildings identified on a building consent, or required the building platform to maintain stable slopes for the authorised construction work.~~

Amend Rule 22.5.2 Permitted Activities – Agricultural and Horticultural Research as follows:

~~PZ~~ A staff facility that is incidental to agricultural or horticultural research that includes:

1. A dwelling ~~located at least 200m from the site containing Inghams Feed Mill in Hamilton City Council's jurisdiction;~~
2. A recreational facility;
3. Social club;
4. Cafeteria or café.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Rule 22.2.3.1(P1) provides for "ancillary rural earthworks", "farm quarry", "construction and/or maintenance of tracks, fences or drains" and "a building platform for a residential activity, including accessory buildings" as permitted activities which is supported.

- The rule provides for earthworks associated with "A building platform for a residential activity, including accessory buildings" as a permitted activity. However there is no permitted activity provision for building platforms associated with non-residential activities (such as farm buildings, or in the case of the submitter, buildings associated with Agricultural Research Centres)

Point Number 639.7

Summary of Decision Requested:

Amend Rule 22.2.3.1 P2(b) Earthworks - General as follows:

(b) With the exception of earthworks for the activities listed in Rule 22.2.3.1 P1, earthworks within a site must meet all of the following conditions...

Amend Rule 22.5.2 Permitted Activities – Agricultural and Horticultural Research as follows:

~~P2~~ A staff facility that is incidental to agricultural or horticultural research that includes:

1. A dwelling located at least 200m from the site containing Inghams Feed Mill in Hamilton City Council's jurisdiction;
2. A recreational facility;
3. Social club;
4. Cafeteria or café.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Current permitted activity limits on earthworks in Rule 22.2.3.1(P2) could trigger resource consent for future development work either within the Campus area or on the Research Farm.
- Seeks to amend rule 22.2.3.1 P1 to permit earthworks incidental to an approved building consent.
- Would avoid unnecessary bureaucracy and cost associated with resource consent.
- Rule 22.2.3.1(P2) applies various limits to earthworks within a site. The way the rule are written, the limits would apply to the list of permitted activities in Rule 22.2.3.1 (P1), which could unnecessarily trigger resource consent for typical and accepted farming activities.
- Amendment is required to ensure the various limits do not apply to the list of permitted activities in P1.
- These activities are a fundamental requirement for being able to undertake efficient farming operation and an accepted element in the rural landscape.
- Earthworks are already regulated by the Regional Plan.
- A requirement for resource consent would impose unnecessary duplication and compliance costs onto typical farming operations.

Point Number 639.8

Summary of Decision Requested:

Amend Rule 22.5.2 Permitted Activities – Agricultural and Horticultural Research as follows:

(a) The rules that apply to a permitted activity within the Agricultural Research Centres Specific Area as identified on the planning maps are as follows:

(i) Rule 22.2 Land use – Effects;

(ii) Rule 22.3 Land Use – Building; except for building within a Campus

A. Rule 22.3.4.1 Height – Building general will not apply and Rule 22.5.3.4 will apply instead; and Rule 22.5.3.4 will apply instead; and

B. Rule 22.3.6 Building coverage will not apply and Rule 22.5.4.5 will apply instead.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Rule 22.5.2 lists permitted activities within the Agricultural Research Centres Specific Area. "An agricultural or horticultural research activity" is permitted in addition to various activities incidental to agricultural or horticultural research.
- Under Schedule 25C (Agricultural Research Centres) of the Operative District Plan, Rule 25C.4.1(e) provides for "a commercial activity" that is "incidental to agricultural and horticultural research" as a permitted activity.
- This rule has not been transferred to Rule 22.5.2.
- As a result, Rule 22.1.5(1)(D), a discretionary activity resource consent would be required for a "commercial activity".
- The submitter seeks a continued permitted activity status consistent with Schedule 25C of the Operative District Plan.

Point Number 639.9

Summary of Decision Requested:

Add "Agricultural Research Centre Campus" in Table 5.1 of Appendix 5 Hazardous Substances Activity Status Table – Permitted Activity Thresholds in the column for the Business, Business Town Centre, Business Tamahere, Industrial, Heavy Industrial, Hampton Downs Motor Sport and Recreation and Te Kowhai Airpark Zones.

Decision Reasons:

- In the Operative Waikato District Plan, Appendix H (Hazardous Substances) includes "Agricultural Research Centre Campus" and "Waikato Innovation Park" with the Industrial Zone in Table HT1 (Permitted Activities by Zone).
- No corresponding provision for an "Agricultural Research Centre Campus" in Table 5.1 Activity Status Table – Permitted Activity Thresholds.
- Consequently, the more restrictive permitted activity thresholds from the underlying Rural zone would apply.

Point Number 639.10

Summary of Decision Requested:

Amend the Proposed District Plan to include the provisions from the Operative District Plan in Schedule 25C for Agricultural Research Centres as they were originally intended.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- No reasons provided.

Point Number 639.11

Summary of Decision Requested:

Amend the Proposed District Plan to recognise and provide for all key existing and future activities in the Agricultural Research Centres.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- No reasons provided.

Point Number

639.12

Summary of Decision Requested:

Delete any site-specific conditions relating to Agricultural Research Centres that are sufficiently covered by District-wide provisions.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- No reasons provided.

Point Number

639.13

Summary of Decision Requested:

Retain the parts of Rule 22.2.3.1 (P1) relating to:

- Earthworks that provide for ancillary rural earthworks,
- Farm quarry construction and/or maintenance of tracks, fences or drains, and
- Building platform for a residential activity, including accessory buildings.

Decision Reasons:

- No reasons provided.

Point Number

639.14

Summary of Decision Requested:

Retain the boundaries of the "Agricultural Research Centre LIC"

AND

Retain the "Agricultural Research Centre LIC/DairyNZ Campus".

AND

Retain the "Specific Area/Activity" overlay.

AND

Retain the underlying Rural Zone.

Decision Reasons:

- the boundaries of the "Agricultural Research Centre LIC" and the "Agricultural Research Centre LIC/DairyNZ Campus" have been shown correctly as a "Specific Area/Activity" overlay on the planning maps.

Point Number

639.15

Summary of Decision Requested:

Amend Rule 22.5.2 Permitted Activities – Agricultural and Horticultural Research as follows:

~~P6 Disposal or storage of solid organic waste or cleanfill that is incidental to agricultural or horticultural research where the extracted material is used on the Agricultural Research Centre site.~~

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- P6 is not necessary to provide for the on-site disposal or storage of solid organic or cleanfill waste, or an extractive industry for on-site use. The relevant Waikato Regional Plan rules are adequate and can be relied upon.

Point Number

639.16

Summary of Decision Requested:

Amend Rule 22.5.2 Permitted Activities – Agricultural and Horticultural Research as follows:

~~P7 A staff facility that is incidental to agricultural or horticultural research that includes:~~

1. A dwelling ~~located at least 200m from the site containing Inghams Feed Mill in Hamilton City Council's jurisdiction;~~
2. A recreational facility;
3. Social club;
4. Cafeteria or cafe.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- P7 is not necessary, as there is no need for a 200m setback for a dwelling in relation to the Inghams Feed Mill under P7(1).
- This rule has been transferred from Rule 25C.4.1(j) of Schedule 25C of the Operative DP.
- It was only relevant to the AgResearch Centre, which is no longer located within the Waikato District (now within HCC).
- The Inghams Feed Mill is located over 2.5km from the nearest boundary of the LIC or DairyNZ Agricultural Research Centres.
- 200m setback is not necessary.
- A "social club" has not been included as an example of a staff facility despite being included in the original Rule 25C.4.1(j) of Schedule 25C of the Operative DP.

Point Number

639.17

Summary of Decision Requested:

Add the following activities to Rule 22.5.2 Permitted Activities – Agricultural and Horticultural Research as follows:

P7 A Commercial activity that is incidental to agricultural or horticultural research.

P8 Offices that are incidental to agricultural or horticultural research.

P9 Laboratories that are incidental to agricultural or horticultural research.

P10 Warehouse or storage facilities that are incidental to agricultural or horticultural research.

AND

Any consequential amendments and/or additional relief required to address the matters raised in the submission.

Decision Reasons:

- Under Rule 22.5.2, there are a number of other key activities integral and essential to the operation of the LIC and DairyNZ Agricultural Research Centres which are not listed as permitted activities.
- These include: offices, laboratories, conference facilities, warehouse or storage facilities and staff cafeterias or cafes.
- Concern that these activities would default to a non-complying activity.
- This was not as problematic with the Operation District Plan because it has a more effects based where any activity is permitted if it complies with the relevant performance standards (and is not listed as restricted discretionary, discretionary or prohibited).

Point Number 639.18

Summary of Decision Requested: Retain Chapter 22.5 Specific Area – Agricultural Research Centres, with amendments sought in the submission.

Decision Reasons:

- No reasons provided.

Submitter Number: 640 **Submitter:** Timothy Bodle

Point Number 640.1

Summary of Decision Requested: Amend the boundary of the Significant Amenity Landscape area on the property at 316 Hooker Road, Tamahere (Property No. 1008619) to align with the Significant Natural Area (i.e. from river to bush line, but not including the farm/pasture land); or any other relief which would address the reasons for this submission.

Decision Reasons:

- Do not oppose identification of Significant Natural Area.
- Significant Amenity Landscape is now over pasture/farmland which we do not consider an Significant Amenity Landscape.
- Area has been increased to include farmland, which does not seem appropriate.
- The submitter has not been provided sufficient information to confirm the Significant Amenity Landscape classification.
- New overlay will trigger requirement for resource consent in certain circumstances in an area with an 'inappropriate' Significant Amenity Landscape site.
- Does not achieve the purpose of RMA.

Submitter Number: 641 **Submitter:** Gary Hooper

On behalf of: Harrisville Family Trust

Point Number 641.1

Summary of Decision Requested: Amend the zoning of the property at 639 Harrisville Road, Pukekohe, from Rural Zone to Country Living Zone.

Decision Reasons:

- The surrounding area to the north and west within the Auckland Council territory boundary has been zoned Future Urban Zone under the Auckland Unitary Plan.
- This potential could mean residential housing and therefore a residential environment in this locality rather than a large open space rural environment.
- The subject property does not contain prime soils.
- Given the close proximity to the village of Buckland and town of Pukekohe a change of zoning from Rural to Country Living is a logical progression in zoning for this area.

Submitter Number: 642 **Submitter:** Waikato River Authority

Point Number 642.1

Summary of Decision Requested: Add a section to the Proposed District Plan dedicated to the Vision and Strategy, including its objectives and strategies, and relationship to the District Plan.

Decision Reasons:

- Section 13 of the Waikato River Act requires every local authority to review its regional or district plan to see whether it gives effect to the vision and strategy.
- Section 17 of the Waikato River Act describes the effect of the vision and strategy as it relates to the carrying out of the functions or the exercise of powers under the Acts referred to in subsections (4) and (7), in particular the Resource Management Act 1991.
- The Vision and Strategy for the Waikato River carries significant weighting in relation to the District Plan, as the primary direction setting document for the Waikato River.

Point Number 642.2

Summary of Decision Requested: Add a section to the Proposed District Plan acknowledging the related settlements to the Waikato District area including the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010.

Decision Reasons:

- Section 13 of the Waikato River Act requires every local authority to review its Regional or District Plan to see whether it gives effect to the vision and strategy.
- Section 17 of the Waikato River Act describes the effect of the vision and strategy as it relates to the carrying out of the functions or the exercise of powers under the Acts referred to in subsections (4) and (7), in particular the Resource Management Act 1991.
- The Vision and Strategy for the Waikato River carries significant weighting in relation to the District Plan, as the primary direction setting document for the Waikato River.

Point Number	642.3
Summary of Decision Requested:	Retain the Taangata Whenua chapter to better express and give effect to the relationship between River Iwi, Hapuu and Marae, to the Waikato River and all it embraces.
Decision Reasons:	<ul style="list-style-type: none"> To realise the Vision and Strategy, the following objectives (B, C and M) will be pursued: <ul style="list-style-type: none"> The restoration and protection of the relationship of Waikato-Tainui with the Waikato River, including their economic, social, cultural and spiritual relationships. The restoration and protection of the relationship of the Waikato River iwi according to their tikanga and kawa, with the Waikato River, including their economic, social, cultural and spiritual relationships. The application to the above of both Maatauranga Maaori and the latest available scientific methods.
Point Number	642.4
Summary of Decision Requested:	Amend the Proposed District Plan to allow for greater integration of Maatauranga Maaori throughout the various policies in the Plan.
Decision Reasons:	<ul style="list-style-type: none"> To realise the Vision and Strategy, the following objectives (B, C and M) will be pursued: <ul style="list-style-type: none"> The restoration and protection of the relationship of Waikato-Tainui with the Waikato River, including their economic, social, cultural and spiritual relationships. The restoration and protection of the relationship of the Waikato River iwi according to their tikanga and kawa, with the Waikato River, including their economic, social, cultural and spiritual relationships. The application to the above of both Maatauranga Maaori and the latest available scientific methods.
Point Number	642.5
Summary of Decision Requested:	Amend the Proposed District Plan, including maps, to include the Waikato River in its entirety as both an Outstanding Natural Feature and an Outstanding Natural Landscape.
Decision Reasons:	<ul style="list-style-type: none"> The Authority supports the identification of areas of high and outstanding natural character and outstanding natural features and landscapes. To achieve the objectives of the Vision and Strategy, the Waikato River must be included as an Outstanding Natural Feature in its entirety and should under no circumstance be considered in parts or sections. Recognition of the Waikato River acknowledges the significant role and contribution that the river has provided and sacrificed to the wellbeing of the nation, region and district. The Vision and Strategy for the Waikato River is the primary direction setting document for the Waikato River and all it embraces. The Waikato District Council is responsible for the largest portion of the Waikato River, by a single territorial authority in length and area. It would be remiss of the Council to not take this opportunity to further acknowledge the Waikato River as a primary feature that requires great protection and restoration. National recognition of the Waikato River, and legislative weighting justifies the rivers recognition as an Outstanding Natural Feature and Outstanding Natural Landscape.
Point Number	642.6
Summary of Decision Requested:	Amend The Proposed District Plan earthworks provisions to provide for setbacks from waterways that are consistent with the Proposed Plan Change 1 to the Waikato Regional Council and gives effect to the Vision and Strategy.
Decision Reasons:	<ul style="list-style-type: none"> The proposed Plan provides for Earthworks in specific zones. The Vision and Strategy promotes "betterment" to ensure that minimum levels of mitigation or prevention are improved. The earthworks setbacks proposed by the District Plan does not adequately protect water ways and is inconsistent with the notified Proposed Plan change 1 to the Waikato Regional Plan. Proposed Plan Change 1 was triggered by the need to give effect to the Vision and Strategy for the Waikato River, and requires a minimum set back of 5m from a waterway (for cropping only) to be considered a permitted activity. The Proposed Plan only allows for a 1.5m setback in the residential zone and appears to have no setbacks at all for earthworks in the rural zone. The Council has failed to have particular regard to the Vision and Strategy for the Waikato River, in particular objectives F, G and H (as set out in the submission).
Point Number	642.7
Summary of Decision Requested:	Retain the identification of areas of High and Outstanding Natural Character.
Decision Reasons:	<ul style="list-style-type: none"> The identification of High and Outstanding Natural Character areas supports the Vision and Strategy for the Waikato River.
Point Number	642.8
Summary of Decision Requested:	Retain the identification of Outstanding Natural Features and Outstanding Natural Landscapes.
Decision Reasons:	<ul style="list-style-type: none"> The identification of Outstanding Natural Features and Outstanding Natural Landscapes will assist in the achieving the objectives of the Vision and Strategy for the Waikato River.
Point Number	642.9
Summary of Decision Requested:	Demonstrate to the Waikato River Authority how the Proposed District Plan Stage 1 has given "particular regard" to the Vision and Strategy for the Waikato River.
Decision Reasons:	<ul style="list-style-type: none"> It is the view of the Waikato River Authority that Regional and District Councils have an opportunity to realise the opportunity to realise the objectives of the Vision and Strategy, each time an Resource Management Act planning document is reviewed or amended. The Council has made some improvements, but more can be achieved by accepting the recommendations in our submission.

Point Number 643.1

Summary of Decision Requested: Delete the Significant Natural Area from the property at 40B Cameron Town Road, Pukekohe (Property no. 301359).

Decision Reasons:

- Proposed Significant Natural Area is purely a commercial cropping area being a Pinus Radiata and Eucalyptus plantation first established 25 years ago.
- No original component of natural bush except minor secondary growth at foot of pines and is grazed by sheep.
- Prior to the establishment of the pine and gum plantation, the site was a scoria quarry abandoned in 1950s and stripped of soil and any natural growth.
- The Existing plantation has now reached maturity and needs to be harvested and replanted.
- Suggests the Significant Natural Area is an error and the aerial survey misidentified the submitter's pine and gum crop as natural vegetation, which it is not and never has been.

Submitter Number: 644 **Submitter:** Spark New Zealand Trading Limited

Point Number 644.1

Summary of Decision Requested: Amend the format of the District Plan as necessary to adopt the format and requirements of the National Planning Standards, including F-4 Spatial Planning Tools (District) Standard should these come into effect before decisions on the Proposed District Plan are made.

AND

Any consequential amendments necessary as a result of the amendments to grant the relief sought.

Decision Reasons:

- National Planning Standards are currently under consideration by the Ministry for the Environment.
- It is likely at least some standards will have legal effect prior to the issue of decisions on the Proposed Plan.
- Submitter request the decision maker considers reformatting the notified content and any changes made as part of this process into the National Planning Standards requirements, for example F-4 Spatial Planning Tools (District) Standard.
- The purpose of the submission point is to give Council scope to change notified content.
- Any changes made as part of this process to meet any obligations of the approved National Planning Standards, likely to come into effect in April 2019.

Point Number 644.2

Summary of Decision Requested: Retain Objective 3.1.1 Biodiversity and ecosystems, as notified.

Decision Reasons:

- Policy 6.1.10 in Infrastructure section directly addresses infrastructure in 'Identified Areas,' requiring a consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in these areas.
- Policy 6.1.10 will need to be read in conjunction with Natural Environment provisions where assessing proposals in these areas.
- Submitter considers Natural Environment provisions, as drafted, set out a workable framework for assessing telecommunications infrastructure in these areas, particularly where assessed in conjunction with Policy 6.1.10.
- Submitter wishes to preserve its standing on these provisions should changes be sought by other parties.

Point Number 644.3

Summary of Decision Requested: Retain 3.1.2 Policy - Indigenous Vegetation and Habitats, as notified.

Decision Reasons:

- Policy 6.1.10 in Infrastructure section directly addresses infrastructure in 'Identified Areas,' requiring a consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in these areas. Policy 6.1.10 will need to be read in conjunction with Natural Environment provisions where assessing proposals in these areas.
- Submitter considers Natural Environment provisions, as drafted, set out a workable framework for assessing telecommunications infrastructure in these areas, particularly where assessed in conjunction with Policy 6.1.10.
- Submitter wishes to preserve its standing on these provisions should changes be sought by other parties.

Point Number 644.4

Summary of Decision Requested: Retain Objective 3.2.1 Significant Natural Areas, as notified.

Decision Reasons:

- Policy 6.1.10 in Infrastructure section directly addresses infrastructure in 'Identified Areas,' requiring a consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in these areas.
- Policy 6.1.10 will need to be read in conjunction with Natural Environment provisions where assessing proposals in these areas.
- Submitter considers Natural Environment provisions, as drafted, set out a workable framework for assessing telecommunications infrastructure in these areas, particularly where assessed in conjunction with Policy 6.1.10.
- Submitter wishes to preserve its standing on these provisions should changes be sought by other parties.

Point Number 644.5

Summary of Decision Requested: Retain Policy 3.2.2 Identify and Recognise, as notified.

Decision Reasons:

- Policy 6.1.10 in Infrastructure section directly addresses infrastructure in 'Identified Areas,' requiring a consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in these areas. Policy 6.1.10 will need to be read in conjunction with Natural Environment provisions where assessing proposals in these areas.
- Submitter considers Natural Environment provisions, as drafted, set out a workable framework for assessing telecommunications infrastructure in these areas, particularly where assessed in conjunction with Policy 6.1.10.
- Submitter wishes to preserve its standing on these provisions should changes be sought by other parties.

Point Number 644.6

Summary of Decision Requested: Retain Policy 3.2.3 Management hierarchy, as notified.

Decision Reasons:

- Policy 6.1.10 in Infrastructure section directly addresses infrastructure in 'Identified Areas,' requiring a consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in these areas.
- Policy 6.1.10 will need to be read in conjunction with Natural Environment provisions where assessing proposals in these areas.

- Submitter considers Natural Environment provisions, as drafted, set out a workable framework for assessing telecommunications infrastructure in these areas, particularly where assessed in conjunction with Policy 6.1.10.
- Submitter wishes to preserve its standing on these provisions should changes be sought by other parties.

Point Number 644.7

Summary of Decision Requested: Retain Policy 3.2.4 Biodiversity Offsetting, as notified.

Decision Reasons:

- Policy 6.1.10 in Infrastructure section directly addresses infrastructure in 'Identified Areas,' requiring a consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in these areas.
- Policy 6.1.10 will need to be read in conjunction with Natural Environment provisions where assessing proposals in these areas.
- Submitter considers Natural Environment provisions, as drafted, set out a workable framework for assessing telecommunications infrastructure in these areas, particularly where assessed in conjunction with Policy 6.1.10.
- Submitter wishes to preserve its standing on these provisions should changes be sought by other parties.

Point Number 644.8

Summary of Decision Requested: Retain Policy 3.2.5 Biodiversity in the coastal environment, as notified.

Decision Reasons:

- Policy 6.1.10 in Infrastructure section directly addresses infrastructure in 'Identified Areas,' requiring a consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in these areas.
- Policy 6.1.10 will need to be read in conjunction with Natural Environment provisions where assessing proposals in these areas.
- Submitter considers Natural Environment provisions, as drafted, set out a workable framework for assessing telecommunications infrastructure in these areas, particularly where assessed in conjunction with Policy 6.1.10.
- Submitter wishes to preserve its standing on these provisions should changes be sought by other parties.

Point Number 644.9

Summary of Decision Requested: Retain Policy 3.2.6 Providing for vegetation clearance, as notified.

Decision Reasons:

- Policy 6.1.10 in Infrastructure section directly addresses infrastructure in 'Identified Areas,' requiring a consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in these areas.
- Policy 6.1.10 will need to be read in conjunction with Natural Environment provisions where assessing proposals in these areas.
- Submitter considers Natural Environment provisions, as drafted, set out a workable framework for assessing telecommunications infrastructure in these areas, particularly where assessed in conjunction with Policy 6.1.10.
- Submitter wishes to preserve its standing on these provisions should changes be sought by other parties.

Point Number 644.10

Summary of Decision Requested: Retain Policy 3.2.7 Managing Significant Natural Areas, as notified.

Decision Reasons:

- Policy 6.1.10 in Infrastructure section directly addresses infrastructure in 'Identified Areas,' requiring a consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in these areas.
- Policy 6.1.10 will need to be read in conjunction with Natural Environment provisions where assessing proposals in these areas.
- Submitter considers Natural Environment provisions, as drafted, set out a workable framework for assessing telecommunications infrastructure in these areas, particularly where assessed in conjunction with Policy 6.1.10.
- Submitter wishes to preserve its standing on these provisions should changes be sought by other parties.

Point Number 644.11

Summary of Decision Requested: Retain Objective 3.3.1 Outstanding natural features and landscapes, as notified.

Decision Reasons:

- Policy 6.1.10 in Infrastructure section directly addresses infrastructure in 'Identified Areas,' requiring a consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in these areas.
- Policy 6.1.10 will need to be read in conjunction with Natural Environment provisions where assessing proposals in these areas.
- Submitter considers Natural Environment provisions, as drafted, set out a workable framework for assessing telecommunications infrastructure in these areas, particularly where assessed in conjunction with Policy 6.1.10.
- Submitter wishes to preserve its standing on these provisions should changes be sought by other parties.

Point Number 644.12

Summary of Decision Requested: Retain Policy 3.3.2 Recognizing values and qualities, as notified.

Decision Reasons:

- Policy 6.1.10 in Infrastructure section directly addresses infrastructure in 'Identified Areas,' requiring a consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in these areas.
- Policy 6.1.10 will need to be read in conjunction with Natural Environment provisions where assessing proposals in these areas.
- Submitter considers Natural Environment provisions, as drafted, set out a workable framework for assessing telecommunications infrastructure in these areas, particularly where assessed in conjunction with Policy 6.1.10.
- Submitter wishes to preserve its standing on these provisions should changes be sought by other parties.

Point Number 644.13

Summary of Decision Requested: Retain Policy 3.3.3 Protection from inappropriate subdivision, use and development, as notified.

Decision Reasons:

- Policy 6.1.10 in Infrastructure section directly addresses infrastructure in 'Identified Areas,' requiring a consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in these areas.
- Policy 6.1.10 will need to be read in conjunction with Natural Environment provisions where assessing proposals in these areas.
- Submitter considers Natural Environment provisions, as drafted, set out a workable framework for assessing telecommunications infrastructure in these areas, particularly where assessed in conjunction with Policy 6.1.10.
- Submitter wishes to preserve its standing on these provisions should changes be sought by other parties.

Point Number 644.14

Summary of Decision Requested: Retain Objective 3.5.1 Natural Character, as notified.

Decision Reasons:

- Policy 6.1.10 in Infrastructure section directly addresses infrastructure in 'Identified Areas,' requiring a consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in these areas.
- Policy 6.1.10 will need to be read in conjunction with Natural Environment provisions where assessing proposals in these areas.
- Submitter considers Natural Environment provisions, as drafted, set out a workable framework for assessing telecommunications infrastructure in these areas, particularly where assessed in conjunction with Policy 6.1.10.
- Submitter wishes to preserve its standing on these provisions should changes be sought by other parties.

Point Number 644.15

Summary of Decision Requested: Retain Policy 3.5.2 Recognising natural character, as notified.

Decision Reasons:

- Policy 6.1.10 in Infrastructure section directly addresses infrastructure in 'Identified Areas,' requiring a consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in these areas.
- Policy 6.1.10 will need to be read in conjunction with Natural Environment provisions where assessing proposals in these areas.
- Submitter considers Natural Environment provisions, as drafted, set out a workable framework for assessing telecommunications infrastructure in these areas, particularly where assessed in conjunction with Policy 6.1.10.
- Submitter wishes to preserve its standing on these provisions should changes be sought by other parties.

Point Number 644.16

Summary of Decision Requested: Retain Policy 3.5.3- Protecting the natural character qualities of the coastal environment as notified.

Decision Reasons:

- Policy 6.1.10 in Infrastructure section directly addresses infrastructure in 'Identified Areas,' requiring a consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in these areas.
- Policy 6.1.10 will need to be read in conjunction with Natural Environment provisions where assessing proposals in these areas.
- Submitter considers Natural Environment provisions, as drafted, set out a workable framework for assessing telecommunications infrastructure in these areas, particularly where assessed in conjunction with Policy 6.1.10.
- Submitter wishes to preserve its standing on these provisions should changes be sought by other parties.

Point Number 644.17

Summary of Decision Requested: Retain Policy 3.5.4- Protecting the natural character of wetlands, and lakes and rivers and their margins as notified.

Decision Reasons:

- Policy 6.1.10 in Infrastructure section directly addresses infrastructure in 'Identified Areas,' requiring a consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in these areas.
- Policy 6.1.10 will need to be read in conjunction with Natural Environment provisions where assessing proposals in these areas.
- Submitter considers Natural Environment provisions, as drafted, set out a workable framework for assessing telecommunications infrastructure in these areas, particularly where assessed in conjunction with Policy 6.1.10.
- Submitter wishes to preserve its standing on these provisions should changes be sought by other parties.

Point Number 644.18

Summary of Decision Requested: Retain Objective 6.1.1- Development, operation and maintenance of infrastructure as notified.

Decision Reasons:

- These provisions are generally consistent with the policy framework in the draft National Planning Standard for Infrastructure.
- These provisions are considered to provide a workable policy framework for telecommunications infrastructure.

Point Number 644.19

Summary of Decision Requested: Retain Policy 6.1.2- Development, operation and maintenance as notified.

Decision Reasons:

- These provisions are generally consistent with the policy framework in the draft National Planning Standard for Infrastructure.
- These provisions are considered to provide a workable policy framework for telecommunications infrastructure.

Point Number 644.20

Summary of Decision Requested: Retain Policy 6.1.4- Infrastructure benefits as notified.

Decision Reasons:

- These provisions are generally consistent with the policy framework in the draft National Planning Standard for Infrastructure.
- These provisions are considered to provide a workable policy framework for telecommunications infrastructure.

Point Number 644.21

Summary of Decision Requested: Retain Policy 6.1.5- Natural Hazards and climate change as notified.

Decision Reasons:

- These provisions are generally consistent with the policy framework in the draft National Planning Standard for Infrastructure.
- These provisions are considered to provide a workable policy framework for telecommunications infrastructure.

Point Number 644.22

Summary of Decision Requested: Retain Policy 6.1.7- Reverse sensitivity and Infrastructure as notified.

Decision Reasons:

- These provisions are generally consistent with policy framework in the draft National Planning Standard for Infrastructure.
- These provisions are considered to provide a workable policy framework for telecommunications infrastructure.

Point Number 644.23

Summary of Decision Requested: Retain Objective 6.1.8- Infrastructure in the community and identified areas as notified.

Decision Reasons:

- These provisions are generally consistent with policy framework in the draft National Planning Standard for Infrastructure.
- These provisions are considered to provide a workable policy framework for telecommunications infrastructure.

Point Number

644.24

Summary of Decision Requested:

Retain Policy 6.1.9- Environmental effects, community health, safety and amenity as notified.

Decision Reasons:

- These provisions are generally consistent with policy framework in the draft National Planning Standard for Infrastructure.
- These provisions are considered to provide a workable policy framework for telecommunications infrastructure.

Point Number

644.25

Summary of Decision Requested:

Retain Policy 6.1.10- Infrastructure in identified areas as notified.

Decision Reasons:

- These provisions are generally consistent with policy framework in the draft National Planning Standard for Infrastructure.
- These provisions are considered to provide a workable policy framework for telecommunications infrastructure.

Point Number

644.26

Summary of Decision Requested:

Retain Policy 6.1.11- Undergrounding new infrastructure as notified.

Decision Reasons:

- These provisions are generally consistent with policy framework in the draft National Planning Standard for Infrastructure.
- These provisions are considered to provide a workable policy framework for telecommunications infrastructure.

Point Number

644.27

Summary of Decision Requested:

Retain Policy 6.1.12- Co-location of compatible facilities as notified.

Decision Reasons:

- These provisions are generally consistent with policy framework in the draft National Planning Standard for Infrastructure.
- These provisions are considered to provide a workable policy framework for telecommunications infrastructure.

Point Number

644.28

Summary of Decision Requested:

Retain Policy 6.1.13- Future growth areas as notified.

Decision Reasons:

- These provisions are generally consistent with policy framework in the draft National Planning Standard for Infrastructure.
- These provisions are considered to provide a workable policy framework for telecommunications infrastructure.

Point Number

644.29

Summary of Decision Requested:

Retain Policy 6.1.14- Electromagnetic and radio frequency fields as notified.

Decision Reasons:

- These provisions are generally consistent with policy framework in the draft National Planning Standard for Infrastructure.
- These provisions are considered to provide a workable policy framework for telecommunications infrastructure.

Point Number

644.30

Summary of Decision Requested:

Amend Policy 6.1.3- Technological advances by replacing it with the following wording as proposed in the draft National Planning Standard for Network Utilities or other changes of like effect:

Provide flexibility for network utilities to adopt new technologies that:

1. Improve access to, and efficient use of, networks and services;

2. Allow for the re-use of redundant services and structures;

3. Increase resilience, safety or reliability of networks and services;

4. Result in environmental benefits and enhancements; or

5. Promote environmentally sustainable outcomes including green infrastructure and the increased the utilisation of renewable resources.

OR

Amend Policy 6.1.3- Technological advances by using "or" rather than "and" to remove the conjunctive nature of the clauses.

AND

Any consequential amendments necessary as a result of the amendments to grant the relief sought.

Decision Reasons:

- Policy 6.1.3 seeks to provide flexibility to use new technologies subject to a number of conjunctive limbs (i.e. all have to be met).
- It is unclear how clause (iii) would be interpreted where a new technology may have a significant community benefit but does necessarily reduce environmental effects.
- Wording of the equivalent policy in the draft National Planning Standard for Network Utilities is a preferred approach to promoting the use of technological advances, as it provides alternative means to satisfy the policy.
- Draft National Planning Standard for Network Utilities provisions are being used as best practice by stakeholders for discussion with councils undertaking plan reviews and the content of submissions.

Point Number

644.31

Summary of Decision Requested:

Retain Chapter 14: Infrastructure and Energy as notified, except where specific amendments have been requested in this submission.

Decision Reasons:

- Generally, Chapter 14 is supported in regard to infrastructure and particularly sections 14.1-14.3 and 14.10- Telecommunications except where specific amendments have been requested.

Point Number 644.32

Summary of Decision Requested: **Amend** Rule 14.2.1.1 New Infrastructure- Activity Specific Conditions relating to P1 New Infrastructure by providing an exemption for service connections including any associated support poles from all heights in relation to boundary controls.

AND

Any consequential amendments necessary as a result of the amendments to grant the relief sought.

Decision Reasons:

- Support poles associated with service connections should be exempt from any height in relation to boundary controls either within a road or outside of a road (e.g. along a right of way) on the basis that they have very minor bulk compared with more substantial buildings and structures.

Point Number 644.33

Summary of Decision Requested: **Amend** Rule 14.3.1.1 Minor Infrastructure Upgrading- Activity Specific Conditions, as follows:

(1) (b) Amend the existing the permitted height increase for an existing pole to "the lesser of 25m or 30%."

(1) (c) Amend the permitted pole or support structure width to twice the width of the existing pole at the widest point, unless a double pole is required to replace a single pole where the permitted pole or support structure width required is three times the width of the existing pole at the widest point (double poles may be required for electricity networks).

(3) The addition, replacement or relocation of existing antennas where:

(a) The antennas shall not increase in the face area by more than 20% of the relevant permitted standard for new panel antennas and shall not increase the diameter of a dish antenna by more than 20% of the relevant permitted standard for a new dish antenna; and

(b) The antennas shall not increase in height by more than 20% of the relevant permitted standard for new dish and panel antennas.

Note that area controls are not applied to other antennas types such as those made up of rods and tubes, which are controlled by standard (3)(b).

AND

Any consequential amendments necessary as a result of the amendments to grant the relief sought.

Decision Reasons:

- A number of proposed conditions relevant to telecommunications are impractical to support rapid technical changes or maintenance requirements.
- Not aligned with draft National Planning Standard for Network Utilities.
- Submitter seeks various amendments to seek more alignment with the National Planning Standard that is currently under development and intended to provide a practical envelope for typical infrastructure upgrading activity to respond with rapidly changing technology requirements and/or necessary maintenance activities.

Point Number 644.34

Summary of Decision Requested: **Amend** Rule 14.3.1.3 Earthworks associated with infrastructure- Activity Specific Conditions and the related rules cascade so that it is clear what the activity status is in all Identified Areas where earthworks either exceed the permitted volumes in Rule 14.3.1.3, are restricted by a clause in Rule 14.3.1.3 (e.g. scheduled historic heritage site), or where the rule is silent (e.g. Significant Natural Area).

AND

Amend Rule 14.2.3 NC3 Non-Complying Activities so that earthworks ancillary to infrastructure do not cascade by default to non-complying status under the rule 14.2.3 NC3.

AND

Any consequential amendments necessary as a result of the amendments to grant the relief sought.

Decision Reasons:

- These standards include earthworks thresholds in many Identified Areas, including Significant Natural Areas, and includes a standard not allowing earthworks on scheduled historic heritage sites.
- It is unclear if earthworks not subject to a specific threshold in an overlay, or subject to a rule that does not allow any earthworks as a permitted activity, would then default to be a non-complying activity regardless of scale under Rule 14.2.3, NC3.
- For avoidance of doubt, the submitter seeks Rule 14.3.1.3 and associated rules cascade makes it clear what the status is of earthworks either not covered by a standard in 14.3.1.3 or are subject to a rule not providing for them as a permitted activity in a particular area (e.g. scheduled historic heritage) and ensure they do not cascade by default to non-complying under Rule 14.2.3 NC3.

Point Number 644.35

Summary of Decision Requested: **Add** a new controlled activity rule under Rule 14.3.2 General Infrastructure as follows:

C2 A service connection to an area façade or item specifically listed in Schedule 30.1.

Matters of Control:

- Design and placement of the service connection to minimise impacts on the values and attributes of the listed area, façade or item.

AND

Any consequential amendments necessary as a result of the amendments to grant the relief sought.

Decision Reasons:

- Rule P8 in the General Infrastructure rules provides for service connections as a permitted activity other than where connected to an area, façade or item specifically listed in Schedule 30.1.
- There have been ongoing discussion between telecommunications operators and Heritage New Zealand Pouhere Taonga over how service connections to heritage listed buildings should be addressed.
- Agreement has been reached on other Plans that these are appropriately dealt with as a controlled activity to enable method of connection to be controlled to minimise impacts on heritage items while still allowing for reasonable and practical use of heritage listed buildings.

Point Number 644.36

Summary of Decision Requested: **Amend** Rule 14.10.1.3 (a) (iii) P4- Antennas and lines attached to retaining walls, tunnels, bridges and other structures located within the road by changing the permitted dish antenna size descriptor from 0.6m "width" to 0.6m "diameter."

AND

Any consequential amendments necessary as a result of the amendments to grant the relief sought.

Decision Reasons:

- Activity specific controls in 14.10.1.3 include a 0.6m "width" restriction for dish antennas and should be changed to "diameter."

Point Number 644.37

Summary of Decision Requested: **Amend** Activity Rule 14.10.1 P7- Antennas not attached to a building and/or structure and any other rules as necessary so that the equipment covered by the activity specific conditions in Rule 14.10.1.5 may be attached to buildings, structures and poles covered in Rules P4, P5 and P9 as follows:

Activity title: ~~Other Antennas not attached to a building and/or structure.~~

14.10.1.5

(a) Antennas that comply with all of the following conditions are excluded from any height standards in 14.10.1 P4, P5 and P9:

(i) GPS antennas that do not exceed the following dimensions:

A. 300mm high; and

B. 130mm in diameter.

(ii) Omni-directional 'whip' or di-pole type antennas that do not exceed the following dimensions:

A. 1.6m high;

B. 1.5m horizontal length whip or rod; or

C. Cross-section element no more than 60mm in diameter.

~~(iii) Are not located within an Identified Area.~~

(iv) Do not connect to an area, façade or item specifically listed in Schedule 30.1.

AND

Any consequential amendments necessary as a result of the amendments to grant the relief sought.

Decision Reasons:

- It is unclear what the rule is intended to cover.
- All antennas will be attached to a building or a structure (even if a purpose-built pole).
- These types of antennas could be deployed on an existing building or structure covered by Rules P4 and P5, or on a pole as provided for under P9.
- These antennas have low visual impact, making them appropriate on top of buildings and poles or in an Identified Area.

Point Number 644.38

Summary of Decision Requested: **Amend** Rule 14.10.1 P8- Small cell units exceeding the permitted volumetric dimension of 0.1 l m² regulated in the NESTF- and related activity standard by changing all use of "m²" to "m³."

AND

Any consequential amendments necessary as a result of the amendments to grant the relief sought.

Decision Reasons:

- Rule uses m² rather than m³ in activity rules and standards and needs to be amended to m³.
- Volumetric dimension in the NESTF 2016 is 0.1 l m³.

Point Number 644.39

Summary of Decision Requested: **Amend** Rule 14.10.1.7 (c) - Poles, antennas and head frames+1 as follows:

(c) Rules 14.10.1.7(+)(a) does not apply to lightning rods and GPS antennas, omni directional whip antenna, ancillary telecommunication devices and earth peaks.

AND

Any consequential amendments necessary as a result of the amendments to grant the relief sought.

Decision Reasons:

- Appears to be an incorrect reference in Rule 14.10.1.7 (c) to Rule 14.10.1.7 (l) rather than 14.10.1.7 (a), as there is no Rule 14.10.1.7 (l).

Point Number 644.40

Summary of Decision Requested: **Amend** activity Specific Standard 14.10.1.8 (a) (i) P10- Externally mounted telecommunication satellite dishes and ancillary components to read as the following:

(a) Externally mounted telecommunication satellite dishes and ancillary components that comply with the following conditions:

(i) Do not exceed 1.0m in diameter, or 1.8m in diameter in industrial, rural residential and rural zones.

(ii) Are attached to existing buildings, and/or including a pole or structure other than a building when located in the rural residential and rural zones.

AND

Any consequential amendments necessary as a result of the amendments to grant the relief sought.

Decision Reasons:

- Activity specific condition 14.10.1.8 (a)(i) limits the diameter of a satellite dish to 1m.
- As part of Rural Broadband Initiative Phase 2 Project, which includes parts of Waikato District, some rural communities may need to be connected to broadband via satellite link.
- Higher capacity links may require a satellite dish up to 1.8m in diameter.

Point Number 644.41

Summary of Decision Requested: **Amend** Rule 14.10.1 C7- Small cell units as follows:

C7 Small cell units located in an Identified Area that connect to an area, façade or item specifically listed in Schedule 30.1 exceeding the maximum volumetric dimension of 0.1 l m² regulated in the NESTF, up to a maximum volume of 0.25m².

AND

Any consequential amendments necessary as a result of the amendments to grant the relief sought.

Decision Reasons:

- Rule uses m2 rather than m3 in activity rules and standards and needs to be amended to m3.
- it is unnecessary to restrict equipment in an *Identified Area* given its very small scale.
- Rule should instead only cover equipment connecting to a scheduled heritage item, which would not be a permitted activity under amended Rule P7.

Point Number 644.42

Summary of Decision Requested: Delete activity specific condition Rule 14.10.1.6 P8 (ii) that relates to Identified Areas.

AND

Any consequential amendments necessary as a result of the amendments to grant the relief sought.

Decision Reasons:

- It is unnecessary to restrict equipment in an Identified Area given its very small scale.
- This rule would restrict connecting to a scheduled heritage item.

Point Number 644.43

Summary of Decision Requested: Retain Policy 3.3.4 The relationships of Maori with natural resources and land, as notified.

Decision Reasons:

- Policy 6.1.10 in Infrastructure section directly addresses infrastructure in 'Identified Areas,' requiring a consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in these areas.
- Policy 6.1.10 will need to be read in conjunction with Natural Environment provisions where assessing proposals in these areas.
- Submitter considers Natural Environment provisions, as drafted, set out a workable framework for assessing telecommunications infrastructure in these areas, particularly where assessed in conjunction with Policy 6.1.10.
- Submitter wishes to preserve its standing on these provisions should changes be sought by other parties.

Point Number 644.44

Summary of Decision Requested: Retain Objective 3.4.1 Significant amenity landscapes, as notified.

Decision Reasons:

- Policy 6.1.10 in Infrastructure section directly addresses infrastructure in 'Identified Areas,' requiring a consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in these areas.
- Policy 6.1.10 will need to be read in conjunction with Natural Environment provisions where assessing proposals in these areas.
- Submitter considers Natural Environment provisions, as drafted, set out a workable framework for assessing telecommunications infrastructure in these areas, particularly where assessed in conjunction with Policy 6.1.10.
- Submitter wishes to preserve its standing on these provisions should changes be sought by other parties.

Point Number 644.45

Summary of Decision Requested: Retain Policy 3.4.2 Recognizing Significant Amenity Landscapes, as notified.

Decision Reasons:

- Policy 6.1.10 in Infrastructure section directly addresses infrastructure in 'Identified Areas,' requiring a consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in these areas.
- Policy 6.1.10 will need to be read in conjunction with Natural Environment provisions where assessing proposals in these areas.
- Submitter considers Natural Environment provisions, as drafted, set out a workable framework for assessing telecommunications infrastructure in these areas, particularly where assessed in conjunction with Policy 6.1.10.
- Submitter wishes to preserve its standing on these provisions should changes be sought by other parties.

Point Number 644.46

Summary of Decision Requested: Retain Policy 3.4.3 Maintaining and enhancing Significant Amenity Landscapes, as notified.

Decision Reasons:

- Policy 6.1.10 in Infrastructure section directly addresses infrastructure in 'Identified Areas,' requiring a consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in these areas.
- Policy 6.1.10 will need to be read in conjunction with Natural Environment provisions where assessing proposals in these areas.
- Submitter considers Natural Environment provisions, as drafted, set out a workable framework for assessing telecommunications infrastructure in these areas, particularly where assessed in conjunction with Policy 6.1.10.
- Submitter wishes to preserve its standing on these provisions should changes be sought by other parties.

Point Number 644.47

Summary of Decision Requested: Retain Policy 3.4.4 The relationships of Maori with their resources and land, as notified.

Decision Reasons:

- Policy 6.1.10 in Infrastructure section directly addresses infrastructure in 'Identified Areas,' requiring a consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in these areas.
- Policy 6.1.10 will need to be read in conjunction with Natural Environment provisions where assessing proposals in these areas.
- Submitter considers Natural Environment provisions, as drafted, set out a workable framework for assessing telecommunications infrastructure in these areas, particularly where assessed in conjunction with Policy 6.1.10.
- Submitter wishes to preserve its standing on these provisions should changes be sought by other parties.

Submitter Number: 645 **Submitter:** Robert Clear

Point Number 645.1

Summary of Decision Requested: Amend the zoning of 176 Limmer Road, Te Kowhai, from Rural Zone to Village Zone.

Decision Reasons:

- Village Zone would be appropriate for the subject property as it adjoins proposed medium density residential zone on Te Kowhai Airfield.
- Proposed Residential Development on Airfield Land will have an adverse effect on the rural land use of 176 Limmer Road.

Submitter Number: 646 **Submitter:** Vodafone New Zealand Limited

Point Number 646.1

Summary of Decision Requested: Amend the format of the district plan as necessary to adopt the format and requirements of the National Planning Standards including F-4 Spatial Planning Tools (District) Standard should they come into effect before decisions on the Proposed District Plan are made.

AND

Any consequential amendments necessary as a result of the amendments to grant the relief sought.

Decision Reasons:

- National Planning Standards are currently under consideration by the Ministry of the Environment.
- It is likely that at least some standards will have legal effect prior to issue of decisions on the Proposed Plan.
- Submitter requests the decision maker consider reformatting notified content and any changes made as part of this process into the National Planning Standards.
- Purpose of submission is to give council scope to change notified content and any changes made as part of process to meet any obligations of the approved National Planning Standards.

Point Number 646.2

Summary of Decision Requested: Retain Objective 3.1.1 Indigenous Vegetation and Habitats as notified.

Decision Reasons:

- Policy 6.1.10 in the Infrastructure section directly addresses infrastructure in "Identified Areas," requiring consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in such areas.
- Policy 6.1.10 needs to be read in conjunction with the Natural Environment provisions where assessing proposals in Identified Areas.
- Natural Environment Provisions as drafted set out a workable framework for assessing telecommunications infrastructure.
- Submitter wishes to preserve its standing on such provisions should changes be sought by other parties.

Point Number 646.3

Summary of Decision Requested: Retain Policy 3.1.2-Policies as notified.

Decision Reasons:

- Policy 6.1.10 in the Infrastructure section directly addresses infrastructure in "Identified Areas", requiring consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in such areas.
- Policy 6.1.10 needs to be read in conjunction with the Natural Environment provisions where assessing proposals in Identified Areas.
- Natural Environment Provisions as drafted set out a workable framework for assessing telecommunications infrastructure.
- Submitter wishes to preserve its standing on such provisions should changes be sought by other parties.

Point Number 646.4

Summary of Decision Requested: Retain Objective 3.2.1 Significant Natural Areas as notified.

Decision Reasons:

- Policy 6.1.10 in the Infrastructure section directly addresses infrastructure in "Identified Areas," requiring consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in such areas.
- Policy 6.1.10 needs to be read in conjunction with the Natural Environment provisions where assessing proposals in Identified Areas.
- Natural Environment Provisions as drafted set out a workable framework for assessing telecommunications infrastructure.
- Submitter wishes to preserve its standing on such provisions should changes be sought by other parties.

Point Number 646.5

Summary of Decision Requested: Retain Policy 3.2.2- Identify and recognise as notified.

Decision Reasons:

- Policy 6.1.10 in the Infrastructure section directly addresses infrastructure in "Identified Areas," requiring consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in such areas.
- Policy 6.1.10 needs to be read in conjunction with the Natural Environment provisions where assessing proposals in Identified Areas.
- Natural Environment Provisions as drafted set out a workable framework for assessing telecommunications infrastructure.
- Submitter wishes to preserve its standing on such provisions should changes be sought by other parties.

Point Number 646.6

Summary of Decision Requested: Retain Policy 3.2.3- Management hierarchy as notified.

Decision Reasons:

- Policy 6.1.10 in the Infrastructure section directly addresses infrastructure in "Identified Areas," requiring consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in such areas.
- Policy 6.1.10 needs to be read in conjunction with the Natural Environment provisions where assessing proposals in Identified Areas.
- Natural Environment Provisions as drafted set out a workable framework for assessing telecommunications infrastructure.
- Submitter wishes to preserve its standing on such provisions should changes be sought by other parties.

Point Number 646.7

Summary of Decision Requested: Retain Policy 3.2.4- Biodiversity Offsetting as notified.

Decision Reasons:

- Policy 6.1.10 in the Infrastructure section directly addresses infrastructure in "Identified Areas," requiring consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in such areas.
- Policy 6.1.10 needs to be read in conjunction with the Natural Environment provisions where assessing proposals in Identified Areas.
- Natural Environment Provisions as drafted set out a workable framework for assessing telecommunications infrastructure.
- Submitter wishes to preserve its standing on such provisions should changes be sought by other parties.

Point Number 646.8

Summary of Decision Requested: Retain Policy 3.2.5- Biodiversity in the coastal environment as notified.

Decision Reasons:	<ul style="list-style-type: none"> Policy 6.1.10 in the Infrastructure section directly addresses infrastructure in "Identified Areas," requiring consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in such areas. Policy 6.1.10 needs to be read in conjunction with the Natural Environment provisions where assessing proposals in Identified Areas. Natural Environment Provisions as drafted set out a workable framework for assessing telecommunications infrastructure. Submitter wishes to preserve its standing on such provisions should changes be sought by other parties.
Point Number	646.9
Summary of Decision Requested:	Retain 3.2.6- Providing for vegetation clearance as notified.
Decision Reasons:	<ul style="list-style-type: none"> Policy 6.1.10 in the Infrastructure section directly addresses infrastructure in "Identified Areas," requiring consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in such areas. Policy 6.1.10 needs to be read in conjunction with the Natural Environment provisions where assessing proposals in Identified Areas. Natural Environment Provisions as drafted set out a workable framework for assessing telecommunications infrastructure. Submitter wishes to preserve its standing on such provisions should changes be sought by other parties.
Point Number	646.10
Summary of Decision Requested:	Retain 3.2.7- Managing Significant Natural Areas as notified.
Decision Reasons:	<ul style="list-style-type: none"> Policy 6.1.10 in the Infrastructure section directly addresses infrastructure in "Identified Areas," requiring consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in such areas. Policy 6.1.10 needs to be read in conjunction with the Natural Environment provisions where assessing proposals in Identified Areas. Natural Environment Provisions as drafted set out a workable framework for assessing telecommunications infrastructure. Submitter wishes to preserve its standing on such provisions should changes be sought by other parties.
Point Number	646.11
Summary of Decision Requested:	Retain Objective 3.3.1- Outstanding natural features and landscapes as notified.
Decision Reasons:	<ul style="list-style-type: none"> Policy 6.1.10 in the Infrastructure section directly addresses infrastructure in "Identified Areas," requiring consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in such areas. Policy 6.1.10 needs to be read in conjunction with the Natural Environment provisions where assessing proposals in Identified Areas. Natural Environment Provisions as drafted set out a workable framework for assessing telecommunications infrastructure. Submitter wishes to preserve its standing on such provisions should changes be sought by other parties.
Point Number	646.12
Summary of Decision Requested:	Retain Policy 3.3.2- Recognising values and qualities as notified.
Decision Reasons:	<ul style="list-style-type: none"> Policy 6.1.10 in the Infrastructure section directly addresses infrastructure in "Identified Areas," requiring consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in such areas. Policy 6.1.10 needs to be read in conjunction with the Natural Environment provisions where assessing proposals in Identified Areas. Natural Environment Provisions as drafted set out a workable framework for assessing telecommunications infrastructure. Submitter wishes to preserve its standing on such provisions should changes be sought by other parties.
Point Number	646.13
Summary of Decision Requested:	Retain Policy 3.3.3- Protection from inappropriate subdivision, use and development as notified.
Decision Reasons:	<ul style="list-style-type: none"> Policy 6.1.10 in the Infrastructure section directly addresses infrastructure in "Identified Areas," requiring consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in such areas. Policy 6.1.10 needs to be read in conjunction with the Natural Environment provisions where assessing proposals in Identified Areas. Natural Environment Provisions as drafted set out a workable framework for assessing telecommunications infrastructure. Submitter wishes to preserve its standing on such provisions should changes be sought by other parties.
Point Number	646.14
Summary of Decision Requested:	Retain 3.5.1- Natural Character as notified.
Decision Reasons:	<ul style="list-style-type: none"> Policy 6.1.10 in the Infrastructure section directly addresses infrastructure in "Identified Areas," requiring consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in such areas. Policy 6.1.10 needs to be read in conjunction with the Natural Environment provisions where assessing proposals in Identified Areas. Natural Environment Provisions as drafted set out a workable framework for assessing telecommunications infrastructure. Submitter wishes to preserve its standing on such provisions should changes be sought by other parties.
Point Number	646.15
Summary of Decision Requested:	Retain Policy 3.5.2- Recognising natural character as notified.
Decision Reasons:	<ul style="list-style-type: none"> Policy 6.1.10 in the Infrastructure section directly addresses infrastructure in "Identified Areas," requiring consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in such areas. Policy 6.1.10 needs to be read in conjunction with the Natural Environment provisions where assessing proposals in Identified Areas. Natural Environment Provisions as drafted set out a workable framework for assessing telecommunications infrastructure. Submitter wishes to preserve its standing on such provisions should changes be sought by other parties.
Point Number	646.16
Summary of Decision Requested:	Retain Policy 3.5.3- Protecting the natural character qualities of the coastal environment as notified.
Decision Reasons:	<ul style="list-style-type: none"> Policy 6.1.10 in the Infrastructure section directly addresses infrastructure in "Identified Areas," requiring consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in such areas. Policy 6.1.10 needs to be read in conjunction with the Natural Environment provisions where assessing proposals in Identified Areas. Natural Environment Provisions as drafted set out a workable framework for assessing telecommunications infrastructure. Submitter wishes to preserve its standing on such provisions should changes be sought by other parties.
Point Number	646.17

Summary of Decision Requested: Retain Policy 3.5.4- Protecting the natural character of wetlands, and lakes and rivers and their margins as notified.

Decision Reasons:

- Policy 6.1.10 in the Infrastructure section directly addresses infrastructure in "Identified Areas," requiring consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in such areas.
- Policy 6.1.10 needs to be read in conjunction with the Natural Environment provisions where assessing proposals in Identified Areas.
- Natural Environment Provisions as drafted set out a workable framework for assessing telecommunications infrastructure.
- Submitter wishes to preserve its standing on such provisions should changes be sought by other parties.

Point Number 646.18

Summary of Decision Requested: Retain Objective 6.1.1- Development, operation and maintenance of infrastructure as notified.

Decision Reasons:

- This is generally consistent with the policy framework in the draft National Planning Standard for Infrastructure.
- These provisions are considered to provide a workable policy framework for telecommunications infrastructure.

Point Number 646.19

Summary of Decision Requested: Retain Policy 6.1.2- Development, operation and maintenance as notified.

Decision Reasons:

- This is generally consistent with the policy framework in the draft National Planning Standard for Infrastructure.
- These provisions are considered to provide a workable policy framework for telecommunications infrastructure.

Point Number 646.20

Summary of Decision Requested: Retain Policy 6.1.4- Infrastructure benefits as notified.

Decision Reasons:

- This is generally consistent with the policy framework in the draft National Planning Standard for Infrastructure.
- These provisions are considered to provide a workable policy framework for telecommunications infrastructure.

Point Number 646.21

Summary of Decision Requested: Retain Policy 6.1.5- Natural hazards and climate change as notified.

Decision Reasons:

- This is generally consistent with the policy framework in the draft National Planning Standard for Infrastructure.
- These provisions are considered to provide a workable policy framework for telecommunications infrastructure.

Point Number 646.22

Summary of Decision Requested: Retain Policy 6.1.7- Reverse sensitivity and infrastructure as notified.

Decision Reasons:

- This is generally consistent with the policy framework in the draft National Planning Standard for Infrastructure.
- These provisions are considered to provide a workable policy framework for telecommunications infrastructure.

Point Number 646.23

Summary of Decision Requested: Retain Objective 6.1.8- Infrastructure in the community and identified areas as notified.

Decision Reasons:

- This is generally consistent with the policy framework in the draft National Planning Standard for Infrastructure.
- These provisions are considered to provide a workable policy framework for telecommunications infrastructure.

Point Number 646.24

Summary of Decision Requested: Retain Policy 6.1.9- Environmental effects, community health, safety and amenity as notified.

Decision Reasons:

- This is generally consistent with the policy framework in the draft National Planning Standard for Infrastructure.
- These provisions are considered to provide a workable policy framework for telecommunications infrastructure.

Point Number 646.25

Summary of Decision Requested: Retain Policy 6.1.10- Infrastructure in identified areas as notified.

Decision Reasons:

- This is generally consistent with the policy framework in the draft National Planning Standard for Infrastructure.
- These provisions are considered to provide a workable policy framework for telecommunications infrastructure.

Point Number 646.26

Summary of Decision Requested: Retain Policy 6.1.11- Undergrounding new infrastructure as notified.

Decision Reasons:

- This is generally consistent with the policy framework in the draft National Planning Standard for Infrastructure.
- These provisions are considered to provide a workable policy framework for telecommunications infrastructure.

Point Number 646.27

Summary of Decision Requested: Retain Policy 6.1.12-Co-location of compatible facilities as notified.

Decision Reasons:

- This is generally consistent with the policy framework in the draft National Planning Standard for Infrastructure.
 - These provisions are considered to provide a workable policy framework for telecommunications infrastructure.
-

Point Number 646.28

Summary of Decision Requested: Retain Policy 6.1.13- Future growth areas as notified.

Decision Reasons:

- This is generally consistent with the policy framework in the draft National Planning Standard for Infrastructure.
 - These provisions are considered to provide a workable policy framework for telecommunications infrastructure.
-

Point Number 646.29

Summary of Decision Requested: Retain Policy 6.1.14- Electromagnetic and radio frequency fields as notified.

Decision Reasons:

- This is generally consistent with the policy framework in the draft National Planning Standard for Infrastructure.
 - These provisions are considered to provide a workable policy framework for telecommunications infrastructure.
-

Point Number 646.30

Summary of Decision Requested: Amend Policy 6.1.3- Technological advances by replacing it with the following wording as proposed in the draft National Planning Standard for Network Utilities or other changes of like effect:

Provide flexibility for network utilities to adopt new technologies that:

1. Improve access to, and efficient use of, networks and services;
2. Allow for the re-use of redundant services and structures;
3. Increase resilience, safety or reliability of networks and services;
4. Result in environmental benefits and enhancements; or
5. Promote environmentally sustainable outcomes including green infrastructure and the increase the utilisation of renewable resources.

OR

Amend Policy 6.1.3 - Technological advances, by using "or" rather than "and" to remove conjunctive nature of the clauses.

AND

Any consequential amendments necessary as a result of the amendments to grant the relief sought.

Decision Reasons:

- Policy 6.13 seeks to provide flexibility to use new technologies subject to a number of conjunctive limbs.
 - It is unclear how clause (iii) would be interpreted where a new technology may have a significant community benefit but does not necessarily reduce environmental effects.
 - Wording of the equivalent policy in the draft National Planning Standard for Network Utilities is a preferred approach to promoting the use of technological advances.
 - Draft National Planning Standard for Network Utilities provisions are being used as best practice by the stakeholders for discussion with councils undertaking plan reviews and the content of submissions.
-

Point Number 646.31

Summary of Decision Requested: Retain Chapter 14 Infrastructure and Energy as notified, except where specific amendments have been requested in the submission.

Decision Reasons:

- Generally, Chapter 14 is supported in regard to infrastructure and particularly sections 14.1-14.3 and 14.10 telecommunications, except where specific amendments have been requested.
-

Point Number 646.32

Summary of Decision Requested: Amend activity specific conditions in Rule 14.2.1.1 for New Infrastructure (P1) by providing an exemption for service connections including any associated support poles from all height in relation to boundary controls.

AND

Any consequential amendments necessary as a result of the amendments to grant the relief sought.

Decision Reasons:

- Support poles associated with service connections should be exempt from any height in relation to boundary controls either where within a road or outside of a road on the basis that have very minor bulk compared with more substantial buildings and structures.
-

Point Number 646.33

Summary of Decision Requested: Amend the activity specific conditions in Rule 14.3.1.1 for Minor Infrastructure Upgrading (P2), as follows:

(1)(b) Permitted height increase for an existing pole to the "lesser of 25m or 30%".

(c) Amend permitted pole or support structure width to twice the width of the existing pole at the widest point, unless a double pole is required to replace a single pole where the permitted pole or support structure width required is three times the width of the existing pole at the widest point (double poles may be required for electricity networks).

(3) The addition, replacement or relocation of existing antennas where:

(a) The antennas shall not increase ~~in the face~~ area by more than 20% of the relevant permitted standard for new panel antennas and shall not increase the diameter of a dish antenna by more than 20% of the relevant permitted standard for a new dish antenna; and

(b) The antennas shall not increase in height by more than 20% of the relevant permitted standard for new dish and panel antennas.

Note that the area controls are not applied to other antennas types such as those that are made up of rods and tubes, which are controlled by standard (3) (b).

AND

Any consequential amendments necessary as a result of the amendments to grant the relief sought.

Decision Reasons:

- A number of proposed conditions relevant to telecommunications are impractical to support rapid technical changes or maintenance requirements.
- Not aligned with draft National Planning Standard for Network Utilities.
- Submitter seeks alignment with National Planning Standard that is currently under development, currently under development to provide a practical means for typical infrastructure upgrading activity to respond with rapidly changing technology requirements.

Point Number

646.34

Summary of Decision Requested:

Amend Activity-specific conditions Rule 14.3.1.3 for P4 Earthworks activities associated with infrastructure and the related rules cascade such that it is clear what the activity status is in all Identified Areas where earthworks either exceed the permitted volumes in Rule 14.3.1.3, are restricted by a clause in Rule 14.3.1.3 (e.g. scheduled historic heritage site), or where the rule is silent (e.g. SNA).

AND

Amend Rule 14.2.3 NC3 Non-Complying Activities so that earthworks ancillary to infrastructure do not cascade by default to non-complying activity status under the rule 14.2.3 NC3.

AND

Any consequential amendments necessary as a result of the amendments to grant the relief sought.

Decision Reasons:

- These standards include earthworks thresholds in many Identified Areas, but not all of the Identified Areas (e.g. SNA) and includes a standard not allowing earthworks on a scheduled historic heritage sites.
- For the avoidance of doubt, submitter seeks relief the Rule 14.3.1.3 is made clearer what the status of earthworks either not covered by a standard in 14.3.1.3 or are subject to a rule not providing for them as a permitted activity in a particular area (e.g. scheduled historic heritage).
- It is unclear if earthworks not subject to a specific threshold in an overlay, or subject to a rule that does not allow any earthworks as a permitted activity, would then default to be a non-complying activity regardless of scale under Rule 14.2.3 NC3 (earthworks in an Identified Area not otherwise provided for by a rule in Chapter 14).
- Submitter seeks such relief for avoidance of doubt.

Point Number

646.35

Summary of Decision Requested:

Add a new controlled activity rule under General Infrastructure 14.3.2- Controlled Activities as follows, or wording to like effect:

C2 A service connection to an area, façade or item specifically listed in Schedule 30.1.

Matters of Control:

- Design and placement of the service connection to minimise impacts on the values and attributes of the listed area, façade or item.

Decision Reasons:

- Rule P8 under General Infrastructure provides for service connection as a permitted activity other than where connected to an area, façade or item specifically listed in Schedule 30.1.
- There has been ongoing discussion between telecommunications operators and Heritage New Zealand Pouhere Taonga over how service connection to heritage listed buildings should be addressed and agreement on other plans that decided they were appropriately dealt with as a controlled activity.

Point Number

646.36

Summary of Decision Requested:

Amend specific conditions Rule 14.10.1.3(a)(iii) Antennas and lines attached to retaining walls, tunnels, bridges and other structures located within the road, by changing the permitted dish antennas size descriptor from 0.6m "width" to 0.6m "diameter".

AND

Any consequential amendments necessary as a result of the amendments to grant the relief sought.

Decision Reasons:

- Activity-specific controls in 14.10.1.3 include 0.6m "width" restriction which needs to be changed to "diameter".

Point Number

646.37

Summary of Decision Requested:

Amend Activity Rule 14.10.1 P7 Antennas not attached to a building and/or structure, and any other rules as necessary such that the equipment covered by activity specific conditions in Rule 14.10.1.5 may be attached to buildings, structures and poles covered in Rules P4, P5 and P9 as follows:

Activity Title: ~~Other antennas not attached to a building and structure.~~

14.10.1.5

(a) Antennas that comply with all of the following conditions are excluded from any height standards in 14.10.2 P4, P5 and P9:

(i) GPS antennas that do not exceed the following dimensions:

A. 300mm high; and

B. 130mm in diameter.

(ii) Omni-directional 'whip' or di-pole type antennas that do not exceed the following dimensions

A. 1.6m high;

B. 1.5m horizontal length whip or rod; or

C. Cross section element no more than 60mm in diameter.

~~(iii) Are not located within an Identified Area.~~

(iv) Do not connect to an area, façade or item specifically listed in Schedule 30.1.

AND

Any consequential amendments necessary as a result of the amendments to grant the relief sought.

Decision Reasons:

- Unclear what this rule is intended to cover.

- All antennas will be attached to a building or structure.
- Types of antennas used could be deployed on a existing building/structure covered by rules P4 and P5, or on a pole as provided for under P9.
- Antennas have low visual impact and therefore are appropriate on top of buildings and poles in an Identified Area.

Point Number 646.38

Summary of Decision Requested: **Amend** activity-specific condition Rule 14.10.1.6 for P8- Small cell units exceeding the permitted volumetric dimension of 0.11m³ regulated in the NESTF and related activity standards by changing all use of "m2" to "m3".

AND

Any consequential amendments necessary as a result of the amendments to grant the relief sought.

Decision Reasons:

- Rule use m2 rather than m3 in activity rules and standards and must be amended to m3.
- Volumetric dimension in NESTF 2016 is 0.11m³.

Point Number 646.39

Summary of Decision Requested: **Delete** activity specific condition rule 14.10.1.6 (ii) P8 that relates to "Identified Areas".

AND

Any consequential amendments necessary as a result of the amendments to grant the relief sought.

Decision Reasons:

- It is unnecessary to restrict equipment in an Identified Area given its very small scale.
- This Rule would restrict connecting to a scheduled heritage item.

Point Number 646.40

Summary of Decision Requested: **Amend** activity-specific conditions Rule 14.10.1.7 (c) for P9 Poles, antennas and head frames, as follows:

(c) Rule 14.10.1.7(4)(ii) does not apply to lighting rods and GPS antennas, omni-directional whip antennas, ancillary telecommunication devices and earth peaks.

AND

Any consequential amendments necessary as a result of the amendments to grant the relief sought.

Decision Reasons:

- Appears to be an incorrect reference in Rule 14.10.1.7 (c) as rule refers to Rule 14.10.1.7(1) rather than 14.10.1.7(a) as there is no Rule 14.10.1.7(1).

Point Number 646.41

Summary of Decision Requested: **Amend** activity-specific condition Rule 14.10.1.8(a)(i) for P10 Externally-mounted telecommunication satellite dishes and ancillary components, as follows:

(a) Externally-mounted telecommunications satellite dishes and ancillary components that comply with the following conditions:

(i) Do not exceed 1.0m in diameter, or 1.8m in diameter in industrial, rural residential and rural zones.

(ii) Are attached to existing buildings, and/or including a pole or structure other than a building when located in the rural residential and rural zones;

AND

Any consequential amendments necessary as a result of the amendments to grant the relief sought.

Decision Reasons:

- Activity-specific condition 14.10.1.8(a)(i) limits the diameter of a satellite dish to 1m.
- Higher capacity links, like the Rural Broadband Initiative Phase 2 Project, may require a satellite dish up to 1.8m in diameter.

Point Number 646.42

Summary of Decision Requested: **Amend** activity-specific condition Rule 14.10.2 for C7 - Small cell units as follows:

C7 Small cell units that connect to an area, facade or item specifically listed in Schedule 30.1 exceeding the maximum volumetric dimension in 0.11m³ regulated in the NESTF, up to a maximum volume of 0.25m³.

AND

Any consequential amendments necessary as a result of the amendments to grant the relief sought.

Decision Reasons:

- The Rule uses m2 rather than m3 in the activity rules and standards, which needs to be amended to m3.
- It is unnecessary to restrict this equipment in an Identified Area given its very small scale.
- The Rule should instead only cover equipment connecting to a scheduled heritage item, which would not be a permitted activity under amended Rule P7.

Point Number 646.43

Summary of Decision Requested: **Retain** Objective 6.1.6 Reverse sensitivity.

Decision Reasons:

- This is generally consistent with the policy framework in the draft National Planning Standards for infrastructure.
- The provisions are considered to provide a workable policy framework for telecommunications infrastructure framework.

Point Number 646.44

Summary of Decision Requested: **Retain** Policy 3.3.4- The relationships of Maaori with natural resources and land as notified.

Decision Reasons:	<ul style="list-style-type: none"> • Policy 6.1.10 in the Infrastructure section directly addresses infrastructure in "Identified Areas," requiring consideration of the values and attributes of these area where new infrastructure or significant upgrades are required in such areas. • Policy 6.1.10 needs to be read in conjunction with the Natural Environment provisions where assessing proposals in Identified Areas. • Natural Environment Provisions as drafted set out a workable framework for assessing telecommunications infrastructure. • Submitter wishes to preserve its standing on such provisions should changes be sought by other parties.
Point Number	646.45
Summary of Decision Requested:	Retain Objective 3.4.1- Significant amenity landscapes as notified.
Decision Reasons:	<ul style="list-style-type: none"> • Policy 6.1.10 in the Infrastructure section directly addresses infrastructure in "Identified Areas," requiring consideration of the values and attributes of these area where new infrastructure or significant upgrades are required in such areas. • Policy 6.1.10 needs to be read in conjunction with the Natural Environment provisions where assessing proposals in Identified Areas. • Natural Environment Provisions as drafted set out a workable framework for assessing telecommunications infrastructure. • Submitter wishes to preserve its standing on such provisions should changes be sought by other parties.
Point Number	646.46
Summary of Decision Requested:	Retain Policy 3.4.2- Recognising Significant Amenity Landscapes as notified.
Decision Reasons:	<ul style="list-style-type: none"> • Policy 6.1.10 in the Infrastructure section directly addresses infrastructure in "Identified Areas," requiring consideration of the values and attributes of these area where new infrastructure or significant upgrades are required in such areas. • Policy 6.1.10 needs to be read in conjunction with the Natural Environment provisions where assessing proposals in Identified Areas. • Natural Environment Provisions as drafted set out a workable framework for assessing telecommunications infrastructure. • Submitter wishes to preserve its standing on such provisions should changes be sought by other parties.
Point Number	646.47
Summary of Decision Requested:	Retain Policy 3.4.3- Maintaining and enhancing Significant Amenity Landscapes as notified.
Decision Reasons:	<ul style="list-style-type: none"> • Policy 6.1.10 in the Infrastructure section directly addresses infrastructure in "Identified Areas," requiring consideration of the values and attributes of these area where new infrastructure or significant upgrades are required in such areas. • Policy 6.1.10 needs to be read in conjunction with the Natural Environment provisions where assessing proposals in Identified Areas. • Natural Environment Provisions as drafted set out a workable framework for assessing telecommunications infrastructure. • Submitter wishes to preserve its standing on such provisions should changes be sought by other parties.
Point Number	646.48
Summary of Decision Requested:	Retain Policy 3.4.4- The relationships of Maaori with their resources and land as notified.
Decision Reasons:	<ul style="list-style-type: none"> • Policy 6.1.10 in the Infrastructure section directly addresses infrastructure in "Identified Areas," requiring consideration of the values and attributes of these area where new infrastructure or significant upgrades are required in such areas. • Policy 6.1.10 needs to be read in conjunction with the Natural Environment provisions where assessing proposals in Identified Areas. • Natural Environment Provisions as drafted set out a workable framework for assessing telecommunications infrastructure. • Submitter wishes to preserve its standing on such provisions should changes be sought by other parties.

Submitter Number:	647	Submitter:	Karen Miles
Organisation:	D & K Miles Limited		
Point Number	647.1		
Summary of Decision Requested:	Amend Rule 22.4.1.2 (a) General Subdivision, to change the date to record of title must be issued from 6th December 1997 to before December 2010, or more recently e.g. 2012.		
Decision Reasons:	<ul style="list-style-type: none"> • Oppose the from December 1997 threshold date of title for subdivision. • 1997 was 20 years ago which is too long. • Submitter wants further growth opportunities in their rural area. • Next plan change would be over 10 years away for this matter to be considered again. 		

Submitter Number:	648	Submitter:	Chorus New Zealand Limited
Point Number	648.1		
Summary of Decision Requested:	Amend the format of the district plan as necessary to adopt the format and requirements of the National Planning Standards, including F-4 Spatial Planning Tools (District) Standard should these come into effect before decisions on the Proposed District Plan are made.		
	AND		
	Any consequential amendments necessary as a result of the amendments to grant the relief sought.		
Decision Reasons:	<ul style="list-style-type: none"> • National Planning Standards are currently under consideration by the Ministry for the Environment. • It is likely at least some standards will have legal effect prior to the issue of decisions on the Proposed Plan. • Submitter request the decision maker considers reformatting the notified content. • Any changes made as part of this process into the National Planning Standards requirements, for example F-4 Spatial Planning Tools (District) Standard. • Purpose of submission point is to give Council scope to change notified content. • Any changes made as part of this process to meet any obligations of the approved National Planning Standards, likely to come into effect in April 2019. 		

Point Number 648.2

Summary of Decision Requested: Retain Objective 3.1.1 - Biodiversity and ecosystems as notified.

Decision Reasons:

- Policy 6.1.10 in Infrastructure section directly addresses infrastructure in 'Identified Areas,' requiring a consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in these areas.
- Policy 6.1.10 will need to be read in conjunction with Natural Environment provisions where assessing proposals in these areas.
- Submitter considers Natural Environment provisions, as drafted, set out a workable framework for assessing telecommunications infrastructure in these areas, particularly where assessed in conjunction with Policy 6.1.10.
- Submitter wishes to preserve its standing on these provisions should changes be sought by other parties.

Point Number 648.3

Summary of Decision Requested: Retain Indigenous Vegetation and Habitats Policies 3.1.2 as notified.

Decision Reasons:

- Policy 6.1.10 in Infrastructure section directly addresses infrastructure in 'Identified Areas,' requiring a consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in these areas.
- Policy 6.1.10 will need to be read in conjunction with Natural Environment provisions where assessing proposals in these areas.
- Submitter considers Natural Environment provisions, as drafted, set out a workable framework for assessing telecommunications infrastructure in these areas, particularly where assessed in conjunction with Policy 6.1.10.
- Submitter wishes to preserve its standing on these provisions should changes be sought by other parties.

Point Number 648.4

Summary of Decision Requested: Retain Objective 3.2.1- Significant Natural Areas as notified.

Decision Reasons:

- Policy 6.1.10 in Infrastructure section directly addresses infrastructure in 'Identified Areas,' requiring a consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in these areas.
- Policy 6.1.10 will need to be read in conjunction with Natural Environment provisions where assessing proposals in these areas.
- Submitter considers Natural Environment provisions, as drafted, set out a workable framework for assessing telecommunications infrastructure in these areas, particularly where assessed in conjunction with Policy 6.1.10.
- Submitter wishes to preserve its standing on these provisions should changes be sought by other parties.

Point Number 648.5

Summary of Decision Requested: Retain Policy 3.2.2- Identify and Recognise as notified.

Decision Reasons:

- Policy 6.1.10 in Infrastructure section directly addresses infrastructure in 'Identified Areas,' requiring a consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in these areas.
- Policy 6.1.10 will need to be read in conjunction with Natural Environment provisions where assessing proposals in these areas.
- Submitter considers Natural Environment provisions, as drafted, set out a workable framework for assessing telecommunications infrastructure in these areas, particularly where assessed in conjunction with Policy 6.1.10.
- Submitter wishes to preserve its standing on these provisions should changes be sought by other parties.

Point Number 648.6

Summary of Decision Requested: Retain Policy 3.2.3 - Management hierarchy as notified.

Decision Reasons:

- Policy 6.1.10 in Infrastructure section directly addresses infrastructure in 'Identified Areas,' requiring a consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in these areas.
- Policy 6.1.10 will need to be read in conjunction with Natural Environment provisions where assessing proposals in these areas.
- Submitter considers Natural Environment provisions, as drafted, set out a workable framework for assessing telecommunications infrastructure in these areas, particularly where assessed in conjunction with Policy 6.1.10.
- Submitter wishes to preserve its standing on these provisions should changes be sought by other parties.

Point Number 648.7

Summary of Decision Requested: Retain Policy 3.2.4- Biodiversity Offsetting as notified.

Decision Reasons:

- Policy 6.1.10 in Infrastructure section directly addresses infrastructure in 'Identified Areas,' requiring a consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in these areas.
- Policy 6.1.10 will need to be read in conjunction with Natural Environment provisions where assessing proposals in these areas.
- Submitter considers Natural Environment provisions, as drafted, set out a workable framework for assessing telecommunications infrastructure in these areas, particularly where assessed in conjunction with Policy 6.1.10.
- Submitter wishes to preserve its standing on these provisions should changes be sought by other parties.

Point Number 648.8

Summary of Decision Requested: Retain Policy 3.2.5 - Biodiversity in the coastal environment as notified.

Decision Reasons:

- Policy 6.1.10 in Infrastructure section directly addresses infrastructure in 'Identified Areas,' requiring a consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in these areas.
- Policy 6.1.10 will need to be read in conjunction with Natural Environment provisions where assessing proposals in these areas.
- Submitter considers Natural Environment provisions, as drafted, set out a workable framework for assessing telecommunications infrastructure in these areas, particularly where assessed in conjunction with Policy 6.1.10.
- Submitter wishes to preserve its standing on these provisions should changes be sought by other parties.

Point Number 648.9

Summary of Decision Requested: Retain Policy 3.2.6 - Providing for vegetation clearance as notified.

Decision Reasons:

- Policy 6.1.10 in Infrastructure section directly addresses infrastructure in 'Identified Areas,' requiring a consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in these areas.
- Policy 6.1.10 will need to be read in conjunction with Natural Environment provisions where assessing proposals in these areas.
- Submitter considers Natural Environment provisions, as drafted, set out a workable framework for assessing telecommunications infrastructure in these areas, particularly where assessed in conjunction with Policy 6.1.10.
- Submitter wishes to preserve its standing on these provisions should changes be sought by other parties.

Point Number 648.10

Summary of Decision Requested: Retain Policy 3.2.7 - Managing Significant Natural Areas as notified.

Decision Reasons:

- Policy 6.1.10 in Infrastructure section directly addresses infrastructure in 'Identified Areas,' requiring a consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in these areas.
- Policy 6.1.10 will need to be read in conjunction with Natural Environment provisions where assessing proposals in these areas.
- Submitter considers Natural Environment provisions, as drafted, set out a workable framework for assessing telecommunications infrastructure in these areas, particularly where assessed in conjunction with Policy 6.1.10.
- Submitter wishes to preserve its standing on these provisions should changes be sought by other parties.

Point Number 648.11

Summary of Decision Requested: Retain Objective 3.3.1 - Outstanding natural features and landscapes as notified.

Decision Reasons:

- Policy 6.1.10 in Infrastructure section directly addresses infrastructure in 'Identified Areas,' requiring a consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in these areas.
- Policy 6.1.10 will need to be read in conjunction with Natural Environment provisions where assessing proposals in these areas.
- Submitter considers Natural Environment provisions, as drafted, set out a workable framework for assessing telecommunications infrastructure in these areas, particularly where assessed in conjunction with Policy 6.1.10.
- Submitter wishes to preserve its standing on these provisions should changes be sought by other parties.

Point Number 648.12

Summary of Decision Requested: Retain Policy 3.3.2 - Recognising values and qualities as notified.

Decision Reasons:

- Policy 6.1.10 in Infrastructure section directly addresses infrastructure in 'Identified Areas,' requiring a consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in these areas.
- Policy 6.1.10 will need to be read in conjunction with Natural Environment provisions where assessing proposals in these areas.
- Submitter considers Natural Environment provisions, as drafted, set out a workable framework for assessing telecommunications infrastructure in these areas, particularly where assessed in conjunction with Policy 6.1.10.
- Submitter wishes to preserve its standing on these provisions should changes be sought by other parties.

Point Number 648.13

Summary of Decision Requested: Retain Policy 3.3.3 - Protection from inappropriate subdivision, use and development as notified.

Decision Reasons:

- Policy 6.1.10 in Infrastructure section directly addresses infrastructure in 'Identified Areas,' requiring a consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in these areas.
- Policy 6.1.10 will need to be read in conjunction with Natural Environment provisions where assessing proposals in these areas.
- Submitter considers Natural Environment provisions, as drafted, set out a workable framework for assessing telecommunications infrastructure in these areas, particularly where assessed in conjunction with Policy 6.1.10.
- Submitter wishes to preserve its standing on these provisions should changes be sought by other parties.

Point Number 648.14

Summary of Decision Requested: Retain Objective 3.5.1- Natural Character as notified.

Decision Reasons:

- Policy 6.1.10 in Infrastructure section directly addresses infrastructure in 'Identified Areas,' requiring a consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in these areas.

- Policy 6.1.10 will need to be read in conjunction with Natural Environment provisions where assessing proposals in these areas.
- Submitter considers Natural Environment provisions, as drafted, set out a workable framework for assessing telecommunications infrastructure in these areas, particularly where assessed in conjunction with Policy 6.1.10.
- Submitter wishes to preserve its standing on these provisions should changes be sought by other parties.

Point Number 648.15

Summary of Decision Requested: **Retain** Policies 3.5.2 - Recognising natural character as notified.

Decision Reasons:

- Policy 6.1.10 in Infrastructure section directly addresses infrastructure in 'Identified Areas,' requiring a consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in these areas.
- Policy 6.1.10 will need to be read in conjunction with Natural Environment provisions where assessing proposals in these areas.
- Submitter considers Natural Environment provisions, as drafted, set out a workable framework for assessing telecommunications infrastructure in these areas, particularly where assessed in conjunction with Policy 6.1.10.
- Submitter wishes to preserve its standing on these provisions should changes be sought by other parties.

Point Number 648.16

Summary of Decision Requested: **Retain** Policy 3.5.3 - Protecting the natural character qualities of the coastal environment as notified.

Decision Reasons:

- Policy 6.1.10 in Infrastructure section directly addresses infrastructure in 'Identified Areas,' requiring a consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in these areas.
- Policy 6.1.10 will need to be read in conjunction with Natural Environment provisions where assessing proposals in these areas.
- Submitter considers Natural Environment provisions, as drafted, set out a workable framework for assessing telecommunications infrastructure in these areas, particularly where assessed in conjunction with Policy 6.1.10.
- Submitter wishes to preserve its standing on these provisions should changes be sought by other parties.

Point Number 648.17

Summary of Decision Requested: **Retain** Policy 3.5.4 - Protecting the natural character of wetlands, and lakes and rivers and their margins as notified.

Decision Reasons:

- Policy 6.1.10 in Infrastructure section directly addresses infrastructure in 'Identified Areas,' requiring a consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in these areas.
- Policy 6.1.10 will need to be read in conjunction with Natural Environment provisions where assessing proposals in these areas.
- Submitter considers Natural Environment provisions, as drafted, set out a workable framework for assessing telecommunications infrastructure in these areas, particularly where assessed in conjunction with Policy 6.1.10.
- Submitter wishes to preserve its standing on these provisions should changes be sought by other parties.

Point Number 648.18

Summary of Decision Requested: **Retain** Objective 6.1.1 - Development, operation and maintenance of infrastructure as notified.

Decision Reasons:

- The provisions are generally consistent with the policy framework in the draft National Planning Standard for Infrastructure.
- The provisions are considered to provide a workable policy framework for telecommunications infrastructure.

Point Number 648.19

Summary of Decision Requested: **Retain** Policy 6.1.2 - Development, operation and maintenance as notified.

Decision Reasons:

- The provisions are generally consistent with the policy framework in the draft National Planning Standard for Infrastructure.
- The provisions are considered to provide a workable policy framework for telecommunications infrastructure.

Point Number 648.20

Summary of Decision Requested: **Retain** Policy 6.1.4 - Infrastructure benefits as notified.

Decision Reasons:

- The provisions are generally consistent with the policy framework in the draft National Planning Standard for Infrastructure.
- The provisions are considered to provide a workable policy framework for telecommunications infrastructure.

Point Number 648.21

Summary of Decision Requested: **Retain** Policy 6.1.5 - Natural Hazards and climate change as notified.

Decision Reasons:

- The provisions are generally consistent with the policy framework in the draft National Planning Standard for Infrastructure.
- The provisions are considered to provide a workable policy framework for telecommunications infrastructure.

Point Number	648.22
Summary of Decision Requested:	Retain Policy 6.1.7 - Reverse sensitivity and Infrastructure as notified.
Decision Reasons:	<ul style="list-style-type: none"> • The provisions are generally consistent with policy framework in the draft National Planning Standard for Infrastructure. • The provisions are considered to provide a workable policy framework for telecommunications infrastructure.
Point Number	648.23
Summary of Decision Requested:	Retain Objective 6.1.8 - Infrastructure in the community and identified areas as notified.
Decision Reasons:	<ul style="list-style-type: none"> • The provisions are generally consistent with policy framework in the draft National Planning Standard for Infrastructure. • The provisions are considered to provide a workable policy framework for telecommunications infrastructure.
Point Number	648.24
Summary of Decision Requested:	Retain Policy 6.1.9- Environmental effects, community health, safety and amenity as notified.
Decision Reasons:	<ul style="list-style-type: none"> • The provisions are generally consistent with policy framework in the draft National Planning Standard for Infrastructure. • The provisions are considered to provide a workable policy framework for telecommunications infrastructure.
Point Number	648.25
Summary of Decision Requested:	Retain Policy 6.1.10 - Infrastructure in identified areas as notified.
Decision Reasons:	<ul style="list-style-type: none"> • The provisions are generally consistent with policy framework in the draft National Planning Standard for Infrastructure. • The provisions are considered to provide a workable policy framework for telecommunications infrastructure.
Point Number	648.26
Summary of Decision Requested:	Retain Policy 6.1.11 - Undergrounding new infrastructure as notified.
Decision Reasons:	<ul style="list-style-type: none"> • The provisions are generally consistent with policy framework in the draft National Planning Standard for Infrastructure. • The provisions are considered to provide a workable policy framework for telecommunications infrastructure.
Point Number	648.27
Summary of Decision Requested:	Retain Policy 6.1.12 - Co-location of compatible facilities as notified.
Decision Reasons:	<ul style="list-style-type: none"> • The provisions are generally consistent with policy framework in the draft National Planning Standard for Infrastructure. • The provisions are considered to provide a workable policy framework for telecommunications infrastructure.
Point Number	648.28
Summary of Decision Requested:	Retain Policy 6.1.13 - Future growth areas as notified.
Decision Reasons:	<ul style="list-style-type: none"> • The provisions are generally consistent with policy framework in the draft National Planning Standard for Infrastructure. • The provisions are considered to provide a workable policy framework for telecommunications infrastructure.
Point Number	648.29
Summary of Decision Requested:	Retain Policy 6.1.14 - Electromagnetic and radio frequency fields as notified.
Decision Reasons:	<ul style="list-style-type: none"> • The provisions are generally consistent with policy framework in the draft National Planning Standard for Infrastructure. • The provisions are considered to provide a workable policy framework for telecommunications infrastructure.
Point Number	648.30
Summary of Decision Requested:	<p>Amend Policy 6.1.3 - Technological advances by replacing it with the following wording as proposed in the draft National Planning Standard for Network Utilities or any other changes of like effect:</p> <p><i>Provide flexibility for network utilities to adopt new technologies that:</i></p> <ol style="list-style-type: none"> <i>1. Improve access to, and efficient use of, networks and services;</i> <i>2. Allow for the re-use of redundant services and structures;</i> <i>3. Increase resilience, safety or reliability of networks and services;</i> <i>4. Result in environmental benefits and enhancements; or</i>

AND

Amend Policy 6.1.3 - Technological advances by using "or" rather than "and" to remove the conjunctive nature of clauses.

AND

Any consequential amendments necessary as a result of the amendments to grant the relief sought.

Decision Reasons:

- Policy 6.1.3 seeks to provide flexibility to use new technologies subject to a number of conjunctive limbs (i.e. all have to be met).
- It is unclear how clause (iii) would be interpreted where a new technology may have a significant community benefit but does not necessarily reduce environmental effects.
- Wording of the equivalent policy in the draft National Planning Standard for Network Utilities is a preferred approach to promoting the use of technological advances, as it provides alternative means to satisfy the policy.
- Draft National Planning Standard for Network Utilities provisions are being used as best practice by stakeholders for discussion with councils undertaking plan reviews and the content of submissions.

Point Number

648.31

Summary of Decision Requested:

Retain Chapter 14 Infrastructure and Energy as notified, particularly Sections 14.1-14.3 and 14.10, except where specific amendments have been requested in the submission.

Decision Reasons:

- Generally, Chapter 14 is supported in regard to infrastructure and particularly sections 14.1-14.3 and 14.10 - Telecommunications, except where specific amendments have been requested.

Point Number

648.32

Summary of Decision Requested:

Amend Rule 14.2.1.1 New Infrastructure relating to P1 New infrastructure- Activity Specific conditions by providing an exemption for service connections including any associated support poles from all heights in relation to boundary controls.

AND

Any consequential amendments necessary as a result of the amendments to grant the relief sought.

Decision Reasons:

- Support poles associated with service connections should be exempt from any height in relation to boundary controls either where within a road or outside of a road (e.g. along a right of way) on the basis that they have very minor bulk compared with more substantial buildings and structures.

Point Number

648.33

Summary of Decision Requested:

Amend activity-specific conditions (1)(b) and (c) and (3)(a) and (b) in Rule 14.3.1.1 which relate to P2 Minor upgrading of existing infrastructure, as follows:

(1) The realignment, configuration, relocation or replacement of infrastructure and associated structures that meet all of the following conditions:

...

(b) Do not increase the height of any existing pole or support structure by ~~more than 15%~~ the lesser of 25m or 30%;

(c) Do not increase the diameter (width) of any existing pole or support structure by ~~more than 15%~~ by more than twice the width of the existing pole at the widest point, unless a double pole is required to replace a single pole where the permitted pole or support structure width required is three times the width of the existing pole at the widest point (double poles may be required for electricity networks).

...

(3) The addition, replacement or relocation of existing antennas where:

(a) The antennas shall not increase ~~in the face area~~ by more than 20% of the relevant permitted standard for new panel antennas and shall not increase the diameter of dish antenna by more than 20% of the relevant permitted standard for a new dish antenna; and

(b) The antennas shall not increase in height by more than 20% of the relevant permitted standard for new dish and panel antennas.

Note that the area controls are not applied to other antenna types such as those made up of rods and tubes, which are controlled by standard (3)(b).

AND

Any consequential amendments necessary as a result of the amendments to grant the relief sought.

Decision Reasons:

- A number of proposed conditions relevant to telecommunications are impractical to support rapid technical changes or maintenance requirements.
- The provisions are not aligned with draft National Planning Standard for Network Utilities.
- Submitter seeks various amendments to seek more alignment with the National Planning Standard that is currently under development and intended to provide a practical envelope for typical infrastructure upgrading activity.

Point Number

648.34

Summary of Decision Requested:

Amend activity-specific conditions Rule 14.3.1.3 relating to P4 Earthworks associated with infrastructure- Activity Specific Conditions and related rules cascade such that is clear what the activity status is in all Identified Areas where earthworks either exceed the permitted volumes in Rule 14.3.1.3, are restricted by a clause in Rule 14.3.1.3 (e.g. scheduled historic heritage site), or where the rule is silent (e.g. SNA).

AND

Amend Rule 14.2.3 NC3 - Non-Complying Activities so that earthworks ancillary to infrastructure do not cascade by default to non-complying activity status under the rule.

AND

Any consequential amendments necessary as a result of the amendments to grant the relief sought.

Decision Reasons:

- These standards include earthworks thresholds in many Identified Areas, including SNAs, and includes a standard not allowing earthworks on scheduled historic heritage sites.
- Is unclear if earthworks not subject to a specific threshold in an overlay, or subject to a rule that does not allow any earthworks as a permitted activity, would then default to be a non-complying activity regardless of scale under Rule 14.2.3, NC3.

- For avoidance of doubt, submitter seeks 14.3.1.3 and associated rules cascade makes it clear what the status is of earthworks either not covered by a standard in 14.3.1.3 or are subject to a rule not providing for them as a permitted activity in a particular area (e.g. scheduled historic heritage) and ensure they do not cascade by default to non-complying under Rule 14.2.3 NC3.

Point Number 648.35

Summary of Decision Requested: **Add** a new controlled activity rule under Rule 14.3.2 Controlled activities, as follows, or wording to like effect:

C2 A service connection to an area façade or item specifically listed in Schedule 30.1.

Matters of Control:

- Design and placement of the service connection to minimise impacts on the values and attributes of the listed area, façade or item.

AND

Any consequential amendments necessary as a result of the amendments to grant the relief sought.

Decision Reasons:

- Rule P8 in the General Infrastructure rules provides for service connections as a permitted activity other than where connected to an area, façade or item specifically listed in Schedule 30.1.
 - There have been ongoing discussions between telecommunications operators and Heritage New Zealand Pouhere Taonga over how service connections to heritage listed buildings should be addressed.
 - Agreement has been reached on other plans that these are appropriately dealt with as a controlled activity to enable method of connection to be controlled to minimise impacts on heritage items while still allowing for reasonable and practical use of heritage listed buildings.

Point Number 648.36

Summary of Decision Requested: **Amend** activity-specific condition Rule 14.10.1.3(a)(iii) P4 relating to antennas and lines attached to retaining walls, tunnels, bridges and other structures located with the road by changing the permitted dish antenna size descriptor from 0.6m "width" to 0.6m "diameter."

AND

Any consequential amendments necessary as a result of the amendments to grant the relief sought.

Decision Reasons:

- Activity-specific controls in 14.10.1.3 include a 0.6m "width" restriction for dish antennas and should be changed to "diameter".

Point Number 648.37

Summary of Decision Requested: **Amend** Rule 14.10.1 P7 - Permitted activities and any other rules as necessary such that the equipment covered by the activity specific conditions in Rule 14.10.1.5 may be attached to buildings, structures and poles covered in Rules P4, P5 and P9 as follows:

Other antennas not attached to a building and/or structure.

14.10.1.5

(a) Antennas that comply with all of the following conditions are excluded from any height standards in 14.10.1 P4, P5 and P9:

(i) GPS antennas that do not exceed the following dimensions:

A. 300mm high; and

B. 130mm in diameter.

(ii) Omni-directional 'whip' or di-pole type antennas that do not exceed the following dimensions:

A. 1.6m high;

B. 1.5m horizontal length whip or rod; or

C. Cross-section element no more than 60mm in diameter.

(iii) Are not located within an Identified Area.

(iv) Do not connect to an area, façade or item specifically listed in Schedule 30.1.

AND

Any consequential amendments necessary as a result of the amendments to grant the relief sought.

Decision Reasons:

- It is unclear what the rule is intended to cover.
- All antennas will be attached to a building or a structure (even if a purpose-built pole).
- These types of antennas could be deployed on an existing building or structure covered by Rules P4 and P5, or on a pole as provided for under P9.
- These antennas have low visual impact, making them appropriate on top of buildings and poles or in an Identified Area.

Point Number 648.38

Summary of Decision Requested: **Amend** Rule 14.10.1 - Permitted Activities P8 and related activity standard by changing all use of "m2" to "m3".

AND

Any consequential amendments necessary as a result of the amendments to grant the relief sought.

Decision Reasons:

- Rule uses "m2" rather than "m3" in activity rules and standards and needs to be amended to "m3".
- Volumetric dimension in the NESTF 2016 is 0.11m3.

Point Number 648.39

Summary of Decision Requested: **Amend** activity-specific conditions Rule 14.10.1.7(c) Poles, antennas and head frames+1, as follows:

(c) Rule 14.10.1.7(a) does not apply to lightning rods and GPS antennas, omni directional whip antenna, ancillary telecommunication devices and earth peaks.

AND

Any consequential amendments necessary as a result of the amendments to grant the relief sought.

Decision Reasons:

- Appears to be an incorrect reference in Rule 14.10.1.7(c) to Rule 14.10.1.7(1) rather than 14.10.1.7(a), as there is no Rule 14.10.1.7(1).

Point Number 648.40

Summary of Decision Requested: **Amend** activity-specific standard 14.10.1.8(a)(i) relating to P10 - Externally-mounted telecommunication satellite dishes and ancillary components as follows:

(a) Externally-mounted telecommunication satellite dishes and ancillary components that comply with the following conditions:

(i) Do not exceed 1.0m in diameter, or 1.8m in diameter in industrial, rural residential and rural zones;

(ii) Are attached to existing buildings, and/or including a pole or structure other than a building when located in the rural residential and rural zones.

AND

Any consequential amendments necessary as a result of the amendments to grant the relief sought.

Decision Reasons:

- Activity-specific condition 14.10.1.8(a)(i) limits the diameter of a satellite dish to 1m.
- As part of Rural Broadband Initiative Phase 2 Project, which includes parts of Waikato District, some rural communities may need to be connected to broadband via satellite link.
- Higher capacity links may require a satellite dish up to 1.8m in diameter.

Point Number 648.41

Summary of Decision Requested: **Amend** activity Rule 14.10.1 C7 Controlled Activities relating to Small cell units as follows:

~~C7 Small cell units located in an Identified Area that connect to an area, facade or item specifically listed in Schedule 30.1 exceeding the maximum volumetric dimension of 0.11m² regulated in the NESTF, up to a maximum volume of 0.25m³.~~

AND

Any consequential amendments necessary as a result of the amendments to grant the relief sought.

Decision Reasons:

- Rule uses "m2" rather than "m3" in activity rules and standards and needs to be amended to "m3".
- Unnecessary to restrict equipment in an *Identified Area* given its very small scale.
- Rule should instead only cover equipment connecting to a scheduled heritage item, which would not be a permitted activity under amended rule P7.

Point Number 648.42

Summary of Decision Requested: **Amend** the legal description in the designation schedule for designation U17 at Mt Pukemore to Pt Lot 1 and Pt Lot 2 DP 19278 to the full extent of the Chorus property as shown on the plans included in the Notice of Requirement and attached to the submission

AND

Amend the designation maps for Designation U17 at Mt Pukemore.

AND

Any consequential amendments necessary as a result of the amendments to grant the relief sought.

Decision Reasons:

- Incorrect spatial extent of designation shown on planning map.
- The full legal description of the land was not included in the Notice of Requirement, but the full and correct extent of the land to be designated was shown spatially on the maps provided with the Notice of Requirement.

Point Number 648.43

Summary of Decision Requested: **Amend** the planning maps by adding the designation boundaries for U10 at 217 Hunter Road, Eureka in accordance with the extent of the designation included in the Notice of Requirement and additional information (see submission for map).

AND

Any consequential amendments necessary as a result of the amendments to grant the relief sought.

Decision Reasons:

- Incorrect spatial extent of designation shown on planning map.
- Online maps do not show the proposed designation in the designation layer, although correctly shown in the designation schedule.
- This should match the property details and map supplied in the Notice of Requirement.

Point Number 648.44

Summary of Decision Requested: **Retain** Objective 6.1.6 Reverse sensitivity as notified.

Decision Reasons:

- The provisions are generally consistent with the policy framework in the draft National Planning Standard for Infrastructure.
- The provisions are considered to provide a workable policy framework for telecommunications infrastructure.

Point Number 648.45

Summary of Decision Requested: **Retain** Policy 3.3.4 - The relationships of Maaori with natural resources and land as notified.

Decision Reasons:

- Policy 6.1.10 in Infrastructure section directly addresses infrastructure in 'Identified Areas,' requiring a consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in these areas.

- Policy 6.1.10 will need to be read in conjunction with Natural Environment provisions where assessing proposals in these areas.
- Submitter considers Natural Environment provisions, as drafted, set out a workable framework for assessing telecommunications infrastructure in these areas, particularly where assessed in conjunction with Policy 6.1.10.
- Submitter wishes to preserve its standing on these provisions should changes be sought by other parties.

Point Number 648.46

Summary of Decision Requested: Retain Objective 3.4.1 - Significant amenity landscapes as notified.

Decision Reasons:

- Policy 6.1.10 in Infrastructure section directly addresses infrastructure in 'Identified Areas,' requiring a consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in these areas.
- Policy 6.1.10 will need to be read in conjunction with Natural Environment provisions where assessing proposals in these areas.
- Submitter considers Natural Environment provisions, as drafted, set out a workable framework for assessing telecommunications infrastructure in these areas, particularly where assessed in conjunction with Policy 6.1.10.
- Submitter wishes to preserve its standing on these provisions should changes be sought by other parties.

Point Number 648.47

Summary of Decision Requested: Retain Policy 3.4.2 - Recognising Significant Amenity Landscapes as notified.

Decision Reasons:

- Policy 6.1.10 in Infrastructure section directly addresses infrastructure in 'Identified Areas,' requiring a consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in these areas.
- Policy 6.1.10 will need to be read in conjunction with Natural Environment provisions where assessing proposals in these areas.
- Submitter considers Natural Environment provisions, as drafted, set out a workable framework for assessing telecommunications infrastructure in these areas, particularly where assessed in conjunction with Policy 6.1.10.
- Submitter wishes to preserve its standing on these provisions should changes be sought by other parties.

Point Number 648.48

Summary of Decision Requested: Retain Policy 3.4.3 - Maintaining and enhancing Significant Amenity Landscapes as notified.

Decision Reasons:

- Policy 6.1.10 in Infrastructure section directly addresses infrastructure in 'Identified Areas,' requiring a consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in these areas.
- Policy 6.1.10 will need to be read in conjunction with Natural Environment provisions where assessing proposals in these areas.
- Submitter considers Natural Environment provisions, as drafted, set out a workable framework for assessing telecommunications infrastructure in these areas, particularly where assessed in conjunction with Policy 6.1.10.
- Submitter wishes to preserve its standing on these provisions should changes be sought by other parties.

Point Number 648.49

Summary of Decision Requested: Retain Policy 3.4.4 - The relationships of Maaori with their resources and land as notified.

Decision Reasons:

- Policy 6.1.10 in Infrastructure section directly addresses infrastructure in 'Identified Areas,' requiring a consideration of the values and attributes of these areas where new infrastructure or significant upgrades are required in these areas.
- Policy 6.1.10 will need to be read in conjunction with Natural Environment provisions where assessing proposals in these areas.
- Submitter considers Natural Environment provisions, as drafted, set out a workable framework for assessing telecommunications infrastructure in these areas, particularly where assessed in conjunction with Policy 6.1.10.
- Submitter wishes to preserve its standing on these provisions should changes be sought by other parties.

Submitter Number: 649

Submitter: Mike Visser

Organisation: Progress Partners Ltd

Point Number 649.1

Summary of Decision Requested: Retain Chapter 9.2 Te Kowhai Airpark zone, as notified.

Decision Reasons:

- Te Kowhai Airpark is a valuable asset to the aviation community.

Point Number 649.2

Summary of Decision Requested: Retain Chapter 27 Te Kowhai Airpark zone, as notified.

Decision Reasons:

- Te Kowhai Airpark is a valuable asset to the aviation community.

Submitter Number: 650

Submitter: Jacob Stead

Point Number 650.1

Summary of Decision Requested: Retain Chapter 9.2 Te Kowhai Airpark zone, as notified.

Decision Reasons:

- Airfield has been around longer than most residents and it should therefore be allowed to grow in line with the village image.
- Hearing the aircraft above Te Kowhai brings a happy atmosphere.
- Caution should be taken regarding how long an aircraft may loiter, achievable through New Zealand Aeronautical Information Publication (NZAIP).

Point Number 650.2

Summary of Decision Requested: Retain Chapter 27 Te Kowhai Airpark zone, as notified.

Decision Reasons:

- Airfield has been around longer than most residents and it should therefore be allowed to grow inline with the village image.
- Hearing the aircraft above Te Kowhai brings a happy atmosphere.
- Caution should be taken regarding how long an aircraft may loiter, achievable through NZAIP.

Submitter Number: 651 **Submitter:** Jon Muller

Organisation: GE Free New Zealand

Point Number 651.1

Summary of Decision Requested: Add new provisions to the Proposed District Plan to give Genetically Modified Organisms their own section, as follows (which replicate those provisions in the Auckland Unitary Plan):

Issue: Genetically Modified Organisms

The environment, including human health and well-being, is safe from the adverse effects of GMO's from land use activities.

Resource Consent Categories

- Field Trials - Discretionary Activity,
- Food-related GMO Releases - Prohibited Activity,
- Non-food-related GMO Releases - Prohibited Activity.

Policies

1. Adopt a precautionary approach by prohibiting the general release of a GMO
2. Require outdoor field trialling of GMOs to be a discretionary activity to avoid the risk effects to the environment from the use, storage, cultivation, harvesting, processing or transportation.
3. Adopt an adaptive approach through periodic reviews of these plan provisions, particularly if new information on the benefits and/or adverse effects of a GMO activity becomes available.
4. Require the holder of a resource consent granted for the outdoor field trialling of a GMO is financially accountable for any adverse effects associated with the activity.
5. Enable the use of GMOs approved releases for medical and veterinary applications, except for the outdoor cultivation of pharmaceutical producing organisms.
6. Require where appropriate, more stringent measures than those required under the provisions of the HSNO Act to manage potential risks.
7. Require all monitoring costs to be met by the consent holder.

Reasons and Explanations

The objectives, policies and methods seek to achieve the following:

1. Manage risk and avoid adverse effects on people, communities, tangata whenua, the economy and the environment associated with the outdoor use of GMOs.
2. Provide the framework for a unified approach to the management of the outdoor use of GMOs to address cross-boundary effects.
3. Ensure accountability by GMO operators for the full costs related to the monitoring of GMO activities, and any migration of GMOs beyond specified areas, including unintentional GM contamination.
4. Ensure accountability by GMO operators for compensation via performance bonds in the event that the activity under their operation results in adverse effects to third parties or the environment.
5. The manufacture, trialling or use of viable and/or non viable genetically modified organisms for medical purposes recognised as medicines under the Medicines Act 1981 and approved as safe to use by the Ministry of Health, including the EPA approved releases except for the outdoor cultivation of pharmaceutical producing organisms.

Decision Reasons:

- The members are highly concerned over the lack of any consideration of genetically modified organisms in the Proposed District Plan.
- Whilst there have been no applications for the release of Genetically Modified Organism (GMO) there is a strong possibility that in the next few years there could be.
- The Environmental Protection Agency (EPA) under Hazardous Substances and New Organisms Act acknowledges that though it is a genetically modified organism once released is no longer a new organism.
- The EPA will no longer have any jurisdiction as to its consequences.
- This then falls onto local bodies to manage and protect their communities from any hazards associated with all GMO releases.
- Members are concerned over the adverse effects and consequences of GMO contamination and the compromises they will need to make regarding the economic loss to their businesses, farming and cultural activities, should GMO land use be introduced into the region at this time.
- In the last 17 years since GMO's have been developed in New Zealand there is evidence that the expected outcomes have not come to fruition.
- Submission refers to the GM animal research at the facility in Ruakura (Attached as Appendix 1)
- Evidence from overseas, where GM crops have been grown for 15 years, has found an increasing level of pesticide use on crops, deleterious health effects from those working with and living near GM crops and an ever growing weed and insect resistance problem that is forcing other pesticide measures to be used with an increased battle for market dominance of their particular patented proprietary chemical.
- Conflicts over GMO pollution between farming neighbours has led to legal action; cultural and traditional beliefs are being disregarded; consumer resistance is still high and there is an export market premium for non-GMO produce.
- There are also potential adverse effects for unexpected and unknown medium-term and long term impacts on soil biota, waterways and the natural environment generally arising from GMOs outside containment.
- Tataua, Fonterra and Miraka Milks have a GMO Free requirement for the milk products.
- Concerns over the ability to control the grass genetic pollution is a major concern and it is important to have precautionary approach to any escape and release of GM until the negative effects are known on the region.
- The Hazardous Substance and New Organisms (HSNO) Act only has jurisdiction on any adverse effects of GMOs whilst they are in containment. As soon as GMOs are fully released the Hazardous Substances and New Organisms Act no longer governs them. This is because a GMO is considered a new organism and thereby governed under HSNO, until it is released then it is no longer a new organism.
- The conclusions of the nine council strong "Inter Council Working Party on GMO Risk Evaluation & Management Options" found local regulation highly necessary when it comes to GMOs release in the regions.
- In recent years there have been Resource Management Act changes and several legal decisions giving "jurisdiction under the RMA for regional councils to make provision for control of the use of GMOs through regional policy statements and plans". Submission sets out recent cases.
- Submitter requests Waikato District to support the approach taken by the Auckland Unitary Plan and Whangarei/Far North District Council's and adopt their rules, policies and objectives toward the outdoor use of GMOs.
- These policies and objectives support the need for GMO precautionary approach.

- Environmental Protection Area is to protect and enhance ecosystems and ecological corridors, and protect the habitats of plants, birds and other wildlife.
- There is some concerning data highlighting the hazards that GMO and their associated pesticides are having on the environment.
- The genetic pollution from GMOs eco toxic properties should be considered hazardous substances in relation to their pollution and self-perpetuating invasive qualities.
- The pollution of the environment from excessive industrial agriculture destroys the amenity values for people and the environment.
- The adverse effects on land use policy should have added to Policy (1) Genetically Modified Organisms.
- Submission discusses the residual risks of Hazardous substances in relation to Chapter 10 (Hazardous Substances). The submitter states that while there have been no applications for the release of GMOs there is a strong possibility that in the next few years there could be.
- The submission indicates that there is mounting concern over the "new advanced GE technologies" and though they are considered as "genetically modified organisms" there is mounting pressure to have them exempt from central government regulation.
- The possibility of the escape of these GMO could become eco hazards and have cumulative effects which if unregulated have the possibility of serious consequences on the environment and communities.
- As these technologies are very new, there is now growing evidence around the unanticipated off target effects of organisms engineered through these techniques and what these effects will have on ensuing generations.
- Submitter refers to several research literature relevant to Genetic Engineering and concludes that these studies show that the technology has a long way to go and if released prematurely the cumulative effects would be damaging on the region.

Point Number 651.2

Summary of Decision Requested: No specific decision sought, but submission states that the AgResearch Ruakura animal field test site should be the only area zoned for Genetically Modified Organism (GMO) activity.

Decision Reasons:

- Any new field tests must obtain resource consent and be notified.

Point Number 651.3

Summary of Decision Requested: Genetically Modified animal sites should be registered on the Land Information Memorandum (LIM) reports.

Decision Reasons:

- Submitter refers to the Whakamaru Field test site (not within the Waikato District) where 3,000 GM sheep were buried. After the failed experiment there was no further monitoring and any responsibility for further site inspection or monitoring any adverse effects rising over time will fall on Council.
- The site could still be considered a contaminated site and remediated as such.

Point Number 651.4

Summary of Decision Requested: No specific decision sought, but submission supports Rural Resources - IA.6 Issues, Objectives and Policies in the Operative District Plan which ensure that rural actions do not constrain or compromise existing lawfully-established productive rural activities.

Decision Reasons:

- Concerned over the lack of any consideration of genetically-modified organisms in the Proposed District Plan.

Point Number 651.5

Summary of Decision Requested: **Amend** Section A Plan Overview and Strategic Directions to include a section on Genetically Modified organisms.

Decision Reasons:

- The conclusion of the Inter Council Working Party on GMO Risk Evaluation of Management Options found that local regulation is highly necessary when it comes to GMO release in the region.

Point Number 651.6

Summary of Decision Requested: **Retain** the policies and objectives in Chapter 2 Tangata Whenua and their support of Te Ao Maori.

Decision Reasons:

- These policies and objectives support the need for a precautionary approach to GMOs.

Submitter Number: 652

Submitter:

Kenneth Whyte

Point Number 652.1

Summary of Decision Requested: **Amend** the proposed cycle way to be extended from Buckland Road, Tuakau to access the Waikato River via the river stop banks (see maps attached to the submission for further details).

Decision Reasons:

- Allows for a unique opportunity to gain land for River access, leisure activities and possibly a park.
- The Council-owned stopbanks are wide enough to accommodate large farm vehicles and could easily be an extension of the proposed walkway / cycleway.
- The only current access to the River is via River Road which is hazardous for pedestrians and cyclists.
- Would allow a future connection via walkway / cycleway to the River Road access.
- The River is stunning at this location.

Point Number 652.2

Summary of Decision Requested: Council to **purchase** the land contained within the Waikato River stopbanks near Buckland Road, Tuakau by Council for park land (see the maps attached to the submission for further detail).

Decision Reasons:

- Access to this land will be difficult if the land adjoining Buckland Road becomes residential.
- The current rural use is marginally sustainable crops or grazing.
- Presents an amazing opportunity for current residents, future residents and tourists.

Point Number 652.3

Summary of Decision Requested: Amend the Proposed District Plan to prevent any more waste facilities located on the River on the land between Buckland Road, Tuakau and the Waikato River (see map attached to the submission for further details).

Decision Reasons:

- The reclaimed alluvial river plains were reclaimed for soil conservation (for rural use) and erosion protection.
- Waste facilities are not sustainable nor environmentally friendly.

Submitter Number: 653 **Submitter:** Eliza Lawton

Point Number 653.1

Summary of Decision Requested: Amend the Proposed District Plan to protect and maintain the special character of Raglan.

Decision Reasons:

- Concerned the special character of Raglan is being eroded through the building of apartments that do not comply with the District Plan.

Point Number 653.2

Summary of Decision Requested: Amend the Proposed District Plan so that any building that does not comply with the District Plan in Raglan is publicly notified.

Decision Reasons:

- Concerned that the special character of Raglan is being eroded through the building of apartments that does not comply with the District Plan.

Point Number 653.3

Summary of Decision Requested: Add provisions to control and regulate Air BnB and Book-A-Bach in Raglan.

Decision Reasons:

- Air BnB and book-a-bach are having a detrimental effect on local housing options, causing a rental crisis and driving the price up of any rentals that remain.
- Many long-time locals are having to move out of town because of a global problem.
- Submission prefers a restriction/ban on Air BnB and book-a-bach for those houses that are not on the same property as the owner's primary dwelling, i.e. it's fine if a person has their spare room on these sites, but if should be restricted/banned if it is the owner's second house that could otherwise be rented by a local person or family.

Submitter Number: 654 **Submitter:** Ngaakau Tapatahi Trust

Point Number 654.1

Summary of Decision Requested: Amend Rule 22.1.2 Permitted Activities to enable "health facilities" as a Permitted Activity on land legally described as Lot 1 DPS 13189 (104A Duncan Road, Tamahere);
OR
Amend the zoning of Lot 1 DPS 13189 (104A Duncan Road, Tamahere) from the Rural Zone to Business Zone and any other amendments to provide relief sought in submission.

Decision Reasons:

- Tamahere Hospital and Healing Centre (Tamahere Hospital) is sited on approximately 3.8 ha of culturally historic whenua in the heart of Ngaati Haua, between Cambridge and Hamilton.
- Hospital delivers services from a kaupapa Maori perspective but also provide services to accommodate individuals seeking an alternative health approach.
- Subsequent to its initial construction, Ngaakau Tapatahi Trust, applied for, and obtained, multiple resource consents to accommodate the hospital's expansion.
- Consents were triggered because the hospital exceeded the maximum site coverage permitted in the Rural Zone (2% of the site area, or 500m2, whichever is the larger, and/or because non-residential buildings are limited to a maximum of 400m2 (hospital is already around 1400m2). Thus any form of physical development will trigger a resource consent requirement, irrespective of whether the hospital operates in accordance with original consent conditions.
- Recurring need for consents indicates Rural Zone provisions are not conducive to sustainable management of the facility.
- Inability to avoid RMA consent triggers is time-consuming and costly.
- The nature of the hospital's treatment philosophy means overdevelopment is not supported by the Trust excessive development would not eventuate.
- Requested change is consistent with purpose of RMA and ensures a physical resource, set aside for health care purposes, can meet the reasonably foreseeable needs of future patients.

Point Number 654.2

Summary of Decision Requested: Amend Rule 22.3.6 Building Coverage, to exempt the Tamahere Hospital and Healing Centre (104A Duncan Road, Tamahere) from this provision;
OR
Amend Rule 22.3.6 Building Coverage, to allow more permissive building coverage which recognizes the on-site activity and need for development flexibility and any other amendments to provide the relief sought.

Decision Reasons:

- Subsequent to the hospital's initial construction, Ngaakau Tapatahi Trust, applied for, and obtained, multiple resource consents to accommodate the hospital's expansion.
- Consents triggered because the hospital exceeded the maximum site coverage permitted in the Rural Zone (2% of the site area, or 500m2, whichever is the larger, and/or because non-residential buildings are limited to a maximum of 400m2 (hospital already around 1400m2). Thus any form of physical development will trigger a resource consent requirement, irrespective of whether the hospital operates in accordance with original consent conditions.

- Inability to avoid RMA consent triggers is time-consuming and costly.
- Over-development of the site will not occur due to philosophy and management by the Trust.

Submitter Number:	655	Submitter:	Robyn Harris
Organisation:	Rotongaro-Huntly Pony Club		
Point Number	655.1		
Summary of Decision Requested:	Amend the zoning of the 183ha former Huntly East Mine area to be a Recreational and Events zone.		
Decision Reasons:	<ul style="list-style-type: none"> • Remove restrictions on access and redevelopment activities that apply to Rural Zoning. • Kimihia Lake project is focused on rehabilitating the area and creating a facility which will enhance Huntly and benefit many facets of the community. • Land surrounding the former Huntly East Mine has other recreational facilities already in existence and broadening the range of facilities available within close proximity will benefit the wider community through both personal use, and attracting visitors to the area. • Outdoor and environmental education, recreational, accommodation and tourism opportunities should not be overlooked, given the potential for decline via re-routing of the main arterial motorway. • Rotongaro-Huntly Pony Club could potentially utilize some of the facilities offered by the Kimihia Lake Project through the development of bridle paths. • The project is worthy of support. 		

Submitter Number:	656	Submitter:	Dianne & John Messent
Point Number	656.1		
Summary of Decision Requested:	Amend the Proposed District Plan to create a special activity zone in accordance with the provisions sought in the Allen Fabrics Ltd Submission for the 183ha former East Huntly Mine located at McVie Road, East Mine Road and 191 Kimihia Road.		
Decision Reasons:	<ul style="list-style-type: none"> • It is very important that the Waikato District has a plan for its central town. • The bold plan presented to the Waikato District Council by the generosity of Allens Fabrics Ltd. contains all answers for the sustainable future of the Huntly District. 		

Submitter Number:	657	Submitter:	Hampton Downs Motorsport Park
Point Number	657.1		
Summary of Decision Requested:	Delete Rule 26.1.4 NC1 Non-complying Activities - Precinct B in its entirety.		
Decision Reasons:	<ul style="list-style-type: none"> • The non-complying activity status for Precinct B differs to the discretionary activity status for all other Precincts, and is therefore opposed. • It is unclear why the provisions for Precinct B default to non-complying when the provisions for all other Precincts default to discretionary. • Activities not provided for under the Permitted Activity rules for Precinct B should be discretionary not non-complying. 		

Point Number	657.2		
Summary of Decision Requested:	Delete Rule 26.1.4 NC2 Non-complying Activities - Precinct B in its entirety.		
Decision Reasons:	<ul style="list-style-type: none"> • The reference to 'dangerous activities' is not considered appropriate for an international motorsport park (and the existing consented motor sport and recreation activities that occur on site). • There is an existing condition in the main resource consent for the Motorsport Park that appropriately addresses these concerns. • It is not appropriate (or necessary) to duplicate those provisions here. 		

Point Number	657.3		
Summary of Decision Requested:	Delete Rule 26.2.1 PI-D1 Noise - Motorsport and Recreation Activity in its entirety.		
Decision Reasons:	<ul style="list-style-type: none"> • Noise is already addressed in the existing resource consents for the Motorsport Park site. • The addition of noise standards within the zone provisions is effectively duplicating parts of the existing resource consent(s) and has the potential to result in a number of different noise standards applying to the site. • The reference to notional boundary of any dwelling is opposed. • The existing dwellings to the rear of the Motorsport Park site all have no complaints covenants and were previously part of the HDMP site. • The existing resource consent specifies a noise contour boundary for the surrounding area. • The proposed wording affords a consented international motorsport no protection against new dwellings looking to develop nearby. 		

Point Number	657.4		
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Summary of Decision Requested: Delete Rule 26.2.2 Noise - Precincts B and C in its entirety.

Decision Reasons:

- The activities within Precincts B and C have already been consented under existing resource consents and will be developed in accordance with the conditions of the existing resource consents.
- Opposed to any new conditions being imposed on either of these areas.
- The addition of noise standards within the zone provisions is effectively duplicating parts of the existing resource consent(s) and has the potential to result in a number of different noise standards applying to the site.
- The reference to the notional boundary of any dwelling is also opposed. The existing dwellings to the rear of the Motorsport Park site all have no complaints covenants and were previously part of the HDMP site.
- The existing resource consent specifies a noise contour boundary for the surrounding area.
- The proposed wording affords a consented international motorsport park no protection against new dwellings looking to develop nearby.

Point Number 657.5

Summary of Decision Requested: Delete Rule 26.2.4 Landscaping and screening in its entirety.

Decision Reasons:

- Landscaping is already in place (in accordance with the existing resource consent) and is required to be maintained on an ongoing basis in accordance with the existing resource consent.
- Landscaping is required around part of the perimeter (adjacent to the State Highway), and is not affected by any new development at the site.

Point Number 657.6

Summary of Decision Requested: Delete Rule 26.2.5 Earthworks - All Precincts in its entirety.

Decision Reasons:

- The existing resource consents already include conditions with respect to earthworks.

Point Number 657.7

Summary of Decision Requested: Delete Rule 26.2.6 Motorsport and Recreation Events - Precincts A and C in its entirety.

Decision Reasons:

- The existing resource consents already include conditions with respect to the number of spectators and events.
- There is no reason to duplicate those conditions in the zone provisions.

Point Number 657.8

Summary of Decision Requested: Delete Rule 26.2.7 Motorsport and Events Traffic Management - All Precincts in its entirety.

Decision Reasons:

- The existing resource consents already include conditions with respect to traffic management, carparking and overflow parking.
- The overflow carparking area that is sometimes used is not formed (and therefore would not comply with the proposed rules).
- There is no reason to duplicate those conditions in the zone provisions.

Point Number 657.9

Summary of Decision Requested: Delete Rule 26.2.8 Carparking, Access and Roding - All Precincts in its entirety.

Decision Reasons:

- Already covered by existing resource consent.

Point Number 657.10

Summary of Decision Requested: Amend Rule 26.2.11 PI Signs general - All Precincts so that the signage rule only applies to signage that is orientated towards the public roads as follows:

PI

~~(a) A sign shall comply with all of the following conditions. A sign that is:~~

~~(i) Set back less than 7.5m from Hampton Downs Road; and/or~~

~~(ii) Set back less than 1.5m from State Highway One~~

~~And is externally facing so that the main audience is motorists travelling along Hampton Downs Road or State Highway One, shall comply with the following conditions:~~

~~(i) It does not exceed 2.5m²;~~

~~(ii) The sign height shall not exceed 1.0m;~~

~~(iii) Illuminated signs shall not:~~

~~A. Have a light source that flashes or moves;~~

~~B. Contain moving parts or reflective materials.~~

~~(iv) It is set back at least 7.5m from the boundary of Hampton Downs Road;~~

~~(v) It is set back at least 1.5m from State Highway 1;~~

~~(vi) Is orientated to be internally facing so the main audience are spectators on-site;~~

~~(vii) Is screened from State Highway 1;~~

~~with~~(iv), It relates to:

A. Any motor sport and creation activity or events facility within the Motorsport and Recreation Zone; or

B. A property name sign.

Decision Reasons:

- The rules relating to signage should only apply to signage that is located within the front building setback and that is outward facing to ensure the intended audience is motorists travelling along either the Waikato Expressway or Hampton Downs Road.
- There should be no other restrictions regarding signage within the Motorsport Park.
- 3m2 is not considered appropriate or reasonable for signage at a motorsport park.
- Large, clear and legible signage is required for driver safety and as part of the overall Motorsport experience, and is larger than 3m2 (i.e. the signs along the sides of the race track (visible to spectators and drivers only).
- There should be no controls/restrictions regarding the size or area of internal signage within the zone.
- The maximum sign height of 10m is supported.
- The restrictions regarding flashing or moving signs are opposed insofar as they relate to internal signage within the zone.
- There should be no restrictions regarding internal signage (including flashing or moving signs) within the Motor Sport and Recreation zone.
- The restrictions regarding flashing or moving signs are associated with driver safety and should only apply to signage that is located within the front setback and is directed at motorists travelling along a public road.
- Provisions around driver safety within the Motorsport Park already provide appropriate control for internal signage.
- Flashing or moving signs are considered appropriate for an International Motorsport Park and contribute to the overall visitor experience.
- The minimum setbacks in Rules (iv) and (v) are supported, however amendments are proposed so that these standards are moved to the beginning/heading of the Rule.
- The suggested amendments in rules (i) – (iii) only apply to signs located within the minimum setback from the Waikato Expressway and Hampton Downs Road.
- Not all signage is internally facing.
- In some situations it is appropriate to erect signage along the State Highway boundary.
- The signage provisions do not allow for these types of signs.
- The requirement that all signage is screened from the State Highway is opposed.
- Due to the size of the Hampton Downs Motorsport Park site and its topography, it is not possible to screen all of the internal signage from the adjacent State Highway.
- Signage that is outward facing and directed towards the State Highway will also not be screened.
- Oppose any restrictions regarding sign content.
- The signage within the Motorsport Park often relates to specific sponsors, team branding and motor related products.
- Signage forms an essential part of the overall experience at the Motor Sport Park, but would be excluded under the existing wording.
- Internal signage is required for safety/information purposes or to add to the overall spectator experience.

Point Number 657.11

Summary of Decision Requested: Add a new rule to Rule 26.2.11 P3 Signs General – All Precincts as follows:

P3

(a) Signs that are setback at least 7.5m from Hampton Downs Road and at least 1.5m from State Highway One.

Decision Reasons:

- There should be no restrictions regarding internal signage within the Hampton Downs Motorsport and Recreation Zone.
- This rule will differentiate between signage that is located within the front building setbacks and internal signage within the Hampton Downs Motor Sport and Recreation Zone.

Point Number 657.12

Summary of Decision Requested: Retain the Restricted Discretionary activity status in Rule 26.2.11 RD1 Signs General - All Precincts

Decision Reasons:

- The restricted discretionary activity status for a sign that cannot comply with Rule 26.2.11(P1).

Point Number 657.13

Summary of Decision Requested: Delete Rule 26.2.12 Signs - effects on traffic - All Precincts in its entirety.

Decision Reasons:

- Any rules restricting internal signage within the Hampton Downs Motor Sport and Recreation Zone are opposed.
- It is not appropriate to impose conditions limiting or controlling the signage within an International Motorsport Park.
- The signage associated with the consented motorsport and recreation activities and facilities forms and integral part of the overall development and can often imitate the content, colour or appearance of a traffic control sign.
- The conditions in Rule 26.2.12 should not apply to the Hampton Downs Motorsport and Recreation Zone.

Point Number 657.14

Summary of Decision Requested: Delete Rule 26.2.13 Scale and duration of Travellers Accommodation - Precinct C in its entirety.

Decision Reasons:

- The traveller's accommodation activities are already consented under the existing land use consent and will establish in accordance with the existing resource consent.
- Opposed to any proposal to impose additional restrictions on an activity that has already been consented at the site.

- The traveller's accommodation activities within Precinct 3 will be developed in accordance with the existing resource consent. Any additional standards are opposed.

Point Number 657.15

Summary of Decision Requested: Amend the heading of Rule 26.3.1 as follows:

26.3.1 ~~Construction or alteration of a building or structure – All Precincts, Motorsport and recreational facilities – Precinct A~~

Decision Reasons:

- The reference to 'Motorsport and Recreational facilities – Precinct A' in the heading of Rule 26.3.1 is opposed.
- The rule permitting the construction or alteration of a building or structure should not be limited to Precinct A only.
- Amendments are proposed to ensure that this Rule applies to all Precinct Areas.
- The 'construction or alteration of a building or structure' is for an activity that is permitted within that Precinct Area.
- Amendments required to ensure permitted rules apply to all Precinct Areas.

Point Number 657.16

Summary of Decision Requested: Retain the permitted activity status of Rule 26.3.1 P1 Motorsport and recreational facilities - Precinct A

AND

Amend the wording of Rule 26.3.1 P1 Motorsport and recreational facilities - Precinct A as follows:

~~(P1) Construction or alteration of a building or structure for a motor sport and recreation activity or facility in Precinct A (Operational Motorsport Area) identified on the planning maps.~~

AND

Add the following additional Rules (P2) – (P5) to Rule 26.3.1 Motorsport and recreational facilities - Precinct A:

~~(P2) Construction or alteration of a building or structure for a business or industrial activity, or a residential activity within an existing dwelling in Precinct B; and~~

~~(P3) Construction or alteration of a building or structure for a Traveller's Accommodation and Motor Sport and Recreation Activity or Facility within Precinct C; and~~

~~(P4) Alteration to the existing residential apartment buildings for a residential activity within the existing residential apartments within Precinct D; and~~

~~(P5) Alteration to the existing industrial units for an industrial activity within the existing industrial units within Precinct E.~~

AND

Amend Rule 26.3.1 D1 Motorsport and recreational facilities - Precinct A, to refer to the additional rules as a consequential amendment.

Decision Reasons:

- The permitted activity status in Rule 26.3.1 (P1) is supported and should be retained.
- Amendments are proposed to the wording of Rule (P1) (if it is retained) to ensure that the Rule applies to both motorsport and recreation 'activities' and 'facilities'.
- Rule 26.3.1 (P1) provides for the 'construction or alteration of a building or structure for a motor sport and recreation facility in Precinct A as a permitted activity.
- While permitted activity status is supported, it is unclear why the above rule is necessary when the activities proposed are already permitted by Rule 26.1.1.1 and why a similar rule is not proposed for the construction or alteration of a building or structure within any of the other Precinct Areas.
- Clarification is sought as to whether 'the construction or alteration of a building or structure' in the other Precinct Areas would also be permitted and why a similar rule is not proposed for each of the other Precinct Areas.
- Amendments are proposed to Rule 26.3.1 to ensure that the construction or alteration of a building or structure is a permitted activity in all Precinct Areas where the building or structure is for an activity that is permitted in the Precinct.

Point Number 657.17

Summary of Decision Requested: Amend Rule 26.3.1 Motorsport and recreational facilities - Precinct A from its current location within the 'Land Use Building' Rules to the 'Permitted Activity Rules' in Section 26.1.1.1.

Decision Reasons:

- Amendments are proposed in the current format of Rule 26.3.1 and its location within the Chapter.
- Rule 26.3.1 does not fit within the bulk and location standards in the 'Land Use – Building' Section.
- It does not manage any bulk and location requirement (height, daylight admission etc.)
- Its inclusion (and purpose) within this section of the PDP is therefore unclear.
- It does not make sense that the permitted land use activities in Rule 26.1.1 are subject to compliance with the Land Use Building Rules (26.3).
- Construction of buildings and structures should already be covered by the Permitted Activity Rules in 26.1.1.

Point Number 657.18

Summary of Decision Requested: Retain the Discretionary Activity Status of Rule 26.3.1 D1 Motorsport and recreational facilities - Precinct A.

Decision Reasons:

- The discretionary activity status in Rule (D1) is supported.

Point Number 657.19

Summary of Decision Requested: Retain Rule 26.3.2 P1 Height - All Precincts as notified.

Decision Reasons:

- The maximum permitted height that is proposed in Rule 26.3.2 P1 is supported and should be retained as proposed.

Point Number 657.20

Summary of Decision Requested: Amend Rule 26.3.2 P2 Height - All Precincts, as follows:

P2

(a) A building or structure in:

(i) Precinct B (~~Business and Industrial Area~~) (~~Industrial and Business Precinct~~)

(ii) Precinct C (~~Travelers Accommodation and Motor Sport and Recreation Area~~) (~~Minor Race Track Area~~)

(iii) Precinct D (Residential Apartments)

(iv) Precinct E (Industrial Units) ~~as identified on the planning maps.~~

Shall not exceed 10m in height

Decision Reasons:

- The maximum permitted heights that are proposed in Rule 26.3.2(P2) are supported.
- Minor amendments are proposed to the names of each Precinct and the formatting in Rule (P2) to ensure consistency with the rest of the Chapter.

Point Number 657.21

Summary of Decision Requested: **Retain** the Restricted Discretionary Activity Status in Rule 26.3.2 (RD1) Height - all precincts and the limits of discretion as notified, except for the amendments outlined below.

AND

Amend Rule 26.3.2 RD1 (b)(iii) to refer to the "privacy at adjoining zone boundaries" (as opposed to "privacy at adjoining properties").

Decision Reasons:

- The Restricted Discretionary Activity status in Rule 26.3.2 (RD1) is supported.
- The Hampton Downs Motorsport Park site is a large site that comprises several adjacent certificates of title.
- The limits of discretion should only apply to the external zone boundaries, not the internal boundaries within the site.

Point Number 657.22

Summary of Decision Requested: **Retain** Rule 26.3.3 P1 Daylight admission - All Precincts as notified.

Decision Reasons:

- Rule 26.3.3 (P1) is supported insofar as the daylight admission rule applies to the zone boundary.
- The proposed daylight admission Rule applies to the zone boundary (rather than the individual title boundaries). This approach is supported and should be retained.

Point Number 657.23

Summary of Decision Requested: **Retain** the Restricted Discretionary Activity Status in Rule 26.3.3 RD1 Daylight admission - all precincts and the limits of discretion, except the amendments outlined below.

AND

Amend Rule 26.3.3 RD1(b) Daylight admission - all precincts as follows:

- Correct the existing formatting error (whereby items (c) – (g) should be renumbered as (i) – (v)); and
- Replace "Admission of daylight and sunlight to adjoining sites" with "Admission of daylight and sunlight to adjoining zone boundaries"; and
- Replace "Privacy of adjoining properties" with "Privacy on the adjoining zone boundaries".

Decision Reasons:

- The Restricted Discretionary Activity Status in Rule 26.3.3 (RD1) is supported.
- Clarification is sought with respect to the different terms used in Council's exercise of discretion.
- The limits of discretion refer to 'adjoining sites' and 'adjoining properties'.
- It is unclear why Council have differentiated between 'adjoining properties' in the daylight admission rule. The use of differing terms within Chapter 26 is opposed.
- The 'zone boundary' is considered more appropriate for Council's limits of discretion.
- The Hampton Downs Motorsport site is a large site that comprises of several adjacent certificates of title.
- The limits of discretion should only apply to the external zone boundaries, not the internal boundaries within the site.

Point Number 657.24

Summary of Decision Requested: **Retain** the 45% site coverage for all Precincts in Rule 26.3.4 Site coverage.

AND

Amend the heading of Rule 26.3.4 Site coverage so that the Rule applies to All Precincts

AND

Amend Rule 26.3.4 Site coverage P1 - P5 by replacing those with a single Rule P1 that applies to all Precinct Areas:

P1 The total site coverage of any buildings or structures shall not exceed 45% within each Precinct.

Decision Reasons:

- The 45% site coverage that is proposed as a permitted activity in Rules (P1)-(P5) is supported.
- Amendments are proposed to the existing formatting to simplify the Rules.
- 45% site coverage is proposed in each Precinct Area.
- A single site coverage rule is therefore proposed in each Precinct Area.

Point Number 657.25

Summary of Decision Requested: **Retain** Rule 26.3.5 Building setbacks - All precincts as notified.

Decision Reasons:

- The building setbacks in Rule 26.3.5 are supported insofar as they only refer to the boundaries that are adjacent to a public road or another zone.
- No internal setback requirements are stated for the individual title boundaries that collectively make up the Motor sport and Recreation zone.
- The proposal to only apply a building setback requirement at the external zone boundaries is supported.
- There should be no internal setbacks within the Motorsport Park site.

Point Number 657.26

Summary of Decision Requested: **Delete** Rule 26.3.6 Size and scale of activities - Precinct B in its entirety.

Decision Reasons:

- The restrictions regarding the size and scale of activities within Precinct B are opposed in their entirety.
- The bulk and location of business and industrial development within Precinct B is already covered by the existing resource consents.
- Any duplication of the existing resource consents in the zone chapter is opposed.

Point Number 657.27

Summary of Decision Requested: **Amend** the Subdivision Provisions in Rule 26.4 Subdivision so that subdivision is a restricted discretionary activity.

Decision Reasons:

- The Discretionary Activity status for subdivision within the Hampton Downs Motor Sport and Recreation Zone is opposed.
- The activity status should be restricted discretionary.

Point Number 657.28

Summary of Decision Requested: **Amend** the Non-Complying Activity status in Rule 26.4 NC1 Subdivision to be a discretionary activity.

Decision Reasons:

- The non-complying activity status should be discretionary.

Point Number 657.29

Summary of Decision Requested: **Amend** the District Plan definition for 'Motorsport and Recreation Event in Chapter 13 Definitions by deleting the definition and replacing it with the following:

Motorsport and Recreation Activity Event

Means any activity in the Hampton Downs Motorsport and Recreation Zone that provides motorised and/or non-motorised entertainment, sport, education or training, and includes but is not limited to:

- Racing events and activities
- Off-road racing such as moto-cross or bmx
- Driver training or education
- Club days
- Vehicle testing and practise activities
- Organised events
- Go karts and go kart drifting
- Multi sport and off road running events
- Paintball, lazer tag, outdoor skate parks and clay bird shooting
- Drifting for motor vehicles

Decision Reasons:

- The proposed definition is opposed.
- It does not correspond with the definition that was submitted and agree to as part of the Draft District Plan feedback and the Council workshops that Hampton Downs Motorsport Park previously attended.
- A definition for a 'motorsport and recreation activity' is proposed instead of a 'motorsport and recreation event'.
- The reference to 'events' in the definition appears to be a duplication of one of the existing resource consent conditions.
- Hampton Downs Motorsport Park is opposed to any proposal to duplicate the existing resource consent conditions as zone provisions.
- The purpose of the zone is to recognise and provide for existing (and consented) motor sport and recreation activities and facilities at the site, and their future operation and expansion.
- A new definition is required to provide greater certainty to all parties in relation to the existing and consented land use activities at the site.

Point Number 657.30

Summary of Decision Requested: **Amend** the definition for "Motor sport and recreation facilities" in Chapter 13: Definitions as follows:

Motor sport and recreation facilities

Means any buildings or structures in the Motor Sport and Recreation Zone that support the development and operation of the Hampton Downs Motorsport Park and are associated with motor sport and recreation activities and include:

- (a) Race tracks, race pads and associated pit garages and support facilities;
- (b) Race control, safety, emergency and media facilities;
- (c) Corporate boxes and hospitality facilities;
- (d) Restaurants, cafes, food and beverage and merchandising retail areas;
- (e) Administration buildings and facilities;
- ~~(f)~~ (f). General ticketing, toilet and ablution facilities;
- ~~(g)~~ (g). Industrial units, vehicle workshops and storage sheds;
- ~~(h)~~ (h). Corporate showrooms and expo areas, including areas for the display of racing-related memorabilia;
- ~~(i)~~ (i). Residential accommodation and swimming pool and tennis court facilities;
- ~~(j)~~ (j). A convention centre;
- ~~(k)~~ (k). Traveller's accommodation, including a camping ground and hotel accommodation;
- ~~(l)~~ (l). Parking and helipad facilities;
- ~~(m)~~ (m). Driver training school inclusive of a skid pad;
- ~~(n)~~ (n). Spectator facilities including pedestrian accessways, tunnels, overbridges, spectator viewing platforms and seating areas;
- ~~(o)~~ (o). A jet sprint course;
- ~~(p)~~ (p). Go-kart and drifting pads;
- (g) A commercial/industrial area
- ~~(r)~~ (r). Accessory buildings, facilities and structures such as maintenance and storage sheds, decks, shade cloths and storage containers for all items listed of the above.

Decision Reasons:

- The definition for motorsport and recreation facility is supported.
- Minor amendments are proposed to align with the wording that was previously submitted to Council (and agreed to) as part of the District Plan feedback.

Point Number 657.31

Summary of Decision Requested: Delete the definition for "Automotive activities" from Chapter 13 Definitions in its entirety.

Decision Reasons:

- The inclusion of a definition for 'automotive activities' within the District Plan is opposed.
- The inclusion of this definition is unnecessary and should be deleted.

Point Number 657.32

Summary of Decision Requested: Retain the specific zone (Hampton Downs Motor Sport and Recreation Zone) for the Hampton Downs Motorsport Park, except for the amendments outlined elsewhere in the submission.

Decision Reasons:

- The identification of the Hampton Downs Motorsport Park on the Planning Maps is supported.

Point Number 657.33

Summary of Decision Requested: Retain the boundaries of the Hampton Downs Motor Sport and Recreation Zone as shown on the planning maps, except for the amendments below.

AND

Amend the external boundaries of the Hampton Downs Motorsport and Recreation Zone to include an additional piece of land located on the southern side of Hampton Downs Road, if Hampton Downs Motorsport Park purchase the land.

Decision Reasons:

- Hampton Downs Motorsport Park is seeking to purchase a small parcel of land on the southern side of Hampton Downs Road.
- This area was previously identified as part of the Hampton Downs Motorsport sites but is not currently owned by Hampton Downs Motorsport Park.
- Minor amendments will be required to the external boundaries of the Hampton Downs Motorsport Park Zone (particularly in relation to the land on the southern side of Hampton Downs Road) if Hampton Downs Motorsport purchase this land.
- The changes are required to correctly identify the boundaries of the Hampton Downs Motorsport and Recreation Zone.

Point Number 657.34

Summary of Decision Requested: Retain the five Precinct Areas (identified as Precincts A-E on the Planning Maps), except for the amendments outlined below.

AND

Amend the descriptions/names of the Precinct Areas.

Decision Reasons:

- The identification of five separate Precinct Areas is supported.
- Amendments are sought to the description/name of each precinct.
- The Precinct boundaries shown on planning maps correspond with existing (and consented) land use activities and development at Hampton Downs Motorsport Park.

Point Number 657.35

Summary of Decision Requested: Amend the introduction to Chapter 26 Hampton Downs Sport and Recreation Zone, to clearly identify and describe the five Precinct Areas within the Hampton Downs Motor Sport and Recreation Zone as follows:

(5) The Hampton Downs Motor Sport and Recreation Zone comprises of the following Precinct Areas:

(a) Precinct A – Operational Motorsport Area

(b) Precinct B – Business and Industrial Area

(c) Precinct C – Travellers Accommodation and Motor Sport and Recreation Area

(d) Precinct D – Residential Apartments

(e) Precinct E – Industrial Units

AND

Amend the Introduction to Chapter 26 Hampton Downs Motorsport and Recreation Zone to clearly state that the planning maps show the location and boundaries of each Precinct Area.

AND

Amend the Introduction to Chapter 26 Hampton Downs Motorsport and Recreation Zone to include the following descriptions of each Precinct Area:

- **Precinct A: The operational motorsport area** – including but not limited to the main race tracks, pit garages and associated race control, spectator and support facilities; a convention centre and general hospitality, facilities including retail, restaurant, cafe and food premises; vehicle workshops and garaging; corporate show rooms; parking and helipad facilities; and administration facilities;
- **Precinct B: A business/industrial area**, that also contains an existing residential dwelling;
- **Precinct C: Travellers' accommodation and Motor Sport and Recreation Area**, and includes the consented campground, and existing race track and buildings and storage containers required to support motor sport and recreation related activities;
- **Precinct D: Residential Apartments: 80 residential apartments;**
- **Precinct E: Industrial Units 12 Industrial units.**

Decision Reasons:

- To clearly define the Precinct Areas at the start of the zone provisions and refer Plan users to the relevant Planning Maps (showing the location of each Precinct Area).
- Amendments are necessary so that it is clear that the Hampton Downs motor Sport and Recreation Zone comprises of five separate Precinct areas and there are specific provisions or rules that apply to each Precinct.
- Minor amendments to the wording/name of each Precinct Area is necessary to correspond with the land use activities within each Precinct.

Point Number 657.36

Summary of Decision Requested: Add a paragraph to the introduction of Chapter 26 Hampton Downs Motor Sport and Recreation Zone outlining that Hampton Downs Motorsport Park operates under a number of existing resource consents, and the existing resource consents effectively manage the effects within the Motorsport Park.

Decision Reasons:

- The introduction is lacking essential background information with respect to the existing resource consents.
- The Hampton Downs Motorsport Park was established (and operates) by way of resource consent and this will continue to manage any effects at the site.
- It is important that Plan users know that the site has existing resource consents, which contain conditions regarding bulk and location, traffic and noise.
- The existing resource consent conditions are not being duplicated in the District Plan, but will continue to apply to the site.

Point Number 657.37

Summary of Decision Requested: Amend Rule 26.1.1.1(P1) Permitted Activities - Operational Motorsport Area Precinct A Activity as follows:

(P1) Motor sport and recreation facilities and/or motor sport and recreation activities

Decision Reasons:

- The permitted activity rules for Precinct A (Rule 26.1.1.1 (P1) & (P2) do not provide for a motor sport and recreation activity as a permitted activity within the operational motorsport area.
- The current wording only provides for the motor sport and recreation facility (P1); or a day to day activity (P2).
- A motorsport and recreation activity should also clearly be provided for as a permitted activity within Precinct A; and is one of the main reasons for the site specific zoning.
- The activities and the facilities should both be permitted within the operational motorsport area.

Point Number 657.38

Summary of Decision Requested: Delete the activity specific conditions in Rule 26.1.1.1 P1 and P2 Permitted Activities - Operational Motorsport Area - Precinct A

AND

Delete the activity specific conditions in Rule 26.1.1.2 P1, P2, P3 and P4 Permitted Activities - Business and Industrial Area - Precinct B

AND

Delete the activity specific conditions in Rule 26.1.1.3 P1 Permitted Activities - Minor Race Track Area - Precinct C

AND

Delete the activity specific conditions in Rule 26.1.1.4 P1 Permitted Activities - Residential Apartments - Precinct D

AND

Delete the activity specific conditions in Rule 26.1.1.5 P1 Permitted Activities - Industrial Units - Precinct E

Decision Reasons:

- The heading of each of the above rules already identifies the Precinct to which the Rule applies.
- There is no reason to duplicate the precinct area as an activity specific condition. This is a double up and so the activity specific conditions are of no use at all.

Point Number	657.39
Summary of Decision Requested:	<p>Delete Rule 26.1.1.2 P1, P2 and P3 Permitted Activities - Business and Industrial Area Precinct B Activity in their entirety</p> <p>AND</p> <p>Add a new rule 26.1.1.2 P1 (insert name) as follows:</p> <p><u>P1 A business or industrial activity.</u></p>
Decision Reasons:	<ul style="list-style-type: none"> Permitted Activity Rules for Precinct B are unnecessarily complex. Precinct B is area is an area of approximately 17 hectares that has been consented for business/industrial development. There is also an existing dwelling located within Precinct B. Development of the consented business/industrial area will occur in accordance with the existing resource consent. No need to impose additional rules/controls within this Precinct Area, nor is there any reason to differentiate between 'automotive activities' non-automotive activities' and 'general warehousing' within the Permitted Activity Rules. Provisions include too many definitions (and relate to activities that have already been consented at the site) P1 – P3 for Precinct B should be simplified to comprise a single rule (P1) that provides for 'a Business or Industrial activity' within Precinct B.
Point Number	657.40
Summary of Decision Requested:	<p>Retain Rule 26.1.1.2 P4 Permitted Activities - Business and Industrial Area - Precinct B Activity except for the amendments outlined below.</p> <p>AND</p> <p>Amend Rule 26.1.1.2 P4 Permitted Activities - Business and Industrial Area - Precinct B B Activity as follows:</p> <p><i>A residential activity within an existing dwelling, <u>and alterations or additions to the existing dwelling</u></i></p> <p>AND</p> <p>Delete the Activity Specific Condition for Rule 26.1.1.2 P4 Permitted Activities - Business and Industrial Area - Precinct B Activity</p>
Decision Reasons:	<ul style="list-style-type: none"> Rule P4 recognises the existing residential activity within Precinct B and should therefore be retained. To allow for alterations and extensions to the existing dwelling.
Point Number	657.41
Summary of Decision Requested:	<p>Amend the heading in Rule 26.1.1.3 Permitted Activities Minor Race Track Area- Precinct C by replacing "Minor Race Track Area" with "<u>Travellers' Accommodation and Motor Sport and Recreation Area</u>"</p>
Decision Reasons:	<ul style="list-style-type: none"> To ensure the District Plan provisions correspond with the existing (and consented) land use activities in this area of the Motorsport Park.
Point Number	657.42
Summary of Decision Requested:	<p>Retain Rule 26.1.1.3 (P1) Permitted Activities - Minor Race Track Area - Precinct C insofar as it provides for traveller's accommodation and facilities as a permitted activity in Precinct C.</p>
Decision Reasons:	<ul style="list-style-type: none"> Precinct C (the Traveller's accommodation and Motor Sport and Recreation Area) includes the consented campground, and existing race track and building and storage containers required to support motorsport and recreation related activities.
Point Number	657.43
Summary of Decision Requested:	<p>Add a new rule to the permitted activities in Rule 26.1.1.3 Permitted Activities - Minor Race Track Area - Precinct C as follows:</p> <p><u>P2 A motor sport and recreation facility and/or activity.</u></p>
Decision Reasons:	<ul style="list-style-type: none"> A motorsport and recreation facility and/or activity should also clearly be provided for as a permitted activity within Precinct C.
Point Number	657.44
Summary of Decision Requested:	<p>Retain Rule 26.1.1.4 P1 Permitted Activities - Residential Apartments - Precinct D as notified.</p>
Decision Reasons:	<ul style="list-style-type: none"> The permitted activity rule for 'a residential activity within the residential apartments' within Precinct D is supported.
Point Number	657.45
Summary of Decision Requested:	<p>Retain Rule 26.1.1.5 P1 Permitted Activities - Industrial Units - Precinct E</p>
Decision Reasons:	<ul style="list-style-type: none"> The permitted activity for 'an industrial activity within the industrial units' within Precinct E is supported.
Point Number	657.46
Summary of Decision Requested:	<p>Delete Rule 26.1.2.1 C1 Controlled Activities - Operational Motor Sport Area - Precinct A in its entirety.</p>
Decision Reasons:	

- The definition that is proposed for a Motor sport and recreation activity includes racing events and activities.
- Rule 26.1.1.1 provides for racing events and activities as a Permitted Activity within Precinct A.
- No need to differentiate between an 'event' in the rules for Precinct A.
- The requirement to obtain resource consent for a motor sport and recreation event within an established and operational Motorsport Park site is opposed in its entirety and is contrary to the overall purpose of the site specific zone.
- Motor sport and recreation events are an integral part of the operational motorsport area (Precinct A) and have already been consented (and established) at the site via the suite of existing resource consents that have been approved for the site.
- To recognise the existing and consented Motor sport and Recreation Activities at the site and to allow for their continual operation and expansion without requiring additional resource consents (where the scale and intensity is still in accordance with the existing resource consents).
- Definition for Motorsport and Recreation Activity (refer to submission) was developed in consultation with Council and include both events and activities.
- Differentiating between "events" and "activities" is potentially confusing.

Point Number 657.47

Summary of Decision Requested: Delete Rule 26.1.2.2 C1 Controlled Activities - Minor Race Track Area - Precinct C in its entirety.

Decision Reasons:

- The definition proposed for 'Motor sport and recreation activity' includes 'racing events and activities'.
- Requested inclusion of a new rule (in Rule 26.1.1.3(P2)) that provides for racing events and activities as a Permitted Activity within Precinct C.
- No need to differentiate between an 'event' in the rules.
- The requirement to obtain resource consent for a motor sport and recreation event within an established and operational Motorsport Park site is opposed in its entirety and contrary to the overall purpose of the site specific zone.
- To recognise the existing and consented Motor sport and Recreation Activities at the site and to allow for their continual operation and expansion without requiring additional resource consents (where the scale and intensity is still in accordance with the existing resource consents).
- Definition for Motorsport and Recreation Activity (refer to submission) was developed in consultation with Council and include both events and activities.
- Distinguishing between 'events' and 'activities' is potentially confusing and considered unnecessary.

Point Number 657.48

Summary of Decision Requested: Delete Rule 26.1.2.2 C2 Controlled Activities - Minor Race Track Area - Precinct C in its entirety.

Decision Reasons:

- Requested inclusion of a new rule (in Rule 26.1.1.3(P2)) that provides for racing events and activities as a Permitted Activity within Precinct C.
- The requirement to obtain resource consent for a motor sport and recreation event within an established and operational Motorsport Park site is opposed in its entirety and contrary to the overall purpose of the site specific zone.
- To recognise the existing and consented Motor sport and Recreation Activities at the site and to allow for their continual operation and expansion without requiring additional resource consents (where the scale and intensity is still in accordance with the existing resource consents).
- Definition for Motorsport and Recreation Activity (refer to submission) was developed in consultation with Council and include both events and activities.
- Distinguishing between 'events' and 'activities' is potentially confusing and considered unnecessary.

Point Number 657.49

Summary of Decision Requested: Amend Rule 26.1.3 D1 Discretionary Activities - All Precincts by deleting the existing wording and replace with the following new rule:

26.1.3 Discretionary Activities – All precincts

D1 Any activity that is not a motorsport and recreation activity or a motorsport and recreation facility or any activity not listed in Rule 26.1.1.

Decision Reasons:

- The wording (and purpose) of this rule is unclear.
- The wording in the Rule Heading applies that this rule applies to all Precincts.
- Precinct B is later excluded in the same Rule (The latter part of the Rule only applies to Precincts A, C, D and E (Not Precinct B)).
- Clarification is sought with respect to why Precinct B has been excluded (and is non-complying instead of Discretionary).
- Assumed that the purpose of the Discretionary Activity is to capture those activities that are not 'motor sport and recreation facility' (both of which should be defined terms in the District Plan) and/or activities that are not already consented at the Motor Park site.

Point Number 657.50

Summary of Decision Requested: Delete the definition for "day to day activity" from Chapter 13 Definitions in its entirety.

Decision Reasons:

- The inclusion of a definition for 'day to day activity' within the District Plan is opposed.
- The inclusion of this definition is unnecessary and should be deleted.

Point Number 657.51

Summary of Decision Requested: Delete the definition for "General warehousing" from Chapter 13 Definitions in its entirety.

Decision Reasons:

- The inclusion of a definition for 'General warehousing' within the District Plan is opposed.
- The inclusion of this definition is unnecessary and should be deleted.

Point Number 657.52

Summary of Decision Requested: Delete the definition for "Non-automotive activities" from Chapter 13 Definitions in its entirety.

Decision Reasons:

- The inclusion of a definition for 'Non-automotive activities' within the District Plan is opposed.
- The inclusion of this definition is unnecessary and should be deleted.

Point Number 657.53

Summary of Decision Requested: Retain the definition for "Travellers Accommodation" in Chapter 13 Definitions as notified.

Decision Reasons:

- The inclusion of a definition for 'Travellers Accommodation' within the District Plan is supported.

Point Number 657.54

Summary of Decision Requested: Delete the definition for "Activities not provided for in Precinct B in the Motor sport and Recreation Zone" from Chapter 13 Definitions in its entirety.

Decision Reasons:

- The inclusion of a definition for 'Activities not provided for in Precinct B in the Motor sport and Recreation Zone' within the District Plan is opposed.
- The inclusion of this definition is unnecessary and should be deleted.

Point Number 657.55

Summary of Decision Requested: Delete the definition for "Spectator" from Chapter 13 Definitions in its entirety.

Decision Reasons:

- The inclusion of a definition for 'Spectator' within the District Plan is opposed.
- The inclusion of this definition within the District Plan is unnecessary and should be deleted.

Point Number 657.56

Summary of Decision Requested: Amend Objective 9.1.1 Continued development and operation of the Hampton Downs Motorsport Park by deleting it and replacing it with the following wording:
9.1.1 Objective – Continued development and operation of the Hampton Downs Motor Sport and Recreation Zone.
To use and develop the Hampton Downs Motor Sport and Recreation Zone as a regionally significant Motor Sport and Recreation facility that meets the current and future needs of the community.

Decision Reasons:

- The identification of a zone specific objective and policies for the Hampton Downs Motor Sport and Recreation Zone is supported.
- The existing objective is not aspirational.
- The existing activities and facilities at Hampton Downs Motorsport Park are already regionally significant.
- The proposed objective does not appropriately recognise or provide for the continued operation and development of the Motorsport Park.
- Minor amendments are proposed to the wording of the proposed objective and policies, to align with the wording that was previously submitted to Council (and agreed to) as part of the Draft District Plan feedback and to be consistent with the wording of the other specific zone objectives and policies proposed in Chapter 9.
- The adoption of a consistent policy framework throughout the District Plan is supported.

Point Number 657.57

Summary of Decision Requested: Amend Policy 9.1.1.1 Operation and development as follows:
9.1.1.1 Policy – Operation and development
(a) Enable the continued operation and development of ~~activities, facilities and events within the~~ Hampton Downs Motor sport and Recreation Zone by providing for:
(i) A wide range of motor sport and recreation activities; and
(ii) ~~The development of~~ facilities to support the motor sport and recreation activities ~~and events~~.

Decision Reasons:

- The identification of a zone specific objective and policies for the Hampton Downs Motor Sport and Recreation Zone is supported.
- Minor amendments are proposed to the objective and policies to align with the following:
 - The wording that was previously submitted to Council (and agreed to) as part of the Draft District Plan feedback
 - To be consistent with the defined terms that are proposed in Chapter 13 (motor sport and recreation activities' and motor sport and recreation facilities' and the zone name.
 - To be consistent with the wording of the other specific zone objectives and policies proposed in Chapter 9.
 - The adoption of a consistent policy framework throughout the District Plan is supported.

Point Number 657.58

Summary of Decision Requested: Amend Policy 9.1.1.2 Precinct-based development as follows:

9.1.1.2 Policy – Precinct-based development

- a) A precinct-based approach enables the ongoing operation and development of the Hampton Downs Motor sport ~~Park by and Recreation Zone such that:~~
- (i) Precinct A provides for the operational motorsport area including the main race tracks, ~~and associated facilities, pit garages and associated race control, spectator and support facilities, a convention centre and general hospitality facilities including retail, restaurant, café and food premises, vehicle workshops and garaging, corporate show rooms, parking and helipad facilities, and administration facilities;~~
 - (ii) Precinct B provides ~~for a commercial business and industrial area facilities and activities that supports the Hampton Downs Motorsport Park, and also contains an existing residential dwelling;~~
 - (iii) Precinct C provides ~~for a minor race tracks, Traveller's accommodation and Motor Sport and Recreation Area, and includes the consented campground, an existing race track and buildings and storage containers required to support motorsport and recreation related activities;~~
 - (iv) Precinct D provides ~~for residential activities within the 80 existing Residential Apartments; and~~
 - (v) Precinct E provides ~~for industrial activities within the 12 existing industrial units.~~

Decision Reasons:

- The identification of a zone specific objective and policies for the Hampton Downs Motor Sport and Recreation Zone is supported.
- Minor amendments are proposed to the objective and policies to align with the following:
 - The wording that was previously submitted to Council (and agreed to) as part of the Draft District Plan feedback
 - To be consistent with the defined terms that are proposed in Chapter 13 (motor sport and recreation activities' and motor sport and recreation facilities' and the zone name.
 - To be consistent with the wording of the other specific zone objectives and policies proposed in Chapter 9.
 - The adoption of a consistent policy framework throughout the District Plan is supported.

Point Number

657.59

Summary of Decision Requested:

Amend Policy 9.1.1.3 Management of adverse effects, as follows:

9.1.1.3 Policy – Management of adverse effects

(a) ~~Mitigating~~ adverse effects by managing:

- (i) ~~The scale, intensity, timing and duration of activities so that adverse noise effects on the surrounding rural zone are minimised; and~~
- (ii) ~~The adverse traffic safety effects to ensure the safe and efficient operation and functioning of the adjacent transport network and efficient access to surrounding facilities is maintained at all times; and~~
- ~~(iii) Signs are visible from, or located in close proximity to, a public road to ensure the safe functioning of the public road; and~~
- ~~(iii) (iv) The size, scale and intensity of development to ensure the amenity of the surrounding rural zone is maintained.~~

Decision Reasons:

- The identification of a zone specific objective and policies for the Hampton Downs Motor Sport and Recreation Zone is supported.
- Minor amendments are proposed to the objective and policies to align with the following:
 - The wording that was previously submitted to Council (and agreed to) as part of the Draft District Plan feedback
 - To be consistent with the defined terms that are proposed in Chapter 13 (motor sport and recreation activities' and motor sport and recreation facilities' and the zone name.
 - To be consistent with the wording of the other specific zone objectives and policies proposed in Chapter 9.
 - The adoption of a consistent policy framework throughout the District Plan is supported.

Point Number

657.60

Summary of Decision Requested:

Delete the outdated plans from Appendix 12 Motorsport and Recreation.
AND
Retain the noise contour plan in Appendix 12 Motorsport and Recreation.

Decision Reasons:

- A lot of the plans in Appendix 12 are outdated and require deleting or replacing with updated plans.
- Several of these plans are outdated and require deleting or replacing with updated plans.
- The inclusion of the noise contour plan is supported.
- The identification of precinct areas on the planning maps negates the requirement to include the outdated Concept Plan in the PDP.
- The old concept plan should either be updated or deleted.

Submitter Number:

658

Submitter:

Koning Family Trust and Martin Koning

Point Number

658.1

Summary of Decision Requested:

Amend Policy 4.1.5 Density, as follows:

Residential development responds to its context and seeks to achieve, over time, the following average gross density targets:

Achieve a minimum density of:

- (i) 12-15 households per hectare in the Residential Zone
- (ii) 8-10 households per hectare in the Village Zone where public reticulated services can be provided.

AND

Any further relief or amendments as necessary to support the relief sought in the submission.

Decision Reasons:

- Future Proof and the WRPS provides direction on the desired density of greenfield development throughout the sub-region.
- Future Proof and the WRPS recognise that these densities are to be achieved over time and are targets across the towns such as Huntly, Ngaruawahia and Raglan.
- Policy 4.1.5 is worded in such a way that provides little flexibility in the density of future greenfield development and removes the flexibility and long-term nature of achieving the target densities embedded in the higher order policy documents.

- The policy should be worded to be consistent with the density targets embedded in these documents, which allows development to respond to its location and context, with higher densities located in appropriate locations near urban centres or areas of amenity and lower densities where there are topographical, geographical and physical constraints.
- Allowing for this balance to occur will also assist in providing a range of housing typologies and housing choice while giving effect to the intent of the higher order strategic growth documents.

Point Number 658.2

Summary of Decision Requested: Amend Policy 4.1.18(iii) Raglan, as follows:

(iii) Rangitahi and other areas around the Raglan urban area are the primary locations for the medium term growth and are developed in a manner that connects to the existing town and maintains and enhances the natural environment.

AND

Any further relief or amendments as necessary to support the relief sought in the submission.

Decision Reasons:

- This policy identifies that Rangitahi is the only area that is to provide for medium term growth in Raglan.
- This policy is inconsistent with the broad direction set within the NPS - UDC which seeks to create competition in the land development market.
- The NPS identifies that Councils must respond to projected development capacity information to ensure adequate development capacity is available in the short, medium and long term.
- Where Council's are in identified high growth areas, demand projections must include a margin of at least an extra 20% in the short to medium terms and an extra 15% in the long term.
- The Future Proof sub-region shows capacity to demand deficit in Raglan and Ngarunui Beach.
- Considered inappropriate to restrict medium term growth to one location.

Point Number 658.3

Summary of Decision Requested: Amend the zoning of the properties at 339 Wainui Road, 145 Te Hutewai Road and 151 Te Hutewai Road (CFR 216110, SA27B/621 and 406847) from Rural Zone to Residential Zone (see maps included with the submission).

AND

Any further relief and/or amendments as necessary to support the relief sought in the submission.

Decision Reasons:

- The NPS-UDC identifies the Future Proof sub-region as a high-growth urban area.
- The Housing Development Capacity study required by Policy PBI has been completed for the Future Proof Sub-Region.
- This has identified a broad scale long term demand is able to be met over the sub-region. However it identifies that there is demand in and around Raglan over the next 30 years.
- The Assessment identifies a shortfall in capacity compared to projected demand in Raglan and Ngarunui Beach over the short, medium and long term both with and without the increased demand margin considered for medium and high growth local authorities.
- It is necessary to anticipate this projected growth and provide an opportunity to accommodate the projected demand in housing in the area.
- Additional economic analysis of Raglan's projected growth has been carried out by Property Economics which indicated that Raglan will experience sustained population growth over the next 20 years.
- Using medium growth projection, there will be demand for 700 additional dwellings to cater for this growth.
- An additional 150 dwellings will be required to provide for the likely demand for holiday homes over the same period. Refer to Figure 5 in submission (showing projected trend).
- The same assessment identifies that if a high growth scenario is applied, this number is likely to increase to 1,150 to accommodate projected market growth.
- The rezoning provides an opportunity to address the projected demand and capacity issues in a location that is contiguous with the existing Raglan township in the areas that are projected to have a capacity shortfall in the future.
- The site is a logical location for the future growth of Raglan
- Submission illustrates the Indicative Urban Limits in Figure 7, and Figure 8 shows the Indicative Urban Limits and extent of the submitter's land holdings in relation to the indicative boundary.
- The proposed rezoning is consistent with the spatial approach of the Future Proof growth strategy. It is located party within the IUL.
- The balance of the site adjoins the IUL and the existing Residential Zone. Zoning of the 33ha block outside of the IUL provides development certainty over the rest of the undeveloped area contained within the IUL.
- The site is a logical connection between land that is already zoned for residential land with rural land included in the IUL, creating a more rational and logical urban area.
- The submitter's site is immediately adjacent to land that is zoned for residential development. Submission shows how connection to this area may be achieved, creating a connected and accessible urban environment.
- The subject site is located in close proximity to existing services (Raglan Wastewater Treatment Plan and the potable Water Supply and Reservoir), meaning subject to capacity it may be serviced.
- Submission details an initial three waters assessment. Subject to ensuring adequate capacity of services the land will be able to be serviced.
- Investigations have not identified any reasons that the site is unable to be developed.
- Preliminary investigation have considered: Transportation, Three Waters, Ecology, Archaeology, Economic Demand, Contaminated Land, Geotechnical.
- These assessments have identified a number of constraints across the site which will need to be addressed. However there are not considered to be any serious limitations that would preclude development of the site.
- The proposed District Plan requires any residential development within 300m of open wastewater oxidation ponds to obtain Discretionary resource consent. The zoning boundary is designed to ensure dwellings will be able to be constructed over 300m from the oxidation ponds.

Submitter Number: 659

Submitter: Helen Mahon

Point Number 659.1

Summary of Decision Requested: Amend the zoning of the 183ha sites along East Mine Road with the titles CFR 805391, CFR SA50A/762, CFR SA10D/800, CFR 1955501, CFR SA 61B/799, CFR SA 18B/1138, CFR SA30A/356, SA 40D/985, CFR SA251/176, SA 26C/345, SA 51/131 from Rural Zone to a multi-purpose designation to develop a recreation and events zone, alongside a residential zone.

Decision Reasons:

- The submitter supports the proposal for the following reasons:
 - Educational outcomes for youth
 - Significant employment opportunities
 - Improved recreational living and lifestyles for residents through outdoor activities, water sports
 - A great opportunity for Huntly to become a destination for tourists
 - This project has the ability to transform Huntly
 - It is time that the District Council gave 100% support, endorsement and commitment to the beautification of Huntly.

Submitter Number: 660

Submitter: Owen Mounsey

Point Number	660.1
Summary of Decision Requested:	Amend the zoning of the 183ha sites along East Mine Road with the titles CFR 805391, CFR SA50A/762, CFR SA10D/800, CFR 1955501, CFR SA 61B/799, CFR SA 18B/1138, CFR SA30A/356, SA 40D/985, CFR SA251/176, SA 26C/345, SA 51/131 from Rural Zone to a multi-purpose designation to develop a recreation and events zone, alongside a residential zone.
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports the proposal for the following reasons: <ul style="list-style-type: none"> Educational outcomes for youth Significant employment opportunities Improved recreational living and lifestyles for residents through outdoor activities, water sports A great opportunity for Huntly to become a destination for tourists This project has the ability to transform Huntly It is time that the District Council gave 100% support, endorsement and commitment to the beautification of Huntly.

Submitter Number:	661	Submitter:	Greg & Janice Allen
Organisation:	Allenmara Computers Ltd		
Point Number	661.1		
Summary of Decision Requested:	Amend the zones and overlays around McVie Road and Kimihia Road, Huntly to enable the development of the Kimihia Lakes Recreation and Events Park; AND No specific decision requested, but submission seeks to recognise and celebrate the history of the Kimihia District, and restore and make available this amazing area for the entire community and visitors.		
Decision Reasons:	<ul style="list-style-type: none"> Recognise and celebrate the history of Kimihia District Passionate about the historic importance and wish to share with everyone. Huntly needs this. 		

Submitter Number:	662	Submitter:	Blue Wallace Surveyors Ltd
Point Number	662.1		
Summary of Decision Requested:	Amend Policy 4.7.14 Structure and master planning as follows (or words to similar effect): <i>(a) Ensure that development and subdivision within approved structure or master plan areas is integrated, where physically reasonable, with the general development pattern and infrastructure requirements specified conceptually provided for in an approved structure or master plan.</i>		
Decision Reasons:	<ul style="list-style-type: none"> It is important to note that the function of high-level growth planning documents should not unreasonably constrain specific land use within the district. There has been little to no on-site investigations as to the location of intersections or transportation corridors thus resulting in unreasonable constraints. Supports the aim to integrate land use developments with preceding approved structure plans, however seeks that appropriate flexibility is provided to account for specific on-site variables. 		

Point Number	662.2		
Summary of Decision Requested:	Retain Policy 5.3.3 Industrial and commercial activities, except for the amendments sought below AND Add a new clause (c) to Policy 5.3.3 Industrial and commercial activities as follows (or words to similar effect): <i>(c) Recognise that activities associated with non-rural infrastructure be provided for within the rural environment.</i>		
Decision Reasons:	<ul style="list-style-type: none"> The rural industrial integrity of the Rural Zone is an important message to be contained in the Plan. Considers that non-rural industries can operate in the Rural Zone where they abut infrastructure such as a state highway. Recognise that the rural environment is influenced by non-rural infrastructure, and some non-rural activities can occur in the zone e.g. a service station. 		

Point Number	662.3		
Summary of Decision Requested:	Retain Policy 5.6.3 Subdivision within the Country Living Zone, except for the amendments sought below AND Amend Policy 5.6.3(a)(i) Subdivision within the Country Living Zone as follows: <i>(i) The creation of undersized lots is avoided discouraged where character and amenity are compromised;</i>		
Decision Reasons:	<ul style="list-style-type: none"> The word "avoid" is absolute and will restrict flexibility in subdivision design. The submitter supports in part Policy 5.6.3 to the extent that Country Living Zones may intensify (residentially) thus providing an element of future proofing into the zone. Amendments are needed to create undersize allotments in appropriate instances. 		

Point Number	662.4		
Summary of Decision Requested:	Retain Rule 16.1.3 Restricted Discretionary Activities, except for the amendments sought below AND		

Amend Rule 16.1.3 RDI(c) Restricted Discretionary Activities as follows:

(c) *The minimum net site area per residential unit is ~~300~~200m².*

Decision Reasons:

- Rule 16.1.3 provides clear guidance for increasing residential density and infill development.
- The area requirement for multi-unit developments needs to be reduced to 200m² for each dwelling unit, as such an area will allow for efficient residential intensification without the need for a more onerous development assessment.
- Whilst many residential properties will be constrained in obtaining a 200m² net site area, a satisfactory urban design can be achieved on smaller allotments.

Point Number

662.5

Summary of Decision Requested:

Retain Rule 16.2.4.1 P2 Earthworks - General, except for the amendments sought below

AND

Amend Rule 16.2.4.1 P2 Earthworks - General as follows (or words to similar effect):

Earthworks for the purpose of creating a building platform and accessway for residential purposes within a site, using imported fill material must meet the following condition:

Decision Reasons:

- Seeks to amend the permitted activity rule by expanding the coverage to accessway formation too.
- Supports the permitted activity status for earthworks associated with building platforms.

Point Number

662.6

Summary of Decision Requested:

Amend Rule 16.3.5 P1 Daylight admission as follows:

Buildings must not protrude through a height control plane rising at an angle of 37 degrees commencing at an elevation of ~~2.5~~2m above ground level at every point of the site boundary

Decision Reasons:

- This will align with other district plans in the region and will provide a consistent standard for development.
- Greater housing choice will be enabled.

Point Number

662.7

Summary of Decision Requested:

Retain Rule 16.3.8 P1(a)(i) Service Court, except for the amendments sought below

AND

Amend Rule 16.3.8 P1(b) Service Court to require a dimension of at least a 3m diagonal line that is no less than 1.5m in width rather than the 3m diameter requirement.

Decision Reasons:

- Supports a 15m² service court.
- Does not agree that a 3m diameter shape factor is appropriate given that service areas should be discreet areas and hence located to the side or rear of a property.
- A 3m diameter circle is not conducive to discreetly locating a service court.

Point Number

662.8

Summary of Decision Requested:

Amend Rule 16.3.9.3 P1(a) Building setback - Waterbodies as follows:

(a) Any building must be setback a minimum of:

(i) 23m from the margin of any:

A. lake over 4ha; and

B. wetland;

(ii) 23m from the bank of any river (other than the Waikato and Waipa Rivers);

...

(v) 10m from a managed wetland

AND

Any consequential amendments.

Decision Reasons:

- A wetland as defined under the RMA is broad reaching and covers many features.
- Having a nominal 23m setback applied to such a wide variation of water features is inappropriate and introduces significant inefficiencies which is contrary to Part 2 of the RMA and the sustainable management of natural and physical resources.
- A lake can constitute a large array of waterbodies and therefore a starting point of 4ha should be used before the setback applies.

Point Number

662.9

Summary of Decision Requested:

Retain Rule 16.4.1 RDI Subdivision - General, except for the amendments sought below

AND

Amend Rule 16.4.1 RDI Subdivision - General as follows:

(a) Subdivision must comply with all of the following conditions:

...

(iii) Where roads are to be vested in Council, and where practicable, they must follow a grid layout;

...

(v) Where the subdivision is within a structure plan area, neighbourhood centres within the site are provided in general accordance with that structure plan document.

(b) Council's discretion shall be restricted to the following matters:

...

(ix) General consistency with any relevant structure plan or master plan including the provision of neighbourhood parks, reserved and neighbourhood centres;

Decision Reasons:

- Grid road layouts are obviously the most efficient transportation design, however when developing land for residential land use, natural features will need to be provided for and could prevent a grid layout.
- The amendments sought recognise a grid road layout is not always achievable.
- The amendments recognise on-site variables as opposed to strict adherence to high-level structure planning documents.

Point Number

662.10

Summary of Decision Requested:

Retain Rule 16.4.4 RD1 Subdivision - Multi-unit development, except for the amendments sought below
AND

Amend Rule 16.4.4 RD1 (a)(iii) Subdivision - Multi-unit development to reduce the minimum net site area required to 200m² for each unit.

Decision Reasons:

- Matches that or abutting territorial authorities.
- There is plenty of physical evidence that can be provided to assure that a 200m² net site area is suitable to house multi-unit developments.
- Smaller net site areas will enable efficient use of land, particularly in regard to infill housing areas.

Point Number

662.11

Summary of Decision Requested:

Amend Rule 16.4.13 RD1(a) Subdivision creating reserves as follows:

(a) Every reserve, including where a reserve is identified within a structure plan or master plan (other than an esplanade reserve), proposed for vesting as part of the subdivision, must be bordered by roads ~~along at least 50% of its boundaries as much as is practicable.~~

Decision Reasons:

- This rule seeks to impose a development constraint that may not feasibly be possible or practicable.
- Reserves should provide access from transportation corridors, on-site variables could mean that a 50% road frontage is not possible, thus defaulting the development to a high order planning assessment.
- It is understood that this provision is proposed (in part) to enable passive surveillance, however in many instances a 50% road boundary is unrealistic with other design considerations available for Crime Prevention Through Environmental Design principles.

Point Number

662.12

Summary of Decision Requested:

Retain Rule 16.4.16 Subdivision of land containing an Environmental Protection Area, except for the amendments sought below
AND

Amend Rule 16.4.16 C1 (a) Subdivision of land containing an Environmental Protection Area as follows:

(a) Subdivision of land containing an Environmental Protection Area must comply with all of the following as conditions of consent:

Decision Reasons:

- Supports the rule as development within close proximity to delineated EPAs needs appropriate recognition to facilitate natural process and mitigate any potential adverse effects of development on such areas.
- Considers that, from a developer's perspective, a planting and management plan may be prepared and submitted to Council as a condition of consent.
- Once the developer has the confidence of consent being issues for any particular project, detailed design plans can include the provision of landscape plans and planting specifications.

Point Number

662.13

Summary of Decision Requested:

Retain Rule 22.2.3.1 P3 Earthworks - General, except for the amendments sought below
AND

Amend Rule 22.2.3.1 P3 (a) Earthworks - General as follows:

(a) Earthworks for the purpose of creating a building platform and accessway for residential purposes within a site, using imported fill material must meet the following condition:

Decision Reasons:

- Supports the permitted activity rule for earthworks in part.
- Seeks that the permitted activity rule be amended to include earthworks associated with the construction of accessways to build platforms as this currently gets overlooked by many developers.
- Contends that earthworks for accessways is inherent in subdivision consent and has subsequently already been considered by Council on the basis of effects.
- Earthworks restrictions will still be required to comply with NZS 4431:1989.

Point Number

662.14

Summary of Decision Requested:

Amend Rule 22.3.7.5 P1 Building setback - waterbodies as follows:

(a) Any building must be set back a minimum of:

(i) 32m from the margin of any;

A. Lake over 4ha; and

B. Wetland;

...

(v) 10m from a managed wetland

Decision Reasons:

- Opposes the use of the generic term "wetland" when requiring setbacks.
- Such all-encompassing terminology is inappropriate for use within the Proposed District Plan as it will have a significant impact on land development that may not carry any reasonable environmental benefit.
- Seeks that setbacks for man-made stormwater infrastructure and/or modified waterbodies be identified under all applicable waterbody setback rules as 10m.
- Notwithstanding the above, as a "lake" can constitute a large array of waterbodies, a starting point of 4ha should be used in the Proposed District Plan before the setback applies.

Point Number 662.15

Summary of Decision Requested: Delete Rule 22.4.1.1 PR1 Prohibited subdivision

AND

Add a cascading objective, policy and rule set whereby subdivision of Rural and Country Living Zone within the Urban Expansion Area is a Non-Complying Activity and will be subject to an approved Concept Plan of development.

Decision Reasons:

- Recognises that land within the Urban Expansion area is being preserved so as to enable future urban growth that is aligned with strategic agreements between Hamilton City Council and Waikato District Council; however prohibiting the future use of the area is too heavy handed.
- Urban expansion boundary across the country are subject to a higher level of land use management, whereby a well-considered and strategic concept land development plan can precede subdivision scheme plans.
- Market conditions and the rights of landowners should not be unreasonably withheld through limited district plan provisions. Rather a collaborative approach between all parties should be supported whilst aligning with their primary objectives in serving the local communities in a fair and reasonable manner.

Point Number 662.16

Summary of Decision Requested: Amend Rule 22.4.1.1 PR2 Prohibited subdivision from a Prohibited activity to a Non-Complying activity.

Decision Reasons:

- Acknowledges that subdivision of the district's rural resource needs to be carefully and responsibly managed by Council, however, such management is poorly provided for in the Proposed District Plan.
- Fundamentally opposed to the use of prohibition as a land management tool.
- A non-complying rule is more appropriate.

Point Number 662.17

Summary of Decision Requested: Amend Rule 22.4.1.1 PR3(a) Prohibited subdivision from a Prohibited activity to a Non-Complying activity.

Decision Reasons:

- Acknowledges that subdivision of the district's rural resource needs to be carefully and responsibly managed by Council, however, such management is poorly provided for in the Proposed District Plan.
- Fundamentally opposed to the use of prohibition as a land management tool.
- A non-complying activity is more appropriate.

Point Number 662.18

Summary of Decision Requested: Amend Rule 22.4.1.2 RD1(a)(iv) General subdivision as follows:

(iv) The additional lot must have a proposed area of between ~~8~~3,000m² and 1.6ha;

Decision Reasons:

- Seeks to lessen the minimum rural residential lot size in the Rural Zone from 8,000m² to 3,000m².
- Landowners have concerns regarding the Rural Zone subdivision design standards and how this affects large farming succession planning.
- Enabling greater flexibility in the area quantum for rural subdivision, retiring farmers can more effectively retain their rural lifestyle.

Point Number 662.19

Summary of Decision Requested: Retain Rule 22.4.1.4 RD1 Boundary relocation to the extent that there is no longer the requirement for boundaries subject to this rule to be under the same ownership, except for the amendments sought below

AND

Amend Rule 22.4.1.4 RD1(a)(iv) Boundary relocation as follows:

(iv) Create one lot of at least ~~8~~3,000m² in area.

Decision Reasons:

- Amend this rule so that it aligns with the amendments sought within Rule 22.4.1.2 RD1.
- The amendment sought will enable greater flexibility for rural subdivision and allow retiring farmers to retain their rural lifestyle without the more onerous maintenance requirements.

Point Number 662.20

Summary of Decision Requested: Retain Rule 22.4.1.5 RD1 Rural Hamlet Subdivision to the extent that it will allow for appropriate rural communities to be comprehensively designed under the boundary relocation provisions, except for the amendments sought below

AND

Amend Rule 22.4.1.5 RD1(a)(iii) Rural Hamlet Subdivision as follows:

(iii) Each proposed lot has a minimum area of ~~8~~3,000m².

Decision Reasons:

- Supports the rule in part to the extent that it will allow for appropriate rural communities to be comprehensively designed under the boundary relocation provisions.
- The amendments will enable greater flexibility in the area quantum for Hamlet boundary relocation subdivision and allowing more effectively for retiring farmers to retain their rural lifestyle without the onerous maintenance requirements.

Point Number 662.21

Summary of Decision Requested: Retain Rule 22.4.1.6 RD1 Conservation lot subdivision, except for the amendments sought below

AND

Amend Rule 22.4.1.6 RD1(a)(i) Conservation lot subdivision as follows:

(j) The lot must contain a contiguous area of existing Significant Natural Area, or environmental conditions favourable to extending a Significant Natural Area, either as shown on the planning maps or as...

Decision Reasons:

- Supports the rule in part on the principle that a contiguous area of land containing ecological significance should not be fragmented, nor should spatially separate areas of land containing ecological significance be considered as one area due to non-connectivity.
- Considers that land immediately abutting ecologically Significant Natural Area due to landform/topography or other shared environmental attribute should also be used to calculate conservation allotment provisions.
- The land abutting Significant Natural Areas are often sharing habitat criteria and hence should be recognised as holding inherent ecological values.
- Need to recognise the landowner's ability to rehabilitate peripheral areas of Significant Natural Areas.
- Such an amendment will have a measurable, positive environmental effect that can be managed in perpetuity.

Point Number 662.22

Summary of Decision Requested: Delete Rule 22.4.4 RD1(a) Subdivision - Road frontage.

Decision Reasons:

- A 60m width may not always be appropriate in the event that the actual or potential adverse effects on traffic safety are less than minor.
- Contends that a more meaningful road frontage dimension be provided through an assessment of the existing and proposed traffic effect of any development, as well as the criteria contained within the district plan detailing the required sight visibility and operational speed environment.
- Considers that the frontage rule is superfluous, as engineering criteria alone should be used to regulate road frontage widths.

Point Number 662.23

Summary of Decision Requested: Retain Rule 22.4.9 RD1 Subdivision - building platform, except for the amendments sought below

AND

Amend Rule 22.4.9 RD1(a)(i) Subdivision - building platform as follows:

(j) Has an area of ~~4,000m²~~ 500m² exclusive of boundary setbacks;

Decision Reasons:

- Supports the Proposed Plan providing clear design guidance on the subdivision process- such as the location and dimension for building platforms.
- The reason for the sought amendment is so that overly restrict design criteria are removed from the Proposed District Plan and that more adaptive solutions can be considered by the developer without the need for expanded assessment matters.

Point Number 662.24

Summary of Decision Requested: Retain Rule 23.2.3.1 P1 Earthworks - General, except for the amendments sought below

AND

Amend Rule 23.2.3.1 P1(a)(iii) Earthworks - General as follows:

(iii) A building platform and accessway for a residential activity including an accessory building.

Decision Reasons:

- Support the permitted activity rule for earthworks in part.
- Seeks that the permitted activity rule be amended to include earthworks associated with the construction of accessways.
- This currently gets overlooked by many developers and often triggers an unexpected land use consent.
- Earthworks for accessways is inherent in subdivision consent and subsequently already been considered by Council on the basis of effects.
- Earthworks restrictions will still comply in regard to NZS 4431:1989

Point Number 662.25

Summary of Decision Requested: Amend Rule 23.2.3.1 P2 Earthworks - General as follows:

(a) Earthworks within a site for purposes other those contained in P1 (excluding the importation of fill material) must meet all of the following conditions:

(i) Do not exceed a volume of more than ~~250~~500m³ and an area of more than 1000m² within a site over any single 12 month period;

...

(iii) Earthworks are set back ~~4.0~~0.5m from any boundary;

...

Decision Reasons:

- Notes that a 250m³ limit is the same as for the Residential Zone. Given the different activities undertaken for rural residential purposes, an increase in the limit to 500m³ is appropriate.
- It is noted that a soil disturbing quantum would be better to align with the provisions of the Waikato Regional Plan.
- Seeks a 0.5m setback within the rural environment.

Point Number 662.26

Summary of Decision Requested: Amend Rule 23.3.7.5 P1 Building setback - Waterbodies as follows:

(a) Any building must be set back a minimum of:

(i) 23m from the margin of any:

A. Lake over 4ha; and

B. Wetland;

...

(v) 10m from a managed wetland.

Decision Reasons:

- Opposes the use of the generic term "wetland" as this all-encompassing terminology is inappropriate for use within the Proposed District Plan as it will a significant impact on land development in Country Living Zone that may not carry any reasonable environmental benefit.
- The setbacks for man-made stormwater infrastructure and/or modified waterbodies be identified under all applicable waterbody setback rules be 10m.

- As a 'lake' can constitute a large array of waterbodies., the submitter contends that a starting point of 4ha be used in the Proposed District Plan before the setback applies.

Point Number 662.27

Summary of Decision Requested: **Delete** Rule 23.4.1 PR1 Prohibited Subdivision
AND

Add a cascading objective, policy and rule set whereby subdivision of Country Living Zone land within the Urban Expansion Area is a Non-Complying Activity and will be subject to an approved Concept Plan of development.

Decision Reasons:

- Recognises that land within the Urban Expansion area is being preserved so as to enable future urban growth that is aligned with strategic agreements between Hamilton City Council and Waikato District Council; however prohibiting the future use of the area is too heavy handed.
- Urban expansion boundary across the country are subject to a higher level of land use management, whereby a well-considered and strategic concept land development plan can precede subdivision scheme plans.
- Market conditions and the rights of landowners should not be unreasonably withheld through limited district plan provisions. Rather a collaborative approach between all parties should be supported whilst aligning with their primary objectives in serving the local communities in a fair and reasonable manner.

Point Number 662.28

Summary of Decision Requested: **Amend** Rule 23.4.2 RD1(a)(i) General Subdivision as follows:

(i) All proposed lots must have a net site area of at least ~~5~~3,000m².

Decision Reasons:

- Contends that a rural residential allotment should provide flexibility for the different kinds of activities in the Country Living Zone.
- Allotments down to an area of 3,000m² should be provided for to allow such flexibility.

Point Number 662.29

Summary of Decision Requested: **Delete** Rule 23.4.3 D1(a)(vi) Subdivision within identified areas relating to Coal Mining Area.

Decision Reasons:

- Seeks that the discretionary activity trigger "Coal Mining Area" be removed given that such an overlay applies to a large area of land, with the degree of influence being inconsistent across large land holdings across the district.
- Consideration for the Coal Mining Policy Area to be assessed by Council as a matter of limited discretion would be more appropriate.

Point Number 662.30

Summary of Decision Requested: **Amend** Rule 23.4.8 RD1(a)(i) Subdivision - Building platform as follows:

(i) has an area of ~~1,000m²~~ 500m² exclusive of boundary setbacks;

Decision Reasons:

- Do not support requiring a 1,000m² building envelope as this presents an excessively conservative development footprint.
- Generally supportive of the Proposed District Plan providing design guidance on the subdivision process.
- It is an overly restrictive design criteria.
- More adaptive solutions can be considered by the developer without the need for an expanded assessment matter through Council's unrestricted discretion.

Point Number 662.31

Summary of Decision Requested: **Amend** Rule 24.3.6.3 PI Building setback - Waterbodies as follows:

(a) A building must be set back a minimum of 30 from:

(i) the margin of any:

A. Lake over 4ha;

B. Wetland; and

C. River bank, other than the Waikato River and Waipa River.

D. 10m from a managed wetland

Decision Reasons:

- Opposes the use of the generic term "wetland" as this all-encompassing terminology is inappropriate for use within the Proposed District Plan as it will have a significant impact on land development in Country Living Zone that may not carry any reasonable environmental benefit.
- The setbacks for man-made stormwater infrastructure and/or modified waterbodies be identified under all applicable waterbody setback rules is 10m.
- As a 'lake' can constitute a large array of waterbodies., the submitter contends that a starting point of 4ha be used in the Proposed District Plan before the setback applies.

Point Number 662.32

Summary of Decision Requested: **Retain** the definition of "Record of Title" in Chapter 13 Definitions.

Decision Reasons:

- Supports the definition given that it reflects the most recent terminology within the LT Survey Act 2017.

Point Number 662.33

Summary of Decision Requested: **Retain** the definition of "Site" in Chapter 13 Definitions, except for the amendments sought below;

AND

Add new clause (5) to the definition of "Site" in Chapter 13 Definitions, as follows:

Site

Means:

...

5. Subdivided land that requires no further consent from Council.

Decision Reasons:

- Generally supports the proposed definition for a "site."
- Such an amendment is applied in the Operative Hamilton City District Plan where land use consent is required for a recently subdivided allotment, and where sections of policy notations do not affect the newly created allotment.
- Such provision will enable land use consents to be assessed based on their merits, as opposed to irrelevant planning notations.

Point Number

662.34

Summary of Decision Requested:

Retain Objective 4.1.1 Strategic, except for the amendments sought below

AND

Amend Objective 4.1.1 (b) Strategic as follows:

(b) ~~Amend~~ Additional 13,300 – 17,500 dwellings are created during the period 2018 - 2045 to reflect market demands.

Decision Reasons:

- Supports in part the objective as it sets a worthy goal regarding future urban residential development across the district.
- The objective stresses a dwelling quantum which will act as a rigid formula being applied across the district over a time frame that does not correspond to the life of the Proposed District Plan.
- Setting a specifically quantified target for residential growth is problematic when unknown variables are considered.
- Clause (b) should be amended or removed to enable adaptability.

Point Number

662.35

Summary of Decision Requested:

Amend Policy 4.1.3 Location of Development as follows:

(a) *Subdivision and development of a residential, commercial and industrial nature is to occur within and adjacent to towns and villages where infrastructure and services can be efficiently and economically provided.*

(b) *Locate urban growth areas ~~only~~ where they are consistent with the relevant Strategic Growth documents for the district ~~Future Proof Strategy Planning for Growth 2017~~.*

Decision Reasons:

- The submitter agrees with this policy to the extent that residential urban growth is to occur in a logical pattern that is reflective of well-considered growth strategy.
- The proposed wording of the policy is too restrictive and need not state that only urban growth be enabled within the 2017 Future Proof Strategy.
- Limiting growth to the 2017 iteration of the strategy is limiting, and will result in future drafting fixes over the life of the District Plan.

Point Number

662.36

Summary of Decision Requested:

Amend Objective 4.1.7(a) Character of towns as follows:

(a) *Development in the Residential, Village, Industrial and Business zones is attractive, connected and reflects the ~~existing~~ character of towns.*

Decision Reasons:

- The objective is worded in such a way that potentially is confusing for plan users.
- The objective encourages development, however the statement requiring that it "reflects the existing character" is not analogous with development and growth.
- Growth is not always possible to undertake without altering existing character.

Point Number

662.37

Summary of Decision Requested:

Retain Policy 4.1.14(a) Taupiri, except for the amendments sought below

AND

Amend Policy 4.1.14(a) (ii) Taupiri as follows:

(ii) *Future roads, parks, pedestrian and cycle networks are developed in general accordance with the Taupiri section of the Ngaruawahia, Hopuhopu, Taupiri, Horotiu, Te Kowhai & Glen Massey Structure Plan, as well as in consideration of site specific natural and physical features;*

Decision Reasons:

- The objective is appropriate regarding the effect of the Waikato Expressway on Taupiri's existing character
- The submitter disagrees with the proposed wording of clause (ii) as a demonstrable issue arises regarding overt design limitations being imposed on development from high-level strategic plan mapping.
- At best, structure planning is used for conceptual consideration of how and where growth areas are to function in the context of the wider area.
- The policy gives too much weight to the Structure Plan, which has not been prepared with consideration of natural and physical features of the Taupiri Area.
- The Taupiri land area contained within the Structure Plan is subject to significant gully networks, Waikato River Flood Protection Area etc.
- An over-adherence to the high-level design outcomes as envisaged in the Structure Plan map will not represent sustainable management of natural and physical resources.

Point Number

662.38

Summary of Decision Requested:

Retain Policy 4.1.15 Ngaruawahia, except for the amendments sought below

and

Amend Policy 4.1.15(a)(iv) Ngaruawahia as follows:

(iv) *Future neighbourhood centres, roads, parks, pedestrian and cycle networks are developed in general accordance with the Ngaruawahia section of the Ngaruawahia, Hopuhopu, Taupiri, Horotiu, Te Kowhai & Glen Massey Structure Plan, as well as in consideration of site specific natural and physical features; and*

Decision Reasons:

- As provided for in the applicable planning maps, residential growth to the north of the township, in the vicinity of Starr Road, represents a sensible approach given connectivity to transportation corridors, transport integration, and developable land integration with existing residential land use to the south.
- The land surrounding Starr Road is proposed to be rezoned from Rural Zone to Residential Zone contains an area that has been used in the past for intensive farming activities. The intensive land use has not yet been discontinued and consequently will not be constrained under sub-clause (ii) of the policy.
- The flat developable nature of the land in and surrounding Starr Road will integrate with residential land use to the south west, and therefore represents an efficient zone change reflective of urban development demand for the township.
- The submitter disagrees with the proposed wording of clause (iv) as a demonstrable issue arises regarding overt design limitations being imposed on development from high level strategic plan mapping.
- An over-adherence to the high-level design outcomes as envisaged in the structure plan map will not represent sustainable management of natural and physical resources.

Point Number 662.39

Summary of Decision Requested: Retain Policy 4.1.17 Te Kowhai as notified.

Decision Reasons:

- Supports the proposed development direction in the Proposed Waikato District Plan for Te Kowhai
- Development surrounding and ancillary to the Te Kowhai air field is appropriate, and the densities proposed align with future growth in the village.

Point Number 662.40

Summary of Decision Requested: Retain Objective 4.2.1 Residential Character as notified

Decision Reasons:

Supports this objective as an appropriate unambiguous high-level statement in the Proposed Waikato District Plan regarding development within residential areas and provides a suitable policy context.

Point Number 662.41

Summary of Decision Requested: Retain Policy 4.2.2 Character.

Decision Reasons:

- Notes that this policy does not align with several other policies proposed by Council as they relate to structure plans e.g. Policy 4.1.15 and 4.1.14.
- Acknowledges that urban growth needs to be considered in the context of a strategic plan, however an appropriate level of flexibility is needed in structure plans to allow for on-site variables that may not be provided for in the structure plan.

Point Number 662.42

Summary of Decision Requested: Retain Policy 4.2.5 Setback: Side boundaries, except for the amendments sought below

AND

Amend Policy 4.2.5(b) Setback: Side boundaries as follows:

(b) Reduced side boundary setbacks occur ~~only generally~~, where it:

(i)...

(ii) Retains trees on the site; or

(iii) Written approval for the encroachment has been provided by the abutting landowner.

Decision Reasons:

- Support in part as the policy provides a degree of flexibility in regard to side yard performance standards in the Residential Zone.
- A further clause should be included to recognise the written approvals from affected parties, such as neighbouring landowners.

Point Number 662.43

Summary of Decision Requested: Retain Policy 4.2.12 Outdoor living court - Multi-unit development, as notified.

Decision Reasons:

- It provides for flexibility in development through urban design.

Point Number 662.44

Summary of Decision Requested: Retain Objective 4.2.14 Earthworks, as notified.

Decision Reasons:

- Supports the objective in that subdivision development and assessment by Council is undertaken concurrently under the consents process, and that this process is inclusive of earthworks.

Point Number 662.45

Summary of Decision Requested: Retain Objective 4.2.16 Housing options, except for the amendments sought below

AND

Amend Objective 4.2.16(a) Housing options as follows:

(a) A wide range of housing options occurs in the Residential Zones of Huntly, Ngaruawahia, Pokeno, Raglan, Te Kauwhata, Taupiri and Tuakau...

Decision Reasons:

- Supports the objective in part as it is important for high-level recognition in the district plan for housing diversity.
- Taupiri should be explicitly included in the objective.
- The inclusion of Taupiri is due to the increased residential density and growth in the village post the Waikato Expressway.

Point Number	662.46
Summary of Decision Requested:	Retain Objective 4.7.1 Subdivision and Land Use Integration, as notified.
Decision Reasons:	<ul style="list-style-type: none"> The objective provides a suitable context in which urban development policies are to be derived.
Point Number	662.47
Summary of Decision Requested:	Amend Policy 4.7.2(a)(vii) Subdivision location and design as follows: <i>(vii) Promote consistent grid layout <u>where it suits character and topographical constraints</u>.</i>
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports the policy in part as a grid layout is the most efficient subdivision design, hence the current wording of the policy is considered redundant. Notes that that clause (viii) runs contrary to Policy 4.7.3(vii).
Point Number	662.48
Summary of Decision Requested:	Amend Policy 4.7.5 (a) Servicing Requirements as follows: <i>(a) Require urban subdivision and development to be serviced to a level that will provide for the anticipated activities approved <u>indicated</u> in a structure plan, or otherwise anticipated within the zone...</i>
Decision Reasons:	<ul style="list-style-type: none"> Support limited due to an over-emphasis being placed on high-level structure plan detail Structure plans are high level documents and should not be used to prematurely constrain future land use Not enough ground truthing has underpinned the district's structure plans, particularly around the identification of on-site natural and physical constraints.
Point Number	662.49
Summary of Decision Requested:	Amend structure plans to avoid placing roads that will span different boundaries.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	662.50
Summary of Decision Requested:	Amend Rule 17.3.4.2 P1(a) Building setback - Waterbodies as follows: <i>(a) Any building must be setback a minimum of:</i> <i>(i) 23m from the margin of any:</i> <i>A. Lake <u>over 4ha</u>; and</i> <i>B. Wetland;</i> <i>(v) <u>10m from a managed wetland</u></i> AND Any consequential amendments.
Decision Reasons:	<ul style="list-style-type: none"> A wetland as defined under the RMA is broad reaching and covers many features. Having a nominal 23m setback applied to such a wide variation of water features is inappropriate and introduces significant inefficiencies which is contrary to Part 2 of the RMA and the sustainable management of natural and physical resources. A lake can constitute a large array of waterbodies and therefore a starting point of 4ha should be used before the setback applies.
Point Number	662.51
Summary of Decision Requested:	Amend Rule 18.3.7 P1(a) Building setback - Waterbodies as follows: <i>(a) Any building must be setback a minimum of:</i> <i>(i) 23m from the margin of any:</i> <i>A. lake <u>over 4ha</u>; and</i> <i>B. wetland;</i> ... <i>(v) <u>10m from a managed wetland</u></i> AND Any consequential amendments.
Decision Reasons:	<ul style="list-style-type: none"> A wetland as defined under the RMA is broad reaching and covers many features. Having a nominal 23m setback applied to such a wide variation of water features is inappropriate and introduces significant inefficiencies which is contrary to Part 2 of the RMA and the sustainable management of natural and physical resources. A lake can constitute a large array of waterbodies and therefore a starting point of 4ha should be used before the setback applies.
Point Number	662.52
Summary of Decision Requested:	Amend Rule 20.3.4.2 P1(a) Building setback - Waterbodies as follows:

(a) Any building must be setback a minimum of: 30 from:
 (i) the margin of any:
 A. Lake over 4ha; and
 B. Wetland; and
 C. River bank, other than the Waikato River and Waipa River
 ...
 AND

Amend Rule 20.3.4.2 Building setback to require the following setback for managed wetlands to match the amendments sought for other zones:
10m from a managed wetland
 AND
Any consequential amendments.

Decision Reasons:

- A wetland as defined under the RMA is broad reaching and covers many features.
- Having a nominal setback applied to such a wide variation of water features is inappropriate and introduces significant inefficiencies which is contrary to Part 2 of the RMA and the sustainable management of natural and physical resources.
- A lake can constitute a large array of waterbodies and therefore a starting point of 4ha should be used before the setback applies.

Point Number 662.53

Summary of Decision Requested: **Amend Rule 21.3.4.2 PI (a) Building setback - Waterbodies as follows:**

(a) Any building must be setback a minimum of: 30 from:
 the margin of any:
 A. Lake over 4ha; and
 B. Wetland; and
 C. River bank, other than the Waikato River and Waipa River.
 AND

Amend Rule 21.3.4.2 Building setback- water bodies to require the following setback for managed wetlands to match the amendment sought for other zones:
10m from a managed wetland
 AND
 Any consequential amendments.

Decision Reasons:

- A wetland as defined under the RMA is broad reaching and covers many features.
- Having a nominal setback applied to such a wide variation of water features is inappropriate and introduces significant inefficiencies which is contrary to Part 2 of the RMA and the sustainable management of natural and physical resources.
- A lake can constitute a large array of waterbodies and therefore a starting point of 4ha should be used before the setback applies.

Point Number 662.54

Summary of Decision Requested: **Amend Rule 25.3.4.2 PI (a) Building setback - Waterbodies as follows:**

(a) Any building must be setback a minimum of: 32 from:
 (i) the margin of any: lake over 4ha with a bed of 8ha or more
 AND

Amend Rule 25.3.5.2 Building setback- Waterbodies to require the following setback for managed wetland to match the amendments sought for other zones:
(v) 10m from a managed wetland
 AND
 Any consequential amendments.

Decision Reasons:

- A wetland as defined under the RMA is broad reaching and covers many features.
- Having a nominal setback applied to such a wide variation of water features is inappropriate and introduces significant inefficiencies which is contrary to Part 2 of the RMA and the sustainable management of natural and physical resources.
- A lake can constitute a large array of waterbodies and therefore a starting point of 4ha should be used before the setback applies.

Submitter Number: 663 **Submitter:** Graham Halsey

Point Number 663.1

Summary of Decision Requested: **Amend** the proposed cycle way to be extended from Buckland Road, Tuakau, to access the Waikato River via the river stop banks (see maps attached to the submission for further details).

Decision Reasons:

- Allows for a unique opportunity to gain land for River access, leisure activities and possibly a park.
- The Council-owned stopbanks are wide enough to accommodate large farm vehicles and could easily be an extension of the proposed walkway / cycle way.
- The only current access to the river is via River Road which is hazardous for pedestrians and cyclists.
- Would allow a future connection via walkway / cycle way to the River Road access.
- The river is stunning at this location.

Point Number 663.2

Summary of Decision Requested: **Purchase** the land contained within the Waikato River stopbanks near Buckland Road, Tuakau, by Council for park land (see the maps attached to the submission for further detail).

Decision Reasons:

- Access to this land will be difficult if the land adjoining Buckland Road becomes residential.
- The current rural use is marginally sustainable crops or grazing.
- Presents an amazing opportunity for current residents, future residents and tourists.

Point Number

663.3

Summary of Decision Requested:

Amend the Proposed District Plan to avoid any more waste facilities located on the Waikato River on the land between Buckland Road, Tuakau and the Waikato River that is not sustainable nor environmentally practical for waste facilities or use (see map attached to the submission for further details).

Decision Reasons:

- The reclaimed alluvial river plains were reclaimed for soil conservation (for rural use) and erosion protection.

Point Number

663.4

Summary of Decision Requested:

No specific decision sought, but submission opposes the rezoning of land in Tuakau at River Road as identified in the map included in the submission from Business and Rural to Industrial zoning.

Decision Reasons:

- There is a larger industrial area already proposed.
- Encourage all industry to relocate within on large Industrial Zone.
- Residents of Tuakau wish to have a physical as well as a cultural connection with the Waikato River.
- River Road only access to the Waikato River.
- Industry should be discouraged from River Road to allow a safe walkway and/or cycleway to enable safe family River access without any detrimental effect from Industry.
- Industry emitting unlawful odour is a long term problem along River Road.
- Proposed zoning outside the main industrial zone will detrimentally affect Tuakau's future.
- This zoning may attract other industry unable to control effects outside their boundaries to be located within these areas.

Submitter Number:

664

Submitter:

Mark Morgan

Organisation:

Waikato Regional Airport Limited

Point Number

664.1

Summary of Decision Requested:

No specific decision sought, but submission opposes Chapter 9.2 Te Kowhai Airpark.

Decision Reasons:

- Objects to the proposal due to aeronautical safety considerations.
- Supports aspects of the proposal that facilitate recreational aviation in the region.
- Activities that have the potential to intensify aeronautical activity to a commercial scale in close proximity to Hamilton Airport and their airspace represent a greatly increased threat to users of the airport.
- Have not been provided with the results of any aeronautical safety study.
- Modifying the obstacle limitation surface at Te Kowhai to permit traffic at night or under instrument flight rules compromises safety by encouraging faster, more high performance aircraft to operate in the vicinity of Hamilton Airport.

Point Number

664.2

Summary of Decision Requested:

No specific decision sought, but submission opposes Chapter 27 Te Kowhai Airpark.

Decision Reasons:

- Objects to the proposal due to aeronautical safety considerations.
- Supports aspects of the proposal that facilitate recreational aviation in the region.
- Activities that have the potential to intensify aeronautical activity to a commercial scale in close proximity to Hamilton Airport and our airspace represent a greatly increased threat to users of the airport.
- Have not been provided with the results of any aeronautical safety study.
- Modifying the obstacle limitation surface at Te Kowhai to permit traffic at night or under instrument flight rules compromises safety by encouraging faster, more high performance aircraft to operate in the vicinity of Hamilton Airport.

Submitter Number:

665

Submitter:

Paul Liddle

Point Number

665.1

Summary of Decision Requested:

Retain the Residential Zone as notified on the properties within the vicinity of Starr Road, Ngaruawahia.

Decision Reasons:

- Residential growth to the north of the township in the vicinity of Starr Road represents a sensible approach given connectivity to transportation corridors, transport integration, developable land integration with existing residential land use to the south.
- Intensive farming activities within this area have been discontinued
- The land is flat and will integrate with the surrounding residential sites.
- It is an efficient zone change, reflective of urban development demand for the township.

Submitter Number:

666

Submitter:

William Henwood

Point Number

666.1

Summary of Decision Requested:

Retain Chapter 9.2 Te Kowhai Airpark, as notified.

Decision Reasons:

- Ensures that Te Kowhai Aerodrome remains as a vibrant and useful part of the community.

Point Number 666.2

Summary of Decision Requested: Retain Chapter 27 Te Kowhai Airpark Zone, as notified.

Decision Reasons:

- Ensures that Te Kowhai Aerodrome remains as a vibrant and useful part of the community.

Submitter Number: 667 **Submitter:** Duncan McNaughton

Point Number 667.1

Summary of Decision Requested: Amend the zoning of the property at 203 Buckville Road, Pukekohe, from Rural Zone to Country Living Zone.

Decision Reasons:

- Surrounding area to the north and west within the Auckland Council territory boundary has been zoned Future Urban Zone under the Auckland Unitary Plan.
- This could result in residential housing and therefore a residential environment rather than a large open space rural environment.
- The property does not contain prime soils.
- Given the close proximity to the village of Buckland and Pukekohe, a change in zoning is considered logical.

Submitter Number: 668 **Submitter:** Clem & Alison Reeve

Point Number 668.1

Summary of Decision Requested: Amend the zoning of the property at 243 Pokeno Road, Pokeno, from Rural Zone to Business Zone or similar.

Decision Reasons:

- The property is a large lifestyle block of 22 ha bounded by Pokeno Road and the North Island Main Trunk railway.
- The surrounding properties appear to be in the process of being subdivided for residential sections.
- The area will require other infrastructure such as commercial development similar to "The Base", complemented by a "Park and Ride".
- Another possibility could be an academic campus, which would be well located between Auckland and Hamilton.

Submitter Number: 669 **Submitter:** Bernard Brown

Point Number 669.1

Summary of Decision Requested: No specific decision sought, but submission states that the Proposed District Plan lacks practical measures to assist management of existing excessive pressures of tourist uses on existing infrastructure of the Whaanga Coast.

Decision Reasons:

- No reasons provided.

Point Number 669.2

Summary of Decision Requested: No specific decision sought, but submission objects to the Amenity Landscape overlay added to property number 1013511 (16 Whaanga Road, Whale Bay, Raglan).

Decision Reasons:

- Infringing on individual property rights.

Point Number 669.3

Summary of Decision Requested: No specific decision sought, but submission states that the proposed plan is not user friendly.

Decision Reasons:

- Too many overlay designations.
- The zone name should reflect the use of the property, e.g. Residential.

Point Number 669.4

Summary of Decision Requested: Amend the Rural zoning of the property located at 759 Wainui Road, Raglan (Property Number 1013542) to reflect the use of the property, e.g. Residential.

Decision Reasons:

- Object to the inclusion in the Rural Zone.
- The zone name should reflect the use of the property e.g. Residential.

Point Number 669.5

Summary of Decision Requested: Delete the Outstanding Natural Landscape from the property located at 759 Wainui Road, Raglan (Property Number 1013542).

Decision Reasons:

- Complex overlay designations infringe on individual property rights.
- Request removal.

Point Number 669.6

Summary of Decision Requested: **Delete** the Significant Amenity Landscapes from the property located at 759 Wainui Road, Raglan (Property Number 1013542).

Decision Reasons:

- Complex overlay designations infringe on individual property rights.
- Request removal.

Point Number 669.7

Summary of Decision Requested: **Delete** Significant Natural Area overlay from property located at 759 Wainui Road, Raglan (Property Number 1013542).

Decision Reasons:

- Complex overlay designations infringe on individual property rights.
- Request removal.

Submitter Number: 670

Submitter:

Property owners on Galbraith St, Jacobs Lane and Old Taupiri Road

Point Number 670.1

Summary of Decision Requested: **Amend** the zoning of the following properties from Country Living Zone to Village Zone:

- 82A Old Taupiri Road, Ngaruawahia
- 84 Old Taupiri Road, Ngaruawahia
- 93 Old Taupiri Road, Ngaruawahia
- 101 Old Taupiri Road, Ngaruawahia
- 104 Old Taupiri Road, Ngaruawahia
- 106 Old Taupiri Road, Ngaruawahia
- 109 Old Taupiri Road, Ngaruawahia
- 111 Old Taupiri Road, Ngaruawahia
- 116 A-C Old Taupiri Road, Ngaruawahia
- 127 Old Taupiri Road, Ngaruawahia
- 138 Old Taupiri Road, Ngaruawahia
- 145 Old Taupiri Road, Ngaruawahia
- 146 Old Taupiri Road, Ngaruawahia
- 152 Old Taupiri Road, Ngaruawahia
- 161 Old Taupiri Road, Ngaruawahia
- 176 Old Taupiri Road, Ngaruawahia
- 181 Old Taupiri Road, Ngaruawahia
- 182 Old Taupiri Road, Ngaruawahia
- 192 Old Taupiri Road, Ngaruawahia
- 217B Old Taupiri Road, Ngaruawahia
- 247 Old Taupiri Road, Ngaruawahia
- 271 Old Taupiri Road, Ngaruawahia
- 43A Galbraith Street, Ngaruawahia
- 57 Galbraith Street, Ngaruawahia
- 65 Galbraith Street, Ngaruawahia
- 10 Jacobs Lane, Ngaruawahia
- 15 Jacobs Lane, Ngaruawahia
- 18 Jacobs Lane, Ngaruawahia
- 21 Jacobs Lane, Ngaruawahia
- 24 Jacobs Lane, Ngaruawahia
- 28 Jacobs Lane, Ngaruawahia
- 34 Jacobs Lane, Ngaruawahia
- 37 Jacobs Lane, Ngaruawahia

AND

Amend the zoning of the property at 232 Old Taupiri Road, Ngaruawahia from Rural Zone to Village Zone.

(Refer to map 2 included in the submission)

AND

Amend the zoning of the properties in the immediate locality of the specific properties listed above to Village Zone (see Map 1 included in the submission).

Decision Reasons:

- Ngaruawahia is identified in the Future Proof Growth Strategy as a locality of expedient growth.
- The Waikato Regional Policy Statement - Built Environment enables growth in Ngaruawahia for which the Proposed Waikato District Plan is to give effect to.
- The Ngaruawahia Structure Plan 2017 encourages sustainable growth.
- Plan Change 17 - Ngaruawahia and Surrounds was the RMA response to the Ngaruawahia Structure Plan in acknowledgement of the growth and supply of land in Ngaruawahia.
- The Waikato District Council Long Term Plan 2018 - 2028 recognises the growth and recognises that Ngaruawahia is a locality that will grow.
- The Waikato District Council is promoting master planning as a means to manage growth through Blue Print.
- The Village Zone promoted in this submission is in accordance of these strategic and higher order documents that guide and direct planning in Ngaruawahia.
- The character and the amenity values of the locality, and the scale of development and pressure on infrastructure (and its provision), will not change should the area be re-zoned from Country Living and Rural to Village Zone.
- Submitters wish to enable their ability to provide for their well-being by having a choice to have the right zone regulating their properties and proximity.
- It was not evident in the section 32 reports why the properties (locality) were not considered by Village Zone.
- Protecting resources and safeguarding the life-supporting capacity of the environment is supported as a principle.
- For the rural block located at 232 Old Taupiri Road, it is considered there should be an exception due to proximity to infrastructure, services and facilities.
- Submission references the Introductory Section 32 report.
- There is evidence that as a town north of Hamilton City, there is and projected in the immediate future, growth pressure.
- There is no Village Zone in Ngaruawahia.
- It is promoted that there should be a mixture of both Residential Zone and Village Zone. This would provide a balance of "most efficient use of infrastructure, service and facilities, reduce the demand for rural land, and reducing the need for travel.
- The Village Zone will make sure that growth is managed in a way that results in efficient and high amenity urban areas and avoids compromising the characteristics. The blanket use of Residential Zone in Ngaruawahia, rather than a mixture of both Residential Zone and Village Zone, has the potential to compromise character and amenity of the locality.
- The submission refers to the Section 32 Report for the Village Zone.
- The identified properties along Old Taupiri Road, Galbraith Road and Jacobs Lane are in close proximity to the residential and urban environments of Ngaruawahia.
- It is promoted that approving Village Zone provisions over the properties identified within the red area illustrated in Map 1 (refer to submission) will be consistent with the intent and purpose for Village Zone environments.

Submitter Number:	671	Submitter:	Jeremy Buxton
Point Number	671.1		
Summary of Decision Requested:	Amend all land within the greater Horotiu area currently zoned Country/Residential to be rezoned to Residential zone.		
Decision Reasons:	<ul style="list-style-type: none"> • Better use of available land. • Good for existing schools. • Great for first home buyers. • Good for tourism. • A landmark entrance to Hamilton. 		
Point Number	671.2		
Summary of Decision Requested:	Retain all land in the greater Horotiu area currently zoned New Residential to be Residential Zone.		
Decision Reasons:	<ul style="list-style-type: none"> • Better use of available land. • Good for existing schools. • Great for first home buyers. • Good for tourism. • A landmark entrance to Hamilton. 		
Point Number	671.3		
Summary of Decision Requested:	Provide housing and infrastructure to the growing community, including freeing up land for housing development.		
Decision Reasons:	<ul style="list-style-type: none"> • We are living in an area of massive growth and expansion. • We must free up good land for further housing developments. • This would be great for all concerned, including: <ul style="list-style-type: none"> ◦ first home buyers, ◦ schools and early education of children, ◦ development of community ◦ mum and dad investors ◦ recreational activities for all to enjoy ◦ tourism boost. 		

Submitter Number:	672	Submitter:	Ian and Darianne Voyle
Point Number	672.1		
Summary of Decision Requested:	Amend the zoning of the property located at 436A Tauwhare Road, Matangi to Residential Zone; OR Village Zone OR Country Living Zone. AND Any consequential rule amendments.		
Decision Reasons:	<ul style="list-style-type: none"> • Refer to submission for site details and RMA context. • Landowner has experienced difficulties maintaining the orchard as year after year it brings no profit and is a burden to maintain. • Given the relatively small area of the site, a farming operation or grazing is not considered viable. • Given the central village location of the site it is considered an inefficient use of urban land. • The site is located in the centre of the Matangi Village and abuts residential areas along the north-western and eastern boundaries • The site has substantial frontage to Tauwhare Road (90m) and Taplin Road (160m) which will provide for good connection and integration with the existing transportation network. • The site will also have good pedestrian connection to the village centre as a new footpath has recently been constructed along the road frontages as part of the rural residential development to the south. • Site relies on its own bore. • A water main runs along the boundary of the site on both Tauwhare and Taplin Roads providing trickle feed supply to the surrounding residential sites. • Both the Long Term Plan and Matangi Community Plan have identified that future growth of the village is anticipated and expected to be one of the highest rates of growth in villages and rural communities, reaching 39% change by 2045. • If the subject site is to be re-zoned Residential, the allowance in wastewater capacity can be made when such system is designed for the township. • The site is included within the Waikato District Council Urban Limits with Proposed District Plan Zoning (refer to map attached to submission) • The site is consistent with the direction of Future Proof for urban development. • Also consistent with the objectives and policies of the proposed zoning. • It is recognised that should the site be re-zoned Residential, the provision of the three waters infrastructure (reticulated water supply, reticulated wastewater disposal and stormwater (on site disposal via soakage/detention/reuse) will be required. • The site has frontage to two roads with both of them straight and good visibility in the locality of the subject site. • Both frontages are of sufficient width to accommodate a local public road to be connected to Tauwhare or Taplin Roads. • Should the site be re-zoned as residential, a comprehensive integrated transportation assessment is anticipated to be a requirement of any future subdivision. • Infrastructure provision would be a predetermine for any residential development. • In the alternative, Village zone re-zoning is sought where reticulated services are not required. 		

Submitter Number:	673	Submitter:	Maree Williams
Point Number	673.1		

Summary of Decision Requested: Amend the zoning of the property at 353 Scotsman Valley Road, Morrinsville from Rural Zone to split zoning (Country Living and Rural Zone), as shown in the Operative District Plan maps.

Decision Reasons:

- Gives the submitter the opportunity for subdivision.

Submitter Number: 674 **Submitter:** Bruce Stirling

Point Number 674.1

Summary of Decision Requested: Retain the Residential zoning as notified, with specific reference to Ngaruawahia (see maps attached to the submission).

Decision Reasons:

- Residential zoning to the north of Ngaruawahia township and in the vicinity of Starr Road is a sensible approach given connectivity to transport corridors, transport integration and integration with existing residential activities to the south.
- The land surrounding Starr Road was previously used for intensive farming, but this is discontinued.
- The flat developable nature of the land in and around Starr Road will integrate with residential land uses to the south west, and therefore represents an efficient zone change reflective of urban development demand for the township.

Submitter Number: 676 **Submitter:** T&G Global Limited

Point Number 676.1

Summary of Decision Requested: Retain Objective 5.1.1 – The Rural Environment;
AND

Amend the Proposed District Plan to provide a definition for "productive rural activities" which should include both production of raw products and also the processing of such products and ancillary activities as are acceptable within the Rural Zone;

AND

Any further or consequential amendments necessary to address the concerns raised in the submission.

Decision Reasons:

- Given the significance of the objective for the application of policies and rules within the Rural Zone, a definition of productive rural activities should be provided.

Point Number 676.2

Summary of Decision Requested: Retain Policy 5.3.2 – Productive Rural Activities.

Decision Reasons:

- Productive rural activities should be specifically provided for within rural areas to ensure the achievement of the objectives specified for that zone, and the efficient use of resources.
- The submitter is concerned to ensure that reverse sensitivity effects of locating incompatible land uses within the Rural Zone are addressed within the provisions of the District Plan on the basis that such activities detract from the stated objectives for that zone.

Point Number 676.3

Summary of Decision Requested: Retain Policy 5.3.4 (b) – Density of dwellings and buildings within the rural environment.

Decision Reasons:

- The submitter supports Policy 5.3.4-Density of dwellings and buildings within the rural environment insofar as that policy recognises at sub-paragraph (b) that additional dwellings are needed to support workers' accommodation for productive rural activities.
- It is important to consider the accommodation of rural workers as part of the support within the Rural Zone for productive rural activities
- This policy should inform the rules within the Proposed Plan for minor dwellings within the Rural Zone.

Point Number 676.4

Summary of Decision Requested: Retain Policy 5.3.7(a)(iv) – Reverse Sensitivity Effects
AND

Amend Policy 5.3.7 - Reverse Sensitivity Effects to provide explicit recognition of workers' accommodation within the rural environment.

AND

Any further or consequential amendments necessary to address the concerns raised in the submission.

Decision Reasons:

- The submitter supports Policy 5.3.7 – Reverse Sensitivity Effects in so far as it recognises minor dwellings as a typical and accepted feature of the rural environment.
- The accommodation of seasonal and other horticultural or agricultural workers within the rural environment is an important aspect of the continuing function of productive rural activities.

- The nature of such a use does not give rise to reverse sensitivity effects in the same way as other residential activities because rural workers are aware of and familiar with the effects associated with rural production activities.

Point Number 676.5

Summary of Decision Requested: **Retain** the definition of "Farming" in Chapter 13 Definitions in terms of providing for horticultural activities as well as the processing of produce grown on the land, except for the amendments sought below

AND

Amend the definition of "Farming" in Chapter 13 Definitions to allow for the processing of produce grown on other sites owned or leased by the same owners, and the submitter cites the definition of "On-site Primary Produce Manufacturing" in the Operative Waikato District Plan (Franklin Section) as better reflecting the needs of growers

AND

Amend the definition of "farming" in Chapter 13 Definitions to ensure that horticultural activities undertaken within greenhouses and shade houses, including hydroponics, are included in the definition.

AND

Any further or consequential amendments necessary to address the concerns raised in the submission.

Decision Reasons:

- The definition of "On-site Primary Produce Manufacturing" in the Operative District Plan (Waikato section) provides for the more efficient use of resources by reducing the need for dispersed on-site produce manufacturing which can lead to greater environmental impacts across the district.
- The submitter also seeks clarification within the definition of farming to ensure that horticultural activities undertaken within greenhouses and shade houses are considered as farming activities.
- While the proposed definition refers to horticulture, it is not specific in whether or not that includes activities undertaken within greenhouses or under shade cover or that may not rely on the soil, for example hydroponics.
- The existing definition of farming within the Waikato District Plan – Franklin Section refers to horticulture.
- No corresponding definition of horticulture has been provided within the Proposed Plan. Furthermore, the definition of Intensive Farming provided under the Proposed Plan creates some uncertainty as it specifically includes farming which is not dependent on the fertility of the soils on which the activity is located, including glasshouse production and nurseries.
- If horticulture activities undertaken under glass house or shade covers are to be considered as intensive farming then this has considerable ramifications in terms of the Rural Zone activity rules as such activities would require resource consent as a Restricted Discretionary activity.
- This cannot be the intended outcome of the Proposed Plan and as this would be a departure from the established rules of the operative Plan the submitter would oppose this outcome.

Point Number 676.6

Summary of Decision Requested: **Amend** the definition of "Intensive farming" in Chapter 13 Definitions to specifically exclude horticulture activities under cover of either a greenhouse or shade house.

AND

Any further or consequential amendments necessary to address the concerns raised in the submission.

Decision Reasons:

- This reflects the existing provisions of the Operative Waikato District Plan – Franklin Section.

Point Number 676.7

Summary of Decision Requested: **Amend** Rule 22.3.6 Building coverage to increase the limit, so that the maximum limit of building coverage within a Rural Zone enables proper establishment of horticulture activities and facilities and related accessory buildings, worker accommodation, etc.

AND

Any further or consequential amendments necessary to address the concerns raised in the submission.

Decision Reasons:

- The limit is too restrictive to enable the proper establishment of horticulture activities and related accessory buildings, worker accommodations and the like.
- The proposed limits therefore do not achieve the objectives and policies as discussed above.

Point Number 676.8

Summary of Decision Requested: **Retain** the definition of "Building" in Chapter 13 Definitions which excludes structures that are permeable and less than 4m in height to protect crops for agricultural use, except for the amendments sought below.

AND

Amend the definition of "Building" in Chapter 13 Definitions to exclude buildings that protect crops for horticultural use.

AND

Any further or consequential amendments necessary to address the concerns raised in the submission.

Decision Reasons:

- No reasons provided.

Point Number 676.9

Summary of Decision Requested: **Amend** Rule 22.3.7.2 – Building setback sensitive land use to enable the provision of accommodation for agricultural, horticultural and seasonal workers where that accommodation is within 300m of an intensive farming activity.
AND
Any further or consequential amendments necessary to address the concerns raised in the submission.

Decision Reasons:

- Sensitive land use includes residential includes residential activity. Any sensitive land use not complying with this standard is a discretionary activity.
- The nature of worker accommodation does not give rise to reverse sensitivity effects in the same way as other residential activities because rural workers are aware of and familiar with the effects associated with rural production activities.

Point Number 676.10

Summary of Decision Requested: No specific decision sought, but the submission supports the Proposed District Plan insofar as it acknowledges the importance of horticultural activities within the District and seeks to protect such uses from reverse sensitivity effects of incompatible land use.

Decision Reasons:

- No reasons provided.

Point Number 676.11

Summary of Decision Requested: **Amend** the Proposed District Plan to make provision for activities ancillary to horticultural activities such as storage, packing, processing, transport, worker accommodation and administration.

Decision Reasons:

- No reasons provided.

Point Number 676.12

Summary of Decision Requested: **Amend** the Proposed District Plan to provide clearer provision for the accommodation of horticultural and seasonal workers within the rural environment.

Decision Reasons:

- The accommodation of such workers is critical to productive rural activities within the rural environment and therefore to the efficient use of rurally zoned land.

Point Number 676.13

Summary of Decision Requested: **Amend** Rule 22.3.7.2 – Building setback sensitive land use to classify sensitive activities as Restricted Discretionary Activities, and limit Council's discretion in the same way as Rule 22.3.7.4.

AND

Any further or consequential amendments necessary to address the concerns raised in the submission.

Decision Reasons:

- This will limit the Council's discretion in the same way as is provided for noise sensitive activities in Rule 22.3.7.4.
- The nature of worker accommodation does not give rise to reverse sensitivity effects in the same way as other residential activities because rural workers are aware of and familiar with the effects associated with rural production activities.

Point Number 676.14

Summary of Decision Requested: **Retain** Rule 22.3.2 Minor dwelling which classifies a minor dwelling as a permitted activity;

AND

Add a specific provision to the Proposed District Plan to allow workers' accommodation for workers engaged in rural production activities as a permitted activity up to 120m2;

OR

Add a specific provision to the Proposed District Plan to enable workers' accommodation for workers engaged in rural production activities up to 120m2 as a restricted discretionary activity, restricting the matters of discretion to the effects of the built form on the environment;

AND

Any further or consequential amendments necessary to address the concerns raised in the submission.

Decision Reasons:

- The accommodation of such workers is critical to productive rural activities within the rural environment and therefore to the efficient use of rurally zoned land.
- The Auckland Unitary Plan makes provision specifically for workers' accommodation including a specific definition.
- The Waikato District Plan- Franklin section makes a distinction between subsidiary dwellings providing accommodation for dependent relatives and those for seasonal workers or works engaged in farming or horticultural activities.
- A similar distinction should be made within the Proposed District Plan to enable a minor dwelling and a worker accommodation up to 120m2 for workers engaged in rural production activities as a permitted activity.
- If it is established that any effects associated with such use cannot be managed within the rural environment, the submitter would seek the activity be considered as a restricted discretionary activity with the Council's discretion restricted to those particular effects.

Point Number 676.15

Summary of Decision Requested: **Amend** Chapter 22 Rural Zone to clarify that the activities listed as Permitted Activities within Rule 22.1.2 Permitted Activities include activities

ancillary to those specifically provided for.

AND

Any further or consequential amendments necessary to address the concerns raised in the submission.

Decision Reasons:

- The inference is that the provisions are not clear.

Point Number 676.16

Summary of Decision Requested: **Amend** Rule 22.3.7.2 Building setback - sensitive activities, to clarify that the setback does not apply where the sensitive land use is located on the same land as an intensive farming activity.

AND

Any further or consequential amendments necessary to address the concerns raised in the submission.

Decision Reasons:

- This is to enable and recognise workers' accommodation associated with rural production activities.

Point Number 676.17

Summary of Decision Requested: **Retain** Rule 22.3.1 Number of dwellings within a lot insofar as the use of existing residential dwellings within the rural environment by agricultural, horticultural and seasonal workers is currently enabled as the use of a residential unit.

Decision Reasons:

- The submitter supports this rule on the basis that it provides for the occupation of dwellings by agricultural, horticultural and seasonal workers.

Submitter Number: 677 **Submitter:** Arthur Raymond Wright

Point Number 677.1

Summary of Decision Requested: **Delete** areas of the Significant Natural Area from the property at 314 Murray Road, Pukekawa that do not meet the significant natural area status.

Decision Reasons:

- The mapped Significant Natural Areas on this property do not meet the criteria and no information has been provided to justify their significance.
- Without this information, the goal of protecting Significant Natural Areas will not be met and farm activities will be unnecessarily restricted. Refer to maps and photos attached to submission for further detail.
- Council needs to communicate more with landowners.
- Supports Council in their endeavours to protect Significant Natural Areas and preserve true significant natural areas.
- Gorse infested sidings, scrub lands that will be developed into grazing land, trees planted for firewood have been identified as significant natural areas and other areas which should have been marked as significant natural areas have not been identified.

Submitter Number: 678 **Submitter:** Christine Madsen

On behalf of: Madsen & Holmes

Point Number 678.1

Summary of Decision Requested: **Amend** Rule 21.2.9 Indigenous vegetation clearance inside a Significant Natural Area, to permit the removal of invasive weeds to maintain open water for birds.

Decision Reasons:

- The submitter refers to their own experience and states that habitats need to be maintained for the benefit of game bird shooters. Refer to submission which contains an excerpt from an article written by Tom Caithness (*A Summary of the 1991 Waterfowl Shooting Season*).

Point Number 678.2

Summary of Decision Requested: **Amend** Rule 22.2.3.3 Earthworks - Significant Natural Areas, to permit the removal of accumulated silt to maintain open water for water birds.

Decision Reasons:

- The submitter refers to their own experience and states that habitats need to be maintained for the benefit of game bird shooters. Refer to submission which contains an excerpt from an article written by Tom Caithness (*A Summary of the 1991 Waterfowl Shooting Season*).

Point Number 678.3

Summary of Decision Requested: **Retain** the right as a permitted activity to maintain the habitat for the benefit of game bird shooters on the submitter's property at Oram Road and 150 Koheroa Road, Mercer (see map included in submission for location).

Decision Reasons:

- The submitter refers to their own experience and states that habitats need to be maintained for the benefit of game bird shooters. Refer to submission which contains an excerpt from an articles written by Caithness (*A Summary of the 1991 Waterfowl Shooting Season*).

Submitter Number:	679	Submitter:	Greenways Orchards Limited
Point Number	679.1		
Summary of Decision Requested:	<p>Amend the zoning of the properties in Te Kauwhata listed below from Residential Zone to Business Zone:</p> <ol style="list-style-type: none"> 1. Part of 4 Wayside Road (to be a split zone) 2. 8 and 10 Wayside Road 3. 16 and 24 Wayside Road <p>Refer to the map in this submission which indicates the extent of Business zoning requested by this submitter.</p>		
Decision Reasons:	<ul style="list-style-type: none"> • The sites contain existing commercial activities and a Business Zone would protect these activities and the capital invested. • The sites are close to State Highway 1 and business activities would draw on this locational advantage. • A Business Zone would enable diversity in land use. • Noise, glare and emissions from traffic and associated infrastructure along State Highway 1 conflict with residential use. Rezoning for businesses would therefore avoid reverse sensitivity effects and provide a buffer between the on-ramp and Residential Zone. 		
Point Number	679.2		
Summary of Decision Requested:	<p>Retain the mapped indicative roading layout in the vicinity of the property at 16 and 24 Wayside Road, Te Kauwhata if the property remains Residential Zone.</p>		
Decision Reasons:	<ul style="list-style-type: none"> • In the event that the requested rezoning to Business is not accepted, the submitter supports the indicative roading layout that enters their property from the north. 		
Point Number	679.3		
Summary of Decision Requested:	<p>Delete Policy 4.5.11(a)(ii) Residential upper floors: Business Town Centre Zone and Business Zone relating to avoiding residential activity at ground level.</p>		
Decision Reasons:	<ul style="list-style-type: none"> • There may be circumstances where ground floor residences are appropriate, especially when dealing with zone or heritage interfaces, or motel accommodation. 		
Point Number	679.4		
Summary of Decision Requested:	<p>Amend Rule 16.4.3 RD1(a)(ii) Subdivision - Te Kauwhata West Residential Area as follows:</p> <p>(a) Proposed lots within Te Kauwhata West Residential Area must comply with all of the following conditions:</p> <p>...</p> <p>(ii) Have a minimum average net site area of 875m² 700m²;</p>		
Decision Reasons:	<ul style="list-style-type: none"> • The proposed minimum average net site area of 875m² is an inefficient use of land that fails to account for anticipated growth in the area. • It fails to give effect to the Future Proof Strategy which seeks a more compact urban form and greater densities in existing settlements. • It does not achieve the minimum density required by strategic Policy 4.1.5. 		
Point Number	679.5		
Summary of Decision Requested:	<p>Delete Rule 17.1.5 NC1 Non-Complying Activities</p> <p>AND</p> <p>Add ground floor residential activity to Rule 17.1.4 Discretionary Activities.</p>		
Decision Reasons:	<ul style="list-style-type: none"> • A non-complying activity status for this type of multi-unit development is too restrictive and does not provide for innovation in design or development concepts which may promote good outcomes for the Business Zone. • Residential activities are appropriate and a non-complying activity status does not enable this type of development. • Residential development at ground floor level may an appropriate design response given the characteristics of the site and surrounding area, such as where buildings adjoin a Residential Zone. 		
Point Number	679.6		
Summary of Decision Requested:	<p>Delete Rule 17.1.5 NC2 Non-Complying Activities</p> <p>AND</p> <p>Add ground floor residential activity to Rule 17.1.4 Discretionary Activities.</p>		
Decision Reasons:	<ul style="list-style-type: none"> • A non-complying activity status for this type of residential activity is too restrictive and does not provide for innovation in design or development concepts which may promote good outcomes for the Business Zone. • Residential activities are appropriate and a non-complying activity status does not enable this type of development. • Residential development at ground floor level may an appropriate design response given the characteristics of the site and surrounding area, such as where buildings adjoin a Residential Zone. 		
Point Number	679.7		
Summary of Decision Requested:	<p>Amend Table 14.12.5.1 - Separation distances, by replacing with the Operative Waikato District Plan - Franklin Section rules in Part 9.5 Location of Vehicle Crossings for arterial and collector roads.</p>		
Decision Reasons:			

- The section 32 analysis does not justify the separation distances set out in proposed Table 14.12.5.1. In the operative Franklin Section, roads are classified in terms of their importance for traffic movement and access functions.
- For properties on roads listed at the top of the hierarchy, access to them is either restricted or managed through design.
- In contrast, the objective is to maximise ease and access to properties located on local roads.

Point Number 679.8

Summary of Decision Requested: Delete Table 14.12.5.3 - Minimum sight distances

AND

Add references to "RTS6 - Guidelines for visibility at driveways".

Decision Reasons:

- There is no section 32 analysis to justify the proposed minimum sight distances.
- There are national documents that already address this matter and therefore the district plan does not need to specify different standards.

Point Number 679.9

Summary of Decision Requested: Amend Table 14.12.5.14 - Access and road conditions (Residential, Village, Business, Business Town Centre and Industrial Zones), to be replaced with NZS 4404:2010 Land Development and Subdivision Infrastructure - Table 3.2 Rooding Design Standards.

OR

Amend Table 14.12.5.14 Access and road conditions, by replacing with the standards in the Operative District Plan - Franklin Section as follows:

Users Legal width Minimum total seal width

2-4 3.5m 2.7m

5-8 8m 5m

Decision Reasons:

- The proposed access standards are excessive, will result in inefficient use of the urban land resource and will prevent infill development.
- The extra seal width increases impervious surfaces and stormwater runoff without any apparent need or benefit and will add excessive development costs.
- NZS 4404:2010 - Land Development and Subdivision Infrastructure is a national document that addresses access and road conditions and it is therefore not necessary for the district plan to specify different standards.
- The current standards in the operative Franklin Section are more appropriate than the proposed standards.

Point Number 679.10

Summary of Decision Requested: Retain Rule 16.4.3 Subdivision - Te Kauwhata West Residential Area, with the exception of Rules RD1(a)(ii) and RD1(a)(iv) which are addressed elsewhere in the submission.

Decision Reasons:

- Enables the subdivision of land in Te Kauwhata to provide for growth within the district.

Point Number 679.11

Summary of Decision Requested: Delete Rule 16.4.3(a)(iv) Subdivision -Te Kauwhata West Residential Area and make it a matter of discretion.

Decision Reasons:

- The establishment of grid patterns may not be appropriate to all sites due to topographical or other physical constraints.
- There is no section 32 analysis to justify the requirement for a grid layout.
- The appropriateness of a grid layout should therefore be listed as a matter of discretion rather than a rule.

Point Number 679.12

Summary of Decision Requested: Delete Rule 16.4.13(a) Subdivision creating reserves and make it a matter of discretion.

Decision Reasons:

- Roading infrastructure is expensive and this rule will therefore result in unjustified costs to developers and purchasers.
- The rule is arbitrary and may not be appropriate for all types of reserves and developments.
- Safety and surveillance of reserves may be achieved with less road frontage as indicated with the subdivision concept plan provided with the submission.
- There is no section 32 analysis to justify the 50% threshold.
- The extent of road frontage for a proposed reserve should therefore be a matter of discretion rather than a rule.

Submitter Number: 680

Submitter:

Federated Farmers of New Zealand

Point Number 680.1

Summary of Decision Requested: Withdraw the Proposed District Plan as provided for in Schedule 1 (8D(1)) of the Resource Management Act 1991 to allow an assessment of the drafted plan against the National Planning Standards when it is released. This would allow analysis of the submissions and robust identification and scheduling of the Significant Natural Areas, Outstanding Landscapes and Significant Amenity Landscapes.

Decision Reasons:

- The submitter considers that withdrawing the Proposed Plan at this stage would allow an assessment of against the National Planning Standards when released in 2019.
- The submissions received during this process could provide useful feedback and could be analysed during the interim period. This would improve the quality of the Proposed District Plan.
- It would allow WDC time to undertake robust identification and scheduling of significant natural areas, outstanding landscapes and significant amenity landscapes. Taking time during the early planning stage will reduce the time consuming and expensive appeal process.

Point Number	680.2
Summary of Decision Requested:	<p>Amend the Proposed District Plan to acknowledge and recognise that biodiversity gains are best achieved with landowner buy-in.</p> <p>AND</p> <p>Adopt a biodiversity policy and management framework which facilitates a collective and collaborative response to this public good issue which could be achieved by non-regulatory methods that include such as:</p> <ul style="list-style-type: none"> • increasing the contestable conservation fund as recommended in the Kessels Ecology report • assistance with stock exclusion and pest control • raising education and awareness about the importance of biodiversity. <p>AND</p> <p>Any consequential changes necessary to give effect to the relief sought and/or concerns raised in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> • Submission indicates that the consultation process for Significant Natural Areas was not robust or engaging, and there is no evidence in the Proposed District Plan that raised issues were heard, understood or addressed by the Council. • The best outcomes are achieved when Councils have a good understanding of the issues facing landowners, and acknowledge the <i>public good</i> aspect which is provided (at the expense of landowners). This includes utilising Council ratepayers' money to provide meaningful incentives to enable good biodiversity management, such as provision of information and advice, assistance with pest control and other non-regulatory tools that reflect a partnership approach to achieve biodiversity gains. The majority of indigenous biodiversity which remains in the district is found on private land. • The submitter's experience is that the best biodiversity outcomes are achieved when Councils have a good understanding of the issues facing landowners, acknowledge the public good aspect which is created and work to provide meaningful incentives and information. This important partnership approach is currently missing under the Proposed District Plan planning response.
Point Number	680.3
Summary of Decision Requested:	<p>Amend plan format and structure to ensure the respective chapters include an introductory/explanatory section that provides plan users with a clear understanding of the issues, values, and purpose of the chapter.</p> <p>AND</p> <p>Any consequential changes necessary to give effect to the relief sought and/or concerns raised in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> • The Proposed District Plan in its current format is not cohesive. It is oversimplified, with a bias on environmental ecology to the extent that important context around social, economic and cultural outcomes is missing. • Furthermore, opportunities for incorporating best-practice planning methods have not been adopted, which is to the detriment of plan users, and ultimately to the district's natural and physical resources.
Point Number	680.4
Summary of Decision Requested:	<p>Amend the Proposed District Plan to include proactive and positive attributes as well such as a range of non-regulatory methods or the suite of mechanisms council will be using to educate, inform, incentivise and generate a good understanding of the respective resource management issues.</p> <p>AND</p> <p>Any consequential changes necessary to give effect to the relief sought and/or concerns raised in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> • The Proposed District Plan in its current format is not cohesive. It is oversimplified with a bias on environmental ecology to the extent that important context around social, economic and cultural outcomes are missing. • Opportunities for incorporating best-practice planning methods have not been adopted, which is to the detriment of plan users, and ultimately to the district's natural and physical resources.
Point Number	680.5
Summary of Decision Requested:	<p>Amend the Proposed District Plan so the associated rules are included in the relevant chapter, i.e. one chapter for each resource management topic</p> <p>OR</p> <p>Amend the Proposed District Plan to provide 'road-mapping' or 'sign posting' within the Proposed District Plan.</p> <p>AND</p> <p>Any consequential changes necessary to give effect to the relief sought and/or concerns raised in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> • The Proposed District Plan in its current format is not cohesive. It is oversimplified with a bias on environmental ecology to the extent that important context around social, economic and cultural outcomes are missing. • Furthermore, opportunities for incorporating best-practice planning methods have not been adopted, which is to the detriment of plan users, and ultimately to the district's natural and physical resources.
Point Number	680.6
Summary of Decision Requested:	<p>Amend the Proposed District Plan to include advisory notes cross-referencing other legislation, planning instruments or authorities that have jurisdiction or an interest in specific issues.</p> <p>AND</p> <p>Any consequential changes necessary to give effect to the relief sought and/or concerns raised in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> • The Proposed District Plan in its current format is not cohesive. It is oversimplified with a bias on environmental ecology to the extent that important context around social, economic and cultural outcomes are missing. • Furthermore, opportunities for incorporating best-practice planning methods have not been adopted, which is to the detriment of plan users, and ultimately to the district's natural and physical resources.

Point Number	680.7
Summary of Decision Requested:	<p>Amend the Proposed District Plan to incorporate the relevant issues outlined in Section 1.4 Issues for Waikato district into the respective chapters of the Plan.</p> <p>AND</p> <p>Any consequential changes necessary to give effect to the relief sought and/or concerns raised in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> The submitter considers the purpose of the plan would be better served if the issues for the district were incorporated into the respective chapters of the plan rather than contained in a separate section.
Point Number	680.8
Summary of Decision Requested:	<p>Amend the Proposed District Plan to incorporate the relevant issues outlined in Section 1.5 What does this mean for Waikato district strategic objectives and directions? into the respective chapters of the Plan.</p> <p>AND</p> <p>Any consequential changes necessary to give effect to the relief sought and/or concerns raised in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> The submitter considers the purpose of the plan would be better served if the issues for the district were incorporated into the respective chapters of the plan rather than contained in a separate section.
Point Number	680.9
Summary of Decision Requested:	<p>Amend Section 1.4.3 (b) The Rural environment as follows:</p> <p><i>In addition, rural activities contribute to the parts of the rural environment parts of the district which are valued for their landscape, character and amenity values.</i></p> <p>AND</p> <p>Any consequential changes necessary to give effect to the relief sought and/or concerns raised in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> The rural ideal of landscapes or amenity are largely dynamic working landscapes which are there as a result of the activities you would expect to find in the rural zone. It is important to establish that understanding in the contextual sections of the plan.
Point Number	680.10
Summary of Decision Requested:	No specific decision sought, but submission supports in part Section 1.4.3.1 Rural activities.
Decision Reasons:	<ul style="list-style-type: none"> Broad support is extended to the range of issues outlined in this section. However, it is important to accurately reflect legislative requirements and not over-simplify this contextual information. It may not always be appropriate to seek to avoid adverse effects on the environment, and may in fact be more important to remedy or mitigate them, depending on the situation.
Point Number	680.11
Summary of Decision Requested:	<p>Amend Section 1.4.3.2 (b) Protecting the rural environment, as follows:</p> <p><i>Activities affecting landscape, historic and amenity values, including: rural character, recreational activities, high quality soils, significant mineral resources and ecological values need to be managed to avoid, <u>remedy or mitigate</u> adverse effects on the...</i></p> <p>AND</p> <p>Make any consequential changes necessary to give effect to the relief.</p>
Decision Reasons:	<ul style="list-style-type: none"> Broad support is extended to the range of issues outlined in this section. However, it is important to accurately reflect legislative requirements and not over-simplify this contextual information. It may not always be appropriate to seek to avoid adverse effects on the environment, and may in fact be more important to remedy or mitigate them, depending on the situation.
Point Number	680.12
Summary of Decision Requested:	<p>Delete Section 1.5.7(a) Natural environment</p> <p>OR</p> <p>Amend Section 1.5.7(a) Natural environment as follows</p> <p><i>The Council will ensure that adjoining authorities and the regional council are informed of <u>any</u> resource consent applications received for vegetation clearance <u>located on the district boundary</u>. The location of indigenous vegetation...</i></p> <p>AND</p> <p>Any consequential changes needed to give effect to this relief.</p>
Decision Reasons:	<ul style="list-style-type: none"> The submitter considers this section to be an unnecessary duplication of the cross-boundary issues addressed under Section 1.5.3 and 1.5.7.1 (a). In most vegetation-clearance situations, it would be completely unnecessary to involve all adjoining authorities and the regional council. In fact, it may only occasionally be appropriate for such involvement in relation to cross-boundary clearance of significant indigenous vegetation.
Point Number	680.13
Summary of Decision Requested:	Add to Section 1.5.7 Natural environment new provisions as follows:

(##) Reconciling the tension between the private cost and public benefit of protecting and managing the District's natural environment.

(###) Increase public recognition and understanding of the District's natural environment, the associated values and the respective responsibility that the public and private landowners assume in its ongoing management and protection.

(####) Develop a range of non-regulatory mechanisms that encourage, assist and facilitate the protection, maintenance or enhancement of the District's Significant Natural Areas and Outstanding Natural Landscapes.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter states that this requested relief relates to their submission points raised in Section Two General Comments above. In this regard, Sections 2.15 and 2.16 of the submission read as follows:

Our members strongly support a planning approach which recognises that landowners play a principle role as managers (and financiers) of the region's natural and physical resources. They also support plans that are truly effects-based and do not unnecessarily inhibit or pose constraints on farming activity. Landowners are proactive resource managers who rely on their properties natural and physical resources for their farming business. It is entirely in their best interest to manage their land sustainably.

Farmers are the most efficient agents for achieving on-farm good practice, as farmers are where the 'rubber hits the road' for land management. To that end, Federated Farmers actively encourage non-regulatory methods to achieve and encourage good practices. There are substantial existing drivers for farmers to ensure that their on-farm practices meet environmental standards. The lack of non-regulatory methods proposed in the PDP is a significant concern.

Point Number 680.14

Summary of Decision Requested: Retain Section 1.5.7.3 Water as notified.

Decision Reasons:

- The submitter understands the issues outlined in this section and is supportive of the approach to encourage winter water storage, and is keen to ensure that there is a consistent approach adopted within the plan with an enabling management response adopted. This will require amendments to the way water tanks are proposed to be controlled in the notified plan. Further comment and specific relief sought will be made against the respective definitions and proposed rules.

Point Number 680.15

Summary of Decision Requested: Amend Section 1.5.7.5 (a) The coast as follows:

Coastal issues cross the boundaries with Otorohanga District, Hauraki District and Auckland. In addition, Waikato Regional Council has responsibilities for administering the coastal marine area. The Council will liaise with the relevant councils on coastal activities with a cross-boundary impact. Inappropriate development will be managed...

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter understands the purpose and intent of this section, however it is important to not over simplify this contextual information.

Point Number 680.16

Summary of Decision Requested: Retain Section 1.5.7.7 Energy as notified.

Decision Reasons:

- The submitter supports the balanced approach which is being established for the management of energy infrastructure and development within the plan.

Point Number 680.17

Summary of Decision Requested: Amend Section 1.9.4 (a) Section 6 RMA as follows:

This section places a duty on the Council to recognise and provide for a range of matters of national importance. These include the coastal environment, lakes, rivers, wetlands, natural features, significant habitats of indigenous fauna and significant indigenous vegetation...

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- Submitter understands the purpose and intent of this section. However, it is important to accurately summarise the Act and not over simplify this contextual information.

Point Number 680.18

Summary of Decision Requested: Amend Section 1.9.5 (a) Section 7 RMA as follows:

The matters in Section 7 of the RMA, while not described as matters of national importance are, nevertheless, important to Council's resource management functions. This section requires Council to have particular regard to several matters, including kaitiakitanga, the ethic of stewardship, the efficient use and development of natural and physical resources, the maintenance and enhancement ~~protection~~ of amenity values...

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter understands the purpose and intent of this section, however it is important to accurately summarise the Act and not over simplify this contextual information.

Point Number 680.19

Summary of Decision Requested: Amend Section 1.10.3.4 (b) National Environmental Standards as follows:

National Environmental Standards are regulations issued under sections 43 and 44 of the RMA and apply nationally. This means that each regional, city or district council must enforce the same standard. In some circumstances, councils can impose stricter standards. The land use activities over which respective

NESs apply will be considered as permitted activities under this plan.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter understands the hierarchy of planning instruments and Council's intent to not duplicate land use controls for activities to which respective National Environmental Standards ('NES's) apply.
- The submitter considers it appropriate for the Proposed District Plan to be more explicit in terms of the relationship between the NESs and the rules framework within the plan. This lack of connection between the two is of particular concern when a 'catch all' rule like NCS is proposed.

Point Number

680.20

Summary of Decision Requested:

Amend Section 1.12.2 Natural Environment as follows:

(a) A district that values protects its natural habitat and ecological values and retains its significant landscape features.

(b) A district that acknowledges the tension between the private cost and public benefit of maintaining or enhancing the District's natural environment.

(c) A district that where retains the natural character of its rural areas and has access to the public open space is available for public enjoyment and use and well used by the community.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter considers the Proposed District Plan to be overly simplistic and unbalanced in its identification of the significant issues and strategic direction being taken by the district.
- The lack of recognition or acknowledgement that tensions can be created when private cost is over relied on to achieve public benefit is a significant concern for our members.
- There are impacts caused by natural environment and historic heritage provisions as many of these sites are located on private land. Our members value the natural environment and historic heritage, but often the unknown costs or implications of a policy approach can create a perception that these areas are a liability rather than an asset.
- When developing policies around the natural environment and heritage, the impacts on resource users must be addressed. Council's mechanisms to manage or enhance them should include encouragement for resource users. If the effects on landowners are ignored it could be perceived that natural environment resources are a hindrance and a liability, resulting in negative consequences all around.
- The submitter seeks policies which provide recognition of the private efforts which have created public good resources, and non-regulatory methods that assist landowners help to create win-win outcomes - which should be the ultimate goal.
- Furthermore, the submitter considers the purpose and intent of (c) in the notified version of the Proposed District Plan to be unclear and confusing as presently worded, and seek that this be set forth more clearly.

Point Number

680.21

Summary of Decision Requested:

Retain Section 1.12.7 Managing change as notified.

Decision Reasons:

- The submitter supports the policy position and consider effective consultation and strategic planning to be critical for the efficient operation of the Council's functions.

Point Number

680.22

Summary of Decision Requested:

Amend Section 1.12.8 (b) (vi) Strategic objectives as follows :

(vi) Protect ~~and enhance~~ public green open space, outstanding landscapes and areas of cultural, ecological, historic, and environmental significance from inappropriate use and development.

AND

Add to Section 1.12.8 (b) Strategic objectives the following:

(vii) Reconciling the tension between the private cost and public benefit of maintaining or enhancing the District's natural environment and historic heritage.

(viii) Acknowledge the continued use of rural areas for productive rural activities and other land and soil resource-dependent rural-based activities, as well as access to and the extraction of mineral resources, are important to the economic health and well-being of the district and wider subregion.

(ix) Active participation of landowners is seen as vital to the maintenance and enhancement of indigenous biodiversity. The Council will work with landowners, recognise their stewardship and current management practices, and will promote the use of non-regulatory methods, including assistance with the establishment of protective covenants, service delivery, education, and other incentives.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter is disappointed at the urban-centric focus and nature of this summary of strategic objectives. The importance of the primary production sector to this district should be a key consideration for the overarching direction of this plan.
- Rural landowners take great pride in their work, stewardship of their land and their economic contribution to their local community.
- Section 1.4.2 (page 7) states that economic growth can be largely attributed to primary industry, which as of 2014 accounts for more than a third of the district's GDP.
- Submitter asks to adopt a more balanced and considered approach to the strategic objectives of this Proposed District Plan. One which is more consistent with the purpose and intent of the Resource Management Act 1991 ('RMA') and direction in the Waikato Regional Policy Statement ('WRPS').

Point Number

680.23

Summary of Decision Requested:

Amend Objective 2.12 (a) -Whakapapa (connection to nature) as follows:

Relationships with ancestral lands, water, sites, waahi tapu and other taonga are protected from inappropriate subdivision, use and development, and enhanced where appropriate.

AND

Any consequential changes needed to give effect to this relief:

Decision Reasons:

- This aspect of *whakapapa* should be addressed in the Proposed District Plan, and should relate to the effects of land use.
- This is in keeping with a general theme across our submission which seeks to ensure WDC restricts the Proposed District Plan provisions to matters that district councils have the jurisdiction to regulate.

Point Number 680.24

Summary of Decision Requested: **Amend** Policy 2.12.1 (a) Whanaungatanga (relationship to nature) as follows:

(a) Recognise the relationship of Tangata Whenua with areas of significance, including waahi tapu, urupaa, maunga and other landforms, mahinga kai, and indigenous flora and consider these matters through provisions which trigger requirement for resource consent or Notice of Requirement for Designation, which may include:

...

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter understands the purpose and intent of this policy but considers it appropriate for the Proposed District Plan to include detail as to how this policy will be implemented. It is difficult to determine how and when the provisions listed in Points (i-vii) will be required.
- The resource consent and/or designation process is the most appropriate method to incorporate the stated provisions - as and when necessary.

Point Number 680.25

Summary of Decision Requested: **Amend** Policy 2.14.1 (a) (i) Kaitiakitanga (stewardship/guardianship) as follows:

(i) Establishing who should be consulted, in what circumstances within a resource consent application process or in a resource consent implementation process, and the consultation fees;

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter understands the purpose and intent of this policy but seek to remind Council that a broad policy like this can isolate landowners. In the submitter's experience most landowners want to do the right thing with regards to cultural heritage but it is Council's role to facilitate this with a planning framework that creates certainty and consistency.
- The Council needs to ensure that appropriate consideration is given to existing landowner's rights and their reasonable expectations to manage their land, when recognising and providing for tangata whenua's exercise of kaitiakitanga.

Point Number 680.26

Summary of Decision Requested: **Amend** Policy 2.15.1 Ngaa taonga tuku iho (Maori Sites and Areas of Significance) as follows:

(a) Ensure new subdivision, use and development does not compromise...

(b) Areas and sites of significance to Maori including waahi tapu sites and waahi tapu areas are protected from adverse effects of inappropriate land use change development or activities on those sites.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- Not all subdivision, development or land use should be subject to this policy. There are many legitimate and expected activities which should be able to continue without undue restriction. Submitter accepts that changes to existing land use activities may need to be assessed against potential adverse effects on these sites and areas.

Point Number 680.27

Summary of Decision Requested: No specific decision sought, but the submission conditionally supports Objective 3.1.1 (a) Biodiversity and ecosystems.

Decision Reasons:

- The submitter's support for this objective is conditional on provision of appropriate policy that recognises the role landowners play in protecting and enhancing biodiversity and our relief sought elsewhere in that regard.
- The submitter understands the intention of this objective is to give effect to the RMA and Waikato Regional Policy Statement (WRPS). It is a goal that many farmers and landowners share and reminds farmers to adopt responsible management and environmental practices.
- However, the Proposed District Plan's exclusively regulatory approach is outdated and inconsistent with best practice and advice received from the Council's own consultant through this district plan review process (Kessels Ecology Significant Natural Areas Summary of Inputs from the Community Consultation Process Dec 2016). The submitter considers that the planning approach will need significant changes if Council is genuine about engaging in effective consultation and serious about achieving the stated public good outcomes.

Point Number 680.28

Summary of Decision Requested: **Add** new policy to Section 3.1 Indigenous Vegetation and Habitats as follows:

(a) The Council recognises landowners' stewardship of the land and will work with landowners to promote the use of non-regulatory methods; including assistance with the establishment of protective covenants, service delivery, education, and other incentives in protecting and enhancing ecological sites, geological features, and the values of outstanding natural features and landscapes; and ensure current land management practices help achieve this.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- Enhancement goals require active management on behalf of both Council and landowners if the goals are to be met. Submitter is concerned at the lack of understanding and recognition within the planning framework of the role landowners play with regards to achieving protection and enhanced biodiversity and ecosystem values across the district, regional and country.
- Active participation of landowners is practically necessary and essential to the successful protection and enhancement of ecological sites, geological features, and the values of outstanding natural features and landscapes.

Point Number 680.29

Summary of Decision Requested: **Amend** Policy 3.1.2 (a) Policies as follows:

(a) ~~Enable Incentivise~~ activities that maintain or enhance indigenous biodiversity including:

(i) planting using indigenous species suitable to the habitat;

(ii) the removal or management of pest plant and animal species;

(iii) biosecurity works.

AND

Add to Policy 3.1.2 (a) Policies as follows:

(iv) Encouraging voluntary planting of indigenous plant specimens suitable to each habitat, whilst anticipating flexibility to appropriately manage planted vegetation in a way that is integrated with other land management practices.

AND

Add to Policy 3.1.2 new Policies as follows:

(d) Council will coordinate with other agencies and organisations in identifying risks, requirements, opportunities and effective methods for maintaining and enhancing Waikato's biodiversity and will support landowners with a range of regulatory and non-regulatory initiatives to maintain and enhance biodiversity.

(e) Consider additional subdivision opportunities where significant biodiversity gains can be achieved in the following priority areas or locations:

(i) Peat lakes and rivers: by permanently providing significant buffer areas around peat lakes and rivers; or

(ii) Wetlands, kahikatea stands, riparian margins and bush stands on the low lands, by providing permanent protection; or

(iii) Significant natural areas being aggregated to form one large more ecologically sustainable area and being permanently protected; or

(iv) Biodiversity corridors: by the permanent protection of significant areas of indigenous forest within biodiversity (indigenous forest) corridors; or

(v) Biodiversity corridors: by permanently protecting significant riparian or wetland areas within identified biodiversity (river or stream) corridors.

AND

Any consequential amendments needed to give effect to this relief.

Decision Reasons:

- Submitter supports the enabling intent of this policy, however the proposed rules framework designed to implement this policy are not consistent.
- Activities such as the removal or management of pest plant and animal species can require vegetation clearance and earthworks for conservation fencing to exclude stock or pests. The proposed rules only enable the vegetation clearance activity under Rule 22.2.7, PI (a)(ii), earthworks for a new fence or track would require a Restricted Discretionary resource consent as per Rule 22.2.3.3, RD 1(a).
- This requirement introduces consent costs, on top of labour and materials and creates time constraints – all of which have the ability to stifle good intentions and hinder rather than enable activities which ultimately maintain or enhance indigenous biodiversity.
- It is widely accepted that the enhancement indigenous vegetation and ecosystems is difficult to achieve without assistance and co-operation from landowners and other parties. Landowners need support from a range of authorities and agencies for initiatives to protect and maintain biodiversity.

Point Number

680.30

Summary of Decision Requested:

Amend Objective 3.2.1 Significant Natural Areas as follows:

(a) Indigenous biodiversity in Significant Natural Areas is protected and enhanced through a range of regulatory and non-regulatory methods.

AND

Any consequential amendments needed to give effect to this relief.

Decision Reasons:

- The submitter considers it important for the Objective to provide more direction and context. It is important to be clear that enhancement goals require a different approach to protection which can be achieved, in part via regulation. Regulation can control use but not induce the active management required to achieve enhancement.
- The submitter recognises that protection of significant indigenous vegetation and significant habitats of indigenous fauna is a RMA Section 6(c) obligation, and that biodiversity is important to all New Zealanders. This does not however justify the one dimensional approach the Proposed District Plan has adopted.
- Farmers play a fundamental role in the on-going active management and protection of biodiversity on private land in the district and invest hundreds and thousands of dollars in weed and pest control on their own land, every single year.
- It more appropriate to provide support, advice and encouragement through contestable funds to landowners when it comes to protection of ecosystems supporting significant indigenous vegetation and significant habitats of indigenous fauna. It is through such non-regulatory methods that Council can ensure the greatest landowner buy-in and ultimately the best environmental gains.

Point Number

680.31

Summary of Decision Requested:

Amend Policy 3.2.2 (a) Identify and Recognise, as follows:

(a) Identify significant indigenous vegetation and habitats of indigenous fauna in accordance with the Waikato Regional Policy Statement and identify as Significant Natural Areas on a Schedule in the plan and planning maps.

(i) The sites currently identified on the planning maps are for information purposes only and have no legal effect until a robust identification process, including ground-truthing, has been undertaken.

(b) Recognise and protect Significant Natural Areas by ensuring the characteristics that contribute to their significance are not adversely affected.

(i) Ensure landowners are informed of the characteristics relating to their specific site and the activities which may adversely affect them.

(c) Where a proposed activity requires a resource consent solely as a result of an area being identified as a significant natural area (SNA) and the site has not been ground-truthed, Council will meet the costs of the ground-truthing assessment to confirm the status and boundaries of the significant natural area. The assessment will be carried out by a Council approved suitably qualified and experienced ecologist prior to an application for resource consent being lodged.

AND

Any consequential amendments needed to give effect to this relief.

Decision Reasons:

- FFNZ understand the intent of this policy and the link to the significance criteria in the Waikato Regional Policy Statement (WRPS)
- FFNZ support the principle of a policy that seeks to identify areas of national importance and consider that a targeted planning response is more appropriate than general catch all rules which elevate all areas of biodiversity to a significance status until proven otherwise.
- However, this position increases the importance of the process used to identify the sites, as with significance comes protection and acceptance that extra land use controls may be required to meet RMA obligations. It would be very rare to find a landowner who would not want to look after an area which is truly significant, but frustrations and resentment will result from a flawed identification process.
- In this regard we are unsure what the method or process which will be used to implement the identification assessment required of Policy 3.2.2(a) and as such cannot assess the merits or otherwise of the process going forward.
- With regards to SNA sites which have been included in the PDR, FFNZ seek that these be withdrawn until a robust identification process has been undertaken. Many sites have been mapped as SNAs which didn't categorically meet the WRPS significance criterion. It is our submission that identification of sites using aerial photography and desktop analysis with only a very small percentage of sites visited to ground-truth information, means the level of confidence in the process is not sufficiently high enough to incorporate these sites into the plan with the degree of regulation proposed to be applied over these areas.
- There are many potential deficiencies in relying only on desktop studies, including outdated information, not understanding the purpose or origins of features that may be identified (such as 'wetland areas' for example - which may have been deliberately constructed for water storage purposes) and not being able to properly evaluate and understand the values of a feature, or ground slope.
- FFNZ also urge WDC to be strategic and practical in its approach and focus limited resources on working first with those landowners who are engaged and keen to be involved in the first instance. There is little to be gained by backing reluctant landowners into an expensive and protracted litigious battle using public money that would be better spent achieving good outcomes on the ground not on paper.

Point Number 680.32

Summary of Decision Requested: Retain Policy 3.2.3 Management hierarchy as notified.

Decision Reasons:

- The submission conditionally supports this policy, which submitter understands is drafted to give effect to the Waikato Regional Policy Statement.
- The submitter supports a planning response which is focused on more robust and ground-truthed Significant Natural Area identification and which may impact on and require amendments to rules.

Point Number 680.33

Summary of Decision Requested: Retain Policy 3.2.4 Biodiversity Offsetting as notified.

Decision Reasons:

- Conditional support is extended to this policy, which the submitter understands is drafted to give effect to the Waikato Regional Policy Statement.
- Support is conditional on a more robust Significant Natural Area identification process being undertaken.

Point Number 680.34

Summary of Decision Requested: Retain Policy 3.2.5 Biodiversity in the coastal environment as notified.

Decision Reasons:

- Conditional support is extended to this policy, which submitter understands is drafted to give effect to the NZ Coastal Policy Statement and Waikato Regional Policy Statement.
- Support is conditional on a more robust Significant Natural Area identification process being undertaken.

Point Number 680.35

Summary of Decision Requested: Amend Policy 3.2.6 (b) Providing for vegetation clearance as follows:

(b) Provide for the clearance of indigenous vegetation in Significant Natural Areas for the construction of building platforms, services, access, vehicle parking and on-site manoeuvring and the development of Maori Freehold Land by:...

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- Conditional support is extended to this policy which FFNZ understand is drafted to give effect to the WRPS. Support is conditional on a more robust SNA identification process being undertaken.
- Furthermore, FFNZ seek a better balance being struck between environmental, social and economic wellbeing. Farmers typically need to undertake a variety of types of vegetation clearance as part of day-to-day farming activity for the purpose of matters including the following:
 - Vegetation clearance around farm buildings, airstrips and helipads, farm access tracks, waterway crossings, culverts and bridges, farm infrastructure such as telecommunications facilities, water supply pipelines, dams and troughs, fertiliser storage areas, hazardous substance storage and handling areas, silage pits, stock mustering areas for dairy sheds, shearing sheds and marshalling yards.
 - Pest plant/weed control, including invasive weed clearance from riparian margins
 - Pasture maintenance
 - Maintenance of rural fire breaks
- These types of minor vegetation clearance include clearance of all types of vegetation, including indigenous vegetation. These activities are undertaken in the context of the relatively wide open spaces and low population and development densities that characterise rural areas.
- Enabling these types of routine minor vegetation clearance is important for efficient resource management in order to support the economic, social and cultural well-being of communities in the district. Farmers should not be subject to undue delays and costs from triggering resource consent requirements for minor clearance of indigenous vegetation where there is little or no environmental benefit.
- FFNZ are also unsure why land tenure is an appropriate trigger to determine different land use controls related to biodiversity outcomes, and seek that reference to particular land tenure be deleted from this policy.

Point Number 680.36

Summary of Decision Requested: Add to Policy 3.2.7 Managing Significant Natural Areas a new clause (b) as follows:

(b) Recognise that management of Significant Natural Areas on private land requires public investment in a range of incentives such as:

(i) Rates remissions or rebates for land retired for biodiversity purposes;

(ii) Reimbursements or discounts for products and fencing material for stock exclusion;

(iii) Resource consent fee discounts and waivers;

(iv) Providing native plants seedlings;

(v) Pest animal and weed control assistance;

(vi) Contestable fund for biodiversity projects;

(vii) Transferable development rights;

(viii) Education and information on types of vegetation and habitat, and why they are important;

(ix) Assistance for landowners going through a QEII process, or applying for Landcare Trust funding.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- Waikato District Council need to prioritise and ground-truth identification and management of Significant Natural Areas in order to ensure landowners are not unnecessarily subject to onerous costs and time delays. This is the outcome when usual and expected farming activities are subject to resource consent conditions to protect patches of indigenous vegetation. Submitter has concerns that the district's ratepayers will not be able to afford to adequately protect areas of indigenous vegetation which accurately meet the significance criteria let alone the 'wish list' which has currently been created by the inadequate identification process.

- Waikato District Council also need to acknowledge the role landowners play in managing Significant Natural Areas where these are found on private land, and to have policy which incentivises a range of management tools to enable the appropriate management of Significant Natural Areas.

Point Number 680.37

Summary of Decision Requested: **Retain** Policy 3.2.8 Incentivise subdivision, as notified.

Decision Reasons:

- The submitter supports the intention of the incentive.

Point Number 680.38

Summary of Decision Requested: **Retain** Objective 3.3.1 Outstanding natural features and landscapes, as notified.

Decision Reasons:

- The submitter understands the intent of this Objective is to meet RMA obligations and Waikato Regional Policy Statement direction.

Point Number 680.39

Summary of Decision Requested: **Amend** Policy 3.3.2 (a) Recognising values and qualities, as follows:

(a)...

(vi) ~~existing~~ water reservoirs and dams;

(vii) ~~existing~~ pastoral farming activities on the margins of these areas.

(b) ...

(vi) ~~existing~~ pastoral farming activities on the margins of these areas.

(c) ...

(v) ~~existing~~ pastoral farming activities on the margins these areas.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter understands the policy in the context of the Waikato Regional Policy Statement. However, the Proposed District Plan must ensure that ONFs and ONLs (which have been identified over private farmland), enable farming activities that contribute to the values and qualities of pastoral working landscapes. These are dynamic and changing, and it is not appropriate for the Proposed District Plan to seek to 'freeze' landscape character by rendering farming land use and development as 'static' in this context.
- Farmers have a legitimate right to be able to use their land resource in a way that meets their social and economic wellbeing. This includes being able to respond to a range of variables including economic drivers and market trends and adapt, through change. It is accepted that adverse effects need to be managed to an appropriate standard. However, the Proposed District Plan policy framework as proposed, will force unduly onerous and unnecessary assessment requirements on resource consent applicants for little or no environmental benefit if it only focuses on recognising existing farms and farming infrastructure. The Proposed District Plan policy should instead emphasise values and attributes, and the type of farming activities which give rise to these, rather than restricting recognition specifically to existing activities.

Point Number 680.40

Summary of Decision Requested: **Amend** Policy 3.3.3 Protection from inappropriate subdivision, use and development, as follows:

(a) Ensure that the attributes of identified Outstanding Natural Features and Outstanding Natural Landscapes are protected from inappropriate subdivision, use and development by:

(i) requiring new buildings and structures to be integrated into the Outstanding Natural Landscape or feature to minimise any visual impacts;

(ii) managing the adverse effects of new building platforms, buildings, driveways and roads through appropriate subdivision design;

(iii) requiring subdivision and development to retain views of Outstanding Natural Landscapes and features from public places; and

(iv) avoiding the adverse effects of extractive industries and inappropriate earthworks.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter understands the intent of this policy. However consider that amendments are required to better meet RMA obligations and Waikato Regional Policy Statement direction.

Point Number 680.41

Summary of Decision Requested: **Retain** Policy 3.3.4 The relationships of Maori with natural resources and land, as notified.

Decision Reasons:

- The submitter supports the principle of this policy which recognises that balance and compromise is required to be struck between the competing values of resource use and resource protection.
- The submitter expects this principle as expressed in 3.3.4 (b) to be applied consistently and a better balance struck in relation to use and development of private land within Outstanding Natural Landscapes and Outstanding Natural Features.

Point Number 680.42

Summary of Decision Requested: **Add** a new clause (b) to Objective 3.4.1 Significant amenity landscapes, as follows:

(b) These areas will be identified and applied over public land only in recognition that zone specific rules are designed, in part, to manage adverse effects on amenity values created by, private land use, where appropriate.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter understands the intent of this objective is to meet Waikato Regional Policy Statement (WRPS) Policy 12.3 direction.
- The WRPS does not explicitly require the amenity values of rural landscapes to be identified and managed. The submitter views the extra overlay of SAL objectives, policies and rules as they relate to rural activities on private land are an unnecessary duplication of rural zone rules.
- The submitter is opposed to any protection of a rural ideal, landscape or amenity that largely involves working landscapes there as a result of the activities you would expect to find in the rural zone.
- The submitter does not support unnecessary controls on activities in the rural area.
- The submitter is concerned at the lack of landowner involvement in the process of identifying significant amenity landscapes and understand that substantial areas of some farmland has been included.

Point Number 680.43

Summary of Decision Requested: Amend Policy 3.4.2 (a) Recognising Significant Amenity Landscapes, as follows:

(a) Recognise the attributes which contribute to identified Significant Amenity Landscapes.

(i) This policy will be implemented by the relevant zone rules which control effects of land use relative to the zone.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter understands the intent of this policy is to meet Waikato Regional Policy Statement Policy (WRPS) 12.3 direction. However, the WRPS does not explicitly require the amenity values of rural landscapes to be identified and managed.
- The extra overlay of Significant Amenity Landscape objectives, policies and rules (as they relate to rural activities on private land) serve no useful purpose. These are an unnecessary duplication of other Rural Zone rules that control amenity through provisions for managing building bulk and location and certain earthworks.
- The submitter opposes any 'protection' of rural pastoral landscape amenity or characteristic over farmland, no matter how 'significant' such amenity may seem and oppose any associated restriction on land use within farmland, aimed at such protection. Farmland is a 'working landscape' that is always changing as a result of the rural-based activities that would be expected to be found within rural areas. Any restrictions aimed at protecting rural farmland amenity are completely unnecessary and do not achieve any environment benefit. Rather they only serve to burden farmers with undue delay and cost in having to seek resource consents in order to carry out routine farming activity and associated development.

Point Number 680.44

Summary of Decision Requested: Amend Policy 3.4.3 Maintaining and enhancing Significant Amenity Landscapes as follows:

Policy 3.4.3 Maintaining ~~and or where appropriate~~ enhancing the attributes of Significant Amenity Landscapes

(a) Maintain and, where appropriate, enhance the attributes of identified Significant Amenity Landscapes, during subdivision, land use and development, in particular by:

(i) requiring buildings and structures to be integrated into the Significant Amenity Landscape to minimise any visual impacts;

(ii) managing the adverse effects of building platforms, buildings, driveways and roads through appropriate subdivision design;

(iii) recognising and providing for the ~~continuation/development~~ of rural production farming activities within hill country landscapes and volcanic features;

(iv) managing the adverse effects of earthworks; and

(v) promoting and encouraging maintenance and enhancement of their attributes.

(b) Note: There are no rules relating specifically to Significant Amenity Landscapes in Chapter 22. However, where discretionary or non-complying activity resource consents are required under rules of this Plan, and where those activities are located within significant amenity landscapes, the proposed activities will be assessed in terms of their consistency with this policy.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter's relief in this respect is contingent on relief sought in relation to Objective 3.4.1 and Policy 3.4.2.
- The proposed policy as drafted contains a number of unnecessary duplications and is inconsistent with the enabling approach adopted under 3.4.4.
- The potential adverse effects associated with new development can be addressed under (ii). Non rural development earthworks will be addressed under (ii) so (iv) is an unnecessary duplication which may capture farming related earthworks inappropriately.
- The activities that have attributes which contribute to amenity values should be enabled and so it is important to acknowledge this in (iii), but it is broader than just farming. The proposed amendments are required to ensure a consistent planning response is adopted. Reference to made to the enabling intent of 3.4.4(b), which appropriately prioritises economic, social and cultural wellbeing over second tier amenity landscapes.
- The Waikato Regional Policy Statement doesn't require rules as such. Rather, the overarching requirement to 'maintain and enhance' can be achieved by recognising all types of farming activity as contributing to rural landscape amenity, and excluding it from requirement for resource consent.
- Implementing the policy can be achieved when *discretionary activity* or *non-complying activity* status is triggered as a result of other resource consent requirements in the Proposed District Plan. An assessment of the adverse effects of the proposed activity can be considered, if appropriate, at that time, against significant landscape amenity values and the ability to avoid, remedy or mitigate those effects.

Point Number 680.45

Summary of Decision Requested: Retain Policy 3.4.4 The relationships of Maaori with their resources and land, as notified.

Decision Reasons:

- The submitter supports the principle of this policy which recognises that balance and compromise is required to be struck between the competing values of resource use and resource protection, but this is contingent on our relief sought in relation to Objective 3.4.1 and Policies 3.4.2 and 3.4.3.
- The submitter expects this principle as expressed in 3.4.4(b) to be applied consistently across the district regardless of the land title.

Point Number 680.46

Summary of Decision Requested: Retain Objective 3.5.1 Natural Character, as notified.

Decision Reasons:

- The submitter understands the purpose and intent of this Objective.

Point Number 680.47

Summary of Decision Requested: Delete Policy 3.5.2 Recognising natural character
AND
Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter understands the coastal environment and rivers and lakes are particularly valued for natural character qualities which are predominant in these areas and the RMA section 6(a) and the Waikato Regional Policy Statement Policy 12.2 requirements.
- In the submitter's view, Policies 3.5.3 and 3.5.4 achieve those goals more appropriately, with Policy 3.5.2 being an unnecessary duplication, which has the ability to cause confusion and uncertainty leading to unnecessarily onerous requirements for assessment in resource consent applications. It is important to note the planning map legend includes overlays as 'coastal environment', 'natural character', 'outstanding natural landscapes'. There are no overlays on the legend which match the areas specified under 3.5.2(b).

Point Number 680.48

Summary of Decision Requested: Delete clause (a)(vi) from Policy 3.5.3 (a) Protecting the natural character qualities of the coastal environment
AND

Amend Policy 3.5.3 (a) (viii) Protecting the natural character qualities of the coastal environment as follows:

(viii) recognising ~~historic farming operations that continue today,~~

AND

Add to Policy 3.5.3 (a) Protecting the natural character qualities of the coastal environment, a new 'Note' as follows:

Note the Policy will not be implemented until such time as the areas of outstanding natural character within the coastal environment have been appropriately identified and included into the planning maps.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- Whilst the submitter understands the intent of this policy it is important the note the planning map legend lists overlays as 'coastal environment', 'natural character', 'outstanding natural landscapes'. There are no overlays on the legend which match areas specified as outstanding natural character areas.
- Focus must be on land use controls to purposes which fall within the jurisdiction of the district council.

Point Number 680.49

Summary of Decision Requested: **Amend** Policy 3.5.4 Protecting the natural character of wetlands, and lakes and rivers and their margins, as follows:

(a) Protect the natural character qualities of wetlands, and lakes and rivers and their margins from inappropriate subdivision, use and development by:

(i) ensuring that location, intensity, scale and form of subdivision, use and development are appropriate;

(ii) minimising, to the extent practicable and necessary, indigenous vegetation clearance and modification ~~(including earthworks, disturbance and structures);~~

(iii) encouraging any new activities to consolidate within, and around, existing developments or, where the natural character and landscape values have already been compromised, to avoid development sprawling; and

(iv) requiring appropriate setbacks of activities from wetlands, lakes and rivers.

(b) Determining what is inappropriate use and development will be considered with respect to the level of natural character. Where man-made elements/influences are dominant, it may be appropriate that activities result in further adverse effect on natural character.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter understands that the intent of this policy is to meet RMA section 6(a) and the Waikato Regional Policy statement Policy 2.2 requirements, however considers amendments are required to better meet the Waikato Regional Policy Statement direction.
- The submitter is unsure of the drafting of 3.5.4 (a)(ii) and what the relationship between the activities contained within the brackets is.

Point Number 680.50

Summary of Decision Requested: **Retain** Objective 4.1.2 Urban growth and development, as notified.

Decision Reasons:

- Support is extended to the recognition that future settlement development is appropriately directed to existing areas with infrastructure and services.

Point Number 680.51

Summary of Decision Requested: **Retain** Policy 4.1.3 Location of development, as notified.

Decision Reasons:

- The submitter supports this policy as it is aimed at ensuring future settlement development is appropriately directed to existing areas with infrastructure and services.

Point Number 680.52

Summary of Decision Requested: **Retain** Policy 4.1.5 Density as notified.

Decision Reasons:

- The submitter supports this policy, which is designed to reduce urban sprawl and the subsequent pressures that are placed on Council infrastructure and services.

Point Number 680.53

Summary of Decision Requested: **Amend** Policy 4.1.10 (a)(ii) Tuakau, as follows:

(ii) ~~Existing intensive Rural production activities including farming and intensive farming operations~~, and industrial activities are protected from the effects of reverse sensitivity by considering the location of new residential development; and...

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter is concerned at the focus of this policy. Consideration of reverse sensitivity effects created when new residential development occurs within an existing non-residential environment, should be applied much wider than to just intensive farming and industrial activities.
- Submitter considers that sensitive activities in rural areas can result in creating unreasonable expectations of the amenity of rural areas among people who are unaccustomed to rural environments. This would result in complaints about normal farming activities, and create unreasonable expectations that such effects to be avoided or mitigated in every instance, which would drive opposition to farming activity, making it even harder for farmers to be able to efficiently utilise the rural land resource for farming

Point Number 680.54

Summary of Decision Requested: Amend Policy 4.1.15 (a) Ngaruawahia as follows:

(a) Ngaruawahia is developed to ensure:

(i) ~~Existing intensive Rural production activities including farming and intensive farming operations~~ and industrial activities are protected from the effects of reverse sensitivity when locating new residential development;...

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter is concerned at the current focus of the Policy. The consideration of reverse sensitivity effects created when new residential development occurs within an existing non-residential environment should be applied much wider than to just intensive farming and industrial activities.
- The submitter considers that it could result in creating unreasonable expectations of the amenity of the area and perpetuate reverse sensitivity issues with people unaccustomed to the rural environment complaining about normal farming activities and expecting those effects to be avoided or mitigated in every instance.

Point Number 680.55

Summary of Decision Requested: Amend Objective 5.1.1 (a) The rural environment, as follows:

(a) Subdivision, use and development within the rural environment where:

(i) high class ~~and versatile~~ soils are protected ~~for primary productive use and to maintain the productive land resources for future generations~~ ~~rural activities~~;

(ii) ~~productive primary productive use and rural activities are supported and enabled in a manner which does not reduce existing primary productive use or compromise existing and future primary productive use options while maintaining or enhancing the rural environment;~~

(iii) ~~urban subdivision, use and development in the rural environment is avoided the use and development of rural resources enables people and communities to provide for their economic, social and cultural wellbeing~~

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- Agriculture is significant to the district, both in economic terms and for the basis of district identity as a thriving and successful rural region.
- Primary production activities such as dairying, dry stock and horticulture make significant contributions to the economic, social and cultural well-being of the district. The submitter believes that the Proposed District Plan needs to adopt a more balanced and considered response between resource use and resource protection.
- Any decisions, policies or rules relating to the sustainable management of the district's rural land and soils must recognise the economic, social and cultural wellbeing that rural activities provide to the district and wider region.
- The submitter supports a high priority being given to maintaining the productive capacity of rural land resource. Sustaining the primary sector activities dependent on this land is critical to providing for current and future generations, however it is difficult to do this too prescriptively. For example, a stony soil that may be identified as appropriate for alternative non rural use may be highly productive for one particular land use.
- The submitter supports a flexible approach to managing the effects of land use on the soils of the district, one that is based on flexible, enabling objectives and policies.
- The submitter considers these amendments are required to better meet the Waikato Regional Policy Statement Objective 3.25 Values of soils and Policy 14.2 directives.

Point Number 680.56

Summary of Decision Requested: Amend Chapter 5 Rural Environment, to include a new policy as follows:

5.1.2 Policy – enabling growth

(a) Provide for the growth and efficient operation of primary, productive land use and rural production activities in the Rural Zone.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- This new policy is required as consequential relief sought in relation to Objective 5.1.1.

Point Number 680.57

Summary of Decision Requested: Delete Objective 5.2.1 Rural resources.

AND

Any consequential changes necessary to give effect to the relief sought and/or concerns raised in the submission

Decision Reasons:

- The submitter opposes this policy and remind Waikato District Council that it is the Regional Council's role to control land use for the purpose of soil conservation. The district council's role, as directed by the Waikato Regional Policy Statement (WRPS), is to ensure land use is managed in a way that does not decline the availability of high class soils for primary production due to inappropriate subdivision, use or development (WRPS Policy 14.2).
- The relief sought in relation to Objective 5.1.1 above will better meet RMA and the WRPS requirements and renders 5.2.1 (a)(i) unnecessary and inappropriate. Submitter is unsure what resource management issue 5.2.1 (a)(ii) is trying to address or what 'rural land' means in this context.
- Objective 5.2.1 is also, in part, an unnecessary duplication of resource management issues which are being addressed under Chapter 3 Natural Environment.
- There are other elements of the objective which are also outside the functions of a district council.

Point Number 680.58

Summary of Decision Requested: **Delete** Policy 5.2.2 (b) High class soils.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter understands the intent of the policy, but reminds Waikato District Council (WDC) that management of chemical and biological properties of soils is not a territorial authority function. They are concerned about unnecessary duplication, overlap and added costs arising from over-regulation, without added value. WDC can realistically do its part in protection of soils by way of subdivision and development controls, but submitter is concerned that (b) has the potential to capture and control other activities inappropriately.

Point Number 680.59

Summary of Decision Requested: **Amend** Policy 5.2.3 (a) and (b) Effects of subdivision and development on soils, as follows:

(a) ~~Subdivision, use and development minimises the fragmentation of productive rural land, particularly where high class soils are located.~~

(b) ~~Subdivision which provides a range of lifestyle and economic options is managed in a way that ensures rural resources, character and environmental values are retained, directed away from high class soils and/or where indigenous biodiversity is being protected.~~

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter considers that subdivision and development policies and planning should provide for managed growth in rural communities.
- While land use change, subdivision and land development activities in rural areas may result in the loss of productive land, there is a need to recognise that farmers may need to undertake small lot subdivision for a number of reasons, including: providing for farm succession, disposing of surplus dwellings and for providing on-farm accommodation for family members and employees, and rearrangement of lot boundaries to enable more efficient land management.
- Considered, well-managed growth in rural communities provides for diversity and vibrancy in rural areas, sustains essential community infrastructure, and provides employment flexibility and opportunities.
- The submitter considers that there are benefits to enabling subdivision and other rural-residential opportunities, however, this should be done in a way that appropriately protects rural character and enables and maintains a reasonable use of productive land.
- FFNZ oppose the protection of rural landscapes or amenity on farmland which is characterised by ever-changing working landscapes, that are largely there as a result of farming activities that you would expect to find in a rural zone.
- Furthermore, they consider that land use and subdivision don't need to be controlled to protect areas of significant indigenous vegetation where there are clearly no more than minor effects, or where the effects can be successfully mitigated through permitted or controlled activity standards.

Point Number 680.60

Summary of Decision Requested: **Amend** Objective 5.3.1 (a) Rural character and amenity, as follows:

(a) ~~The values which contribute to Rural character and amenity are maintained.~~

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter supports the intent of the objective. However, some amendment is required to ensure the plan is appropriately focused and consistent with broader policy direction.
- The submitter considers that there are benefits to enabling a range of land use opportunities within the Rural Zone, and that this should be done in a way that appropriately maintains the values that contribute to the rural character and amenity of the zone.
- The submitter opposes the protection of rural landscapes or amenity on farmland which is characterised by ever-changing working landscapes, that are largely there as a result of farming activities that would be expected to be found in a rural area.
- A focus on 'values' would introduce a degree of flexibility that is necessary to recognising the evolving nature of rural farming areas.

Point Number 680.61

Summary of Decision Requested: **Retain** Policy 5.3.2 Productive rural activities, as notified, subject to the amendment sought below:

5.3.2 Policy - ~~Productive Rural production activities~~

(a) ~~Recognise and protect the continued operation of the rural environment as a productive working environment by:~~

(i) ~~Recognising that buildings and structures associated with farming and forestry and other operational structure for productive rural activities contribute to rural character and amenity values;~~

(ii) ~~Ensuring productive rural activities contribute to rural character and amenity values~~

(iii) ~~Providing for lawfully-established rural activities and protecting them from sensitive land uses and reverse sensitivity effects.~~

(iv) ~~Recognising the use and development of rural resources enables people and communities to provide for their economic, social and cultural wellbeing.~~

AND

Any consequential changes necessary to give effect to the relief sought and/or concerns raised in the submission

Decision Reasons:

- The activities required to operate in the rural environment should be the overall focus of this policy. Submitter is not sure what is meant by 'productive rural activities' in this context and believe Waikato District Council (WDC) has inadvertently used the terms 'productive rural activities' and 'rural production activities' interchangeably. They are not interchangeable in our view.
- It is also important to acknowledge that change may occur as new markets and technologies are created. Therefore, production techniques will need to adapt and such change is not detrimental to rural amenity. A good example is the rise of viticulture in New Zealand over the last 20 years and the change from pastoral landscapes to vineyards.
- Farmers want the opportunity to continue to innovate and invest and adopt in new technologies and retain the flexibility to respond to markets. Submitter acknowledges that WDC has an important role to play in ensuring the Proposed District Plan does not stifle primary production with overly restrictive and unnecessary land use controls.
- That important goal can be achieved with acceptance of the relief sought across the submission.

Point Number 680.62

Summary of Decision Requested: **Amend** Policy 5.3.3 Industrial and commercial activities as follows:

~~(b) Industrial and commercial Rural~~ industries and services are managed to ensure that any potential adverse effect on the ~~they are in keeping with the~~ character of the Rural Zone are avoided, remedied or mitigated.

~~(a)~~ Avoid locating industrial...

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter understands the intent of this policy, it is considered that the amendments are required to ensure the wording is consistent with stated policy header and other policies within this section.
- The order of (a) and (b) would make more sense if the order was swapped. The key point being that activities without a functional need to be in the zone should be avoided. The supporting point is that if they are going to be in the zone any potential adverse effects on the rural character needs to be managed.

Point Number 680.63

Summary of Decision Requested: Amend Policy 5.3.4 Density of dwellings and buildings within the rural environment, as follows:

~~(a) Shall be at a density and scale~~ Retain open spaces to ensure rural character is maintained.

~~(b) Additional dwellings shall be directly associated with the scale and intensity of the farming activities on site~~ support workers' accommodation for large productive rural activities.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter is concerned with Council's reference within the policy to retain open spaces. Open space is one element which contributes to the rural character. Prioritising this value over others has the potential to create perverse outcomes.
- The submitter has concerns at the priority given to workers' accommodation and consider the policy should also recognise that farm properties may require extra dwellings which are occupied by non-staff, for example, other family members living on the farm who may not be employed on the property. There will be situations such as farm succession where retired family members will continue to live on the property. Furthermore, the term 'worker' may not cover the situation where more than one owner of the property resides on the farm in separate housing, as they aren't technically 'staff'.

Point Number 680.64

Summary of Decision Requested: Amend Policy 5.3.5 (b) (iv) Earthworks activities as follows:

~~(iv) Adjoining properties and public services are protected~~ from the adverse effects of inappropriate earthworks.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submission supports the enabling intent of this policy. However, the amendment is appropriate to provide necessary context to 5.3.5(b)(iv).

Point Number 680.65

Summary of Decision Requested: Amend Policy 5.3.6 Intensive farming activities, as follows:

~~(a) Enable~~ Recognise that intensive farming activities may be increasingly required as the twin pressures on land required for urban growth and food production increases. provided they operate in accordance with industry best practice and management of adverse effects both on-site and any neighbouring sites.

~~(b) Ensure that intensive farming activities operate in such a way as to~~ appropriately manage adverse effects both on-site and on any neighbouring sites.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- Policy 5.3.6 is misguided and an unnecessary duplication as written.
- The management of potential adverse effects from an intensive farming activity is addressed under Policy 5.3.7(h) and as such the second part of this policy is not required.
- The Proposed District Plan is short-sighted and not sufficiently future focused in its current response to intensive farming activities. Although NZ is a pastoral farming nation, intensive farming is a relevant way to increase production and reduce overhead costs. Increasing land prices mean that the ability to purchase large tracts of land for extensive production is becoming less viable. Policy about management of effects associated with intensive farming should be a separate policy.

Point Number 680.66

Summary of Decision Requested: Amend Policy 5.3.7 (a) and (b) and (c) Reverse sensitivity effects, as follows:

~~(a) Recognise the following features are typical of the rural environment and the effects are accepted and able to be managed:~~

~~(i) Large numbers of animals being farmed, extensive areas of plants, vines or fruit crops, plantation forests and farm forests;~~

~~(ii) Noise, odour, dust, traffic and visual effects~~ including buildings and structures associated with the use of land for farming, horticulture, forestry, farm quarries;

~~(iii) Existing~~ mineral extraction and processing activities;

~~(iv) Minor dwellings;~~

~~(v) Papakainga housing developments within Maaori Freehold land.~~

~~(b) Manage activities to ensure that adverse effects (other than minor effects) are avoided, remedied or mitigated. Avoid adverse effects outside the site and where those effects cannot be avoided, they are to be mitigated.~~

~~(c) Mitigate the adverse effects of reverse sensitivity through the use of setbacks and the design of subdivisions and development~~ where appropriate.

...

AND

Add to Policy 5.3.7 Reverse sensitivity effects a new clause (i) as follows:

~~(i) Ensure that land use activities that are sensitive to the effects of rural activities do not constrain the operation of rural activities.~~

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter supports the intent of Policy 5.3.7, which is in part to raise awareness of the types of activities and associated effects which are considered appropriate within the rural environment. It is appropriate for the plan to be clear and upfront that farming activities must be able to function effectively and not be unduly restricted by new and encroaching activities being established within the rural zone.
- Amendments are required to ensure the plan accurately implements reverse sensitivity principles.
- The submitter accepts that where possible unacceptable nuisance effects such as noise and odour should be contained within the property boundary. However, farming requirements and weather conditions mean that even with the best intention it is not always possible to avoid a level of nuisance effect. In such instances (which are generally intermittent and temporary) it is imperative that the Plan clearly allows for this to ensure the farm business is not unduly impacted upon.
- This could include such activities as harvesting contractors and farmers working through the night to harvest crops due to short weather windows, odour from the feeding out of silage in neighbouring paddock, and short term odour from the spreading of effluent on pasture.
- These effects are not unreasonable to expect in the Rural Zone, and that therefore 5.3.7(b) is inappropriate as presently worded. We consider that it could result in creating unreasonable expectations of the amenity of the Rural Zone, and perpetuate reverse sensitivity issues with people unaccustomed to the rural environment complaining about normal farming activities and expecting those effects to be avoided or mitigated in every instance.
- Farming in a rural area is a lawfully established existing activity
- Noise, lighting, odour and dust can be quite reasonable effects as a consequence of normal farming activities as outlined in (a) there are some concerns as to how (a) and (b) are to be read together, along with reference to the avoiding, or mitigating of usual and expected effects within the rural environment.
- The methods used to give effect to this policy must not place undue constraints on either the existing land use or the potential land use activity. Any decisions as to separation distance as a method to address such issues must be based on a case by case assessment and not an automatic planning response.
- The submitter supports adopting an approach for low probability and low impact scenarios of incurring occasional relatively minor adverse effects rather than imposing external buffer zones. Submitter is opposed to use of blanket external buffer zones as a proxy for triggering resource consent, as it places restrictions on adjoining landowners who have no responsibility for the adverse effect, and who receive no compensation for the restrictions placed on their activities. That said, it may be appropriate for sensitive activities to avoid locating within close proximity to activities that may emit objectionable odours and discharges.

Point Number 680.67**Summary of Decision Requested:** Amend Policy 5.3.8 (e) Effects on rural character and amenity from rural subdivision, as follows:

~~(e) Subdivision, use and development opportunities ensure that rural character and amenity values are maintained. Subdivision within the Rural Zone should give particular consideration to anticipated rural land use and development and recognise that integrated and well planned subdivision design;~~

(i) Creates desirable places to live.

(ii) Results in the efficient and effective land use.

(iii) Provides for anticipated future land use and development.

(iv) Recognises the physical layout and underlying topography of the site.

(v) Integrates with existing utility services and infrastructure.

(vi) Gives effect to any relevant outline development plan or structure plan.

(vii) Implements best practice urban design principles

(viii) Enables efficient utilisation of productive farmland through appropriate provision for rearranging property ownership to enable management of farmland according to landowner need

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- Submitter understands the intent of the policy but consider Waikato District Council's focus on rural character and amenity betrays a lack of understanding of the broader issues and drivers for subdivision within a rural environment.
- Subdivision is primarily a process of defining (or redefining) land parcel boundaries. However, for farmers and other large landowners, land is a critical asset, and there are important implications arising from regulation of subdivision that need to be appropriately considered.
- Submitter agrees that inappropriately designed or located subdivision can result in the inefficient use of natural and physical resources that can give rise to adverse environmental effects. These concerns should be appropriately addressed through the Proposed District Plan (PDP) in a way that provides certainty for developers and landowners, and which aligns subdivision provisions with Council's broader strategic planning.
- It is also important that the PDP recognises that unnecessary constraints on otherwise appropriate subdivision can also result in adverse effects. In considering the proposed rules around subdivision, the submission seeks to ensure there is a degree of flexibility for landowners in the rural area who need subdivision enabled in order to facilitate efficient management of the land resource. This recognises that economic and social drivers for subdivision may differ between farming operations, and that these different drivers often require different treatment.
- Farmers undertake low impact subdivision for a variety of reasons. These vary from diversifying their business into tourism operations (lodgings and or associated tourism development and infrastructure), providing for or disposing of a surplus dwelling on the property where a neighbouring farm is purchased, providing for a family member or staff member to live on the farm or to implement a succession plan for multiple siblings through small lot subdivision, or for boundary adjustment of boundary relocation to promote the more efficient administration of farm land.
- A farm may be valued considerably beyond its underlying productive capacity, simply because of the farm's proximity to the urban centre and urban infrastructure, or the amenity afforded by proximity to a desirable locality, such as coastal areas. However, these reflect a piece of land's potential value for other land uses, and do not reflect its value for farming per-se. This situation can result in a farmer having to pay considerably more in rates or facing significantly increased opportunity costs from continuing to farm the land, as opposed to subdividing the property for some other land use. This in-turn creates a significant economic driver for subdivision. This tautological driver of land value needs to be carefully managed if NZ is to avoid losing valuable productive farmland in favour of non-farming development and use.
- This situation can be exacerbated where returns from farming are variable, due to a variety of factors including: weather conditions, economic conditions, individual property circumstances and market demands, which disrupt farming continuity. Therefore enabling diversification, flexibility, responsiveness and cash flow, are critically important to retaining the viability of farming.

Point Number 680.68**Summary of Decision Requested:** Delete Policy 5.3.9 Non-rural activities.

AND

Any consequential changes necessary to give effect to the relief sought and/or concerns raised in the submission.

Decision Reasons:

- The submitter considers Policy 5.3.9 an unnecessary duplication of issues which are addressed by other policies within the Proposed District Plan.

Point Number 680.69**Summary of Decision Requested:** Retain Policy 5.3.11 Home occupations, as notified.**Decision Reasons:**

- The submitter supports the enabling intent of this policy. It is important to provide for small scale diverse business opportunities within the rural zone with can help to sustain a vibrant rural community.

Point Number 680.70

Summary of Decision Requested: Retain Policy 5.3.13 Waste management activities, as notified.

Decision Reasons:

- The submitter broadly supports the intent of this policy with the focus of (b) and (c) on waste management facilities appropriate.
-

Point Number 680.71

Summary of Decision Requested: Amend Policy 5.3.15 (a) (ii) Noise and vibration, as follows:

(ii) Limiting the timing and duration of noise-generating activities which are not anticipated within rural areas:

AND

Delete Policy 5.3.15 (a) (viii) Noise and vibration.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- In relation in 5.3.7, submitter considers plan provisions should acknowledge the issue of 'reverse sensitivity' when addressing 'noise and vibration effects' and that there must be provision to allow for a reasonable level of noise associated with agricultural activity within the rural zone – both in daylight hours and through the night.
 - There will be situations for example where farm machinery will be used for making hay or harvesting crops outside the hours prescribed in Rule 22.2.1.1 (P2); newly weaned animals will also be making noise outside of any specified hours. Such noises and vibrations must legitimately be expected in a rural zone.
 - There is concern that the policy as currently worded will create unreasonable expectations of the amenity of the Rural Zone, and perpetuate reverse sensitivity issues with people unaccustomed to the rural environment complaining about normal farming activities and expecting those effects to be controlled in every instance.
-

Point Number 680.72

Summary of Decision Requested: Retain Policy 5.3.16 Specific area - Agricultural research centres, as notified.

Decision Reasons:

- Submitter supports recognition of the need for research centres.
-

Point Number 680.73

Summary of Decision Requested: Retain Objective 5.4.1 Minerals and extractive industries, as notified.

Decision Reasons:

- The submitter agrees with the Objective.
-

Point Number 680.74

Summary of Decision Requested: Retain Policy 5.4.2 Access to minerals and extractive industries, as notified.

Decision Reasons:

- The submitter supports this policy approach provided that it doesn't inadvertently capture farm quarries in any resource consent process.
-

Point Number 680.75

Summary of Decision Requested: Amend Objective 5.5.1 (a) Hamilton's Urban Expansion Area, as follows:

(a) Protect land within Hamilton's Urban Expansion Area for future urban development whilst:

AND

Add to Objective 5.5.1 (a) Hamilton's Urban Expansion Area new clause (i), as follows:

(i) Ensuring that existing rural production activities and industrial activities are protected from the effects of reverse sensitivity when locating new residential development.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter supports co-ordinated future planning with regards to urban expansion, however this must not be at the expense of lawfully established activities.
-

Point Number 680.76

Summary of Decision Requested: Retain Objective 6.1.1 Development, operation and maintenance of infrastructure, as notified.

Decision Reasons:

- The submitter supports a single objective aimed at social, economic, cultural and environmental benefits.
-

Point Number 680.77

Summary of Decision Requested: Retain Policy 6.1.2 Development, operation and maintenance, as notified.

Decision Reasons:

- The submitter gives conditional support for these policies to provide for infrastructure, provided that these don't unnecessarily burden farmers with needless delays and costs nor erode ability of farmers to undertake practical day-to-day farming without being encumbered by regulations that result in undue hardship on farmers for a wider public good benefit.

Point Number 680.78

Summary of Decision Requested: **Retain** Policy 6.1.3 Technological advances as notified.

Decision Reasons:

- Submitter supports making infrastructure more accessible, especially within rural areas. Submitter is opposed to policy which favours granting access for infrastructure maintenance that unnecessarily infringes on rights of farmers to be able to manage their properties or compromises the safety and efficiency of their farming operations.

Point Number 680.79

Summary of Decision Requested: **Amend** Policy 6.1.4. (a) (i) Infrastructure benefits, as follows:

(i) Enabling enhancement of the quality of life and residential standard for people and communities, including rural areas;

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter supports infrastructure for its benefits but seeks that the policy also includes benefits for rural-based communities, industry and agriculture.

Point Number 680.80

Summary of Decision Requested: **Amend** Policy 6.1.5 Natural hazards and climate change, as follows:

(g) Improve the resilience of infrastructure to natural hazard risk and climate change disruptions by:

(i) Encourageing the design and location of infrastructure to take account of natural hazards and the effects of climate change.

(ii) Ensure management and operational decisions include appropriate natural hazard and climate change risk analysis.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter supports the aim of improving resilience to natural hazard risks and climate change disruptions, including provision and management of infrastructure to anticipate these risks. The policy could be better worded along these lines.

Point Number 680.81

Summary of Decision Requested: **Amend** Objective 6.1.6 (a) Reverse sensitivity, as follows:

(g) Existing and/or designated infrastructure (including the National Grid) is protected from reverse sensitivity effects, and ~~infrastructure (including the National Grid)~~ is not compromised.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter supports protection of existing infrastructure from reverse sensitivity effects, but this should not apply to infrastructure that does not yet exist. Submitter seeks that this policy be amended by referring to protection of existing and/or designated infrastructure.

Point Number 680.82

Summary of Decision Requested: **Amend** Policy 6.1.7 Reverse sensitivity and infrastructure, as follows:

(a) Avoid, remedy or mitigate reverse sensitivity effects on existing and/or designated infrastructure from subdivision, use and development ~~as far as~~ ~~reasonably practicable~~, so that the ongoing and efficient operation of infrastructure is not compromised.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- This policy should be refocused on existing or designated infrastructure and on proposed subdivision, development and use. Submitter is concerned that this policy will be used to unfairly prejudice against existing farming activity in favour of infrastructure that doesn't exist yet. Infrastructure that doesn't exist should properly be subject to its own consent application or notice of requirement process, where merits can be considered on a case-by-case basis in the context of the surrounding environment and land use.
- Some subdivision in rural areas, such as boundary relocation or boundary adjustment where the pattern of land use activity is not being intensified, can support the efficient management of farming and primary production, and is only likely to have minor reverse sensitivity effects on existing infrastructure. The policy should be more appropriately focused on mitigation or remediation of reverse sensitivity effects (rather than avoidance).
- Some subdivision, such as small lifestyle lots to facilitate protection of significant natural areas, can have important positive environmental effects. Such subdivision should not be automatically biased against by a policy strictly focused on avoidance of reverse sensitivity effects on infrastructure.

Point Number 680.83

Summary of Decision Requested: **Amend** Objective 6.1.8 Infrastructure in the community and identified areas as follows:

6.1.8 Objective – Proposed and/or designated infrastructure in the community and identified areas

(g) Proposed and/or designated infrastructure takes into account the qualities and characteristics of surrounding environments and community well-being.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter conditionally supports this objective provided it is refocused to apply to proposed and/or designated infrastructure. Generally, in rural areas, wider open spaces and lower development intensity mean that adverse effects on amenity and environmental quality can be more readily absorbed without consequence. (This is different from lawfully established existing infrastructure that may have been designed when surrounding environmental qualities were different, and in respect of which it is appropriate to consider reverse sensitivity effects, and where it may be an efficient use of resources to maintain such infrastructure for the time being.)

Point Number 680.84

Summary of Decision Requested: **Retain** Policy 6.1.9 Environmental effects, community health, safety and amenity, as notified.

Decision Reasons:

- The submitter supports this policy.

Point Number 680.85

Summary of Decision Requested: **Retain** Policy 6.1.10 Infrastructure in identified areas, as notified.

Decision Reasons:

- The submitter supports this policy.

Point Number 680.86

Summary of Decision Requested: **Amend** Policy 6.1.11 (a) Undergrounding new infrastructure, as follows:
 (a) Encourage new infrastructure in residential and urban areas to be placed underground unless...
 AND
 Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter conditionally supports this policy provided that it applies to urban areas. Undergrounding is unnecessary in the context of rural areas, where the disadvantages and costs of undergrounding may far outweigh any benefits.

Point Number 680.87

Summary of Decision Requested: **Amend** Policy 6.1.12 (a) Co-location of compatible facilities, as follows:
 (a) Encourage compatible infrastructure to share location or facilities where operational advantages can be achieved or adverse effects are reduced, and where reverse sensitivity effects on other surrounding land use and development is not increased.
 AND
 Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter supports this policy provided that it doesn't extend the area of concern for reverse sensitivity around co-located infrastructure in a way that would otherwise further constrain farming activities. Consideration should be included within the policy for ensuring reverse sensitivity effects on other uses is not increased.

Point Number 680.88

Summary of Decision Requested: **Retain** Policy 6.1.13 Future growth areas, as notified.

Decision Reasons:

- The submitter supports this policy as an efficient use of resources.

Point Number 680.89

Summary of Decision Requested: **Retain** Policy 6.1.14 Electromagnetic and radio frequency fields, as notified.

Decision Reasons:

- The submitter supports this policy.

Point Number 680.90

Summary of Decision Requested: **Amend** Policy 6.1.15 (a) Raglan navigation beacons, as follows:
 (a) Avoid proposed new development and land use obscuring navigational beacons and associated view shafts at Raglan Harbour (Whaingaroa).
 AND
 Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter supports this policy, provided that it is aimed at new development on land that might otherwise obstruct line-of sight for navigation beacons and that it won't impinge on existing farming activity and built form.

Point Number 680.91

Summary of Decision Requested: **Delete** Policy 6.1.16 Water conservation.
 OR
Amend Policy 6.1.16 Water conservation as follows:
6.1.16 Policy Stormwater management for new development and subdivision ~~Water conservation~~
 AND

Amend Policy 6.1.6 Water conservation, as follows:

(g) Where new development and land use is proposed which may otherwise give rise to stormwater ponding, overland flow and flood management issues, encourage water conservation measures and, where appropriate, low impact stormwater design and facilities.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- If the policy is aimed at water conservation in order to facilitate minimum flows for water allocation, that is a regional council matter, and the district council does not have jurisdiction over this under the Act.
- Similarly, if the policy is aimed at freshwater quality management, it also has no place in a district plan.
- If it is aimed at flood control, and managing stormwater ponding and overland flow, then it should be focused in the context of proposed development intensification and subdivision which triggers stormwater management concerns, and in which case the title 'water conservation' is a misnomer.

Point Number

680.92

Summary of Decision Requested:

Amend Objective 6.2.1 (a) National grid, as follows:

(a) The national significance of the National Grid is recognised and managed in order to meet the needs of present and future generations protected.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter opposes this objective as it is not consistent with the National Policy Statement for Electricity Transmission 2010 ('NPSET'). The NPSET is aimed at enabling the management of the effects of the electricity transmission network in light of its national significance being the need to operate, maintain, develop and upgrade the electricity transmission network. It says nothing about protection. The objective of the NPSET is: To recognise the national significance of the electricity transmission network by facilitating the operation, maintenance and upgrade of the existing transmission network and the establishment of new transmission resources to meet the needs of present and future generations, while:
 - *managing the adverse environmental effects of the network; and*
 - *managing the adverse effects of other activities on the network.*
- The submitter is concerned that if district plans start to seek protection of assets used or owned by Transpower NZ Ltd, that this will escalate into a requirement all sorts of impositions on farming activity where farms are traversed by part of the National Grid. Submitter seeks that this objective be amended to more closely reflect the objective of the NPSET.

Point Number

680.93

Summary of Decision Requested:

Amend Policy 6.2.2. (a) Recognise the national grid, as follows:

Recognise the operational, functional and technical constraints of the National Grid, and the interconnectedness of networks where these may be co-located within the National Grid Yard or within public land, including roads.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter conditionally supports this policy provided that its confined to consideration of National Grid matters within the National Grid Yard and the National Grid Corridor. Outside these areas, farmers have the right to use and to manage access to their farms including the right to refuse access across private land.

Point Number

680.94

Summary of Decision Requested:

Retain Policy 6.2.3 Operation and development of the National Grid.

Decision Reasons:

- The submitter supports this policy.

Point Number

680.95

Summary of Decision Requested:

Amend Policy 6.2.4 (a) Maintenance and minor upgrade the National Grid, as follows:

(a) Enable the repair, maintenance, replacement and minor upgrade of the National Grid within the National Grid Corridor.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter conditionally supports this policy. Replacement of an underground pipeline, wires and replacement of an electricity tower can be seriously big jobs. Whole paddocks or areas of the farm may be taken over by the network utility operator and unable to be used by the farmer, as well as experiencing significant traffic over their farm by work crews arriving and leaving for work every day and vehicles carrying gear and equipment. Disturbance and disruption includes damage to pasture and soil compaction; damage to property, gates and fence lines; livestock disturbance; having to change farming practice like not being able to graze particular paddocks or continue with irrigation; damage and destruction of crops; and storage of materials and machinery on the property. Landowners are concerned about liability if there is an accident while workers are on their land. All these disruptive matters which occur outside the National Grid Corridor should be handled by landowner agreement with network utility operators, and is outside the sphere of the district plan to control.
- The policy consideration be confined to matters within the National Grid Corridor. In particular, 'replacement' or 'minor upgrade' should not involve any increase in adverse effects beyond this corridor.

Point Number

680.96

Summary of Decision Requested:

Add to Policy 6.2.5 (a) Environmental effects new clauses (vi) and (vii) as follows:

(vi) Avoiding, remedying or mitigating adverse effects (including intrusion), from operation, maintenance or upgrading of infrastructure, which may intrude on activities outside the National Grid Yard; and

(vii) Enabling non-sensitive farming activity, such as: animal grazing, pasture maintenance, pest and weed control, as well as maintaining existing farm infrastructure such as dams and water storage tanks, troughs, water races and water supply pipelines, stock feed pads, stock and vehicle access tracks (including bridges, culverts and fords), fences, rural fire breaks, and farm telecommunication facilities, within the National Grid Yard, except within 12m of a National Grid support structure.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter conditionally support this policy. Any policy which seeks to manage landowners' activities around utilities and the potential for reverse sensitivity needs to differentiate between rural and urban land uses. Rural and farming land uses will not have the same reverse sensitivity effects on any network utility due to the wider open spaces, low density of buildings, larger property sizes and less people on the property.
- It is a burden for landowners to host public infrastructure on their property, which has mostly been installed in the past without compensation. Landowners must be prepared to operate their farming activities around public infrastructure, and to have work crews on their property doing operation or maintenance activities. In today's health and safety climate, this is not something that farmers take lightly.

The submitter contends that the policy criteria be expanded to include:

- Avoiding, remedying or mitigating adverse effects (including intrusion) of infrastructure servicing requirements in areas outside the National Grid Yard.
- Enabling farming activity such as; animal grazing, pasture maintenance, pest and weed control, as well as maintaining existing farm infrastructure such as dams and water storage tanks, troughs, water races and water supply pipelines, stock feed pads, stock and vehicle access tracks (including bridges, culverts and fords), fences, rural fire breaks, and farm telecommunication facilities, within the National Grid Yard, except within 12m of a National Grid support structure.

Point Number

680.97

Summary of Decision Requested:

Amend Policy 6.2.6 (a) Reverse sensitivity and the National Grid, as follows:

(a) Manage proposed subdivision, use and development adjacent to the National Grid Yard so that the operation, maintenance, upgrading and development of the National Grid is not compromised by ensuring that:

(i) The National Grid is identified on the planning maps and the National Grid Yard and National Grid Corridor establish buffer distances for managing land use development and subdivision near the National Grid;

(ii) Sensitive proposed land uses and buildings and structures that may compromise the National Grid, including intensive farming activities, are excluded from establishing within the National Grid Yard;

(iii) Subdivision is managed within the National Grid Corridor to avoid subsequent land use from compromising the operation, maintenance, minor upgrading and development of the National Grid; and

(iv) Changes to existing activities within a National Grid Yard do not further restrict the operation, maintenance, upgrading and development of the National Grid.

AND

Add to Policy 6.2.6 (a) Reverse sensitivity and the National Grid, new clause (v) as follows:

(v) Existing farming activity which is not sensitive to management of the National Grid, such as grazing, intensive stock feeding in open feedlots, land cultivation, maintenance of pasture, existing farm accessways and tracks (including stock bridges, culverts and fords), fences and stock exclusion structures, areas for fodder storage, rural fire breaks, water supply pipelines, farm dams, stock water troughs, permitted vegetation clearance, and pest and weed control, is permitted within the National Grid Yard, except within 12 metres from the outer edge of any national grid support structure.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter conditionally supports this policy. Rural and farming land uses will not have the same reverse sensitivity effects on any network utility due to the wider open spaces, low density of buildings, larger property sizes and less people on the property. This includes intensive farming activity where animals are kept in outdoor feedlots. Where intensively farmed animals are kept indoors, the submitter accepts that minimum separation distances between buildings and high-voltage electricity transmission lines and structures is important. However, this can be managed through policy aimed at restriction of new structures and development within the National Grid Yard.
- The submitter seeks that the policy's focus is such that matters requiring consideration be confined to being within the National Grid Yard, and to network utility activities that can be lawfully carried out within the National Grid Yard.
- The submitter seeks that the policy be amended so that it clearly only applies to proposed subdivision, use and development within the National Grid Yard, and does not impugn existing lawfully established activity and development.
- The submitter seeks that existing farming, and maintenance of existing farm accessways and fences within the National Grid Yard, be provided for.

Point Number

680.98

Summary of Decision Requested:

Retain Objective 6.3.1 Renewable energy, as notified.

Decision Reasons:

- The submitter supports this objective.

Point Number

680.99

Summary of Decision Requested:

Retain Policy 6.3.2 Utilising energy efficiency, as notified.

Decision Reasons:

- The submitter supports this policy.

Point Number

680.100

Summary of Decision Requested:

Retain Policy 6.3.3 Enabling renewable electricity generation, as notified.

Decision Reasons:

- The submitter supports this policy to the extent that community-scale REG facilities are of a scale and character that is appropriate to their proposed location and not inconsistent with the manner of existing development and land use on adjoining sites. Submitter is particularly concerned about potential compromises to existing farm development and farming activity such as farm airstrips and associated aircraft take-off and landing flight paths that can result from inappropriate placement of large wind turbine structures.

Point Number

680.101

Summary of Decision Requested:

Retain Policy 6.3.4 (a) Future renewable electricity, as notified.

Decision Reasons:

- The submitter supports this policy.

Point Number 680.102

Summary of Decision Requested: **Add** to Policy 6.3.5 Existing renewable electricity facilities, a new clause (b) as follows:

(b) Enable non-sensitive rural land use including: animal grazing, land cultivation and maintenance of pasture, pest and weed control, farm accessways and tracks fences and stock exclusion structures (including stock bridges, culverts and fords), water supply pipelines, farm dams and stock water troughs, and farm storage areas for fodder storage, fuel, fertiliser, hazardous substances, including associated farm storage buildings, sheds, animal barns and shelters and rural fire breaks, and permitted vegetation clearance, pest and weed control

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter conditionally supports this policy provided that recognition is made in the policy for non-sensitive farming activity such as animal grazing, cultivation and pasture maintenance, pest and weed control, maintenance of farm tracks (including stock bridges, culverts and fords), fences, water supply pipelines, farm dams and stock water troughs, and farm storage areas for fodder storage, fuel, fertiliser, hazardous substances, including associated farm storage buildings, sheds, animal barns and shelters and rural fire breaks.

Point Number 680.103

Summary of Decision Requested: **Retain** Objective 6.4.1 (a) Integration of infrastructure with subdivision, land use and development, as notified.

Decision Reasons:

- The submitter supports this policy.

Point Number 680.104

Summary of Decision Requested: **Amend** Policy 6.4.7 (a) Stormwater, as follows:

(a) Ensure that stormwater and drainage infrastructure for subdivision, land use and development in urban and rural residential areas:

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter conditionally supports this policy provided that criteria for low-impact design approaches and minimising impervious surfaces is focused so that these only apply in urban areas. In rural areas, the impact of stormwater from development, and the amount of impervious surface in comparison to land area, is insignificant to the point that these are not relevant issues, and the costs of carrying out assessment and design for these matters far outweighs any benefit to be derived.

Point Number 680.105

Summary of Decision Requested: **Retain** Objective 6.5.1 Land transport network, as notified.

Decision Reasons:

- The submitter supports this objective.

Point Number 680.106

Summary of Decision Requested: **Retain** Policy 6.5.2 (a) Construction and operation of the land transport network.

Decision Reasons:

- The submitter supports this policy.

Point Number 680.107

Summary of Decision Requested: **Retain** Policy 6.5.3 Road hierarchy and function, as notified.

Decision Reasons:

- The submitter supports this policy.

Point Number 680.108

Summary of Decision Requested: **Add** to Policy 6.5.4 Road standards, a new clause (b) as follows:

(b) Ensure that in rural areas, the safe and efficient functioning of roads also takes into account safe sight distances, vehicle entranceways, pavement design and construction, road geometry and speed environments.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter conditionally supports this policy and submits that the policy be expanded to recognise that in rural areas, the safe and efficient functioning of roads also takes into account safe sight distances, vehicle entranceways, pavement design, construction and geometry and speed environments. Rural roads are often longer roads with higher speed environments than urban roads, and safe and efficient roads are important for farming communities.

Point Number 680.109

Summary of Decision Requested: **Add** to Policy 6.5.5 Road safety, a new clause (b) as follows:

(b) To recognise that in rural areas, there may be agreements with landowners to utilise road berms for grazing or hay making, and that changes to road design to accommodate new access for subdivision need to consider the effect of subdivision and site access on the safe and efficient functioning of the road network in light of such arrangements.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter conditionally supports this policy and submits that the policy be expanded to recognise that in rural areas, there may be agreements with landowners to utilise road berms for grazing or hay making, and that changes to road design to accommodate new access for subdivision need to consider the effect of subdivision and site access on the safe and efficient functioning of the road network in light of such arrangements.

Point Number

680.110

Summary of Decision Requested:

Retain Policy 6.5.6 (a) Network utility location, as notified.

Decision Reasons:

- The submitter supports this policy.

Point Number

680.111

Summary of Decision Requested:

Retain Policy 6.5.7 (a) Vehicle access, as notified.

Decision Reasons:

- The submitter supports this policy.

Point Number

680.112

Summary of Decision Requested:

Amend Objective 7.1.1 (a) as follows:

(a) *A district that acknowledges its past by recognising, identifying, protecting and promoting historic heritage.*

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter understands the purpose of the Objective however amendment is required to promote consistency and clarity within the Proposed District Plan. We note that the term 'heritage' is not defined in the Proposed District Plan.

Point Number

680.113

Summary of Decision Requested:

Amend Policy 7.1.2 (a) Identification, as follows:

(a) ~~Identify and schedule historic heritage identified by the Regional Heritage Forum as requiring protection from inappropriate subdivision, use and development throughout the District that represent the heritage and cultural themes and activities of the district.~~

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter considers this Policy has the potential to unnecessarily duplicate work the Regional Council is facilitating via the Regional Heritage Forum. It is the submitter's understanding this forum is currently scoping an inventory of historic heritage items, sites and areas for inclusion in district plans, which merit some form of heritage management or possibly even protection from inappropriate subdivision, use and development.
- The submitter prefers that there is some consistency between different agencies managing heritage issues, hence our relief sought in this regard.

Point Number

680.114

Summary of Decision Requested:

Amend Policy 7.1.3 (a) and (d) Heritage items, as follows:

(a) *The contribution of historic heritage to the Waikato District and its communities is maintained through the protection management and conservation of its buildings, sites, structures, places and areas through restoring, conserving and reusing.*

...

(d) ~~Ensure~~ *Protect* the relationship of identified redoubts and battlefields with their surrounds or settings is from inappropriate subdivision, use and development.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter is broadly supportive of the policy approach being taken. Council is appropriately limiting matters to 'inappropriate' subdivision, use and development. Section 6 (f) of the RMA provides for the protection of historic heritage from inappropriate subdivision, use, and development. With this direction, only inappropriate activities that could damage sites need to be managed.

Point Number

680.115

Summary of Decision Requested:

Amend Policy 7.1.7 Identification, as follows:

~~(a) Notable trees should be identified and scheduled in Schedule 30.2 in a manner that recognises the important values of each tree. Identify and schedule trees, including groups of trees and assess them for significance and/or notable values.~~

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- With reference to Schedule 30.2 Notable Trees, submitter is unsure why this policy is necessary. Presumably the relevant Proposed District Plan Schedule should be referenced in any such policy, otherwise there is concern that the policy could be used to justify some sort of assessment or onerous consenting requirement in respect of any old tree.

Point Number	680.116
Summary of Decision Requested:	<p>Amend Policy 7.1.8 (a) Tree protection, as follows:</p> <p>(a) <i>Ensure removal of a notable tree listed in (Schedule 30.2 Notable Trees) only occurs if the tree is in an unsafe condition and/or there is a serious risk to human life or property.</i></p> <p>(b) <i>Ensure land use or work within the dripline of a notable tree listed in (Schedule 30.2 Notable Trees) does not affect the form or health of the tree.</i></p> <p>(c) <i>Enable removal of the protective tree status if the values associated with the protected tree have deteriorated.</i></p> <p>(d) <i>Enable removal of a notable tree on private property if the reasonable use and enjoyment of the property and surrounds is compromised.</i></p> <p>AND</p> <p>Any consequential changes needed to give effect to this relief.</p>
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports the practical approach adopted by this policy but consider it needs to go further to enable the removal of a notable tree on private property if the use and enjoyment of that property is compromised.
Point Number	680.117
Summary of Decision Requested:	<p>Amend Policy 7.1.9 Tree maintenance, as follows</p> <p>(a) <i>Enable the maintenance and management of a notable tree for the purposes of:</i></p> <p>(i) <i>Ensuring the continuing health, structural integrity and amenity value of the tree; OR and</i></p> <p>(ii) <i>The reasonable use and enjoyment of the property and surrounds.</i></p> <p>AND</p> <p>Any consequential changes needed to give effect to this relief.</p>
Decision Reasons:	<ul style="list-style-type: none"> The submitter broadly supports the intention of the policy however we consider that the two purposes are not mutually inclusive. The reasonable use and enjoyment of private property and surrounds is important in and of itself, the amendment is required to acknowledge and recognise that.
Point Number	680.118
Summary of Decision Requested:	<p>Amend Policy 8.1.3 Esplanade reserves and walkways, as follows</p> <p>(a) <i>With the exception of subdivision in the Rural Zone, to Acquire esplanade reserves or strips along coasts, rivers, lakes and wetlands during subdivision to enable the creation of trails and public access, particularly in identified high priority areas in Appendix 4.</i></p> <p>AND</p> <p>Any consequential changes needed to give effect to this relief.</p>
Decision Reasons:	<ul style="list-style-type: none"> The submitter is opposed to creation of esplanade reserves or strips where land is being subdivided for the purposes of facilitating farming in the Rural Zone. The disadvantages far outweigh the benefits. Any given member of the public might visit such waterway margins once in their lifetimes, if at all, while farmers have to put up with theft and nuisance on a continual basis. Creation of public access alongside farmland encourages all sorts of problems for farmers, including theft of farm property and stock, and harassment/harm of farm animals by careless dog owners. In addition, unless any such esplanade reserves that are acquired can be responsibly managed for pests and weeds (and unwanted excess vegetation growth blocking waterways), then provision of esplanade reserves ultimately results in land flooding problems for farmers in the vicinity. Where nuisance plants like tobacco weed get established on riparian margins, this can cause adverse effects on water quality through exposing riparian areas to soil erosion when the tobacco weed etc gets swept away in big flood events Moreover, due to the pattern of existing land fragmentation, any reliance on a requirement to provide esplanade reserves upon subdivision of land almost certainly never results in continuous esplanade access along any given river or stream margin. Any access that might otherwise result alongside rivers and streams from such subdivision, ends up at best being intermittent due to the ad-hoc and infrequent timing of rural subdivision. Furthermore, farmers should not have to provide esplanade reserves or strips where they are only seeking boundary relocation or boundary adjustment to enable better practical management of farmland. Any requirement to acquire esplanade reserves or strips should be accompanied by a strategy which identifies waterways where acquisition of esplanade reserves is a priority for the purposes listed in section 229 and 230 of the RMA, in which all the management issues associated with esplanade reserves (such as enabling safe and practical public access, or pest and weed control etc) are provided for in a comprehensive manner in a way that also sits outside the district plan among the Council's other functions under the Local Government Act 2002 and the Reserves Act 1977.
Point Number	680.119
Summary of Decision Requested:	<p>Delete Chapter 10 - Hazardous substances.</p> <p>AND</p> <p>Replace with an advice note which states that it is no longer a district council function to control any actual or potential effects of the use, development, or protection of land, for the purpose of the prevention or mitigation of any adverse effects of the storage, use, disposal, or transportation of hazardous substances. Hazardous substances are adequately managed by the Hazardous Substances and New Organisms Act (HSNO) and there is no need for further regulation in the Waikato District Plan.</p> <p>AND</p> <p>Any consequential changes needed to give effect to this relief.</p>
Decision Reasons:	<ul style="list-style-type: none"> Federated Farmers is strongly opposed to these hazardous substance provisions and recommends they be replaced with a framework that recognises hazardous substances are already adequately managed by the Hazardous Substances and New Organisms Act 1996 ("HSNO") and there is no need for further regulation in the District Plan. HSNO already provides a comprehensive and far reaching regulatory framework for managing hazardous substances. The Health and Safety at Work Act 2015 also provides regulatory controls that users and handlers of hazardous substances must be appropriately trained and certified. The Council is unnecessarily duplicating existing regulation for no additional benefit, there is also a risk that Council regulation will be inconsistent. FFNZ has provided alternative relief sought in response to the notified Objective and policies below. However, this is in the interests of being thorough rather than accepting of the ultra vires approach.
Point Number	680.120
Summary of Decision Requested:	<p>Amend Objective 10.1.1 Effects of hazardous substances, as follows:</p> <p>(a) <i>Residual risk associated with the storage, use, or disposal of hazardous substances is managed to ensure that the effects on people, property and the environment are acceptable, while recognising the benefits of activities using hazardous substances.</i></p> <p>AND</p>

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The risk management approach of the Objective is supported. Primary producers rely on a number of hazardous substances for everyday operations and as such it is vital that farming and horticulture can continue to use and store necessary hazardous substances without being captured by unnecessary land use controls.
- It is considered the proposed Objective is inappropriately focused on the benefit of the 'facilities' rather than the benefits of using hazardous substances.
- There is also some concern with the proposed definition of Hazardous Facility. A separate submission point will address this issue under Chapter 13.

Point Number

680.121

Summary of Decision Requested:

Amend Policy 10.1.2 (a) Location of new hazardous facilities, as follows:

(a) *New hazardous facilities minimise the risk to the environment (including people and property) to acceptable levels by:*

(i) *Siting new hazardous facilities in appropriate locations that are separated from incompatible activities such as sensitive land use and infrastructure, and environment;*

(ii) *Avoid locating near to sensitive land use activities and infrastructure*

(iii) *Designing, constructing and operating hazardous facilities in a manner that ensures the adverse effects of the operation or an accidental event involving hazardous substances can be avoided, remedied or mitigated ~~or contained within the site;~~ and*

(iv) *Disposing hazardous wastes to authorised disposal or treatment facilities that have appropriate management systems in place.*

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The intention of this policy is understood, however there appears to be unnecessary duplication in parts and it needs to be re-phrased to be clearer and more precise.
- Issues with the definition of Hazardous Facility will be addressed in a submission point related specifically to the definitions chapter.

Point Number

680.122

Summary of Decision Requested:

Retain Policy 10.1.3 Residual risks of hazardous substances as notified (if the definition of Hazardous facility is amended as per amendments sought, as outlined in a separate submission point):

OR

Amend Policy 10.1.3 Residual risks of hazardous substances as follows:

(a) *Facilities for the use, storage, or disposal of hazardous substances shall identify and assess potential adverse effects (including cumulative risks and potential effects of identified natural hazards) to prevent unacceptable levels of risk to human health, safety, property and the natural environment. Promote better understanding of the potential adverse effects of the use, storage or disposal of hazardous substances, and the methods and controls for avoiding remedying or mitigating such effects.*

(b) *Establish thresholds of acceptable risks from the use, storage, transportation and disposal of hazardous substances on the health and safety of people, and the environment.*

(c) *To provide for the manufacture, storage, use, disposal and transportation of hazardous substances in accordance with industry protocols and regulations established under the Hazardous Substances and New Organisms Act 1996.*

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter considers the all-encompassing nature of the *Hazardous Facility* definition renders this policy ineffective and inappropriate. A garden shed or storage cupboard in the laundry or garage would meet the definition of *hazardous facility* and as such trigger the requirement for a user of garden sprays to identify and assess adverse effects to prevent unacceptable levels of risk to human health, safety, property and the natural environment. It is acknowledged from the Section 32 report that this is not Council's intention, and seek the suggested amendments to remedy the presumed drafting error.
- The Section 32 report lists on page 3 the additional situations where supplementary controls over and above those imposed by the HSNO Act or other statutes may be necessary including managing the effects of hazardous facilities on sensitive land uses and cumulative effects from multiple facilities. The purpose of the proposed policy in this suite is to manage adverse effects and risks but it has a significantly wider reach than that and is unmanageable in its present form. The proposed new policy 10.1.3 (b) provides the necessary policy support for the activity list approach for Rule 22.2.4.

Point Number

680.123

Summary of Decision Requested:

Delete Policy 10.1.4 (b) and (c) Reverse sensitivity effects:

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The purpose of proposed Policy 10.1.4 is to meet reverse sensitivity effects, however in the submitter's view, (b) is already addressed by Policy 10.1.2 (a)(i) and includes risk management issues which would be addressed under Policy 10.1.3.

Point Number

680.124

Summary of Decision Requested:

Amend Objective 10.2.1(a) Contaminated land, as follows:

(a) *The subdivision, use and development of contaminated land is managed to protect human health and the environment from unacceptable risk.*

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- It is important for the Objective to be clear about the issue which is trying to be addressed and what the plan seeks to achieve. In this case it is about protecting human health and the environment from unacceptable risk of harm caused by the subdivision, use and development of contaminated land.

Point Number

680.125

Summary of Decision Requested:

Add to Policy 10.2.2 Managing the use of contaminated land an advice note as follows:

Advice note: The status of some activities will be determined by the requirements of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011. Reference should be made to the Ministry of Environment website for a copy of these regulations, a user's guide, and documents incorporated by reference in these regulations.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter understands the purpose and intent of this policy and considers the planning approach which is predicated on land use change is appropriate.
- Soil tests upon sub-division and the already existing food standards testing allow for the identification of contaminated land when it has an effect on the public and as such there is no need for additional rules proposing tighter regulations for contaminated land or suspected contaminated land without there being a demonstrable effects-based need for these higher standards.
- It is not cost effective to deal with potential sites proactively, especially if there is no identified need, through either the food chain or land use change.
- For these reasons the submitter also supports the planning approach which seeks to avoid unnecessary duplication with the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011 ('NES'). This approach is consistent with Implementation Method 14.4.1 of the Waikato Regional Policy Statement.
- Whilst the alignment approach is supported amendments are required to better 'signpost' this alignment within the chapter. This will ensure plan users are better informed and understand the rules framework which applies.

Point Number 680.126

Summary of Decision Requested: Retain the definition of "Agricultural and horticultural research activities" in Chapter 13: Definitions.

Decision Reasons:

- The submitter supports this definition.

Point Number 680.127

Summary of Decision Requested: Amend the definition of "Ancillary rural earthworks" in Chapter 13 Definitions, as follows:

(a) Means any earthworks or disturbance of soil associated with: cultivation, land preparation (including establishment of sediment and erosion control measures), for planting and growing operations of crops and pasture;

(b) harvesting of agricultural and horticultural crops (farming) and forests (forestry); and planting trees, removing trees and horticultural root ripping;

(c) maintenance and construction of facilities typically associated with farming and forestry activities, including, but not limited to, farm/forestry tracks, roads, vehicle manoeuvring areas and landings, stock marshalling yards, stock races, silage pits, offal pits, burying dead stock and plat waste, farm drains, farm effluent ponds, feeding pads, digging post holes, fencing and sediment control measures, drilling bores, installing and maintaining services such as water pipes and troughs, off-stream farm water storage dams, hard stand areas for stock, fertiliser storage pads, airstrips and helipads.

(d) Farm quarries where quarry winnings are only used within the farm site

AND

Any consequential amendments needed to give effect to this relief.

Decision Reasons:

- The definition of *Ancillary Rural Earthworks* should be congruent with a resource management policy framework which seeks to enable primary production in rural areas, and that it should be as clear as possible. The activities included in the submission point clearly be contemplated, including within any related definition.
- Off-stream farm water storage dams for stock and domestic water storage are commonplace on many farms.
- Farm quarries are certainly part of normal day to day farming operation and shouldn't need resource consent. Other district plans make allowance for permitted farm quarries at a scale which is appropriate in the context of the wide open spaces of the rural environment.

Point Number 680.128

Summary of Decision Requested: Retain the definition of "Animal feed lot" in Chapter 13 Definitions, as notified.

Decision Reasons:

- The submitter supports this definition and exemptions.

Point Number 680.129

Summary of Decision Requested: Amend the definition of "Boarding, breeding or animal training establishment" in Chapter 13 Definitions, as follows:

Means an activity carried out on land or within buildings where board and lodging, breeding and training is provided or intended to be provided for more than five animals (excluding offspring up to 3 months of age). This does not include dog kennels, calf rearing ~~sheds~~, stables, ~~and~~ or similar ~~activities shelters~~ for private farming uses, and activities defined as Agricultural and horticultural research activities and Agricultural research centres.

AND

Any consequential amendments needed to give effect to this relief.

Decision Reasons:

- The submitter supports the exemptions included in this definition but considers the amendment as proposed is necessary to ensure that there is no confusion or uncertainty created when the rules framework is applied.

Point Number 680.130

Summary of Decision Requested: Add a new definition for "Boundary Adjustment" to Chapter 13: Definitions as follows:

Boundary adjustment – means a subdivision of adjoining allotments to adjust the position of boundaries, in a manner that produces the same number of allotments.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter seeks a definition of *Boundary Adjustment*, in recognition that this is a valid form of reorganisation of land parcels, which is useful for supporting rationalisation of farm management.

Point Number 680.131

Summary of Decision Requested: Amend the definition of "Earthworks" in Chapter 13 Definitions, as follows:

Means modification of land surfaces by blading, contouring, ripping, moving, removing, placing or replacing soil or earth, or by excavation, or by cutting or filling operations, but does not include Ancillary Rural Earthworks.

AND

Any consequential amendments needed to give effect to this relief.

Decision Reasons:

- The definition of *Earthworks* should clearly exclude *Ancillary Rural Earthworks*, lest the latter get needlessly caught up in a resource consent process which is triggered by the former.

Point Number 680.132

Summary of Decision Requested: **Amend** the definition of "Energy corridor" in Chapter 13 Definitions to ensure that it is the same, regardless of which format of the Proposed District Plan is being used.

Decision Reasons:

- Note that the definition of *Energy Corridor* is different on the two different formats of the plan uploaded on the Council website. It is assumed the electronic plan version contains an incorrect drafting error as it applies to *emergency generator*.

Point Number 680.133

Summary of Decision Requested: **Amend** the definition of "Extractive industry" in Chapter 13 Definitions, as follows:

Means taking, winning or extracting by whatever means, the naturally-occurring minerals (including but not limited to coal, rock, sand, and gravel) and peat from under or on the land surface, but does not include a Farm Quarry.

AND

Any consequential amendments needed to give effect to this relief.

Decision Reasons:

- Farm quarries should be excluded from the definition of *Extractive Industry*, consistent with our relief sought in relation to the definition of *Ancillary Rural Earthworks*.

Point Number 680.134

Summary of Decision Requested: **Add** to the definition of "Farming" in Chapter 13 Definitions, a new clause (c) as follows:

(c) Ancillary Rural Earthworks

AND

Any consequential amendments needed to give effect to this relief.

Decision Reasons:

- *Ancillary Rural Earthworks* should be included in the list of activities included in the definition of *Farming*, consistent with our relief sought in relation to the definition of *Ancillary Rural Earthworks*.

Point Number 680.135

Summary of Decision Requested: **Retain** the definition of "Farming noise" in Chapter 13 Definitions, as notified.

Decision Reasons:

- The submitter supports the definition.

Point Number 680.136

Summary of Decision Requested: **Retain** the definition of "Farm quarry" in Chapter 13 Definitions, as notified.

Decision Reasons:

- The submitter supports this definition.

Point Number 680.137

Summary of Decision Requested: **Amend** the definition of "Functional need" in Chapter 13 Definitions, as follows:

~~*Means for Chapter 14 Infrastructure and Energy, the need for a proposal or activity to traverse, locate or operate in a particular environment because it can only occur in that environment for any number of reasons.*~~

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter conditionally support this definition provided that the effect of this definition doesn't override the prerogative of landowners to refuse access to any member of the public or any network utility operator over private farmland.
- The definition has wider application than just Chapter 14 and may apply in certain circumstances to rural activities in and around waterbodies for example.

Point Number 680.138

Summary of Decision Requested: **Amend** definition the of "Homestay" in Chapter 13 Definitions, as follows:

Means accommodation provided to guests who pay a daily tariff to stay in accommodation where it is ancillary to the residential and farming activity on the site and where the host is a permanent resident on the site. This could be in a home with the permanent occupants of the household or in a separate building.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The definition needs to be amended to better reflect current homestay trends and the nature of this activity. It provides for small scale diverse business opportunities within the rural zone which can help to sustain a vibrant rural community.

Point Number 680.139

Summary of Decision Requested: **Amend** the definition of "Hazardous facility" in Chapter 13 Definition as follows:
Means activities involving hazardous substances and premises at which these substances are used, stored or disposed of. Storage includes vehicles for their transport located at a facility for more than short periods of time. A Hazardous facility does not include:
(a) The incidental use and storage of Hazardous substances in domestic quantities; and
(b) Fuel contained in tanks of motor vehicles, agricultural and forestry equipment, boats and small engines; and,
(c) On farm milk and farm effluent storage and disposal; and
(d) Storage of superphosphate or lime or similar fertiliser in the Rural Zone; and
(e) Use and storage of agrichemicals covered by, and in accordance with New Zealand Standard 8409:2004 Management of Agrichemicals.
 AND
 Any consequential amendments needed to give effect to this relief.

Decision Reasons:

- The definition as currently worded has the potential to capture a range of activities inappropriately.

Point Number 680.140

Summary of Decision Requested: **Amend** the definition of "Hazardous substance" in Chapter 13 Definitions, as follows:
Means any substance with hazardous properties, including radioactivity, high BOD (Biological Oxygen Demand) and those properties defined as hazardous for the purpose of the Hazardous Substances and New Organisms Act 1996.
 AND
 Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The definition should be consistent with the HSNO Act, any variation has the ability to cause confusion and unnecessary duplication.

Point Number 680.141

Summary of Decision Requested: **Retain** the definition of "Heritage item" in Chapter 13 Definitions, as notified.

Decision Reasons:

- Support is extended to the reference to Appendix 30.1 - it is important that these items are identified and scheduled accordingly.

Point Number 680.142

Summary of Decision Requested: **Retain** the definition of "High class soils" in Chapter 13 Definitions, as notified.

Decision Reasons:

- It is accepted that this definition describes what is commonly known as 'high class soils'.

Point Number 680.143

Summary of Decision Requested: **Delete** the definition of "High Natural Character Area" from Chapter 13 Definitions.
 AND
 Any consequential amendments needed to give effect to this relief.

Decision Reasons:

- This definition provides no purpose as there is no *High Natural Character Area* layer identified on the planning maps.

Point Number 680.144

Summary of Decision Requested: **Amend** Activity specific condition 14.10.1.6 (a)(ii) relating to P8 Small cell units exceeding the permitted volumetric dimension of 0.11m³ regulated in the NESTF, as follows:
(a) Small cell units exceeding the permitted volumetric dimension of 0.11m² regulated in the NESTF that comply with all of the following conditions
(ii) Are not located within an Identified Area, except within the Rural Zone, where small cell units are a permitted activity within any Identified Area; and...
 AND
 Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter conditionally supports Rule 14.10.1, provided that restrictions on telecommunication and radio communication equipment in the Rural Zone, that are aimed at managing visual amenity, are appropriate to reflect the wide-open space scale and rural amenity character of rural areas.
- It is not appropriate to impose the same degree of restriction on masts and aerials and the like in rural areas. In remote rural areas where internet connection is unavailable, farmers typically have need of farm telecommunication and radio communication equipment in order to augment the efficient and safe operation of farms.
- Imposing the same degree of constraint on masts and aerials in rural areas to that of urban areas, unfairly penalises farmers who have to rely on such equipment, for what amounts to little or no environmental benefit. Efficiency and safety of farm operations can be compromised if farmers are required to have a high regulatory hurdle to overcome in order to be able to install practically-sized functional aerials and masts, which are arbitrarily constrained by way of inappropriately-scaled visual amenity criteria.
- If the Council is minded to permit co-located poles antennas and headframes at a permitted height of 30 metres in the Rural Zone, there is practically no visual difference between co-located devices and non-co-located devices mounted on poles up to 30 metres height in rural areas, and therefore the maximum permitted height should be simplified to 30 metres.

Point Number 680.145

Summary of Decision Requested:**Amend** Activity specific condition 14.10.1.7 relating to P9 Poles, antennas and headframes, as follows:*(a) Any poles and attached antenna that comply with the following conditions:**(i) Are not located within an Identified Area, except within the Rural Zone, where poles, antennas and headframes are a permitted activity within any Identified Area:*

...

(iv) Not exceed the height limits set out in the following table:

Zone	Permitted height
Rural, Country Living	25m (and 30m for colocation of at least two operators)

.....

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter conditionally supports Rule 14.10.1, provided that restrictions on telecommunication and radio communication equipment in the Rural Zone, that are aimed at managing visual amenity, are appropriate to reflect the wide-open space scale and rural amenity character of rural areas.
- It is not appropriate to impose the same degree of restriction on masts and aerials and the like in rural areas. In remote rural areas where internet connection is unavailable, farmers typically have need of farm telecommunication and radio communication equipment in order to augment the efficient and safe operation of farms.
- Imposing the same degree of constraint on masts and aerials in rural areas to that of urban areas, unfairly penalises farmers who have to rely on such equipment, for what amounts to little or no environmental benefit. Efficiency and safety of farm operations can be compromised if farmers are required to have a high regulatory hurdle to overcome in order to be able to install practically-sized functional aerials and masts, which are arbitrarily constrained by way of inappropriately-scaled visual amenity criteria.
- If the Council is minded to permit co-located poles antennas and headframes at a permitted height of 30 metres in the Rural Zone, there is practically no visual difference between co-located devices and non-co-located devices mounted on poles up to 30 metres height in rural areas, and therefore the maximum permitted height should be simplified to 30 metres.

Point Number

680.146

Summary of Decision Requested:**Amend** Activity specific conditions 14.10.1.8 (a)(iv) relating to P10 Externally-mounted telecommunication satellite dishes and ancillary components, as follows:*(a) Externally-mounted telecommunication satellite dishes and ancillary components that comply with the following conditions:**(iv) Are not located within an Identified Area (except within the Rural Zone, where externally mounted telecommunication satellite dishes and earthpeaks are a permitted activity).*

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter conditionally support Rule 14.10.1, provided that restrictions on telecommunication and radio communication equipment in the Rural Zone, that are aimed at managing visual amenity, are appropriate to reflect the wide-open space scale and rural amenity character of rural areas.
- It is not appropriate to impose the same degree of restriction on masts and aerials and the like in rural areas. In remote rural areas where internet connection is unavailable, farmers typically have need of farm telecommunication and radio communication equipment in order to augment the efficient and safe operation of farms.
- Imposing the same degree of constraint on masts and aerials in rural areas to that of urban areas, unfairly penalises farmers who have to rely on such equipment, for what amounts to little or no environmental benefit. Efficiency and safety of farm operations can be compromised if farmers are required to have a high regulatory hurdle to overcome in order to be able to install practically-sized functional aerials and masts, which are arbitrarily constrained by way of inappropriately-scaled visual amenity criteria.
- If the Council is minded to permit co-located poles antennas and headframes at a permitted height of 30 metres in the Rural Zone, there is practically no visual difference between co-located devices and non-co-located devices mounted on poles up to 30 metres height in rural areas, and therefore the maximum permitted height should be simplified to 30 metres.

Point Number

680.147

Summary of Decision Requested:**Amend** Activity specific condition 14.10.1.12 (a)(i) relating to P14 Aerial telecommunication lines and associated support structures, including those not complying with regulations 41-42 of the NESTF, as follows:*Activity-specific conditions**14.10.1.12**(a) Aerial telecommunication lines...**(i) Do not exceed ~~2~~30m in height; and...*

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter conditionally support Rule 14.10.1, provided that restrictions on telecommunication and radio communication equipment in the Rural Zone, that are aimed at managing visual amenity, are appropriate to reflect the wide-open space scale and rural amenity character of rural areas.
- It is not appropriate to impose the same degree of restriction on masts and aerials and the like in rural areas. In remote rural areas where internet connection is unavailable, farmers typically have need of farm telecommunication and radio communication equipment in order to augment the efficient and safe operation of farms.
- Imposing the same degree of constraint on masts and aerials in rural areas to that of urban areas, unfairly penalises farmers who have to rely on such equipment, for what amounts to little or no environmental benefit. Efficiency and safety of farm operations can be compromised if farmers are required to have a high regulatory hurdle to overcome in order to be able to install practically-sized functional aerials and masts, which are arbitrarily constrained by way of inappropriately-scaled visual amenity criteria.
- If the Council is minded to permit co-located poles antennas and headframes at a permitted height of 30 metres in the Rural Zone, there is practically no visual difference between co-located devices and non-co-located devices mounted on poles up to 30 metres height in rural areas, and therefore the maximum permitted height should be simplified to 30 metres.

Point Number

680.148

Summary of Decision Requested:**Amend** Rule 14.10.3 (a)(ii) RD5 Restricted Discretionary Activities, as follows:*(a) Aerial telecommunication lines and...*

...

(ii) Are not located within an Identified Area (except within the Rural Zone, where aerial telecommunication lines and associated support structures complying with regulations 41-21 of the NESTF are a permitted activity within Identified Areas)...

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter opposes Rule 14.10.3 and submits that aerial telecommunication lines and associated support structures complying with regulations 41-21 of the NESTF should be a permitted activity within Identified Areas in the Rural Zone, for the same reasons as given in relation to the relief sought in respect of Rule 14.10.1.

Point Number

680.149

Summary of Decision Requested:

Amend Rule 14.10.4 D3 Discretionary Activities, as follows:

Antennas attached to a building and/or structure located within an Identified Area, except within the Rural Zone, where antennas attached to a building and/or structure located within an Identified Area are a permitted activity.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter opposes Rule 14.10.4 and submits that aerial telecommunication lines and associated support structures complying with regulations 41-21 of the NESTF should be a permitted activity within Identified Areas in the Rural Zone, for the same reasons as given in relation to the relief sought in respect of Rule 14.10.1

Point Number

680.150

Summary of Decision Requested:

Amend Rule 14.10.4 D8 Discretionary Activities, as follows:

Aerial telecommunication lines and associated support structures located within an Identified Area, except within the Rural Zone, where these are a permitted activity.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter opposes Rule 14.10.4 and submits that aerial telecommunication lines and associated support structures complying with regulations 41-21 of the NESTF should be a permitted activity within Identified Areas in the Rural Zone, for the same reasons as given in relation to our relief sought in respect of Rule 14.10.1.

Point Number

680.151

Summary of Decision Requested:

Amend Activity specific condition 14.11.1.1 (a) relating to P1 Stormwater systems for new development or subdivision, as follows:

(a) Except within the Rural Zone, New development or subdivision must have a stormwater system that complies with all of the following conditions:

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter opposes Rule 14.11.1 to the extent that it seeks to impose inappropriate regulation on water, wastewater and stormwater management in rural areas.
- The issues around these services in rural area are quite different to the issues confronted within urban areas for a range of reasons, including different spatial and geographical scale and differences in the natural resource characteristics and opportunities to manage these.
- Farmers should not have to be unnecessarily burdened with delay and cost in managing their farms on a day-to-day basis from having to be confronted with inappropriate resource consent requirements which will have little or no environmental benefit.
- For farms in rural areas, the Waikato Regional Plan manages water take and water discharge issues, and there is no need to duplicate that regime with a range of inappropriate regulations aimed at urban-scale 3-water management issues.

Point Number

680.152

Summary of Decision Requested:

Amend Activity specific condition 14.11.1.2 (a) relating to P2 The establishment of impervious surfaces associated with new development or subdivision, as follows:

(a) Except within the Rural Zone, The establishment of impervious surfaces associated with new development or subdivision that complies with the following condition:...

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter opposes Rule 14.11.1 to the extent that it seeks to impose inappropriate regulation on water, wastewater and stormwater management in rural areas.
- The issues around these services in rural area are quite different to the issues confronted within urban areas for a range of reasons, including different spatial and geographical scale and differences in the natural resource characteristics and opportunities to manage these.
- Farmers should not have to be unnecessarily burdened with delay and cost in managing their farms on a day-to-day basis from having to be confronted with inappropriate resource consent requirements which will have little or no environmental benefit.
- For farms in rural areas, the Waikato Regional Plan manages water take and water discharge issues, and there is no need to duplicate that regime with a range of inappropriate regulations aimed at urban-scale 3-water management issues.

Point Number

680.153

Summary of Decision Requested:

Amend Activity specific conditions 14.11.1.3 (a) relating to P3 Wastewater servicing for new development or subdivision, as follows:

(a) Except within the Rural Zone, New development or subdivision must have a wastewater system that complies with the following conditions:...

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter opposes Rule 14.11.1 to the extent that it seeks to impose inappropriate regulation on water, wastewater and stormwater management in rural areas.
- The issues around these services in rural area are quite different to the issues confronted within urban areas for a range of reasons, including different spatial and geographical scale and differences in the natural resource characteristics and opportunities to manage these.

- Farmers should not have to be unnecessarily burdened with delay and cost in managing their farms on a day-to-day basis from having to be confronted with inappropriate resource consent requirements which will have little or no environmental benefit.
- For farms in rural areas, the Waikato Regional Plan manages water take and water discharge issues, and there is no need to duplicate that regime with a range of inappropriate regulations aimed at urban-scale 3-water management issues.

Point Number 680.154

Summary of Decision Requested: **Amend** Activity specific condition 14.11.1.4 (a) relating to P4 Below ground pipelines for the conveyance of water, wastewater and stormwater, as follows:

Activity-specific conditions

14.11.1.4

(a) Except within the Rural Zone, below ground pipelines systems for the conveyance of water, wastewater and stormwater that comply with all of the following...

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter opposes Rule 14.11.1 to the extent that it seeks to impose inappropriate regulation on water, wastewater and stormwater management in rural areas.
- The issues around these services in rural area are quite different to the issues confronted within urban areas for a range of reasons, including different spatial and geographical scale and differences in the natural resource characteristics and opportunities to manage these.
- Farmers should not have to be unnecessarily burdened with delay and cost in managing their farms on a day-to-day basis from having to be confronted with inappropriate resource consent requirements which will have little or no environmental benefit.
- For farms in rural areas, the Waikato Regional Plan manages water take and water discharge issues, and there is no need to duplicate that regime with a range of inappropriate regulations aimed at urban-scale 3-water management issues.

Point Number 680.155

Summary of Decision Requested: **Amend** Rule 14.11.1 P5 Below ground pipelines for the conveyance of water, wastewater and stormwater located within an Identified Area, as follows:

Except within the Rural Zone, below ground pipelines for the conveyance of water, wastewater and stormwater located within an Identified Area

and

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter opposes Rule 14.11.1 to the extent that it seeks to impose inappropriate regulation on water, wastewater and stormwater management in rural areas.
- The issues around these services in rural area are quite different to the issues confronted within urban areas for a range of reasons, including different spatial and geographical scale and differences in the natural resource characteristics and opportunities to manage these.
- Farmers should not have to be unnecessarily burdened with delay and cost in managing their farms on a day-to-day basis from having to be confronted with inappropriate resource consent requirements which will have little or no environmental benefit.
- For farms in rural areas, the Waikato Regional Plan manages water take and water discharge issues, and there is no need to duplicate that regime with a range of inappropriate regulations aimed at urban-scale 3-water management issues.

Point Number 680.156

Summary of Decision Requested: **Amend** Rule 14.11.1 P6 Pump stations for the conveyance of water, wastewater and stormwater, as follows:

Except within the Rural Zone, pump stations for the conveyance of water, wastewater and stormwater...

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter opposes Rule 14.11.1 to the extent that it seeks to impose inappropriate regulation on water, wastewater and stormwater management in rural areas.
- The issues around these services in rural area are quite different to the issues confronted within urban areas for a range of reasons, including different spatial and geographical scale and differences in the natural resource characteristics and opportunities to manage these.
- Farmers should not have to be unnecessarily burdened with delay and cost in managing their farms on a day-to-day basis from having to be confronted with inappropriate resource consent requirements which will have little or no environmental benefit.
- For farms in rural areas, the Waikato Regional Plan manages water take and water discharge issues, and there is no need to duplicate that regime with a range of inappropriate regulations aimed at urban-scale 3-water management issues.

Point Number 680.157

Summary of Decision Requested: **Amend** Activity specific condition 14.11.1.7 P7 (a) relating to Stormwater treatment, detention and retention facilities or devices as follows:

(a) Except within the Rural Zone, stormwater treatment, detention and retention facilities or devices that comply with the following...

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter opposes Rule 14.11.1 to the extent that it seeks to impose inappropriate regulation on water, wastewater and stormwater management in rural areas.
- The issues around these services in rural area are quite different to the issues confronted within urban areas for a range of reasons, including different spatial and geographical scale and differences in the natural resource characteristics and opportunities to manage these.
- Farmers should not have to be unnecessarily burdened with delay and cost in managing their farms on a day-to-day basis from having to be confronted with inappropriate resource consent requirements which will have little or no environmental benefit.
- For farms in rural areas, the Waikato Regional Plan manages water take and water discharge issues, and there is no need to duplicate that regime with a range of inappropriate regulations aimed at urban-scale 3-water management issues.

Point Number 680.158

Summary of Decision Requested: **Amend** Activity specific condition 14.11.1.8 (a) relating to P8 Stormwater ponds or wetlands as follows:

(a) Except within the Rural Zone, stormwater ponds or wetlands that comply with the following...

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter opposes Rule 14.1.1 to the extent that it seeks to impose inappropriate regulation on water, wastewater and stormwater management in rural areas.
- The issues around these services in rural area are quite different to the issues confronted within urban areas for a range of reasons, including different spatial and geographical scale and differences in the natural resource characteristics and opportunities to manage these.
- Farmers should not have to be unnecessarily burdened with delay and cost in managing their farms on a day-to-day basis from having to be confronted with inappropriate resource consent requirements which will have little or no environmental benefit.
- For farms in rural areas, the Waikato Regional Plan manages water take and water discharge issues, and there is no need to duplicate that regime with a range of inappropriate regulations aimed at urban-scale 3-water management issues.

Point Number

680.159

Summary of Decision Requested:

Amend Activity specific condition 14.1.1.8 relating to P9 Ventilation facilities, drop shafts and manholes, as follows:

14.1.1.8~~2~~

(a) Except within the Rural Zone, ~~v~~ventilation facilities, drop shafts and manholes that comply with the following...

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter opposes Rule 14.1.1 to the extent that it seeks to impose inappropriate regulation on water, wastewater and stormwater management in rural areas.
- The issues around these services in rural area are quite different to the issues confronted within urban areas for a range of reasons, including different spatial and geographical scale and differences in the natural resource characteristics and opportunities to manage these.
- Farmers should not have to be unnecessarily burdened with delay and cost in managing their farms on a day-to-day basis from having to be confronted with inappropriate resource consent requirements which will have little or no environmental benefit.
- For farms in rural areas, the Waikato Regional Plan manages water take and water discharge issues, and there is no need to duplicate that regime with a range of inappropriate regulations aimed at urban-scale 3-water management issues.

Point Number

680.160

Summary of Decision Requested:

Amend Activity specific condition 14.1.1.9 relating to P10 Below ground reservoirs, as follows:

14.1.1.9~~10~~

(a) Except within the Rural Zone, ~~b~~below ground reservoirs that comply with all of the following...

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter opposes Rule 14.1.1 to the extent that it seeks to impose inappropriate regulation on water, wastewater and stormwater management in rural areas.
- The issues around these services in rural area are quite different to the issues confronted within urban areas for a range of reasons, including different spatial and geographical scale and differences in the natural resource characteristics and opportunities to manage these.
- Farmers should not have to be unnecessarily burdened with delay and cost in managing their farms on a day-to-day basis from having to be confronted with inappropriate resource consent requirements which will have little or no environmental benefit.
- For farms in rural areas, the Waikato Regional Plan manages water take and water discharge issues, and there is no need to duplicate that regime with a range of inappropriate regulations aimed at urban-scale 3-water management issues.

Point Number

680.161

Summary of Decision Requested:

Amend Rule 14.1.2 RD1 Restricted Discretionary Activities as follows:

Except within the Rural Zone, ~~s~~stormwater systems for new development or subdivision that does not comply with one or more of the conditions of Rule 14.1.1.1

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter opposes Rule 14.1.2 for the same reasons that they oppose Rule 14.1.1, and the relief sought reflects that accordingly.

Point Number

680.162

Summary of Decision Requested:

Amend Rule 14.1.2 RD2 Restricted Discretionary Activities as follows:

Except within the Rural Zone, ~~t~~the establishment of impervious surfaces associated with new development or subdivision that do not comply with one or more of the conditions of Rule 14.1.1.2

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter opposes Rule 14.1.2 for the same reasons that they oppose Rule 14.1.1, and the relief sought reflects that accordingly.

Point Number

680.163

Summary of Decision Requested:

Amend Rule 14.1.2 RD3 Restricted Discretionary Activities as follows:

Except within the Rural Zone, ~~w~~wastewater servicing for new development or subdivision that do not comply with one or more of the conditions of Rule 14.1.1.3

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter opposes Rule 14.11.2 for the same reasons that they oppose Rule 14.11.1, and the relief sought reflects that accordingly.

Point Number 680.164

Summary of Decision Requested: **Amend** Rule 14.11.2 RD4 Restricted Discretionary Activities as follows:
Except within the Rural Zone, below ground pipelines that do not comply with one or more of the conditions of Rules 14.11.1.4 and 14.11.1.5
AND
Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter opposes Rule 14.11.2 for the same reasons that they oppose Rule 14.11.1, and the relief sought reflects that accordingly.

Point Number 680.165

Summary of Decision Requested: **Amend** Rule 14.11.2 RD5 Restricted Discretionary Activities as follows:
Except within the Rural Zone, pump stations for the conveyance of water, wastewater and stormwater located within an Identified Area
AND
Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter opposes Rule 14.11.2 for the same reasons that they oppose Rule 14.11.1, and the relief sought reflects that accordingly.

Point Number 680.166

Summary of Decision Requested: **Amend** Rule 14.11.2 RD6 Restricted Discretionary Activities as follows:
Except within the Rural Zone, stormwater ponds or wetlands, that serve more than one site, located within: ...
AND
Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter opposes Rule 14.11.2 for the same reasons that they oppose Rule 14.11.1, and the relief sought reflects that accordingly.

Point Number 680.167

Summary of Decision Requested: **Amend** Rule 14.11.2 RD7 Restricted Discretionary Activities as follows:
Except within the Rural Zone, outfall structures located within an Identified Area
AND
Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter opposes Rule 14.11.2 for the same reasons that they oppose Rule 14.11.1, and the relief sought reflects that accordingly.

Point Number 680.168

Summary of Decision Requested: **Amend** Rule 14.11.2 RD9 Restricted Discretionary Activities as follows:
Except within the Rural Zone, below ground reservoirs located within an Identified Area or road or unformed road
AND
Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter opposes Rule 14.11.2 for the same reasons that they oppose Rule 14.11.1, and the relief sought reflects that accordingly.

Point Number 680.169

Summary of Decision Requested: **Amend** Rule 14.11.3 D1 Discretionary Activities as follows:
Except within the Rural Zone, wastewater treatment plants not located within road and unformed road or an Identified Area
AND
Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter opposes Rule 14.11.3 for the same reasons that they oppose Rule 14.11.1, and the relief sought reflects that accordingly.

Point Number 680.170

Summary of Decision Requested: **Amend** Rule 14.11.3 D2 Discretionary Activities, as follows:
Except within the Rural Zone, wastewater treatment plants located within the following...
AND
Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter opposes Rule 14.11.3 for the same reasons that they oppose Rule 14.11.1, and the relief sought reflects that accordingly.

Point Number 680.171

Summary of Decision Requested: **Amend** Rule 14.11.3 D3 Discretionary Activities, as follows:
Except within the Rural Zone, above ground reservoirs not located within an Identified Area
AND
Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter opposes Rule 14.11.3 for the same reasons that they oppose Rule 14.11.1, and the relief sought reflects that accordingly.

Point Number 680.172

Summary of Decision Requested: **Amend** Rule 14.11.4 NC1 Non-Complying Activities, as follows:
Except within the Rural Zone, water treatment plants located within the following...
AND
Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter opposes Rule 14.11.4 for the same reasons that they oppose Rule 14.11.1, and the relief sought reflects that accordingly.

Point Number 680.173

Summary of Decision Requested: **Amend** Rule 14.11.4 NC3 Non-Complying Activities, as follows:
Except within the Rural Zone, above ground reservoirs located within an Identified Area.
AND
Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter opposes Rule 14.11.4 for the same reasons that they oppose Rule 14.11.1, and the relief sought reflects that accordingly.

Point Number 680.174

Summary of Decision Requested: **Delete** Activity specific conditions 14.12.1.9 (1)(b) relating to P9 Stock underpasses located within:
(a) Road and unformed road
(b) Rural Zone
AND
Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter opposes Rule 14.12.1, and submits that restrictions on stock underpasses in the Rural Zone, that are aimed at managing visual amenity, should be appropriate to reflect the wide-open space scale and rural amenity character of rural areas. It is not appropriate to superimpose the same visual amenity values on structures in rural areas as in urban areas. In rural areas, farmers typically have need of stock underpasses to augment the efficient and safe operation of farms. Imposing a requirement to trigger resource consent for stock underpasses in Identified Areas, unfairly penalises farmers who have to rely on such equipment, for what amounts to little or no environmental benefit. Efficiency and safety of farm operations can be compromised if farmers are required to have a high regulatory hurdle to overcome in order to be able to install practically-sized functional stock underpasses, for the sake of unnecessary visual amenity criteria.

Point Number 680.175

Summary of Decision Requested: No specific decision sought, but submission opposes Rule 14.12.3 Discretionary Activities as a consequence of relief sought in the submission to Rule 14.12.1 P9.

Decision Reasons:

- The submitter opposes Rule 14.12.3 in accordance with the relief sought in relation to Rule 14.12.1 regarding removal of any requirement that triggers a need for a resource consent for stock underpasses within an Identified Area in the Rural Zone, and submit that stock underpasses should not need resource consent due to being situated within an Identified Area, and there will be little or no environmental benefit to be obtained, and farmers will be unnecessarily subjected to costs and delays in order to get stock underpasses installed in roads.

Point Number 680.176

Summary of Decision Requested: **Add** to Chapter 22 Rural Zone a new advisory note at the beginning of the Chapter, as follows:
(b) Any activity which is subject to National Environmental Standards are required to comply with the gazetted regulations. Where compliance with permitted activity provisions of those regulations cannot be achieved, resource consent is required to be obtained.
Council is responsible for observing and enforcing the provisions of any gazetted national environmental standard.
Where any activity is not provided for in the following section, the relevant National Environmental Standard needs to be referred to in order to determine whether resource consent is required.
In carrying out its responsibilities under the Act the Council does not wish to impose any control which would duplicate the controls imposed by the Ministry of Forestry or the Regional Council. The Council will therefore approve a resource consent application for any sustainable harvesting of indigenous vegetation which complies with the provisions of the Forests Act 1949 where any:
(a) habitats of threatened or at risk species are protected; and/or
(b) cultural sites, or areas with cultural values are protected; and/or
(c) significant indigenous vegetation is identified and protected.
AND
Any consequential changes needed to give effect to this relief.
AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- The informative nature of this section is understood, however it is considered important to include a provision which addresses the interface between national and regional planning instruments such as National Environmental Standards, for example.

Point Number 680.177

Summary of Decision Requested: **Retain** Rule 22.1.2 P4 A home occupation, as notified.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- Support is given for the permitted, with conditions, nature of this activity. It provides for small scale diverse business opportunities within the rural zone which can help to sustain a vibrant rural community. Potential noise, vehicle and visual adverse effects should be adequately addressed by the conditions.

Point Number 680.178

Summary of Decision Requested: **Amend** the activity specific conditions for Rule 22.1.2 P6 Afforestation not in an Outstanding Landscape Area, as follows:

Activity specific conditions: ~~Nil~~

(g) In accordance with Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017

AND

Any consequential changes needed to give effect to this relief.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- Afforestation in this context means planting and growing plantation forestry trees on land where there is no plantation forestry and where plantation forestry harvesting has not occurred within the last 5 years.
- Whilst the submitter understands an enabling approach, plantation forestry can cause significant adverse effects on neighbouring properties such as shading and leaf litter and consequential risk of livestock poisoning or disease from some types of trees. Falling trees and branches can also endanger neighbouring properties including damage to fences and other structures.
- The National Environmental Standard for Plantation Forestry Regulations 2017 includes permitted activities conditions which are designed to avoid remedy or mitigate some of these adverse effects.
- P6 should include specific conditions in conjunction with Afforestation activities having permitted activity status.

Point Number 680.179

Summary of Decision Requested: **Retain** Rule 22.1.2 P7 Farming, as notified.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- The effects arising from legitimate primary production activities need to be recognised in the District Plan as being appropriate and acceptable, ensuring that primary production is protected from reverse sensitivity. There is no other zone where primary production can occur, so it is vital that it is not marginalised from the Rural Zone.

Point Number 680.180

Summary of Decision Requested: **Amend** the activity specific conditions for Rule 22.1.2 P8 Forestry, as follows:

Activity specific conditions: ~~Nil~~

(g) In accordance with Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017

AND

Any consequential changes needed to give effect to this relief.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- Whilst the submitter understands an enabling approach, plantation forestry can cause significant adverse effects on neighbouring properties such as shading and leaf litter and consequential risk of livestock poisoning or disease from some types of trees. Falling trees and branches can also endanger neighbouring properties including damage to fences and other structures.
- The National Environmental Standard for Plantation Forestry Regulations 2017 includes permitted activities conditions which are designed to avoid remedy or mitigate some of these adverse effects.
- P8 should include specific conditions in conjunction with Afforestation activities having permitted activity status.

Point Number 680.181

Summary of Decision Requested: **Retain** Rule 22.1.2 P9 Produce stall, as notified.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- Support is given for the permitted nature of this activity with no specific conditions – it is important the district plan does not place unnecessary compliance burdens on these minor and beneficial activities.

- Produce stalls are an opportunity for consumers to purchase produce that was picked that morning; was grown locally; to meet the grower or farmer; and for a price that does not include packaging, storage or transport. Produce stalls contribute to rural amenity and allow consumers to experience the primary production purpose of the rural zone.

Point Number 680.182

Summary of Decision Requested: **Retain** Rule 22.1.2 P10 Home stay, as notified.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- Support is given for the permitted nature of this activity. It provides for small scale diverse business opportunities within the rural zone which can help to sustain a vibrant rural community and district.

Point Number 680.183

Summary of Decision Requested: **Retain** Rule 22.1.2 P11 Equestrian centre, as notified.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- Support is given for the permitted nature of this activity. It provides for diverse opportunities for businesses reliant on land within the rural zone, which can help to sustain a vibrant rural community and district.

Point Number 680.184

Summary of Decision Requested: **Retain** Rule 22.1.2 P12 Horse training centre, as notified.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- Support is given for the permitted nature of this activity. It provides for diverse opportunities for businesses reliant on land within the rural zone, which can help to sustain a vibrant rural community and district.

Point Number 680.185

Summary of Decision Requested: **Add** to Rule 22.1.2 a new permitted activity rule for farm quarries, as follows:

PXX Farm quarrying including aggregate excavation and ancillary earthworks

Activity specific conditions: Nil

AND

Any consequential changes needed to give effect to this relief.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- The new rule is considered consequential relief to address issues raised in previous submission points.

Point Number 680.186

Summary of Decision Requested: **Add** to Rule 22.1.2 a new permitted activity rule for rural contractors' depot, as follows:

PXX Rural contractors' depot

Activity specific conditions: Nil

AND

Any consequential changes needed to give effect to this relief.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- Rural contractors' depots present a low risk to the management of rural environments and these should be enabled as a permitted activity in the Rural Zone. Rural contractors' depots are relatively benign, from the perspective of effects on amenity values and quality of the rural environment. They generally present little environmental risk that cannot be managed within an appropriate permitted activity framework.
- Rural contractors need to co-locate in rural areas where their services are in demand by rural communities. Such facilities augment the social, cultural and economic wellbeing of rural communities. Rural communities tend to be more isolated from access to services than urban communities, and as such should not be subject to additional hardships otherwise caused by intensified isolation if rural contractors depots are discouraged from being able to co-locate in rural areas where their services are in demand.

Point Number 680.187

Summary of Decision Requested: **Add** to Rule 22.1.2 a new permitted activity rule for Intensive farming, as follows:

PXX Intensive farming with activity specific conditions:

(g) Not within 300 metres of an existing dwelling that is under separate ownership.

(b) Not within 50 metres of any boundary

(c) Meets all of the following conditions:

(i) Land Use – Effects in Rule 22.2

(ii) Land Use – Building in Rule 22.3

(iii) Building coverage does not exceed 3% of the site:

A. Rule 22.3.6 (Building Coverage) does not apply;

(iv) Building height does not exceed 15m;

A. Rule 22.3.4 (Building Height) does not apply;

AND

Delete Rule 22.1.3 RD1 (a) to (e) Restricted Discretionary Activities

AND

Add to Rule 22.1.3 RD1 Restricted Discretionary Activities the following:

RD1(g) Intensive farming activity that does not comply with Rule 22.1.1 PXX

AND

Retain the matters of discretion in Rule 22.1.3 RD1 Restricted Discretionary Activities Matters of Discretion

AND

Any consequential changes needed to give effect to this relief.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- The proposed setback distances from site boundaries for buildings, pens or areas used for intensive farming are excessive, and will create unnecessary restrictions for land use. The proposed rule is overly complicated and requires a restricted discretionary resource consent as a minimum requirement in every instance. Intensive farming activities are an expected and anticipated activity in the rural zone.
- Setback distances are a blunt planning tool, an enabling approach which is effects based can better meet the dynamic and evolving needs of resource users and planners in the long term.
- The opportunity to avoid, remedy or mitigate potential adverse effects should be afforded to new intensive farming operations who could utilise any number of ways to internalise effects. A restricted discretionary activity status is appropriate if permitted activity conditions are unable to be met in the first instance. This is a consistent and widely accepted approach which provides some certainty for plan users whilst retaining control when necessary to assess the potential off site effects of an intensive farming operation.

Point Number

680.188

Summary of Decision Requested:

Amend Rule 22.1.3 RD2 Restricted Discretionary Activities, as follows:

RD2 Rural Industry Depot

AND

Any consequential changes needed to give effect to this relief.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- Rural industry is an integral part of the rural sector, the activities of which are entirely appropriate and consistent with the underlying rural zone. The rule needs to be explicit in the intent which is to manage potential adverse effects of discrete sites or business locations on the surrounding area.

Point Number

680.189

Summary of Decision Requested:

Amend Rule 22.1.5 D5 Discretionary Activities as follows:

22.1.4.5 D5 Hazardous waste storage, processing or disposal excluding chemicals, fuel and other hazardous substances used for farming.

AND

Any consequential changes needed to give effect to this relief.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- Storage of agrichemicals used for farming should not be subject to this rule. To do so would subject farmers to undue cost and delay in having to seek resource consent for little or no environmental benefit. Farmers regularly use chemicals in pesticides, fungicides and herbicides for pest and weed control, and other chemicals for animal husbandry. They also need to maintain on-site fuel storage for farm machinery and fertiliser storage. The hazardous nature of handling and storage of such chemicals and substances is managed under other legislation and there is no need for the Council to regulate this in the Proposed District Plan.
- The submission corrects the numbering error 22.1.5, which is duplicated for discretionary and non-complying activities.

Point Number

680.190

Summary of Decision Requested:

Amend Rule 22.1.5 D15 Discretionary Activities as follows:

22.1.4.5 D15 Afforestation of any part of an Outstanding or Natural Character Area ~~or High Natural Character Area.~~

AND

Any consequential changes needed to give effect to this relief.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- The notified rule is unnecessarily restrictive for an activity which could provide positive economic and biodiversity outcomes. The rule prioritises amenity over and above these other important values and as such does not strike the right balance. Further the planning

- maps do not differentiate between high natural character and natural character areas, this creates uncertainty for plan users and has the potential to capture more areas than intended to be controlled in this manner.

- The submission corrects the numbering error 22.1.5, which is duplicated for discretionary and non-complying activities.

Point Number 680.191

Summary of Decision Requested: **Retain** Rule 22.1.5 D16 Discretionary Activities if the definition is amended as per other submissions.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- Conditional support will be extended to this rule if the definition is amended to incorporate submitter's relief sought. The exemptions to the definition are strongly supported but it is hard to understand what activities are hoped to be captured and controlled by this rule and for what purpose.
- The submission corrects the numbering error 22.1.5, which is duplicated for discretionary and non-complying activities.

Point Number 680.192

Summary of Decision Requested: **Delete** Rule 22.1.5 NC2 Non-Complying Activities.

AND

ADD to Rule 22.1.5 Discretionary Activity a new rule as follows:

Dxx

(a) A new extractive industry excluding farm quarries which are permitted under 22.1.2 PXX, located within all or part of any of the following:

(i) Outstanding Natural Feature;

(ii) Outstanding Natural Landscape;

(iii) High Natural Character Area

(iv) Outstanding Natural Character Area

AND

Any consequential changes needed to give effect to this relief.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- The proposed amendment is required to provide better consistency with the planning approach prescribed in Objective 5.4.1 and Policy 5.4.2. Further the rule contains drafting flaws which render it unworkable. There are no areas identified in the planning map legend as High Natural Character Areas or Outstanding Natural Character Areas.
- The submitter wants to be clear that Farm Quarries are not to be subject to triggering resource consent under such provisions.

Point Number 680.193

Summary of Decision Requested: **Delete** Rule 22.1.5 NC4 (a)(i) and (iv) Non-Complying Activities

AND

Add a new Discretionary Activities rule as follows:

Dxx

(a) Within the Urban Expansion Area, the following activities:

(i) Intensive farming

(ii) Extractive industry.

AND

Any consequential changes needed to give effect to this relief.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- The proposed amendment is required to provide better consistency with the policy approach prescribed in Proposed District Plan. Whilst the submitter supports a forward looking plan, priority must be given to activities which can be expected and anticipated within the rural zone and are unable to be located elsewhere. Urban growth pressures must be addressed without an over reliance on ring-fencing and controlling legitimate activities within the rural zone. The submitter urges Council to contain the sprawling footprint of urban expansion using more innovative and modern planning techniques.

Point Number 680.194

Summary of Decision Requested: **Delete** Rule 22.1.5 NC5 Non Complying Activities.

AND

Any consequential changes needed to give effect to this relief.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- The submitter opposes this type of 'catch all' rule which they believe is poor planning practice and inconsistent with a number of RMA provisions.
- Under RMA section 9 the use of land is presumed to be permitted unless it is restricted by a rule in a plan. The submitter appreciates that not every eventuality can be covered with the use of activity lists, however Section 17(1) establishes that every person has a duty to avoid, remedy or mitigate any adverse effect on the environment arising from an activity carried on by or on behalf of that person, whether or not the activity is in accordance with a rule in a plan.
- This duty to avoid, remedy or mitigate adverse effects along with the enforcement options under Section 17(3) and option to notify a plan change or variation provide council with the appropriate opportunities to deal with unforeseen circumstances which may arise.

Point Number 680.195

Summary of Decision Requested: **Retain** Rule 22.2.1.1 P1 Noise-General as notified.
AND
Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- Strong support is extended to 22.2.1.1 (P1), the approach is consistent with the intent of Objectives 5.1.1 and 5.3.1 and related Policies, reverse sensitivity 5.3.7 in particular.

Point Number 680.196

Summary of Decision Requested: **Retain** Rule 22.2.1.1 P2 Noise - General, as notified.
AND
Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- Strong support is extended to 22.2.1.1 (P2), the approach is consistent with the intent of Objectives 5.1.1 and 5.3.1 and related Policies, reverse sensitivity 5.3.7 in particular.

Point Number 680.197

Summary of Decision Requested: **Delete** Rule 22.2.1.1 P4 Noise - General.
AND
Add a new advisory note (4) under Rule 22.2.1, Noise-General as follows:
(4) (a) Noise levels must be measured in accordance with the requirements of New Zealand Standard NZS 6801:2008 "Acoustics - Measurement of Environmental Sound".
(b) Noise levels must be assessed in accordance with the requirements of New Zealand Standard NZS 6802:2008 "Acoustic Environmental noise".
AND
Any consequential changes needed to give effect to this relief.
AND
Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- Support is extended to the inclusion of the standards as these help to provide certainty for plan users however submitter considers the information under P4 would be better placed under the 22.2.1 advisory section, not as a rule in and of itself.

Point Number 680.198

Summary of Decision Requested: **Retain** Rule 22.2.2 P1 (b) Glare and Artificial Light Spill
AND
Delete Rule 22.2.2 P1 (c) Glare and Artificial Light Spill.
AND
Any consequential changes needed to give effect to this relief.
AND
Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- The submitter supports the intent of Rule P1(b) which is consistent with the stated policy approach and gives effect to reverse sensitivity principles. However, P1(c) is inconsistent with this approach and fails to appreciate the temporary nature of any adverse effects created from vehicles working at night and the necessity of the operation.
- The submitter accepts that where possible unacceptable nuisance effects such as light spill should be contained within the property boundary. However, farming requirements and weather conditions mean that even with the best intention it is not always possible to avoid a level of nuisance effect. In such instances (which are generally intermittent and temporary) it is imperative that the Plan clearly allows for this to ensure the farm business is not unduly impacted upon.
- An example is harvesting contractors and farmers working through the night to harvest crops due to short weather windows. Such effects are not unreasonable to expect in a rural area, and therefore this renders Rule 22.2.2P1(c) inappropriate. Submitter considers that it could result in creating unreasonable expectations of the amenity of the Rural Zone, and perpetuate reverse sensitivity issues with people, who are unaccustomed to a rural environment, complaining about normal farming activities and expecting those effects to be avoided or mitigated in every instance.
- Farming in a rural area should be a permitted activity.

Point Number 680.199

Summary of Decision Requested: **Retain** Rule 22.2.3.1 P1 Earthworks- General, except for the amendment sought below
AND
Amend Rule 22.2.3.1 P1 Earthworks - General, as follows:
(a) Earthworks for:
(i) Ancillary rural earthworks
(ii) Farm quarry where the volume of aggregate does not exceed 1000m3 per single consecutive 12 month period;
(iii) Construction and/or maintenance of tracks and stock underpasses, fences or drains;
(iv) A building platform for a residential activity, including accessory buildings
(v) A building platform for farm buildings and sheds

(vi) Land cultivation and pasture maintenance, including horticultural root ripping and shelterbelt maintenance

(vii) Water supply lines, troughs, water tanks, off-stream dams

(viii) Constructed wetlands, effluent ponds, stormwater detention ponds, and stormwater bunds

(ix) Rural firebreaks

(x) Airstrips, helipads, fertiliser storage areas

(xi) Silage pits, and fodder storage hard-stand areas

(xii) Offal pits, burying dead stock and plant waste

(xiii) For the purpose of pest and weed control or stock exclusion. This includes maintaining or constructing perimeter fencing and tracks for safe and efficient trap setting and earthworks for culvert crossings and stock bridges

AND

Any consequential changes needed to give effect to this relief.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- Strong support is extended to P1, the approach is consistent with the intent of Objectives 5.1.1 and 5.3.1 and related Policies.
- Earthworks for farming should be included as a permitted activity as there is little risk to the environment from undertaking such earthworks within the wide open spaces of rural areas. If these aren't provided for explicitly. The submitter is concerned that these sorts of earthworks could get caught by rules that trigger resource consent for certain types of other earthworks, which would put farmers through undue delay and cost hardship, for little or no environmental benefit.
- Earthworks associated with creating a building platform for non-residential purposes such as a farm implement shed within the rural zone should be permitted under this rule.

Point Number

680.200

Summary of Decision Requested:

Amend Rule 22.2.3.1 P2 (a) Earthworks - General, as follows:

(a) Earthworks within a site, excluding ancillary rural earthworks which are permitted under 22.2.3.1 P1, must meet all of the following conditions...

AND

Delete Rule 22.2.3.1 P2 (a) (vi) Earthworks-General.

AND

Any consequential changes needed to give effect to this relief.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- The submitter supports the permitted activity status and accept that conditions may be required to manage potential adverse effects which may arise from certain earthwork activities. However, the conditions need to make sense within the context of the rural zone and fall within the jurisdiction of the district council.
- The relief sought for the earthworks definition will in part address the concerns, but for the sake of completeness that some of the conditions listed have been set at an inappropriately low threshold and will capture farming activities unnecessarily.

Point Number

680.201

Summary of Decision Requested:

Delete Rule 22.2.3.1 P4 (a) (vii) Earthworks - General.

AND

Any consequential changes needed to give effect to this relief.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- The submitter understands the intention and purpose of this rule however, the conditions need to fall within the jurisdiction of the district council.

Point Number

680.202

Summary of Decision Requested:

Retain Rule 22.2.3.1 RDI Restricted Discretionary Activities Earthworks - General, as notified.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- Submitter understands the purpose of Rule RDI and considers the matters of discretion appropriate.

Point Number

680.203

Summary of Decision Requested:

Add new matter of discretion (iii) to Rule 22.2.3.2 RDI (b) Earthworks - Maaori Sites and Maaori Areas of Significance, as follows:

(iii) the applicant's functional and operational need to undertake the activity in the area.

AND

Any consequential changes needed to give effect to this relief.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- The submitter understands the purpose of the rule, however considers that when a site is located within privately-owned land which has been legitimately farmed, some consideration needs to be given to the functional need for some farming activities to continue.

Point Number 680.204

Summary of Decision Requested: **Add** new matter of discretion (iii) to Rule 22.2.3.2 RD2 (b) Earthworks - Maori Sites and Maori Areas of Significance, as follows:

~~(iii) the applicant's functional and operational need to undertake the activity in the area~~

AND

Any consequential changes needed to give effect to this relief.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- The submitter understands the purpose of the rule, however considers that when a site is located within privately owned land which has been legitimately farmed, some consideration needs to be given to the functional need for some farming activities to continue.

Point Number 680.205

Summary of Decision Requested: **Amend** Rule 22.2.3.3 P1 Earthworks-Significant Natural Areas, as follows:

~~(a) Earthworks for the maintenance of existing tracks, fences or drains within an identified Significant Natural Area must meet all of the following conditions:~~

~~(g) Earthworks for farming within an identified Significant Natural Area.~~

Activity-specific conditions:

Nil

~~(b) Earthworks, other than for farming, within an identified Significant Natural Area must meet all of the following conditions:~~

~~(i) The earthworks must not exceed a volume of 50m³ in a single consecutive 12 month period; and~~

~~(ii) The earthworks must not exceed an area of 250m² in a single consecutive 12 month period;~~

~~(iii) The total depth of any excavation or filling does not exceed 1.5m above or below ground level with a maximum slope of 1:2 (1 vertical to 2 horizontal);~~

~~(iv) Earthworks are setback 1.5m from all boundaries;~~

~~(v) Areas exposed by earthworks are revegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks;~~

~~(vi) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls;~~

~~(vii) Do not divert or change the nature of natural water flows, water bodies or established drainage paths.~~

AND

Any consequential changes needed to give effect to this relief.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- The submitter understands that areas which meet Significant Natural Area identification criteria can be subject to land use controls for the purposes of managing adverse effects on the biodiversity values of the site.
- The District Plan should provide for or enable activities that can support in maintaining or enhancing these areas.
- This includes maintenance of everyday farming activities like farm tracks, which are necessary for the safe and efficient movement of stock and farm vehicles. If there were a disruption to the functioning of any track, then farmers need the ability to form alternative safe access to parts of their farm that needs access, including for the purpose of moving stock. A farmer cannot afford to wait four or more weeks to have to obtain resource consent to move stock that are trapped in a part of the farm where existing access has become disrupted or blocked. The welfare of the stock and the economic well-being of the farmers are at stake.

Point Number 680.206

Summary of Decision Requested: **Amend** Rule 22.2.3.3 RD1 (b) (ii) Earthworks - Significant Natural Areas, as follows:

~~(b) Councils discretion is restricted to the following matters:~~

~~(i) The location of earthworks taking into account waterways, significant indigenous vegetation or habitat~~

~~(ii) The effects on the values and integrity of the Significant Natural Area.~~

AND

Add a new clause to Rule 22.2.3.3 RD1 (b) Earthworks - Significant Natural Areas

(iii) The purpose and functional need of the earthworks

AND

Any consequential changes needed to give effect to this relief.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- The submitter considers there to be unnecessary duplication between (i) and (ii). It is the effects of earthworks on the values and integrity of the Significant Natural Area and purpose of the activity which should be Council's key priorities.

Point Number 680.207

Summary of Decision Requested: **Amend** Rule 22.2.3.4 P1 Earthworks – within Landscape and Natural Character Areas, as follows:

~~(g) Ancillary rural earthworks for are for the maintenance of existing tracks, fences or drains within an identified Landscape or Natural Character Area and must meet all of the following conditions:~~

~~(iii) The height of the resulting cut or batter face in stable ground does not exceed 1.5m;~~

~~(iv) The maximum slope of the resulting cut or batter face in stable ground does not exceed 1:2 (1m vertical to 2m horizontal);~~

~~(v) Areas exposed by the earthworks are revegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks;~~

(vi) Sediment is retained on the site through implementation and maintenance of erosion and sediment controls;

~~(vii) The earthworks do not divert or change natural water flows, water bodies or established drainage paths.~~

(b) Earthworks for other purposes must meet all of the following conditions:..

(i) The earthworks are undertaken within a single consecutive 12 month time period;

(ii) The earthworks must not exceed the following areas and volumes within a single consecutive 12 month period:..

Landscape or natural character area	Area (m2)	Volume (m3)
Hill Country Significant Amenity Landscape	1,000	500
Significant Amenity Landscape Waikato River Margins and Lakes	500	500
Significant Amenity Landscape (SAL) sand dune		
High or Outstanding Natural Character area of the coastal environment))
Outstanding Natural Feature sand dune) 50) 250
Outstanding Natural Feature (ONF)))
Outstanding Natural Landscapes (ONLs)))

AND

Any consequential changes needed to give effect to this relief.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone

Decision Reasons:

- The submitter understands that outstanding landscapes and features which meet certain criteria can be subject to land use controls for the purposes of managing adverse effects on the landscape values.
- The District Plan must focus on the values of the features and landscapes to recognise that landscapes across rural areas are changing all the time and that the working nature of the farming activities occurring in that space are part of that values system.
- To place arbitrary earthworks thresholds as the trigger for consent is a relatively blunt planning technique. The submitter is concerned that the size of earthworks allowed per site in any 12-month period is far too restrictive to have meaning for farming activities. Earthworks can be required for a number of reasons some of which are outside a farmers control for example to repair slip or flood damage. It is unduly onerous to require resource consent to mitigate damage from a natural event. Earthworks can be required to maintain and construct tracks and fencing which are a vital network through farms.
- The submitter appreciates why Council seeks to protect Outstanding Landscapes and understand these standards are being used to implement Chapter 3 Objectives. However, the goals can be achieved with reasonable permitted activity standards for activities which have, in part, contributed to the landscape values.
- The conditions need to fall within the jurisdiction of the district council.
- The submitter seeks that Significant Amenity Landscapes (SAL) references be deleted from these rules consistent with other relief sought in relation to SALs in this regard.

Point Number

680.208

Summary of Decision Requested:

Amend Rule 22.2.3.4 D1 Earthworks – within Landscape and Natural Character Areas, as follows:

~~RD1~~

(a) Earthworks within an identified Landscape or Natural Character Area that do not comply with Rule 22.2.3.4 P1.

AND

Add new clause (b) to Rule 22.2.3.4 D1 Earthworks – within Landscape and Natural Character Areas, as follows:

(b) Council's discretion is restricted to the following matters:

(i) Visibility from public place; and

(ii) Scale of earthworks and effects on the landscape values;

(iii) The purpose and functional need of the earthworks

AND

Any consequential changes needed to give effect to this relief.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- The leap from permitted activity status with standards to Discretionary is inappropriate for a consenting pathway in this context. A restricted discretionary activity status is more consistent with the Proposed District Plan rules framework and the matters which Council should focus on are easily defined.

Point Number

680.209

Summary of Decision Requested:

Amend Rule 22.2.4 P1 Hazardous Substances, as follows:

(a) The use, storage or disposal of any hazardous substances where:

(i) The aggregate quantity of hazardous substances of any hazard classification on a site is less than the quantity specified for the Rural Zone in Table 56.1 contained within Appendix 56 (Hazardous Substances), with the exception of: ...

(ii) Activities that involve the storage, use, disposal and transportation of agrichemicals, hazardous substances and fuels on land used for primary production that complies with:

(a) NZS8409:2004 Management of Agrichemicals;

(b) The Hazardous Substances and New Organisms Act 1996 (HSNO) and Regulations

(c) The storage and use of Class 3 fuels within the Rural Zone in accordance with the Environmental Protection Agency's Approved Practice Guide for Above Ground Fuel Storage on Farms, September 2010;

(d) The storage and use of fertiliser within the Rural Zone in accordance with the:

- Fertiliser (Corrosive) Group Standard HSR002569, and
- Fertiliser (Oxidising) Group Standard HSR002570, and
- Fertiliser (Subsidiary Hazard) Group Standard HSR002571, and
- Fertiliser (Toxic) Group Standard HSR002572, and
- Fert Research's Code of Practice for Nutrient Management 2007

AND

Any consequential changes needed to give effect to this relief.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone

Decision Reasons:

- Whilst the submitter understands the enabling intention of the Activity Table, they believe that tables of permitted quantities using HSNO classifications can be very difficult for resource users and council staff to interpret and determine where farm hazardous substances fit in. Agrichemicals and fertilisers can be made up of many substances and the permitted activity status is based on all the substances on the whole property.
- Where legislative controls or codes of practice exist, that there is no need for a District Council to require resource consent for the same activity.
- Hazardous substances are already controlled by the Hazardous Substances and New Organisms Act 1996 (HSNO Act) and agrichemicals are managed through NZS8409 and fertilisers in particular under Fertilisers (Subsidiary Hazard) Group Standards.
- Federated Farmers and Fert Research were involved in the development of Group Standards for fertilisers and agrichemicals. Group Standards for fertilisers are based on their hazardous substance classification: Corrosive HSR002569; Oxidising HSR002570; Subsidiary Hazard HSR002571; and Toxic 6.1 HSR002572. This demonstrates that fertilisers are already being appropriately managed, and this should be a consideration when any district plan provisions are developed.
- The submitter is concerned that the proposed rule may trigger a discretionary resource consent for fertiliser use, storage or disposal. Under Table 5.1 Rule 1 - Use, storage and disposal of hazardous substance sub-classes 1.4, 1.5, 1.6, 6.1D, 6.1E, 6.3, 6.4, 6.5, 9.1D, 9.2D, and 9.3 are exempt from this table. We ask then how is the use, storage or disposal of those exempt hazardous substances enabled when there is no ability to meet the permitted conditions of 22.2.4 P1 (a)(i).
- The most appropriate way to achieve a clear and concise planning system is to include exemptions to the rule.
- Please also note the incorrect Appendix is referenced within proposed Rule P1.

Point Number 680.210

Summary of Decision Requested: **Add** new clause (b) to Rule 22.2.6.1 P1 Signs-General, as follows:

(b) Signs required for legislative purposes

AND

Any consequential changes needed to give effect to this relief.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone

Decision Reasons:

- Signs required by other legislation such as under the HSNO Act 1996, the Health and Safety in Employment Acts, The Biosecurity Act 1993, both on private property and on public land are also permitted.

Point Number 680.211

Summary of Decision Requested: **Amend** Rule 22.2.7 P1 Indigenous vegetation clearance inside a Significant Natural Area, as follows:

(a) Indigenous vegetation clearance in a Significant Natural Area identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas) for the following purposes:

(i) Removing vegetation that endangers human life or existing buildings or structures or to manage fire risk;

(ii) Construction of conservation fencing to exclude stock and tracks for pest management;

(iii) Maintaining existing farm drains;

(iv) Maintaining existing tracks and fences; or

(v) Gathering plants in accordance with Maaori customs and values.

(vi) The removal of broken branches, deadwood or diseased vegetation;

(vii) To give effect to a Sustainable Forest Management Plan or Permit as approved under the Forests Act 1949 prior to 16 September 2010;

(viii) Activities are carried out subject to and in accordance with any specific covenants or other legal agreements entered into with the District Council, or Waikato Regional Council, or Department of Conservation, or QEII Trust;

AND

Any consequential changes needed to give effect to this relief.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- Additional uses must be provided for as permitted activities. The submitter considers that the proposed additions are practical, provide more certainty and ensure Council continues to meet RMA obligations.

Point Number 680.212

Summary of Decision Requested: **Amend** Rule 22.2.7 P2 Indigenous vegetation clearance inside a Significant Natural Area, as follows:

Removal of up to 205m³ of manuka and/or kanuka outside of the Coastal Environment per single consecutive 12-month period per property for domestic firewood purposes and arts or crafts, provided the removal will not directly result in the death, destruction or irreparable damage of any other tree, bush or plant.

AND

Any consequential changes needed to give effect to this relief.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- The submitter understands the intent of the rule, however the 5m³ threshold is far too restrictive and the requirement for the removal to not directly result in the death, destruction or irreparable damage of any other tree, bush or plant is a nonsense. The literal interpretation of this provision extends this protection to both indigenous and exotic vegetation, including pest plants.

Point Number 680.213

Summary of Decision Requested: **Amend** Rule 22.2.7 P3 (a) (ii) Indigenous vegetation clearance inside a Significant Natural Area, as follows:

(ii) The total indigenous vegetation clearance does not exceed 250m²-500m² per building, including areas associated with access, parking and manoeuvring

AND

Any consequential changes needed to give effect to this relief.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- Support is extended to the enabling intent of this rule however, the submitter is unsure why land title is a factor in determining the permitted clearance thresholds for building and associated access purposes. This issue is about adverse effects and if Council accepts that 500m² can be cleared per dwelling on Maori Freehold Land or Maori Customary land then that level of effects should also be accepted on fee simple land.

Point Number 680.214

Summary of Decision Requested: **Amend** Rule 22.2.7 P6 Indigenous vegetation clearance inside a Significant Natural Area, as follows:

Removal of up to 50m³ of manuka and/or kanuka outside of the Coastal Environment per single consecutive 12-month period per property for domestic firewood purposes and arts or crafts provided the removal will not directly result in the death, destruction or irreparable damage of any other tree, bush or plant.

AND

Any consequential changes needed to give effect to this relief.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- The submitter understands the intent of the rule, however the 5m³ threshold is far too restrictive and is unsure why a distinction is made between vegetation which may be inside or outside the Coastal Environment (P2 v P6) when the clearance threshold is the same. Further the requirement for the removal to not directly result in the death, destruction or irreparable damage of any other tree, bush or plant is a nonsense. The literal interpretation of this provision extends this protection to both indigenous and exotic vegetation, including pest plants.

Point Number 680.215

Summary of Decision Requested: **Amend** Rule 22.2.7 D1 Indigenous vegetation clearance inside a Significant Natural Area, as follows:

~~RD1~~

(a) Indigenous vegetation clearance in a Significant Natural Area identified on the planning maps or in Schedule 5 (Urban Allotment Significant Natural Areas) that does not comply with one or more conditions in Rule 22.2.7 P1, P2, P3, P4, P5 or P6.

(b) Council's discretion is restricted to the following matters:

(i) The measures to avoid, remedy or mitigate any adverse effects to the significant indigenous vegetation and significant habitats of indigenous fauna, including species relocation, offset and restorative planting;

(ii) Any cumulative effects arising from the proposed activity;

AND

Any consequential changes needed to give effect to this relief.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- The submitter considers the leap from permitted activity status with standards to discretionary is inappropriate for a consenting pathway in this context. A restricted discretionary activity status is more consistent with the Proposed District Plan rules framework and the matters which Council should focus on are easily defined.

Point Number 680.216

Summary of Decision Requested: **Amend** Rule 22.2.8 (P1) Indigenous vegetation clearance outside a Significant Natural Area, as follows:

(a) Indigenous vegetation clearance outside a Significant Natural Area identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas) must be for the following purposes:

(i) Removing vegetation that endangers human life or existing buildings or structures;

(ii) Maintaining or reinstating productive pasture through the removal of up to 1000m² per single consecutive 12 month period of manuka and/or kanuka that is more than 10m from a waterbody, and less than 4m in height;

(iii) Constructing and maintaining existing tracks and fences;

(iv) Constructing and maintaining existing farm drains;

(v) Conservation Activities to fencing to exclude manage stock or pests such as installing a bait station network or undertaking plant pest management activities;

(vi) Gathering of plants in accordance with Maaori custom and values; or

(vii) A building platform and associated access, parking and manoeuvring up to a total of 1,000m² 500m² clearance of indigenous vegetation.

(viii) To create and maintain firebreaks

(ix) The clearance or modification of indigenous vegetation that has been planted and managed specifically for commercial production forestry, horticulture or agriculture purposes.

(x) To give effect to a Sustainable Forest Management Plan or Permit as approved under the Forests Act 1949 prior to 16 September 2010;

(xi) Activities are carried out subject to and in accordance with any specific covenants or other legal agreements entered into with the District Council, or Waikato Regional Council, or Department of Conservation, or QFII Trust;

AND

Any consequential changes needed to give effect to this relief.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- Additional uses must be provided for as permitted activities. The proposed amendments are practical, provide more certainty, avoid duplication and ensure the Council continues to meet RMA obligations.
- The thresholds will have a limiting effect on farming practice. It will potentially prevent further development of useful rural resources and trigger the need for resource consent for anticipated and expected activities within the rural zone which is contradictory to a number of objectives and policies within the Plan.
- The restriction on all indigenous vegetation clearance within 10 metres of a waterbody is problematic and potentially unduly onerous given the term 'waterbody' is not defined within the plan. This also makes it difficult to understand how the rule will be accurately monitored.

- Clearance for activities such as formation of fences, firebreaks, crossings, tracks and pest management should be expected to occur on farms and rural areas, and the submitter would like to see provision for those activities within the permitted activity framework.

Point Number 680.217

Summary of Decision Requested: **Amend** Rule 22.2.8 RD1 (b) (iv) Indigenous vegetation clearance outside a Significant Natural Area, as follows:

(iv) the extent to which the clearance on Maaori Freehold Land or Maaori Customary Land affects Tangata Whenua relationships with indigenous biodiversity on the site;

AND

Any consequential changes needed to give effect to this relief.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- The submitter understands the intent of this rule is to give effect to the Waikato Regional Policy Statement. The matters of discretion are broadly accepted with the exception of RD1(b)(iv) which they do not consider is appropriate to apply to land which is in private ownership.

Point Number 680.218

Summary of Decision Requested: **Amend** Rule 22.3.1 Number of dwellings within a lot, as follows:

(a) One dwelling within a lot containing less than ~~40~~ 20ha,

(b) No more than two dwellings within a lot containing between 20 ha to 40ha or more;

AND

Add new clause (c) to Rule 22.3.1 Number of dwellings within a lot, as follows:

(c) No more than three dwellings within a lot containing over 40 ha or more;

~~(d)~~ Any dwelling(s) under Rule 22.3.1 P1 (a), (b) and (c), must not be located within any:

(i) Outstanding Natural Feature;

(ii) Outstanding Natural Landscape;

~~(iii) Outstanding Natural Character Area;~~

~~(iv) High Natural Character Area;~~

AND

Any consequential changes needed to give effect to this relief.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- The submitter understands the intent of this provision with regards to P1(c)(i) and (ii), however the rule should not apply to areas which do not meet RMA Section 6(b) status.
- The submitter supports the graduated approach to the number of dwellings on a site, however considers that the proposed numbers are currently overly restrictive for rural purposes. Many farms have extra dwellings as accommodation for farm managers, employees, or retired parents. Allowing for more than two dwellings per site on larger properties will enable the social well-being of rural communities.

Point Number 680.219

Summary of Decision Requested: **Amend** Rule 22.3.2 P1 (b) (i) Minor dwelling, as follows:

(b) Where there is an existing dwelling located within a lot:

(i) The minor dwelling must be located within ~~20~~ 20m of the dwelling;

(ii) The minor dwelling must share a single driveway access with the existing dwelling.

(iii) The number of existing dwellings does not already exceed that permitted under Rule 22.3.1(P1).

AND

Any consequential changes needed to give effect to this relief.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- The submitter supports the intent of this provision but considers the setback of 20m is unnecessarily restrictive. The addition of the new provision is appropriate as a consequential change resulting of the relief sought under 22.3.1 (P1).

Point Number 680.220

Summary of Decision Requested: **Amend** Rule 22.2.3 Buildings and structures in Landscape and Natural Character Areas so that only natural features and natural landscapes that have demonstrable outstanding natural qualities and are identified and mapped as Outstanding Landscapes or Features are subject to this rule.

AND

Amend Rule 22.3.3 D1 Buildings and structures in Landscape and Natural Character Areas as follows:

~~RD1~~

(a) Building or structure located within any:

(i) Outstanding Natural Feature;

(ii) Outstanding Natural Landscape;

(iii) Outstanding Natural Character Area;

~~(iv) High Natural Character Area;~~

AND

Add a new restricted discretionary activity rule (b) to Rule 22.3.3 D1 Buildings and structures in Landscape and Natural Character Areas, as follows:

(b) Council's discretion is restricted to the following matters:

(i) The extent to which the building or structure adversely affects the stated landscape or feature values, and in particular whether the activity is prominent when viewed from the road or other public land.

(ii) The functional or operational need of the building or structure to locate within the identified area.

AND

Any consequential changes needed to give effect to this relief.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- The submitter has serious concerns with the proposed planning approach. It is overly restrictive and will inappropriately capture farming relating buildings and structures such as stock yards. A permitted activity response with associated restricted discretionary activity rule is more consistent with the Proposed District Plan rules framework and the matters which Council should focus on are easily defined.
- The submitter understands the purpose of the rule is to manage the adverse effects of buildings and structures on Outstanding Natural Feature's (ONFs) and Outstanding Natural Landscape's (ONLs), however the proposed rule makes no distinction between development which is appropriate and that which may have inappropriate effects on the values of the ONFs and ONLs.
- The district's landscapes are inhabited by people and subject to human activity and change; they have never been static. The rural landscape in particular has been shaped by the activity of people and more recently farming activities over several generations, and will continue to be in future. Submitter supports the development of workable solutions for the management of ONFs and ONLs across the district. But there is no reason for normal rural activities such as construction of farm buildings and structures or placement of large tanks to be subject to the expense and time delays associated with discretionary resource consents.
- The submitter has concerns with both the use of the term 'Outstanding Natural Character' Area and 'High Natural Character Area' and the lack of consultation through which they have been incorporated into the proposed plan.
- The submitter requests that only natural features and natural landscapes that have demonstrable outstanding natural qualities are identified and mapped as Outstanding Landscapes or Features are therefore subject to this Rule.

Point Number

680.221

Summary of Decision Requested:

Add a new permitted activity rule P1 to Rule 22.3.3 Buildings and structures in Landscape and Natural Character Areas, as follows:

P1

(a) Maintenance and replacement of existing buildings, or structures within an identified outstanding natural feature or landscape.

(b) New buildings and structures ancillary to agricultural production activities within pastoral landscapes that form part of an Outstanding Natural Feature and Landscape that:

(i) When visible from a road or other public place does not extend above any ridgeline and does not have a backdrop of a lake or sky;

(ii) That the maximum floor area is 600m² and

(iii) That the maximum height is 10 metres.

AND

Any consequential changes needed to give effect to this relief.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- This relief is required to give effect to submission points raised in relation to Rule 22.3.3 D1.

Point Number

680.222

Summary of Decision Requested:

Retain Rule 22.3.4.1 P1 Height - Building General, as notified.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- The submitter supports this rule.

Point Number

680.223

Summary of Decision Requested:

Delete Rule 22.3.4.1 (P2) Height - Building General.

AND

Any consequential changes needed to give effect to this relief.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- This relief is required to give effect to submission points raised in relation to Policy 3.4.3.

Point Number

680.224

Summary of Decision Requested:

Amend the title of Rule 22.3.6 Building coverage as follows:

22.3.6 Building coverage (excluding buildings ancillary to farming purposes)

AND

Any consequential changes needed to give effect to this relief.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- The submitter understands the intent of this rule but considers the amendment is necessary for clarity sake and to increase certainty.
- The submitter is concerned if covered yards, woolsheds, implement sheds or milking platforms were interpreted as being subject to this rule.

Point Number 680.225

Summary of Decision Requested: **Retain** Rule 22.3.7.1 P1 Building Setbacks – All boundaries, as notified.
AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- The submitter understands the intent of these rules and is supportive of the planning approach taken.

Point Number 680.226

Summary of Decision Requested: **Retain** Rule 22.3.7.1 P2 Building Setbacks – All boundaries, as notified.
AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- The submitter understands the intent of these rules and is supportive of the planning approach taken.

Point Number 680.227

Summary of Decision Requested: **Retain** Rule 22.3.7.1 P3 Building Setbacks – All boundaries, as notified.
AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- The submitter understands the intent of these rules and is supportive of the planning approach taken.

Point Number 680.228

Summary of Decision Requested: **Retain** Rule 22.3.7.1 P4 Building Setbacks – All boundaries, as notified.
AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- The submitter understands the intent of these rules and is supportive of the planning approach taken.

Point Number 680.229

Summary of Decision Requested: **Retain** Rule 22.3.7.1 RD1 Building Setbacks – All boundaries, as notified.
AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- The submitter understands the intent of these rules and is supportive of the planning approach taken.

Point Number 680.230

Summary of Decision Requested: **Retain** Rule 22.3.7.2 Building setback sensitive land use, as notified, if the changes sought to the definition of "Sensitive land use" are accepted.
OR

Delete Rule 22.3.7.2 P1 (a)(vii) Building setback sensitive land use from the rule.

AND

Any consequential changes needed to give effect to this relief.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- The submitter understands the intent of these rules and extends conditional support if the definition of sensitive land use is amended as per their relief sought in an earlier submission. The current definition captures homestay activities which they consider is unduly onerous and unnecessary given the nature of that activity.

Point Number 680.231

Summary of Decision Requested: **Amend** Rule 22.3.7.5 P1 (a) Building setback – water bodies, as follows:

(a) Any building (unless there is a functional or operational need to be closer), must be set back a minimum of..

AND

Any consequential changes needed to give effect to this relief.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- The submitter understands the intent of the rule however the all-encompassing nature of the building definition could capture buildings with an operational or function need to be closer, such as pump sheds for example.

Point Number

680.232

Summary of Decision Requested:

Delete Rule 22.3.7.6 PI Building setback – Environmental Protection Area.

AND

Delete Environmental Protection Areas from the planning maps, as a consequential amendment.

AND

Any consequential changes needed to give effect to this relief.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- The submitter is unsure what *Environmental Protection Areas* are and what the purpose of identifying them is. There is no mention of these areas within the policy framework and no definition provided in Chapter 13. Without knowing how they have been identified and what the purpose is they are unable to assess the merits or otherwise of this proposed rule.

Point Number

680.233

Summary of Decision Requested:

Delete Rule 22.3.7.6 (D1) Building setback – Environmental Protection Area.

AND

Any consequential changes needed to give effect to this relief.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- This is a consequential amendment, as it is related to the concerns raised under Rule 22.3.7.6 (PI).

Point Number

680.234

Summary of Decision Requested:

Amend Rule 22.4.1.1 Prohibited subdivision to be a Discretionary activity instead of Prohibited Activity status.

AND

Any consequential changes needed to give effect to this relief.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- The submitter is opposed to the use of prohibited activity status in this regard. The absolute nature of this approach is unnecessary and unduly restrictive.

Point Number

680.235

Summary of Decision Requested:

Add a new Controlled Activity rule to Section 22.4 Subdivision as follows:

Subdivision to adjust a common boundary – Controlled activity.

Despite rule 22.4.1.2, subdivision is a controlled activity if:

(1) the result of the subdivision is to adjust a common boundary between two viable certificates of title, and
(2) no additional certificates of title are created, and
(3) the subdivision creates certificates of title having substantially the same area, shape, location and access as before the subdivision, and
(4) no additional potential for permitted activity dwellings and no additional subdivision potential is created beyond that which already existed prior to the subdivision occurring.

Control is reserved over

- area and shape of certificates of title
- easements

AND

Any consequential changes needed to give effect to this relief.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- The submitter considers that subdivision to create a boundary adjustment should be a controlled activity as there is little or no risk of adverse effect that cannot be appropriately managed by matters of control.

Point Number

680.236

Summary of Decision Requested: **Amend** Rule 22.4.1.2 RD1 General subdivision, to make subdivision of lots with a minimum area of 20ha a Controlled Activity in the Rural Zone, with appropriate matters of control.

AND

Any consequential changes needed to give effect to this relief.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- Lots which are a minimum of 20ha in area should be a *controlled activity* in the Rural Zone, with a controlled activity standard that requires all lots to be a minimum size of 20 ha (in addition to other appropriate matters of control).
- There is little or no risk of adverse effects to the environment from such subdivision that cannot be managed by appropriate matters of control, or where subdivision raises other issues, such as natural hazard risk, traffic safety risk, or management of environmentally sensitive areas, etc through more careful consideration of effects through an alternative activity pathway whereby discretion is reserved to some restricted extent.
- Subdivision of lots which are a minimum of 20ha in area should otherwise be provided for as a controlled activity in the Rural Zone. Lots which are 20ha minimum are a practical size for land management for various sorts of farming activity including grazing for dry stock and dairy stand-off. If these can be acquired by farmers with relative certainty, this would enable farming communities to more efficiently provide for their social and economic wellbeing.
- Where subdivision cannot achieve a standard of minimum 20ha lot area, the subdivision could trigger to a *restricted discretionary activity* status provided that any lot is at least 8,000m² in area, and the Council's suggested criteria for high class soil can also apply.

Point Number 680.237

Summary of Decision Requested: **Amend** Rule 22.4.1.2 NCI General subdivision, from Non-complying activity status to Discretionary activity status.

AND

Any consequential changes needed to give effect to this relief.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- The submitter is opposed to the use of non-complying activity status in this regard. The approach is unnecessary and unduly restrictive.

Point Number 680.238

Summary of Decision Requested: **Amend** Rule 22.4.1.4 RD1 Boundary relocation from Restricted Discretionary Activity status to a Controlled Activity status in the Rural Zone.

AND

Amend Rule 22.4.1.4 RD1 (b) Boundary relocation, as follows:

(b) Council's discretion is restricted reserves control over to the following matters:

(i) Amalgamation of land subdivision layout and design including dimension, shape and orientation of the proposed lots;

(ii) Any change in vehicle access from a road as a result of the proposed new lot boundaries effects on rural character and amenity values;

(iii) Easements effects on landscape values; and

(iv) Potential for reverse sensitivity effects.

AND

Any consequential changes needed to give effect to this relief.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- There is a continuing need to provide for subdivision such as boundary adjustments and amalgamations, in order to provide for efficient property management.
- The risk to the environment from subdivision for boundary relocation is low because no new lots are being created and there is no overall intensification of land use. Therefore, there is no need to manage boundary relocation as a restricted discretionary activity, and that boundary relocation can, and should be, dealt with via controlled activity status and appropriate matters of control.

Point Number 680.239

Summary of Decision Requested: **Retain** Rule 22.4.1.5 Rural Hamlet Subdivision, as notified.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- Support is extended to the planning approach being taken.

Point Number 680.240

Summary of Decision Requested: **Amend** Rule 22.4.1.6 RD1 (a)(iii) Conservation lot subdivision, as follows:

(iii) The Significant Natural Area is not already subject to a conservation covenant pursuant to the Reserves Act 1977 or the Queen Elizabeth II National Trust Act 1977, unless the landowner who set up the covenant (or their successors in title) had not previously subdivided an equivalent qualifying conservation lot in exchange for such protection covenant(s);

...

(vii) This rule of its equivalent in a previous district plan has not previously been used to gain an additional subdivision entitlement;

(b) Where subdivision to create a conservation lot may be inappropriate due to the sensitive nature of the location, or unsuitability due to natural hazard risk or traffic safety hazard risk or inability to service the lot with on-site, potable water and fire-fighting water supply or on-site domestic sewage treatment and disposal, landowners may apply to transfer an entitlement for a qualifying conservation lot to more appropriate location.

(c) ~~(b)~~ Council's discretion is restricted to the following matters...

AND

Any consequential changes needed to give effect to this relief.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- The submitter supports the intention, with the exception of (iii), and ask why penalise those who have been proactive? The conservation lot subdivision can be retrospective as provision (viii) makes sure there is no double dipping which is understandable.
- In some cases, farmers may have previously set up conservation covenants such as QE2 etc on worthy natural features within their farmland, but have not had the advantage of being able to subdivide a conservation lot in exchange for that past undertaking. In the submitter's view, where a farmer has previously sought to protect a natural feature through such conservation covenant, the ability to subdivide one or more qualifying conservation lots should be recognised.
- The protection of suitable natural features can be encouraged through incentives such as additional subdivision rights that can be transferred to another location, if the locality where the natural feature in question is situated, is too sensitive to allow conservation lots in that location. It should be feasible to enable some form of Transferable Development Right to create one or more qualifying conservation lots elsewhere in exchange for the protection of a natural feature, by way of a restricted discretionary activity.

Point Number

680.241

Summary of Decision Requested:

Amend Rule 22.4.2 RD1 Title boundaries – natural hazard area, contaminated land, Significant Amenity Landscape, notable trees, intensive farming activities, aggregate extraction areas, as follows:

(a) Subdivision of land containing any natural hazard area, contaminated land, ~~Significant Amenity Landscape~~, notable trees, intensive farming activities...

(iii) The boundaries of every proposed lot must not divide and of the following:

A. A natural hazard area;

B. Contaminated land;

~~C. Significant Amenity Landscape;~~

D. Notable trees

(b) Council's discretion is restricted to the following matters:

~~(i) landscape values~~

~~(ii) amenity values and character~~

...

(ix) effects on any Aggregate Extraction Area (*not including Farm Quarries*).

AND

Any consequential changes needed to give effect to this relief.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- Amendment is required to give effect to relief sought with regard to Policy 3.4.3.

Point Number

680.242

Summary of Decision Requested:

Retain Rule 22.4.3 RD1 Title boundaries – Significant Natural Areas, heritage items, Maaori sites of significance and Maaori areas of significance, as notified (once the issues relating to the identification process have been addressed).

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- Conditional support is extended to this planning approach once the issues relating to the identification process has been addressed.

Point Number

680.243

Summary of Decision Requested:

Amend Rule 22.4.3 Title boundaries – Significant Natural Areas, heritage items, Maaori sites of significance and Maaori areas of significance from Non-complying Activity status to Discretionary Activity status, as follows:

~~NC-D1~~ Subdivision that does not comply with Rule 22.4.3 RD1

AND

Any consequential changes needed to give effect to this relief.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- Submitter considers discretionary activity status to be more appropriate than non-complying.

Point Number

680.244

Summary of Decision Requested:

Delete Rules 22.4.5 D1 (a) (i) - (v) Subdivision within identified areas.

AND

Any consequential changes needed to give effect to this relief.

AND

Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- The submitter understands the principle but seeks deletion of the application to areas (i)-(v) until there is some confidence in the areas which have been identified.

Point Number 680.245

Summary of Decision Requested: Delete Rule 22.4.6 RD1 Subdivision of land containing all or part of an Environmental Protection Area.
AND
Delete Rule 22.4.6 D1 Subdivision of land containing all or part of an Environmental Protection Area.
AND
Any consequential changes needed to give effect to this relief.
AND
Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- Submitter is unsure what Environmental Protection Areas are and what the purpose of identifying them is. There is no mention of these areas within the policy framework and no definition provided in Chapter 13. Without knowing how they have been identified and what the purpose is they are unable to assess the merits or otherwise of this proposed rule.

Point Number 680.246

Summary of Decision Requested: Amend Rule 22.4.7 (RD1)(a) Esplanade reserves and esplanade strips, as follows:
(a) An esplanade reserve or esplanade strip 20m wide (or such other width stated in Appendix 4 (Esplanade Priority Areas)) is required to be created and vested in Council from every subdivision where the land being subdivided is within 20m of any water body identified in Appendix 4 (Esplanade Priority Areas);
AND
Any consequential changes needed to give effect to this relief.
AND
Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- The amendment is required to address the concerns raised under Policy 8.1.3.

Point Number 680.247

Summary of Decision Requested: Amend Rule 22.4.9 RD1 Subdivision - Building platform, as follows:
a) Subdivision, other than an access, ~~or~~ utility allotment or boundary adjustment or boundary relocation, must provide a building platform on the proposed lot that: ...
AND
Any consequential changes needed to give effect to this relief.
AND
Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- The submitter is concerned that the building platform requirement may be triggered in every instance where boundary adjustment or relocation is being undertaken. Amendment is required for clarity sake, to avoid any confusion and provides increased certainty.

Point Number 680.248

Summary of Decision Requested: Retain Section 22.5 Specific Area – Agriculture Research Centres, as notified.
AND
Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.

Decision Reasons:

- Support is extended to the planning approach taken.

Point Number 680.249

Summary of Decision Requested: Delete all notified overlays on the Proposed District Plan planning maps which are identified over private land. The relief sought specifically relates to the overlays listed on the Waikato Proposed Plan Legend as:

- Natural character
- Environmental Protection Area
- Significant Amenity Landscapes
- Significant Natural Area
- Outstanding Natural Landscapes
- Outstanding Natural Feature
- Walkway Cycleway Bridleway
- Maaori Site of Significance
- Maaori Area of Significance

AND
Any consequential changes needed to give effect to this relief.

Decision Reasons:

- This relief sought is required as a consequential amendment to address the serious concerns which have been raised throughout this submission. The process used to identify and map these overlays onto private land has not been sufficiently robust to have any confidence in the accuracy of the data which has been mapped. This is particularly important to get right given the degree of regulation proposed to be applied over these respective areas.
- Submitter supports the principle of a planning approach that seeks to identify areas of national importance and consider that a targeted planning response is more appropriate than general catch all rules. The submitter considers that this plan has been notified prematurely before essential quality control work has been undertaken.
- Further frustrations relate to the consultation process. It is the submitters understanding that many affected parties are either not aware nor understand the implications of these overlays being mapped onto their properties. The submitter considers that Council has not been particularly proactive during the consultation process and it can be argued that affected parties will be disheartened that the pre-notification consultation ended up being ineffective.

Point Number	680.250
Summary of Decision Requested:	Retain Appendix 6: Biodiversity Offsetting, as notified.
Decision Reasons:	<ul style="list-style-type: none"> The submitter understands the purpose and intent of Appendix 6.
Point Number	680.251
Summary of Decision Requested:	Amend Rule 22.1.5 Discretionary Activities to be Rule 22.1.4. AND Any consequential changes needed to give effect to this relief. AND Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.
Decision Reasons:	<ul style="list-style-type: none"> To correct a numbering error.
Point Number	680.252
Summary of Decision Requested:	Amend the definition of 'Indigenous vegetation' in Chapter 13 Definitions as follows: <i>Means vegetation that occurs naturally in New Zealand or arrived in New Zealand without human assistance. For the purposes of this plan, domestic or ornamental / landscaping planting, or planted shelter belts comprising indigenous species are not included, or forestry undergrowth, or planted indigenous forestry are excluded from the definition of 'indigenous vegetation'.</i> AND Any consequential amendments needed to give effect to this relief.
Decision Reasons:	<ul style="list-style-type: none"> The definition of indigenous vegetation needs to include more exemptions. This will ensure it is reasonable and practical in the context of the proposed rules framework.
Point Number	680.253
Summary of Decision Requested:	Delete the definition of "Intensive farming" in Chapter 13 Definitions AND Replace with the following definition of "Intensive Farming" in Chapter 13: Definitions: <i>Means the commercial raising and keeping of plants or animals permanently contained in buildings or outdoor enclosures that occurs independent of the soil fertility on the site, is dependent on a high input of food or fertiliser from beyond the site, and may, (but not necessarily) involve artificially controlled growing conditions and includes boarding kennels or catteries, but does not include the sheltered rearing and weaning of calves, lambs or goats undertaken indoors as part of a farming activity nor the use of wintering barns, stabling of horses, feed pads and stand-off pads where stock are not held on a permanent basis.</i> AND Any consequential amendments needed to give effect to this relief.
Decision Reasons:	<ul style="list-style-type: none"> The proposed definition is overly complicated and has potential to extend the meaning of 'intensive' farming beyond usual definitions and capture normal farming activity (such as calf or lamb rearing and weaning in shelters, or feeding stock on standoff pads or in temporary feedlots, or break-feeding) within an onerous resource consent process for little or no environmental benefit.
Point Number	680.254
Summary of Decision Requested:	Delete the definition of "Landscape Restoration Area" in Chapter 13 Definitions. AND Any consequential amendments needed to give effect to this relief.
Decision Reasons:	<ul style="list-style-type: none"> This definition is unnecessary and inappropriate. The active management approach outlined in this definition is more appropriately addressed, if required, as resource consent conditions when a land use activity within the Rangitahi Peninsula triggers the need for one.
Point Number	680.255
Summary of Decision Requested:	Retain the definition of "Maori Areas of Significance" in Chapter 13 Definitions, as notified.
Decision Reasons:	<ul style="list-style-type: none"> Support is extended to the scheduling approach taken.
Point Number	680.256
Summary of Decision Requested:	Retain the definition of "Maori Sites of Significance" in Chapter 13 Definitions, as notified.
Decision Reasons:	<ul style="list-style-type: none"> Support is extended to the scheduling approach taken.
Point Number	680.257
Summary of Decision Requested:	Retain the definition of "Minor upgrading of existing infrastructure" in Chapter 13 Definitions, as notified.
Decision Reasons:	

- Support to the extent that this definition is consistent with the National Policy Statement on Electricity Transmission and National Environmental Standard for Electricity Transmission.

Point Number 680.258

Summary of Decision Requested: **Retain** the definition of "National grid yard" in Chapter 13 Definitions, as notified.

Decision Reasons:

- Support to the extent that this definition is consistent with the National Policy Statement on Electricity Transmission and National Environmental Standard for Electricity Transmission.

Point Number 680.259

Summary of Decision Requested: **Retain** the definition of "National grid corridor" in Chapter 13 Definitions, as notified.

Decision Reasons:

- Support to the extent that this definition is consistent with the National Policy Statement on Electricity Transmission and National Environmental Standard for Electricity Transmission.

Point Number 680.260

Summary of Decision Requested: **Amend** the definition of "Outstanding Natural Feature" in Chapter 13 Definitions, as follows:

Means a feature identified as an Outstanding Natural Feature on the planning maps, listed in Appendix XX and described in the individual assessment sheet.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- Conditional support is extended to this definition. Submitter supports the principle of identifying these areas, listing them on a schedule, which summaries the associated values, and including the overlay on planning maps.

Point Number 680.261

Summary of Decision Requested: **Delete** the definition of "Outstanding Natural Character Area" in Chapter 13 Definitions.

AND

Any consequential amendments needed to give effect to this relief.

Decision Reasons:

- This definition provides no purpose as there is no Outstanding Natural Character Area layer identified on the planning maps.

Point Number 680.262

Summary of Decision Requested: **Amend** the definition of "Outstanding Natural Landscape" in Chapter 13 Definitions as follows:

Means a landscape identified as an Outstanding Natural Landscape on the planning maps, listed in Appendix XX and described in the individual assessment sheet.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- Conditional support is extended to this definition. Submitter supports the principle of identifying these areas, listing them on a schedule, which summaries the associated values, and including the overlay on planning maps.

Point Number 680.263

Summary of Decision Requested: **Retain** the definition of "Rural ancillary earthworks" in Chapter 13 Definitions, as notified.

Decision Reasons:

- The submitter supports the definition.

Point Number 680.264

Summary of Decision Requested: **Add** to Chapter 13 Definitions a new definition of "Rural contractor's depots" as follows:

Means offices, storage buildings, plant and machinery used for the purposes of agricultural contracting, including ancillary activities and transport depots relating to the transportation of agricultural and horticultural produce, including livestock. Agricultural contractors' depots include the repair, servicing and maintenance of rural-based vehicles or machinery.

AND

Any consequential amendments needed to give effect to this relief.

Decision Reasons:

- A definition for this activity is required and subsequent new rule. The activity is different from both rural industry and farming. It is an important activity which must be enabled within the rural zone.

Point Number 680.265

Summary of Decision Requested: **Retain** the definition of "Rural industry" in Chapter 13 Definitions as notified.

Decision Reasons:

- Rural contractors' depots need to be defined separately. It is clear from this definition of *rural industry* that Waikato District Council is making a distinction between the activities and this is supported.

Point Number 680.266

Summary of Decision Requested: **Amend** the definition of "Sensitive land use" in Chapter 13 Definitions, as follows:

Means an education facility including a childcare facility, waananga and koohanga reo, ~~a residential activity~~, papakainga building, rest home, retirement village, travellers' accommodation, ~~homestay~~, health facility or hospital.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter understands the purpose and intent of this definition however considers that homestays and residential activity, as defined in the plan do not need to be elevated to this status and subject to the associated planning response.

Point Number 680.267

Summary of Decision Requested: **Delete** the definition of "Significant Amenity Landscape" in Chapter 13 Definitions.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter understands the purpose of the definition and subsequent policy framework is to give effect to the Waikato Regional Policy Statement (WRPS). However, the submitter considers the Proposed District Plan has not implemented the WRPS direction appropriately and identified rural productive areas as Significant Amenity Landscapes (SAL) unnecessarily.
- The primary concern is with the use of the SAL overlays affecting everyday farming operations in the Rural Zone by triggering an onerous and unnecessary requirement for farmers to have to seek and obtain resource consent for any practical development of farms for farming, for what amounts to little or no environmental benefit.
- Farming is part of the landscape character of rural areas, and farming should not be subject to onerous requirements for resource consent to develop their farms for farming purposes.

Point Number 680.268

Summary of Decision Requested: **Amend** the definition of " Significant Natural Area" in Chapter 13 Definitions, as follows:

Means an area of significant indigenous biodiversity that is identified as a Significant Natural Area on the planning maps and listed in Appendix XX and described in the individual assessment sheet

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- Conditional support is extended to this definition. The submitter supports the principle of identifying these areas, listing them on a schedule, which summaries the associated values, and including the overlay on planning maps.

Point Number 680.269

Summary of Decision Requested: **Retain** the definition of "Significant feature of interest" in Chapter 13 Definitions, as notified.

Decision Reasons:

- Conditional support is extended to this definition. The submitter supports the principle of identifying these areas, listing them on a schedule, which summaries the associated values, and including the overlay on planning maps.

Point Number 680.270

Summary of Decision Requested: **Amend** the definition of "Travellers' accommodation" in Chapter 13 Definitions, as follows:

... excludes the accommodation used by the permanent resident. Provided that Travellers accommodation does not include activities defined in this Plan as Homestay activities.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- This is a consequential amendment required to give effect to the relief sought under Homestay submission point.

Point Number 680.271

Summary of Decision Requested: **Amend** the definition of "Vegetation clearance" in Chapter 13 Definitions, as follows:

Includes the modification, burning, cutting, crushing, spraying and removal by physical, mechanical, chemical or other means, of all forms of vegetation, including indigenous, and may include exotic plants.

It does not include vegetation clearance ~~relating to routine cultivation or grazing~~, which is ancillary to Farming, such as:

(a) clearance for the purpose of maintaining rural fire breaks,

(b) pasture maintenance

(c) clearance of airstrips, helipads, vehicle entranceways, accessways and driveways, farm tracks and stock crossings of waterways,

(d) clearance around farm buildings and farm infrastructure, water supply dams, pipelines and troughs,

(e) pest plant/weed management, including clearance of pest plants including: thistles, ring ferns, carpet ferns, rushes, ink weed, briar rose, barberry, introduced pampas grass (other than toetoe), mingimingi, wilding, pinus species, etc

(f) cultivation,

(g) forestry harvesting, pruning and thinning,

(h) clearance or disturbance by animals including grazing,

(i) activities undertaken for the purpose of establishing a fence line,

(j) maintaining shelterbelts (including cutting of shelterbelt roots,

(k) activities associated with fruit tree or fruit vine plantations,

(l) clearance of vegetation that is fallen or dead,

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- This definition should be amended to specifically exclude vegetation clearance undertaken in association with day-to-day farming.
- The submitter has concerns that the definition will still catch many instances of ordinary pastoral farming practice in which vegetation clearance may have to be undertaken on a day-to-day basis, and trigger the requirement for resource consent unnecessarily.
- Farmers should not have to incur unnecessary delay and cost for routine vegetation clearance which will result in no more than minor adverse environmental effects.

Point Number

680.272

Summary of Decision Requested:

Amend the definition of "Waste management" in Chapter 13 Definitions, as follows:

Means industrial or commercial activities relating to the minimisation or reduction of waste material and reuse, recycling, recovery, treatment, storage and disposal processes.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The amendment is required to add clarification and certainty to the proposed definition.

Point Number

680.273

Summary of Decision Requested:

Retain the definition for "Wetland" in Chapter 13 Definitions, as notified.

Decision Reasons:

- Support is extended to keeping the same meaning of wetland as is defined in the RMA.

Point Number

680.274

Summary of Decision Requested:

Add to Section 14.1 Introduction a new paragraph as follows:

Rural land uses, such as farming, do not present the same threats to the efficient functioning of infrastructure networks that urban patterns of development present. Rural land use is characterised by low density development and low population density, with wide open spaces and relative sparsity of built form. Many aspects of farming activity, such as pasture maintenance, animal grazing, land cultivation, pest and weed control, maintenance of farm access and farm infrastructure such as fences, stock bridges and culverts, water pipelines, troughs and stock drinking water storage tanks are not sensitive to network utility and energy infrastructure operation. Where such land use is not incompatible with infrastructure networks, then it presents an efficient use of resources to enable their coexistence in order to maximise benefits and minimise costs. Such activity should be provided for in order to ensure efficient allocation of resources in a way that ensures farmers and rural communities can provide for their social, cultural and economic well-being, without adversely impacting on the functioning of infrastructure networks.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter conditionally supports this introductory statement, provided it is amended to take rural land use into consideration when analysing resource management issues for infrastructure services and networks. The compatibility of many aspects of rural land use, particularly as these relate to farming, should be recognised in the introductory statement.

Point Number

680.275

Summary of Decision Requested:

Amend Rule 14.2.1.1 PI New infrastructure (relating to Rule 14.2.1 PI New Infrastructure) as follows:

(1) Any new infrastructure activity and associated structures listed as a permitted activity within Chapter 14 must meet all of the following conditions except within the Rural Zone:

(a) ...

(2) The conditions in Rule 14.2.1.1(1) do not apply to:

(a) ...

(e) Any infrastructure within the Rural Zone

And

Any consequential amendments needed to give effect to this relief.

Decision Reasons:

- The submitter conditionally supports Rule 14.2.1, provided that it is amended to reflect their relief sought in respect of the introductory statement in 14.1
- It is not appropriate to limit infrastructure activity and structures within the Rural Zone with the same scale of restriction that applies to urban areas. Rural areas encompass wide open spaces with relatively low development and population density and sparse built form, which can easily absorb visual and amenity impacts of above ground infrastructure and associated structures which have larger bulk and height characteristics than in urban areas.
- The cost of undergrounding infrastructure in rural areas makes the imposition of underground facilities hugely prohibitive and is an inefficient allocation of resources.
- To apply the same restrictions in rural areas would trigger unnecessary cost and delay burdens to obtain resource consent, for little or no environmental benefit. This would place an onerous burden on farmers who need to install, maintain, repair, replace or upgrade infrastructure used on farms.
- Provision should be made for appropriate infrastructure requirements within the Rural Zone that reflect these opportunities and constraints, and that infrastructure within the Rural Zone be exempt from compliance with stricter requirements that apply to urban areas, because such restrictions are inappropriate within rural areas.

Point Number

680.276

Summary of Decision Requested:

Amend Rule 14.2.2 (RD1) Restricted Discretionary Activities as follows:

Discretion is restricted to:

(a) The functional and operational needs of, and benefits derived from, the infrastructure

(b) Visual, landscape, streetscape and amenity effects except within the Rural Zone:

(c) Noise levels

AND

Any consequential amendments needed to give effect to this relief.

Decision Reasons:

- The submitter conditionally supports Rule 14.2.2, provided that whatever permitted activity conditions may be imposed on infrastructure in rural areas do not inappropriately trigger resource consent for *Discretionary Activity* or *Non-Complying Activity*, as there would be little or no environmental benefit in doing so.
- Visual, landscape, streetscape and amenity effects that may be of concern in relation to infrastructure within urban areas, are not appropriate as a basis for consideration within rural areas, and that infrastructure within the Rural Zone should be exempt from any such assessment requirement where *Restricted Discretionary Activity* status is triggered.

Point Number

680.277

Summary of Decision Requested:

Amend Rule 14.2.3 D1 Discretionary Activities, as follows:

D1 Any infrastructure not specifically listed within Chapter 14, including associated earthworks, not located within an Identified Area except within the Rural Zone.

AND

Any consequential amendments needed to give effect to this relief.

Decision Reasons:

- Identified Areas within the Infrastructure and Energy chapter covers the following areas and items identified within the proposed plan:

Urban Expansion Area
Significant Natural Area
Landscape and Natural Character Areas
Outstanding Natural Feature
Outstanding Natural Landscape
Significant Amenity Landscape
Outstanding Natural Character
High Natural Character
Heritage Item
Heritage Precinct
Maaori Site of Significance
Maaori Area of Significance
Notable Tree

Such Identified Areas affect many farms and result in a cost and delay burden for unnecessary resource consent applications for little or no environmental benefit where infrastructure has to be supplied to develop use or subdivision land in the Rural Zone.

- It is not appropriate to require infrastructure within any *Identified Area* that is within the Rural Zone to have to seek resource consent for a *Discretionary Activity* where district plan activity-specific conditions for permitted activities are not complied with.
- This is hugely inefficient and presents a highly onerous and inappropriate burden on farmers who need to install, maintain, repair, replace or upgrade infrastructure, including associated earthworks, where these are within an *Identified Area*, in order to develop, use or subdivide farms.
- Farm activity should be a *Permitted Activity* with appropriate activity-specific conditions, and subdivision in the Rural Zone should be a controlled activity with appropriate activity-specific conditions and matters of control, with a *Restricted Discretionary Activity* pathway for situations where permitted activity or controlled activity conditions are not met.

Point Number

680.278

Summary of Decision Requested:

Amend Rule 14.2.3 NC3 Non Complying Activities, as follows:

NC3 Any infrastructure not specifically listed within Chapter 14, including associated earthworks, located within an Identified Area, except within the Rural Zone.

AND

Any consequential amendments needed to give effect to this relief.

Decision Reasons:

- It is not appropriate to require infrastructure within the Rural Zone, or within any *Identified Area* that is within the Rural Zone, to have to seek resource consent for a *Non-Complying Activity* where district plan activity-specific conditions for permitted activities are not complied with. A restricted discretionary activity status would be more appropriate in such situations.
- The Rural Zone should be exempt from the requirement to seek resource consent for a *Non-Complying Activity* for any infrastructure not specifically listed within Chapter 14, including associated earthworks, located within an *Identified Area* within the Rural Zone. To do otherwise would trigger unnecessary cost and delay burden to obtain resource consent, for little or no environmental benefit. This would place an onerous burden on farmers who need to install, maintain, repair, replace or upgrade infrastructure used on farms, including undertaking any associated earthworks, that is not listed in Chapter 14.

Point Number

680.279

Summary of Decision Requested:

Amend Rule 14.2.3 Non Complying Activities by renumbering to Rule 14.2.4.

Decision Reasons:

- To avoid confusion with Rule 14.2.3 Discretionary Activities.

Point Number

680.280

Summary of Decision Requested:

Amend Activity specific condition 14.3.1.1 P2 (1) (e) Minor upgrading of existing infrastructure as follows:

(e) Do not increase the area of any existing aboveground structure by more than 15%; and.

(f) Shall be contained within an appropriate infrastructure easement or, if, part of the National Grid, within the National Grid Yard

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter conditionally support Rule 14.3.1 provided that appropriate provision is made to reflect infrastructure requirements within the Rural Zone, and/or exemption from urban scale standards within this rule.
- Any 'minor upgrading' to network utilities should either be contained within an appropriate easement, or if related to the National Grid, within the existing National Grid Yard. Farmers often experience disruption to farming activities from activities associated with maintenance, upgrading or replacement of network utilities. The submitter wishes to ensure that certain parameters are provided around ability to undertake such upgrading, in order to limit disruptions associated with incremental creeping of intrusion on landowners' ability to manage their farms arising from network utilities seeking allowances for upgrades. Among other things, farmers

- are concerned about occupational health and safety implications of incremental infrastructure upgrading activity intruding in private farmland and farming operations such as droving, lambing, calving, fodder cropping, irrigator/effluent disperser operation, and land cultivation.
- Rural land uses, such as farming, do not present the same issues vis-à-vis infrastructure provision, that urban patterns of development present. Rural land use is characterised by low density development and population density, with wide open spaces and relative sparsity of built form. Infrastructure in these areas should be enabled by appropriate standards that reflect rural amenity character, intensity and scale, whilst being limited in order to avoid disruption to farming landowners.

Point Number 680.281

Summary of Decision Requested: **Amend** Rule P12 Service connections for subdivision and activity specific conditions 14.3.1.8 as follows:

P12 Service connections for subdivision except within the Rural Zone

Activity-specific conditions

14.3.1.8

(1) All new lots created as part of...

(a) Wastewater, except within the Rural Zone;

(b) Except within the Rural Zone, a ~~water~~ water supply connection;

(c) Except within the Rural Zone, a ~~stormwater~~ stormwater (a management system that complies with Rule 14.11.1.1),

(d) Except where unavailable adjacent to the lot boundary within the Rural Zone, an ~~electricity~~ electricity supply connection;

(e) Except where unavailable adjacent to the lot boundary within the Rural, a ~~telecommunications~~ telecommunications connection that is hardwired or wireless; and

(f) Vehicle access that complies with Rule 14.12.1.1

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- Rural subdivision should not have to have connections to a public water supply, wastewater collection system, electricity connection, telecommunications connection, if no such services are available adjacent to the lot boundary. Rural landowners may get their water supply from a dam, bore or other form of water collection, such as roof-water collection, and have to have fire-fighting water tank capacity with connected building sprinkler systems, and have on-site wastewater treatment and disposal. They may also have to generate their own electricity, and may be unfortunate enough not to have broadband telecommunications connections in the vicinity. There is typically sufficient land within the wide open space of rural areas not to have any concern about managing stormwater runoff. So requirements for these services are unnecessary and there is little or no environmental benefit to be derived.

Point Number 680.282

Summary of Decision Requested: **Add** to activity-specific standards Rule 14.4.1.2 relating to P2 (1) Buildings, structures and sensitive land use within the National Grid Yard in all other zones as of 18 July 2018, a new clause (f), as follows:

(inter alia)

(f) Minor structures associated with farming activity that are not situated within 6m of the outer visible foundation of any National Grid tower, including; fences, gates, stock exclusion structures, cattle-stops, stock underpasses, stock bridges and culvert crossings, and drinking water supply, pipelines, troughs, and water storage tanks.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter conditionally support this rule, provided that the list of exempted farming activities is expanded to reflect a more comprehensive list of activities that are not sensitive to the operation of the national grid.
- Where such land use is not incompatible with infrastructure networks, then it presents an efficient use of resources to enable their coexistence in order to maximise benefits and minimise costs.
- Where activity-specific conditions are not able to be complied with, appropriate consideration could be given via a consent pathway which triggers Restricted Discretionary Activity status, with appropriate discretion around the benefits to be had from the National Grid, and the benefits to be had from enabling minor farming activity, and the effects of non-compliance with the relevant specified permitted activity standard.
- Please also refer to relief sought in respect of Rule 14.4.4.

Point Number 680.283

Summary of Decision Requested: **Amend** the activity-specific standards Rule 14.4.1.3 (3)(b) relating to P3 Earthworks activities within the National Grid Yard, as follows:

(inter alia)

(3) The following earthworks activities are exempt from Rules 14.4.1.3(1) and (2):

...

(b) Earthworks undertaken as part of agricultural or domestic cultivation, or repair, sealing, or resealing of a road, footpath, driveway or farm track, maintaining non-habitable farm buildings, drinking water pipelines, tanks or troughs, fences, gates or other stock exclusion structures;

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter conditionally support this rule, provided that the list of exempted farming activities is expanded to reflect a more comprehensive list of activities that are not sensitive to the operation of the national grid.
- Where such land use is not incompatible with infrastructure networks, then it presents an efficient use of resources to enable their coexistence in order to maximise benefits and minimise costs.
- Where activity-specific conditions are not able to be complied with, appropriate consideration could be given via a consent pathway which triggers Restricted Discretionary Activity status, with appropriate discretion around the benefits to be had from the National Grid, and the benefits to be had from enabling minor farming activity, and the effects of non-compliance with the relevant specified permitted activity standard.
- Please also refer to relief sought in respect of Rule 14.4.4.

Point Number 680.284

Summary of Decision Requested: **Add** new controlled subdivision Rule '14.4.X.X' as follows:

CX Subdivision that is otherwise a controlled subdivision in the Rural Zone that is within a lot containing the National Grid

Activity-specific conditions

14.4.XX

(1) Any new lot boundary shall be situated outside the National Grid Corridor; and

(2) Shall comply with controlled subdivision standards and terms of the Rural Zone.

Matters of control

Control is reserved over:

(a) The adequacy of the allotment for its intended use;

(b) maintenance of existing, physical and legal vehicular access to the National Grid Corridor.

AND

Any consequential changes elsewhere in the plan to give effect to this relief.

Decision Reasons:

- The submitter is opposed to Rule 14.4.2 RD4 and submit that a more pragmatic approach would be to provide for controlled activity subdivision of land containing the National Grid (at least in the Rural Zone).
- In particular, farmers may have need for boundary adjustments and boundary relocations, where no additional lots are being created, and where there is no overall increase in land use intensity, in order to enable more efficient management and utilisation of the productive rural land resource.
- Controlled subdivision standards (or activity-specific conditions) could apply, and matters of control could be set forth that require new lot boundaries to be outside the National Grid Corridor, and control of ensuring existing legal and physical vehicular access to the National Grid Corridor.
- There is no need to manage this via a restricted discretionary activity rule. Please refer also to our submission on Rule 14.4.2.

Point Number

680.285

Summary of Decision Requested:

Amend Rule 14.4.2.1 RD4 Restricted Discretionary Activities in accordance with the submitter's relief sought for a new controlled activity subdivision rule ("14.X.X"), as follows:

(inter alia) ...

RD4 14.4.2.1

Except for subdivision in the Rural Zone provided for as a Controlled Activity under Rule 14.4.x.x, the subdivision of land in any zone within the National Grid Corridor that complies with all of the following conditions: ...

Discretion is restricted to:

(a) The subdivision layout and design in regard to how this may impact on the operation, maintenance, upgrading and development of the National Grid;

(b) The ability to provide a complying building platform outside of the National Grid Yard;

(c) The risk of electrical hazards affecting public or individual safety, and the risk of property damage;

(d) The nature and location of any vegetation to be planted in the vicinity of National Grid transmission lines.

RDX Subdivision in the Rural Zone which does not comply with activity specific standards for Controlled Activity subdivision in Rule CX 14.4.X.X;

Discretion is restricted to:

(g) The functional and operational needs of, and benefits derived from, the infrastructure

(b) The functional and operational needs of, and benefits derived from, the subdivision

(c) Maintenance of legal and physical vehicular access to the infrastructure

AND

Any consequential changes elsewhere in the plan to give effect to this relief.

Decision Reasons:

- The submitter is opposed to Rule 14.4.2 RD4 and submit that a more pragmatic approach would be to provide for controlled subdivision of land containing the National Grid, with a back-up default to restricted discretionary activity status for subdivision that does not meet the suggested controlled activity rule conditions, whereby discretion could be reserved over ensuring existing legal and physical vehicular access to the National Grid Corridor.
- There is no need to manage all subdivision via a restricted discretionary activity status.

Point Number

680.286

Summary of Decision Requested:

Amend Rule 14.4.4 NC3 Non-Complying Activities, as follows:

NC3 Except within the Rural Zone, any activity within the National Grid Yard that does not comply with one or more of the conditions of Rule 14.4.1.1

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter is opposed to the requirement in Rule 14.4.4 for activity-specific conditions that are not met in Rule 14.4.1 or 14.4.2 to default to a non-complying activity status within the Rural Zone.
- It is not necessary to trigger a default to non-complying activity status, in this situation. Enabling farming activity should be afforded a higher priority in the Rural Zone, in order to provide for efficient utilisation of the productive rural land resource. In this regard, a restricted discretionary activity status would be appropriate to ensure sufficient consideration of the relative priorities to be afforded to farming, versus management of the National Grid. There is little or no environmental benefit in triggering non-complying activity status, yet the pathway to granting consent is much more burdensome for the applicant. Farmers should not be presented with potentially insurmountable consent hurdles in seeking to manage their farms.
- Where activity-specific conditions are not able to be complied with, appropriate consideration could be given via a consent pathway which triggers Restricted Discretionary Activity status, with appropriate discretion restricted to the benefits to be had from the National Grid, and the benefits to be had from enabling minor farming activity, and the effects of non-compliance with the relevant specified permitted activity or controlled activity standard(s)
- Please refer to our relief sought in respect of Rules 14.4.1 and 14.4.2.

Point Number

680.287

Summary of Decision Requested:

Amend Rule 14.4.4 NC4 Non-Complying Activities, as follows:

NC4 Except within the Rural Zone, any activity within the National Grid Yard that does not comply with one or more of the conditions of Rule 14.4.1.2

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter is opposed to the requirement in Rule 14.4.4 for activity-specific conditions that are not met in Rule 14.4.1 or 14.4.2 to default to a non-complying activity status within the Rural Zone.
- It is not necessary to trigger a default to non-complying activity status, in this situation. Enabling farming activity should be afforded a higher priority in the Rural Zone, in order to provide for efficient utilisation of the productive rural land resource. In this regard, a restricted discretionary activity status would be appropriate to ensure sufficient consideration of the relative priorities to be afforded to

farming, versus management of the National Grid. There is little or no environmental benefit in triggering non-complying activity status, yet the pathway to granting consent is much more burdensome for the applicant. Farmers should not be presented with potentially insurmountable consent hurdles in seeking to manage their farms.

- Where activity-specific conditions are not able to be complied with, appropriate consideration could be given via a consent pathway which triggers *Restricted Discretionary Activity* status, with appropriate discretion restricted to the benefits to be had from the National Grid, and the benefits to be had from enabling minor farming activity, and the effects of non-compliance with the relevant specified permitted activity or controlled activity standard(s).
- Please refer to our relief sought in respect of Rules 14.4.1 and 14.4.2.

Point Number 680.288

Summary of Decision Requested: **Amend** Rule 14.4.4 NC10 Non-Complying Activities, as follows:

NC10 Except within the Rural Zone, any subdivision of land in any zone within the National Grid Corridor that does not comply with one or more of the conditions of Rule 14.4.2.1.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter is opposed to the requirement in Rule 14.4.4 for activity-specific conditions that are not met in Rule 14.4.1 or 14.4.2 to default to a non-complying activity status within the Rural Zone.
- It is not necessary to trigger a default to non-complying activity status, in this situation. Enabling farming activity should be afforded a higher priority in the Rural Zone, in order to provide for efficient utilisation of the productive rural land resource. In this regard, a restricted discretionary activity status would be appropriate to ensure sufficient consideration of the relative priorities to be afforded to farming, versus management of the National Grid. There is little or no environmental benefit in triggering non-complying activity status, yet the pathway to granting consent is much more burdensome for the applicant. Farmers should not be presented with potentially insurmountable consent hurdles in seeking to manage their farms.
- Where activity-specific conditions are not able to be complied with, appropriate consideration could be given via a consent pathway which triggers *Restricted Discretionary Activity* status, with appropriate discretion restricted to the benefits to be had from the National Grid, and the benefits to be had from enabling minor farming activity, and the effects of non-compliance with the relevant specified permitted activity or controlled activity standard(s).
- Please refer to our relief sought in respect of Rules 14.4.1 and 14.4.2.

Point Number 680.289

Summary of Decision Requested: **Amend** Activity Specific conditions 14.5.1.1 relating to P2 Overhead distribution lines and support structures within the Rural Zone and P3 overhead distribution lines and support structures within road or unformed road located adjacent to the Rural Zone, as follows:

(a) Overhead distribution lines and support structures that comply with the following:

~~(i) Do not exceed a voltage up to and including 110kV; and~~

~~(ii) Do not exceed a maximum height of 25m; or~~

~~(iii) Do not exceed a maximum height of 30m for co-location of at least two operators; and~~

~~(iv) Are not located within an Identified Area.~~

AND

Any necessary consequential amendments needed to give effect to this relief.

Decision Reasons:

- The submitter opposes parts of Rule 14.5.1 and conditionally support other parts of it. In the Rural Zone, there should be few restrictions on overhead electricity distribution lines. In rural areas, it is inefficient to require undergrounding of electricity and other lines services, because of the greater distances involved compared to urban areas. If the Council is minded to permit co-located overhead lines at a permitted height of 30 metres, there is practically no visual difference between co-located lines and non-co-located lines mounted on poles up to 30 metres height, and therefore the maximum permitted height should be simplified to 30 metres.
- Identified Areas within the Infrastructure and Energy chapter covers the following areas and items identified within the proposed plan:

Urban Expansion Area
Significant Natural Area
Landscape and Natural Character Areas
Outstanding Natural Feature
Outstanding Natural Landscape
Significant Amenity Landscape
Outstanding Natural Character
High Natural Character
Heritage Item
Heritage Precinct
Maaori Site of Significance
Maaori Area of Significance
Notable Tree

Identified Areas overlay many farms and the submitter questions the wisdom of restricting farming activity in these areas by imposing extra requirements on infrastructure development. The submitter doubts that there will be any commensurate environmental benefit from requiring farming activity, and ancillary activity such as construction of electricity distribution lines required to service farms, to trigger resource consent where lines are above-ground. Electricity lines for farms are virtually always characterised by overhead power lines. Agriculture and pastoralism form part of the landscape character of rural areas. The wide open spaces and low intensity of built form means these areas are able to absorb development and land use more easily than urban areas. Submitter questions the validity of extra layers of amenity analysis to these areas, for what arguably amounts to little or no environmental benefit.

- It is not appropriate to require infrastructure within any *Identified Area* that is within the Rural Zone to have to seek resource consent for overhead electricity distribution lines. Getting services into rural areas is difficult and costly - even for overhead lines. Requiring underground lines in the wide open spaces of rural areas, even though these might exhibit qualities identified within these 'Identified Areas', is nonsensical. Farmers shouldn't be burdened by unnecessary resource consent requirements aimed at managing visual amenity, landscape, natural character and natural features, such as the *Identified Area* provisions are aimed at.
- The trigger for resource consent for such activity is hugely inefficient and presents a highly onerous and inappropriate burden on farmers who need to install, maintain, repair, replace or upgrade infrastructure, including associated earthworks, albeit that these may be within an *Identified Area*, in order to develop, use or subdivide farms.
- Separation distances for sensitive activities (including 'residential activity') in relation to overhead electricity distribution lines, will result in arguably unnecessary cost and delay burden for farm dwellings in seeking resource consent for building additions to existing dwellings that may be within close proximity to existing power lines, for little or no environmental benefit.

Point Number 680.290

Summary of Decision Requested: **Amend** Activity specific condition 14.5.1.3 P5 relating to Construction or alteration of a building for a sensitive land use, as follows:

~~(a) Except within the Rural Zone, the construction or alteration of a building for a sensitive land use that complies with all of the following conditions...~~

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter opposes parts of Rule 14.5.1 and conditionally support other parts of it. In the Rural Zone, there should be few restrictions on overhead electricity distribution lines. In rural areas, it is inefficient to require undergrounding of electricity and other lines services, because of the greater distances involved compared to urban areas. If the Council is minded to permit co-located

- overhead lines at a permitted height of 30 metres, there is practically no visual difference between co-located lines and non-co-located lines mounted on poles up to 30 metres height, and therefore the maximum permitted height should be simplified to 30 metres.
- Identified Areas within the Infrastructure and Energy chapter covers the following areas and items identified within the proposed plan:

Urban Expansion Area
 Significant Natural Area
 Landscape and Natural Character Areas
 Outstanding Natural Feature
 Outstanding Natural Landscape
 Significant Amenity Landscape
 Outstanding Natural Character
 High Natural Character
 Heritage Item
 Heritage Precinct
 Maaori Site of Significance
 Maaori Area of Significance
 Notable Tree

Identified Areas overlay many farms and the submitter questions the wisdom of restricting farming activity in these areas by imposing extra requirements on infrastructure development. The submitter doubts that there will be any commensurate environmental benefit from requiring farming activity, and ancillary activity such as construction of electricity distribution lines required to service farms, to trigger resource consent where lines are above-ground. Electricity lines for farms are virtually always characterised by overhead power lines. Agriculture and pastoralism form part of the landscape character of rural areas. The wide open spaces and low intensity of built form means these areas are able to absorb development and land use more easily than urban areas. Submitter questions the validity of extra layers of amenity analysis to these areas, for what arguably amounts to little or no environmental benefit.

- It is not appropriate to require infrastructure within any *Identified Area* that is within the Rural Zone to have to seek resource consent for overhead electricity distribution lines. Getting services into rural areas is difficult and costly - even for overhead lines. Requiring underground lines in the wide open spaces of rural areas, even though these might exhibit qualities identified within these 'Identified Areas', is nonsensical. Farmers shouldn't be burdened by unnecessary resource consent requirements aimed at managing visual amenity, landscape, natural character and natural features, such as the *Identified Area* provisions are aimed at.
- The trigger for resource consent for such activity is hugely inefficient and presents a highly onerous and inappropriate burden on farmers who need to install, maintain, repair, replace or upgrade infrastructure, including associated earthworks, albeit that these may be within an *Identified Area*, in order to develop, use or subdivide farms.
- Separation distances for sensitive activities (including 'residential activity') in relation to overhead electricity distribution lines, will result in arguably unnecessary cost and delay burden for farm dwellings in seeking resource consent for building additions to existing dwellings that may be within close proximity to existing power lines, for little or no environmental benefit.

Point Number 680.291

Summary of Decision Requested: **Amend** Rule 14.5.2 RD1 (a) Restricted Discretionary Activities, as follows:
 (a) Except within the Rural Zone, overhead distribution lines and support...
 AND
 Any consequential changes needed to give effect to this relief.

Decision Reasons:

- This is consequential relief in relation to relief sought in respect of Rule 14.5.1.

Point Number 680.292

Summary of Decision Requested: **Amend** Rule 14.5.2 RD2 Construction or alteration of a building for a sensitive land use that does not comply with Rule 14.5.1.3, as follows:
 RD2 Except within the Rural Zone, construction or alteration of a building for a sensitive land use ...
 AND
 Any consequential changes needed to give effect to this relief.

Decision Reasons:

- This is consequential relief sought in relation to relief sought in respect of Rule 14.5.1

Point Number 680.293

Summary of Decision Requested: **Add** a new Rule RD3 to Rule 14.5.2 Restricted Discretionary Activities, as follows:
RD3 Construction of electricity distribution lines in the Rural Zone that do not comply with Rule 14.5.1.1
 (a) Discretion is restricted to:
 (i) Effects on the amenity values from non-compliance with the permitted activity standard;
 AND
 Any consequential changes needed to give effect to this relief.

Decision Reasons:

- This is consequential relief sought in relation to relief sought in respect of Rule 14.5.1.

Point Number 680.294

Summary of Decision Requested: **Amend** Rule 14.5.3 Discretionary Activities, as follows:
 (a) Except within the Rural Zone, the activities listed below are discretionary activities...
 AND
 Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter opposes Rule 14.5.3. In the Rural Zone, it is unnecessary to require overhead electricity distribution lines to have to obtain resource consent for a Discretionary Activity. In rural areas, it is inefficient to require undergrounding of electricity and other lines services, because of the greater distances involved compared to urban areas. Please refer to relief sought in relation to Rules 14.5.1 and 14.5.2.

Point Number 680.295

Summary of Decision Requested: **Amend** Activity specific standard 14.6.1.1 (a)(a) relating to P1 Small-scale electricity generation and P2 community scale electricity generation, as follows:
 (a) Small scale electricity generation and community scale electricity generation that comply with each of the following conditions where applicable:

(a) Is not located within an Identified Area, except within the Rural Zone, where small scale electricity generation and community scale electricity generation are permitted in any Identified Area;

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter conditionally support Rule 14.6.1 including the definitions of 'small-scale' and 'community-scale' electricity generation, provided that the activity-specific restrictions on Identified Areas is removed.
- Identified Areas overlay many farms and the submitter questions the wisdom of constraining ability of farms to utilise small-scale and appropriately sized community-scale electricity generation in such areas, especially where this could augment the resilience of farming activity in remoter rural areas. The submitter doubts that there will be any commensurate environmental benefit from requiring small-scale and appropriately sized community-scale electricity generation, to trigger resource consent where these are proposed to be located within an Identified Area that is within a Rural Zone.
- In rural areas, it is inappropriate to require resource consent for small-scale and community-scale electricity generation where these are within an Identified Area in the Rural Zone. The benefits of small-scale, and appropriately sized community-scale, renewable electricity generation far outweigh any adverse effects on visual amenity and natural character in rural areas.
- The relative isolation of rural areas in relation to electricity supply and distribution networks, means that farmers will be penalised on amenity and natural character grounds, if they want to install small-scale or community-scale renewable electricity generation facilities to augment electricity supply and increase rural resilience.
- The definitions of these types of electricity generation, which restrict maximum sizes of wind turbines and solar cells, will ensure that any adverse effects on amenity and natural character values of rural areas will be minor, without needing to resort to triggering resource consent applications where these facilities are proposed to be situated within an Identified Area.
- The relatively low population density of rural areas (compared to urban areas) will ensure that wind turbine noise from small-scale and appropriately sized community-scale wind turbines, will at most, present only minor adverse effects. Any noise effects can be appropriately managed through triggers on permitted noise levels in rural areas.
- In comparison to urban areas, rural areas have much wider open-space, bigger visual scale and amenity of rural areas, which can absorb development more easily than in urban areas.

Point Number

680.296

Summary of Decision Requested:

Amend Activity specific condition 14.6.1.2 (a)(v) relating to P3 Research and exploratory-scale investigations for renewable electricity generation activities, as follows:

(a) Research and exploratory-scale investigations for renewable electricity generation activities that comply with all of the following:

...

(v) Is not located within an identified area, except within the Rural Zone, where research and exploratory investigation for renewable electricity generation is permitted in any Identified Area;

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter conditionally support Rule 14.6.1 including the definitions of 'small-scale' and 'community-scale' electricity generation, provided that the activity-specific restrictions on Identified Areas is removed.
- Identified Areas overlay many farms and the submitter questions the wisdom of constraining ability of farms to utilise small-scale and appropriately sized community-scale electricity generation in such areas, especially where this could augment the resilience of farming activity in remoter rural areas. The submitter doubts that there will be any commensurate environmental benefit from requiring small-scale and appropriately sized community-scale electricity generation, to trigger resource consent where these are proposed to be located within an Identified Area that is within a Rural Zone.
- In rural areas, it is inappropriate to require resource consent for small-scale and community-scale electricity generation where these are within an Identified Area in the Rural Zone. The benefits of small-scale, and appropriately sized community-scale, renewable electricity generation far outweigh any adverse effects on visual amenity and natural character in rural areas.
- The relative isolation of rural areas in relation to electricity supply and distribution networks, means that farmers will be penalised on amenity and natural character grounds, if they want to install small-scale or community-scale renewable electricity generation facilities to augment electricity supply and increase rural resilience.
- The definitions of these types of electricity generation, which restrict maximum sizes of wind turbines and solar cells, will ensure that any adverse effects on amenity and natural character values of rural areas will be minor, without needing to resort to triggering resource consent applications where these facilities are proposed to be situated within an Identified Area.
- The relatively low population density of rural areas (compared to urban areas) will ensure that wind turbine noise from small-scale and appropriately sized community-scale wind turbines, will at most, present only minor adverse effects. Any noise effects can be appropriately managed through triggers on permitted noise levels in rural areas.
- In comparison to urban areas, rural areas have much wider open-space, bigger visual scale and amenity of rural areas, which can absorb development more easily than in urban areas.

Point Number

680.297

Summary of Decision Requested:

Amend Activity specific condition 14.7.1.2 (a)(i) relating to P2 Below ground pipelines located within an Identified Area as follows:

(a) Below ground pipelines for the conveyance of liquid fuels and gas located within an Identified Area that comply with the following:

(i) Except within the Rural Zone, there shall be no aboveground sections of pipeline within the Identified Area; and

...

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter conditionally supports Rule 14.7.1, provided that the activity-specific restrictions on Identified Areas is removed.
- Identified Areas overlay many farms and the submitter questions the wisdom of constraining ability of farms to maintain above-ground fuel storage and gas tanks in such areas. The submitter doubts that there will be any commensurate environmental benefit from requiring above ground fuel storage and gas tanks, to trigger resource consent where these are proposed to be located within an Identified Area that is within a Rural Zone.
- The relative isolation of rural areas, means that farmers will be penalised on amenity and natural character grounds, if they want to install above ground tanks.
- Fuel storage supplies are commonplace on many farms. Agriculture and pastoralism form part of the landscape character of rural areas. The wide open spaces and low intensity of built form means these areas are able to absorb development and land use more easily than urban areas. Submitter questions the validity of extra layers of amenity analysis in the form of Identified Areas in rural areas, for what arguably amounts to little or no environmental benefit.
- It is not appropriate to require above-ground fuel storage and gas tanks within any *Identified Area* that is within the Rural Zone to have to seek resource consent. Farmers shouldn't be burdened by unnecessary resource consent requirements aimed at managing visual amenity, landscape, natural character and natural features, such as the Identified Area provisions are aimed at.
- The trigger for resource consent for such activity is hugely inefficient and presents a highly onerous and inappropriate burden on farmers who need to install, maintain, repair, replace or upgrade infrastructure, including associated earthworks, albeit that these may be within an *Identified Area*, in order to develop, use or subdivide farms.

Point Number

680.298

Summary of Decision Requested:

Amend Activity specific condition 14.7.1.3 (a)(i) relating to P3 Storage facilities and pump stations for liquid fuels and gas, as follows:

(a) Storage facilities and pump stations for liquid fuels and gas that comply with all of the following:

(i) Is not located within an Identified Area, except within the Rural Zone, where above-ground storage facilities and pump stations for liquid fuels and gas are a permitted activity within an Identified Area; and

...

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter conditionally support Rule 14.7.1, provided that the activity-specific restrictions on Identified Areas is removed.
- Identified Areas overlay many farms and the submitter questions the wisdom of constraining ability of farms to maintain above-ground fuel storage and gas tanks in such areas. The submitter doubts that there will be any commensurate environmental benefit from requiring above ground fuel storage and gas tanks, to trigger resource consent where these are proposed to be located within an Identified Area that is within a Rural Zone.
- The relative isolation of rural areas, means that farmers will be penalised on amenity and natural character grounds, if they want to install above ground tanks.
- Fuel storage supplies are commonplace on many farms. Agriculture and pastoralism form part of the landscape character of rural areas. The wide open spaces and low intensity of built form means these areas are able to absorb development and land use more easily than urban areas. Submitter questions the validity of extra layers of amenity analysis in the form of Identified Areas in rural areas, for what arguably amounts to little or no environmental benefit.
- It is not appropriate to require above-ground fuel storage and gas tanks within any *Identified Area* that is within the Rural Zone to have to seek resource consent. Farmers shouldn't be burdened by unnecessary resource consent requirements aimed at managing visual amenity, landscape, natural character and natural features, such as the Identified Area provisions are aimed at.
- The trigger for resource consent for such activity is hugely inefficient and presents a highly onerous and inappropriate burden on farmers who need to install, maintain, repair, replace or upgrade infrastructure, including associated earthworks, albeit that these may be within an *Identified Area*, in order to develop, use or subdivide farms.

Point Number 680.299

Summary of Decision Requested: No specific decision sought, but Rule 14.7.2 is supported, provided the relief sought in relation to Rule 14.7.1 is granted.

Decision Reasons:

- The submitter supports Rule 14.7.2, provided that the relief sought in relation to Rule 14.7.1 is granted.

Point Number 680.300

Summary of Decision Requested: **Amend** Activity specific condition 14.10.1.3 (a)(ii) relating to P4 Antennas and lines attached to retaining walls, tunnels, bridges and other structures located within the road, as follows:

(a) Antennas that comply with all of the following conditions:

(i) Do not connect to an area, façade or item specifically listed in Schedule 30.1.

(ii) Panel antenna do not exceed 0.7m in width, except within the Rural Zone, where there is no maximum size restriction for panel antenna;

...

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter conditionally supports Rule 14.10.1, provided that restrictions on telecommunication and radio communication equipment in the Rural Zone, that are aimed at managing visual amenity, are appropriate to reflect the wide-open space scale and rural amenity character of rural areas.
- It is not appropriate to impose the same degree of restriction on masts and aerials and the like in rural areas. In remote rural areas where internet connection is unavailable, farmers typically have need of farm telecommunication and radio communication equipment in order to augment the efficient and safe operation of farms.
- Imposing the same degree of constraint on masts and aerials in rural areas to that of urban areas, unfairly penalises farmers who have to rely on such equipment, for what amounts to little or no environmental benefit. Efficiency and safety of farm operations can be compromised if farmers are required to have a high regulatory hurdle to overcome in order to be able to install practically-sized functional aerials and masts, which are arbitrarily constrained by way of inappropriately-scaled visual amenity criteria.
- If the Council is minded to permit co-located poles antennas and headframes at a permitted height of 30 metres in the Rural Zone, there is practically no visual difference between co-located devices and non-co-located devices mounted on poles up to 30 metres height in rural areas, and therefore the maximum permitted height should be simplified to 30 metres.

Point Number 680.301

Summary of Decision Requested: **Amend** Activity specific condition 14.10.1.5 (a)(iii) relating to P7 Antennas not attached to a building and/or structure, as follows:

(a) Antennas that comply with all of the following conditions:

...

(iii) Are not located within an Identified Area, except within the Rural Zone, where Antennas not attached to any building or structure are a permitted activity, within any Identified Area...

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter conditionally supports Rule 14.10.1, provided that restrictions on telecommunication and radio communication equipment in the Rural Zone, that are aimed at managing visual amenity, are appropriate to reflect the wide-open space scale and rural amenity character of rural areas.
- It is not appropriate to impose the same degree of restriction on masts and aerials and the like in rural areas. In remote rural areas where internet connection is unavailable, farmers typically have need of farm telecommunication and radio communication equipment in order to augment the efficient and safe operation of farms.
- Imposing the same degree of constraint on masts and aerials in rural areas to that of urban areas, unfairly penalises farmers who have to rely on such equipment, for what amounts to little or no environmental benefit. Efficiency and safety of farm operations can be compromised if farmers are required to have a high regulatory hurdle to overcome in order to be able to install practically-sized functional aerials and masts, which are arbitrarily constrained by way of inappropriately-scaled visual amenity criteria.
- If the Council is minded to permit co-located poles antennas and headframes at a permitted height of 30 metres in the Rural Zone, there is practically no visual difference between co-located devices and non-co-located devices mounted on poles up to 30 metres height in rural areas, and therefore the maximum permitted height should be simplified to 30 metres.

Point Number 680.302

Summary of Decision Requested: **Amend** Policy 6.4.2 (a) Provide adequate infrastructure, as follows:

(a) Ensure adequate provision of infrastructure, including land transport networks, where proposed subdivision results in an increase in the number of lots adjacent to an existing road, infrastructure corridor or existing infrastructure easement, or its use intensified where resource consent is required, for restricted

discretionary, discretionary or non-complying land use.

(b) To manage minor effects of subdivision on infrastructure in rural areas, through enabling subdivision as a controlled activity, with appropriate matters of control around separation distance from infrastructure to proposed new lot boundaries.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- The submitter conditionally supports this policy provided that its focus is confined to considering subdivision which increases the number of lots next to an infrastructure corridor or existing infrastructure easement. Effects of rural subdivision on infrastructure are very minor, and can be managed through controlled subdivision status with appropriate matters of control around minimum lot boundary separation distances. Agreements as to access across private farmland are a matter between utility operators and landowners, and the Council is not involved.
- The focus of the policy should be amended to refer to substantial changes in land use where resource consent is required, such as for example from farming activity to some non-farming use of land. Use of farmland for farming, even if paddock stocking rates are increased, should not be within the remit of this policy to control.

Point Number 680.303

Summary of Decision Requested: Retain Policy 6.4.3 (a) Infrastructure Location and Services, as notified.

Decision Reasons:

- The submitter supports this policy.

Point Number 680.304

Summary of Decision Requested: Retain Policy 6.4.4 (a) Road and rail network, as notified.

Decision Reasons:

- The submitter supports this policy.

Point Number 680.305

Summary of Decision Requested: Retain Policy 6.4.5 Roading infrastructure, as notified.

Decision Reasons:

- The submitter supports this policy.

Point Number 680.306

Summary of Decision Requested: Delete Objective 6.4.6 (a) Stormwater and drainage.

OR

Amend Objective 6.4.6 (a) Stormwater and drainage as follows:

(a) The hydrological characteristics of the natural drainage processes are retained, where new subdivision, development or land use is proposed.

AND

Any consequential changes needed to give effect to this relief.

Decision Reasons:

- If the focus is management of hydrology to maintain water quantity for the purpose of managing water allocation, the district council does not have the jurisdiction for this under the RM Act.
- If the purpose of this objective is to manage flood control and stormwater ponding and overland flow associated with subdivision, development or land use which intensifies use of land, then this objective should be amended confine its focus to such matters.

Submitter Number: 681

Submitter:

Lavalla Farms Limited

Point Number 681.1

Summary of Decision Requested: Amend the proposed Residential zoning for part of the property at 131 Dominion Road, Tuakau so that a "Neighbourhood Centre Zone" applies to the area containing the existing function centre, accommodation buildings and school. (Refer to the indicative concept plan in the submission which indicates the extent of this requested new zone.)

Decision Reasons:

- A 'Neighbourhood Centre Zone' would protect the existing education and commercial activities and allow the creation of a community hub to support residential development within the site and surrounding area.

Point Number 681.2

Summary of Decision Requested: Retain Rule 16.4.1 RD1(a)(i) Subdivision - General, and the 450m2 minimum net site area for greenfield subdivision.

Decision Reasons:

- Supports the minimum lot size of 450m2 for greenfield subdivision.

Point Number 681.3

Summary of Decision Requested: Retain Rule 16.4.1 RD1(b)(ii) Subdivision - General, relating to variation in lot sizes.

Decision Reasons:

- The intended residential development for the submitter's property indicates a range of lot sizes with medium densities around the existing community facilities and larger lots to the north adjoining the proposed Village and Rural Zones.

- This assessment criterion will therefore provide for a variety of built forms and housing choice that aligns with the strategic direction set out in Policy 4.1.10(i).
- Ensures that subdivision can be designed to provide variety and choice in housing types.

Point Number 681.4

Summary of Decision Requested: Delete Rule 16.4.1 RDI(a)(iii) Subdivision - General and make it a matter of discretion.

Decision Reasons:

- The establishment of grid patterns may not be appropriate for all sites due to topographical or other physical constraints.
- For example, the submitter's property at 131 Dominion Road contains a number of buildings, streams and steep areas.
- There is no section 32 analysis to justify the requirement for a grid layout. The appropriateness of a grid layout should therefore be listed as a matter of discretion rather than a rule.

Point Number 681.5

Summary of Decision Requested: Delete Rule 16.4.13 (a) Subdivision creating reserves, and make it a matter of discretion.

Decision Reasons:

- Roading infrastructure is expensive and this rule will therefore result in unjustified costs to developers and purchasers.
- The rule is arbitrary and may not be appropriate for all types of reserves and developments.
- Safety and surveillance of reserves may be achieved with less road frontage as indicated with the subdivision concept plan provided with the submission.
- There is no section 32 analysis to justify the 50% threshold. The extent of road frontage for a proposed reserve should therefore be a matter of discretion rather than a rule.

Point Number 681.6

Summary of Decision Requested: Retain the Residential Zone as notified for the property at 131 Dominion Road, Tuakau (Lot 3 DP 478192, Lot 2 DP 478192 and Lot 3 DP 392649) with the exception of an indicative neighbourhood centre, which is addressed elsewhere in the submission.

Decision Reasons:

- A 'Neighbourhood Centre Zone' would protect the existing education and commercial activities and allow the creation of a community hub to support residential development within the site and surrounding area.
- The proposed Residential zoning for the area outside this "Neighbourhood Centre Zone" would:
- be consistent with previous planning documents, the Tuakau Structure Plan and the National Planning Statement - Urban Development Capacity;
- support the landowner's financial investment in designing the residential development of this property; and
- be appropriate given the property's convenient access to Tuakau's town centre.

Point Number 681.7

Summary of Decision Requested: Retain Rule 16.4.1 Subdivision - General, with the exception of RDI(a)(iii), which is addressed elsewhere in the submission.

Decision Reasons:

- Provides for the efficient use of land resources.
- Enables the subdivision of land to provide for the growth of the district.

Submitter Number: 682 **Submitter:** The Buckland Country Living Zone Landowners Group

Point Number 682.1

Summary of Decision Requested: Amend the zoning of approximately 400 ha located north of Tuakau, between Logan/Golding Roads and Harrisville Road from Rural Zone to Country Living Zone (refer to the map attached to the submission which specifically identifies all properties subject of this rezoning request).

Decision Reasons:

- The area contains limited development constraints making it appropriate for rural residential use.
- The proposed Rural zoning is an inefficient use of land that is in close proximity to the urban areas of Buckland and Pukekohe. Rezoning to a Country Living Zone will enable an efficient use of the land resource.
- A Country Living Zone in this location will provide an essential buffer for the Future Urban Zone that is in Auckland Council's jurisdiction where more housing and a less open rural environment is anticipated. A logical progression in zoning for urban development will therefore be enabled and reverse sensitivity will be reduced.
- There is no section 32 analysis to justify the proposed Rural zoning for the identified location.
- Some rural areas in Buckland and Tuakau contain elite/prime soils which contribute significantly to regional and national food supplies. Intensification of land for rural residential should be encouraged away from these soils and where there is adjoining urban development. The majority of the identified properties do not contain elite/prime soils and their development for rural residential purposes will provide an essential buffer between higher density development to the north and west and rural land to the east and south.

Submitter Number: 683 **Submitter:** Carolyn Watson

Point Number 683.1

Summary of Decision Requested: Retain Rule 22.4.1.4 Boundary relocation and the flexibility to allow rural properties to rationalise large landholdings to provide a logical lot arrangement that better supports the farming activity, except for the amendments sought below;

AND

Amend Rule 22.4.1.4 RDI(a)(i) Boundary relocation, as follows:

(a) The boundary relocation must:

(i) Relocate a common boundary or boundaries between two or more existing Records of Title or consented lots that existed prior to 18 July 2018;

Decision Reasons:

- Many farms in the district are held in multiple Records of Titles which have the ability to be relocated.
- The boundary relocation rule should reflect the operative Franklin Section rule which enables an existing title or consented lot to be relocated within a property or, alternatively, within properties where boundaries are shared and are in common ownership. These types of boundary relocations typically result in positive effects by enhancing the productive farming system and allowing for the relocation of potential house sites to more favourable locations.
- Rural boundary relocations are typically undertaken where land is exchanged between two Records of Title to accommodate the existing farming activity, or when a farmer owns multiple titles and wants to create a small rural lot for a dwelling and hold the balance of the farm in one Record of Title.

Point Number

683.2

Summary of Decision Requested:

Add a new matter of discretion to Rule 22.4.1.4 RD1(b) Boundary relocation, as follows:

(b) Council's discretion is restricted to the following matters:

...

(y) effects on high class soils, farm management and productivity.

Decision Reasons:

- The relocation of a lot created under the transferable development right rules in the operative Franklin Section from an area that does not contain high class soils to an area that does contain high class soils would create an adverse outcome. The requested matters of discretion would work with the proposed objectives and policies in Chapter 5 (Rural Environment) to provide a robust framework to ensure that adverse effects on high class soils are avoided.

Point Number

683.3

Summary of Decision Requested:

Amend Rule 22.3.2 P1(b)(i) Minor dwelling, as follows:

(i) The minor dwelling must be located within ~~20m~~ 50m of the dwelling;

Decision Reasons:

- The section 32 analysis does not justify the proposed 20m separation distance.
- There is no longer a requirement for the minor dwelling to be occupied by a dependent and therefore a larger separation distance would provide more privacy for the residents of both the main dwelling and the minor dwelling.
- The requested 50m distance is not contrary to the objectives and policies specified in Chapter 5.

Point Number

683.4

Summary of Decision Requested:

Amend Rule 22.3.7.1 Building Setbacks - All boundaries, by allowing a reduced boundary setback if the written consent has been obtained from the affected neighbour.

Decision Reasons:

- Infringement of this rule should be allowed where the written consents of the owners and occupiers of the abutting site(s) have been obtained.

Submitter Number:

684

Submitter:

Janet Elaine McRobbie

Point Number

684.1

Summary of Decision Requested:

Retain the notified Residential zoning of properties located at 34 Pokeno Road, Pokeno (comprising legal descriptions Lot 3 DP 478192, Lot 2 DP 478192 and Lot 3 DP 392649) as illustrated by Figure 2 in the submission.

Decision Reasons:

- The proposed residential zoning is consistent with previous planning documents.
- Supports the landowner's financial investment in preliminary residential designs.
- Is consistent with the National Policy Statement - Urban Housing Capacity.
- The sites have convenient access to Pokeno's town centre, Whangarata Business Park and State Highway 1.

Point Number

684.2

Summary of Decision Requested:

Amend the zoning for Lot 1 DP 476779 in Pokeno (as illustrated in Figure 3 of the submission) from Village Zone to Business Zone.

Decision Reasons:

- This land is effectively an island as it is located between the on-ramp and State Highway 1. It is therefore located near transportation infrastructure with a high number of passing vehicles.
- A Business zone would be more efficient and appropriate to draw on these locational advantages.
- A Business zone would also mean avoidance of reverse sensitivity effects from noise, glare and emissions associated with traffic along State Highway 1 and the provision of a buffer for the Residential Zone located on the other side of Great South Road.

Point Number

684.3

Summary of Decision Requested:

Retain the notified Business Zone of the property at 2 Helenslee Road, Pokeno (Lot 2 DP 62619);

AND

Amend the extent of the Business zone for the property at 2 Helenslee Road, Pokeno so that it aligns with the zone boundary at 2 Hillpark Drive, Pokeno (see Figure 4 of the submission).

Decision Reasons:

- The proposed Business zoning for the site at 2 Helenslee Road is appropriate in that it recognises the McRobbie Bros civil construction and haulage company's depot and office.
- However, an extension of this zoning to the north and west to align with the property that contains early childcare centre at 2 and 4 Hillpark Drive would result in a more efficient and appropriate use of the land resource by providing for business activities, avoiding reverse sensitivity effects and drawing on locational advantages at this road intersection.

Point Number	684.4									
Summary of Decision Requested:	No specific decision sought, but submission recognises that the importation of fill to enable residential development is appropriate in Rule 16.2.4.1 Earthworks- General and questions whether this would be a permitted activity (P2) or a non-complying activity (NC1).									
Decision Reasons:	<ul style="list-style-type: none"> The submitter states that the provision seem to be workable but are interested in the thoughts of other submitters. Cleanfill may be required to enable greenfield land to be developed for residential purposes but it is unclear whether this is permitted P2 or whether resource consent to a non-complying activity NC1 is required. NC1 would be too restrictive and needs to be more lenient to enable greenfield development. 									
Point Number	684.5									
Summary of Decision Requested:	Amend Rule 16.4.11 Subdivision - Road frontage, by replacing the proposed requirements with the equivalent provisions in the Operative District Plan: Franklin Section (Rule 26.6.4 Frontage to Road (Vehicular Access Requirement)).									
Decision Reasons:	<ul style="list-style-type: none"> There is no analysis in the section 32 analysis to justify the requirement for a lot to have a 15m road frontage (other than an access allotment, utility allotment or a lot containing a right of way or access leg). Opposes Council prescribing a minimum frontage. 									
Point Number	684.6									
Summary of Decision Requested:	Amend Rule 16.4.12 - Building platform, by replacing the proposed requirements with the equivalent provision in the Operative District Plan: Franklin Section (Rule 26.6.1 Shape Factor).									
Decision Reasons:	<ul style="list-style-type: none"> There is no section 32 analysis to justify the proposed requirements for a building platform. Opposes the size of the shape factors. 									
Point Number	684.7									
Summary of Decision Requested:	Delete Rule 16.4.13 RD1 (a) Subdivision creating reserves, and make it a matter of discretion.									
Decision Reasons:	<ul style="list-style-type: none"> Roading infrastructure is expensive and the proposed rule will result in additional costs for developers and purchasers. The rule sets out an arbitrary standard which may not be relevant for all reserve types or developments. Safety and surveillance of reserves may be achieved with less road frontage. The submitter has provided a subdivision concept plan that appropriately responds to the characteristics of their sites. The section 32 analysis does not justify the 50% threshold and this matter should be considered as a matter of discretion. 									
Point Number	684.8									
Summary of Decision Requested:	Amend Rule 16.4.14 Subdivision of esplanade reserves and esplanade strips, by replacing the proposed provisions with the equivalent rule in the Operative District Plan: Franklin Section (Rule 11.5 Esplanade Reserves and Strips).									
Decision Reasons:	<ul style="list-style-type: none"> While esplanade reserves and strips enable public access and recreation, their provision needs to be assessed on a case by case basis and Council should allow a waiver or width reduction in certain circumstances. 									
Point Number	684.9									
Summary of Decision Requested:	Amend Table 14.12.5.14 - Access and road conditions (Residential, Village, Business, Business Town Centre and Industrial Zones), by replacing the proposed standards with NZ Standards- Table 3.2 Roading Design Standards; OR Amend Table 14.12.5.14 Access and road conditions, with the following Operative District Plan Franklin Section for minimum legal and seal widths:									
	<table border="1"> <thead> <tr> <th><i>Users</i></th> <th><i>Legal width</i></th> <th><i>Minimum total seal width</i></th> </tr> </thead> <tbody> <tr> <td>2-4</td> <td>3.5m</td> <td>2.7m</td> </tr> <tr> <td>5-8</td> <td>8m</td> <td>5m</td> </tr> </tbody> </table>	<i>Users</i>	<i>Legal width</i>	<i>Minimum total seal width</i>	2-4	3.5m	2.7m	5-8	8m	5m
<i>Users</i>	<i>Legal width</i>	<i>Minimum total seal width</i>								
2-4	3.5m	2.7m								
5-8	8m	5m								
Decision Reasons:	<ul style="list-style-type: none"> The proposed access standards are excessive and will result in additional costs, inefficient use of the urban land resource and prevent in-fill development. The extra seal width increases impervious surfaces and stormwater runoff without any apparent benefit relating to traffic effects. NZS 4404:2010 - Land Development and Subdivision Infrastructure is a national document that addresses access and road conditions and this matter should not form part of the District Plan. The provisions in the operative Franklin Section are more appropriate. 									
Point Number	684.10									
Summary of Decision Requested:	Retain Rule 16.4.1 Subdivision - General, except for the points raised and amendments sought elsewhere in the submission.									
Decision Reasons:	<ul style="list-style-type: none"> Provides for the efficient use of the land resources. Enables the subdivision of land to provide for the growth of the district. 									
Point Number	684.11									
Summary of Decision Requested:	Delete Rule 16.4.1 RD1 (a)(iii) Subdivision - General, and make it a matter of discretion.									
Decision Reasons:										

- The establishment of formal and informal grid patterns may not be appropriate for all sites, such as those that have natural or physical constraints. The submitter's properties are examples.
- A grid pattern does not reflect the existing character of Pokeno where there is a "loose looping grid formation with cul-de-sacs."
- A similar road formation should be carried over to the submitter's properties to maintain this character. There is no analysis in the section 32 report to justify this rule and grid patterns should be a principle rather than enforced as a rule.

Point Number 684.12

Summary of Decision Requested: Delete Rule 16.4.1 RDI (a)(iv) Subdivision - General and make it a matter of discretion;

OR

Amend Rule 16.4.1 RDI (a)(iv) Subdivision - General, as follows:

(iv) Where 4 or more proposed lots are proposed to be created, the number of rear lots do not exceed ~~45%~~ 25% of the total number of lots being created;

Decision Reasons:

- It is not possible for a subdivision of the submitter's properties to comply with this rule due to their configuration and topographical constraints.
- The adjoining land contains a higher number of rear lots for this reasons.
- The pattern of subdivision needs to be considered in terms of the existing neighbourhood character.
- The rule is arbitrary and the section 32 analysis does not justify the proposed 15% threshold.

Submitter Number: 685

Submitter:

Greig Holdings Limited

Point Number 685.1

Summary of Decision Requested: Amend the zoning of the properties on the southern side of Johnson Street, Tuakau from Village Zone to Residential Zone (see map attached to submission for specific properties).

Decision Reasons:

- Village zoning is an inefficient use of the urban land resource that is in close proximity to the town centre of Tuakau, within walking distance of approximately 400 metres.
- The site is serviced by Council's water and wastewater infrastructure.
- Consideration should be given to residential subdivision in suitably located areas that are able to utilise urban services.
- The site's development will create residential growth within an appropriate area and directs residential growth away from rural and coastal areas in the District.
- The rural areas of Tuakau contain versatile soils used for rural production activities. These soils contribute significantly to regional and national food supply. Intensification of urban land at higher densities should be encouraged within close proximity of the Tuakau town centre to ensure that land supply requirements meet expected growth while preserving the soil resources.
- The maximisation of the lands residential development potential will futureproof the capacity of land supply to avoid further encroachment into the rural area.
- The proposed Village zoning under-utilises the land resource, where Residential zoning in this location is more appropriate given its proximity to the town centre of Tuakau.
- Fails to give effect to the Future Proof Strategy identified in Section 1.5.1 of the Plan that seeks a shift in the existing pattern of land use towards accommodating growth through a more compact urban form based on concentrating growth in and around Hamilton.
- This involves a reduction in the relative share of the population outside of the subregion's existing major settlements through tighter control over rural-residential development and encouraging greater urban densities in existing settlements.
- "Village" Zone does not feature in the Draft National Planning Standards. While the standards are still in draft form, it should be encouraged that the Proposed Waikato District Plan follows the format set out in the standards.
- There is no assessment in the s32 analysis as to why this land has been zoned Village Zone.

Point Number 685.2

Summary of Decision Requested: Amend the zoning of the properties around Ryders Road and Oak Street, Tuakau from Industrial Zone to Business Zone (see map attached to submission for specific properties).

Decision Reasons:

- The proposed Industrial zoned land is considered to provide ad-hoc development.
- This will introduce smell and noise sensitivity of some of the industries and business activities in the town to occur in the future.
- There is considerable stock of existing undeveloped industrial land on Bollard Road.
- A key principle of a District Plan is to provide buffers between residential and industrial activities to reduce reverse sensitivity effects.
- No additional areas for industry are required.
- There is a large area of industrial land to the east of the town. The industrial area is separated from residential areas by the gully through which the Kairoa stream flows.
- New opportunities for industrial activities should not be encouraged adjoining the town centre and residential areas.
- The Plan needs to enable industrial development in the Whangarata industrial area.
- Any existing businesses located in the subject area are protected by land use consents or existing use rights.
- The Tuakau Structure Plan shows this area as part of the Business Zone.
- The town centre is a focal point to provide a mixture of business and community services.
- There is no assessment in the s32 analysis as to why this land has been zoned industrial.

Point Number 685.3

Summary of Decision Requested: Retain the rezoning of land for residential and business use within Tuakau.

Decision Reasons:

- Zoning of residential land gives effect to the NPS on Urban Land Capacity which identifies the Waikato District as high growth urban area.

Submitter Number: 686

Submitter:

Reid Crawford Farms Limited

Point Number 686.1

Summary of Decision Requested: Retain Policy 3.2.8 Incentivise subdivision, except for the amendments sought below;

AND

Add a new clause (b) to Policy 3.2.8 Incentivise Subdivision, to include the following, as follows:

(b) Incentivise subdivision in the Rural Zone when there is the enhancement and/or restoration of biodiversity, legal and physical protection of areas that are of a suitable size and meet the Criteria for Determining Significance of Indigenous Biodiversity.

Decision Reasons:

- Support incentivising the protection of existing biodiversity with the ability to subdivide subject to meeting certain criteria.
- Seek that Policy 3.2.8 be expanded to include provision for enhancement and/or restoration of areas, when once restored, would be of suitable size and quality to achieve a functioning ecosystem.
- Appendix 2 of the Proposed Plan could provide a basis for assessing eligibility of these areas.
- Incentivising restoration is in line with The Vision and Strategy for the Waikato River.
- Eligible areas would likely be wetlands and waterways which are degraded due to farming activities such as stock and farming.

Point Number 686.2

Summary of Decision Requested: **Retain** Objective 5.1.1 The Rural environment, as notified.

Decision Reasons:

- The Waikato District encompasses valuable areas of high class soils that are of primary importance for food production both regionally and nationally.
- Supports the strength of the wording of the objective.
- Protecting these soils from adverse effects of inappropriate use and development is of national importance and is recognised with a NPS for Versatile Land and High Class Soils under consideration.
- Urban subdivision is an inefficient use of rural production land. Urban subdivision, particularly ad-hoc subdivision, may undermine the integrated development of identified townships and expansion areas.

Point Number 686.3

Summary of Decision Requested: **Retain** Objective 5.2.1 Rural resources, except for the amendments sought below;

AND

Amend Objective 5.2.1 (a) (i) Rural resources as follows:

(a) *Maintain or enhance the:*

(i) *Inherent life-supporting capacity, accessibility and versatility of soils, in particular high class soils;*

Decision Reasons:

- Accessibility to versatile land is also a key consideration in managing this resource.
- Suggests 'accessibility' be included in this policy.
- Supports the enhancement and/or restoration of natural ecosystems, surfaces and groundwater and the natural characteristics of fresh water bodies and coastal waters.

Point Number 686.4

Summary of Decision Requested: **Retain** Policy 5.2.2-High class soils, as notified.

Decision Reasons:

- Supports Policy 5.2.2 which seeks to retain high class soils and ensure adverse effects do not compromise the life support properties of high class soil.

Point Number 686.5

Summary of Decision Requested: **Retain** Policy 5.2.3 Effects of subdivision and development on soils, except for the amendments sought below;

AND

Amend Policy 5.2.3 (b) Effects of subdivision and development on soils, as follows:

(b) *Subdivision which provides a range of lifestyle options is directed away from high class soils and/or where indigenous biodiversity is being protected, enhanced, and/or restored (with plantings).*

Decision Reasons:

- Support provisions that incentivise protection, enhancement and/or restoration of biodiversity values within the Waikato District through subdivision.
- This Policy only provides for subdivision where existing indigenous biodiversity is being protected.
- There are a number of waterways and wetlands in the Rural Zone of the Waikato District that would benefit from stock exclusion (through fencing) and enhancement and/or restoration.
- The cost of full restoration is approximately \$45,000 + GST per ha (excluding fencing of revegetated areas from stock).
- Subdivision offers an incentive for landowners to undertake restoration works which they would be unlikely to do without a financial offset.
- To allow for the protection and/or restoration, particularly of water ways, would achieve the outcome sought in Policy 5.2.1(a)(iii), being the enhancement of water quality.
- It would support Policy 3.1.2 which seeks enhancement of indigenous biodiversity values through planting, pest control and other biosecurity measures.
- The Vision and Strategy for the Waikato River seeks restoration of the health and wellbeing of the Waikato River Catchment - improvements over time.
- Incentivising the fencing and restoration of waterways in the Waikato District would contribute positively to the improvement of water quality and achieving the objectives of the Vision and Strategy.

Point Number 686.6

Summary of Decision Requested: **Amend** Objective 5.3.1 (a) Rural character and amenity, as follows:

(a) *Rural character and amenity are maintained while recognising the localised character of different parts of the District.*

Decision Reasons:

- Supports in part the intent of the objective.
- Recognition of the variation of what defines rural character and amenity values across a large District is needed.
- The Waikato District encompasses coastal areas, hill country comprising large landholdings and primarily pastoral uses and smaller landholdings which is used for higher value production activities such as intensive cropping, greenhouses etc.
- Consideration of 'Rural Character' should take into account the unique variables of the locality including land holding pattern, built form, landuse activities, vegetation and geomorphology.

Point Number 686.7

Summary of Decision Requested: **Retain** Policy 5.3.8 Effects on rural character and amenity from rural subdivision, except for the amendments sought below;

AND

Amend Policy 5.3.8 Effects on rural character and amenity from rural subdivision, as follows:

~~(b) Ensure development does not compromise the predominant open space, character and amenity of rural areas;~~

(d) Rural hamlet subdivision and boundary relocations ensure the following:

(i) Protection of rural land for productive purposes;

(ii) Maintenance of the localised rural character and amenity of the surrounding rural environment;

(iii) Minimisation of cumulative effects.

(e) Subdivision, use and development opportunities ensure that localised rural character and amenity values are maintained.

...

Decision Reasons:

- Policy 5.3.8 (b) duplicates 5.3.8.(d)(ii) and 5.3.8.(e), which both seek to ensure that rural character and amenity are maintained.
- Not all rural areas comprise open space character and amenity. The district's rural character is varied in nature and comprises landscapes, landforms and structures. There are areas of active and dynamic primary production and associated activities rather than benign landscapes.
- Rural landscapes can be visually altered by structures and buildings such as greenhouses and pack houses and are recognised as important components of primary production activities which form part of the rural environment.

Point Number 686.8

Summary of Decision Requested: **Amend** the definition for "Significant Natural Area" in Chapter 13 Definitions, as follows:

Means an area of significant indigenous biodiversity that is identified as a Significant Natural Area of the planning maps or has been assessed as meeting one or more of the Criteria for Determining Significance of Indigenous Biodiversity (Appendix 2) by a suitably qualified Ecologist

Decision Reasons:

- Support the inclusion of Significant Natural Area's definition, but would like to see definition expanded to also include areas that have been assessed by a suitably qualified Ecologist as meeting one or more of the criteria in Appendix 2 of the Proposed Plan - *Criteria for Determining Significance of Indigenous Biodiversity*.
- Aligns with the wording of the Conservation Lot Subdivision provisions which allow for subdivision where an identified Significant Natural Area is being protected or an area meeting the Criteria for Determining Significance of Indigenous Biodiversity.

Point Number 686.9

Summary of Decision Requested: **Amend** the activity status for Rule 22.4.1.1 Prohibited subdivision PR1, PR2, PR3 and PR4, from Prohibited to Non Complying activities.

Decision Reasons:

- There may be circumstances where the subdivision of high class soils has overall positive effects that can be supported by the objectives and policies.
- It is fanciful to think that every subdivision on high class soil would result in a significant adverse effect on the environment.
- Relocating consented lots within a holding (multiple Records of Title held in the same ownership) may produce a better outcome from a farming and landscape perspective.
- There are circumstances where it may be unavoidable to create an additional Record of Title, i.e. where a title is limited as to parcels and held together by covenant.
- The rule relies on a definition of High Class Soils. High class soils as defined in the Proposed Plan, (relying on soil classification only), may not be versatile due to a range of factors identified through case law.
- It is unfair and unreasonable to prohibit the creation of lots that accommodate existing and well-established rural activities where these are of a viable, sustainable and permanent nature and it is appropriate for these to be subdivided from other rural activities on the site.
- Established rural activities include greenhouses, packhouses, packing sheds, intensive farming, poultry hatcheries or commercial orchard activities.
- Rural activities do not need to be held on the same certificate of title as other rural activities, and there may be circumstances where subdivision enables more significant opportunities for economic wellbeing and the efficient and effective operation of the activity.
- A number of commercial reasons could necessitate subdivision including the desire to sell or lease the business rather than having no other option but to dispose of the entire property, or the need to invest more capital in the operation.
- The prohibited activity status prevents opportunities for subdivision where there is a significant capital investment, particularly in buildings and the intensive rural activity will continue to be commercially viable and sustainable in the long-term following its separation from other rural activities on the site.
- PR4 states any subdivision of a lot previously amalgamated for the purpose of a transferable lot subdivision is prohibited. This rule may unreasonably restrict the subdivision potential over and above what is necessary to avoid undermining the intent of the rule under which these Records of Title were created.
- Under Rule 22B of the Franklin Section, the donor certificates of title had to meet a minimum area of 1ha each. However there is no maximum, with many donor Records of Title ranging upwards from 20ha prior to the amalgamation. We also note that under the Franklin Section of the District Plan there were no corresponding rules that limited any further subdivision of the donor lot. While subdividing lots amalgamated under Section 22B of the Franklin Section require closer scrutiny this should merit a Non-Complying status only. The land affected may contain qualifying Significant Natural Areas or may be able to relocate boundaries with a neighbour without creating an outcome that may compromise the prior transferable subdivision.
- The objectives and policies of the Proposed Plan should be sufficiently strong to ensure that the subdivision of land containing high class soils is protected in the Rural Zone from inappropriate subdivision and development and that subdivision in the Urban Expansion Area does not undermine the integrated and efficient development of this zone.

Point Number 686.10

Summary of Decision Requested: **Amend** Rule 22.4.1.6 Conservation lot subdivision, as follows:

(i) *The lot must contain:*

~~(A) a contiguous area of existing Significant Natural Area either as shown on the planning maps or as determined by an experienced and suitably qualified ecologist which meets; or~~

(B) a contiguous area, to be enhanced and/or restored;

In accordance with the table below:

(ii) *The area of Significant Natural area, or area to be enhanced and/or restored, is assessed by a suitably qualified person as satisfying at least one criteria in Appendix 2 (Criteria for Determining Significance of Indigenous Biodiversity);*

(iii) *The Significant Natural Area or area to be restored is not already subject to legal protection ~~a conservation covenant pursuant to the Reserves Act 1977~~*

~~or the Queen Elizabeth II National Trust Act.~~

~~(iv) The subdivision proposes to legally protect all areas of Significant Natural Area or area to be restored by way of a conservation covenant pursuant to the Reserves Act 1977 or the Queen Elizabeth National Trust Act.~~

~~(v) An ecological management plan is prepared to address the ongoing management of the conservation protected area to ensure that Significant Natural Area area to be protected is self-sustaining and that plan:~~

~~A. Addresses fencing requirement for the conservation protected area;~~

~~B. Addresses ongoing pest plan and animal control;~~

~~C. Identifies any enhancement and/or restoration or edge-planting required within the conservation area to be protected.~~

~~(vi) All proposed lots... (vii) Subdivision entitlement.~~

~~(b) Council's discretion is restricted to the following matters.~~

~~(i) Subdivision layout and proximity of building platforms to Significant Natural Area the area to be protected;~~

~~(ii) Matters contained in an ecological management plan for the conservation protected area.~~

~~(iii) Effects of the subdivision on localised rural character and amenity values;~~

~~(iv) Extent of earthworks including earthworks for the location of building platform and access ways.~~

~~(v) Mechanism of legal protection for the area to be protected.~~

Decision Reasons:

- Support the incentivisation of legally and physically protecting Significant Natural Areas and other areas of existing biodiversity which offers positive benefits for the Region.
- There is no provision for ecological enhancement and/or restoration in the Conservation Lot rules. There are significant biodiversity and water quality benefits to be gained from ecological enhancement particularly along waterways and wetland areas.
- Water quality is a key issue identified in the RPS and the Vision and Strategy. Recognised in the rural objectives and policies which seek enhancement of surface and ground water quality and the natural characteristics of waterways.
- The plan should be enabling of improving biodiversity and water quality within the Waikato Catchment and incentivise enhancement and/or restoration of areas that meet criteria in Appendix 2.
- Re-vegetation costs approximately \$45,000 per hectare.
- Incentivisation through subdivision would assist in offsetting this cost and encourage enhancement and/or restoration.
- Seek that provisions for ecological enhancement and/or restoration of appropriate areas be included.
- Minimum areas for enhancement and/or restoration should be in accordance with Rule 22.4.1.6.
- Rule 22.4.1.6 ii requires the legal protection of the conservation feature. Other forms of legal protection, such as the vesting of the conservation area in Council ownership (esplanade reserve) or by S221 consent notice may be appropriate. Submitter suggests that this rule require legal protection only and leave the mechanism of protection to discretion of Council.
- Rule 22.4.1.6 (vi) requires a minimum area of 8,000m² but flexibility for lot area should be provided where dwellings or established rural activities exist. This avoids unnecessary fragmentation of productive land. This could be addressed as a matter of discretion.

Point Number 686.11

Summary of Decision Requested: Retain Appendix 2 Criteria for Determining Significance of Indigenous Biodiversity.

Decision Reasons:

- Supports inclusion of Appendix 2 Criteria for Determining Significance of Indigenous Biodiversity.

Point Number 686.12

Summary of Decision Requested: Amend Rule 22.4.1.1 Prohibited subdivision to replace all references to "lot" with "Record of Title."

Decision Reasons:

- It may be necessary to create multiple lots and hold them in one Record of Title. This may occur where a stream or a public road bisects land held together in one Record of Title.

Point Number 686.13

Summary of Decision Requested: Add new discretionary activity to Rule 22.4.1.6 Conservation lot subdivision, as follows:

DI

(a) Conservation lot subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.6 (vi-viii) RDI.

(b) Conservation lot subdivision around established rural activities that does not comply with Rule 22.4.1.6 (vi-vii) RDI.

Decision Reasons:

- Supports the incentivisation of legally and physically protecting Significant Natural Areas and other areas of existing biodiversity which offers positive benefits for the Region.
- There is no provision for ecological enhancement and/or restoration in the Conservation Lot rules.
- Water quality is a key issue identified in the RPS and the Vision and Strategy.
- This is recognised in the rural objectives and policies which seek enhancement of surface and ground water quality and the natural characteristics of waterways.
- The plan should be enabling of improving biodiversity and water quality within the Waikato Catchment and incentivise enhancement and/or restoration of areas that meet criteria in Appendix 2.
- Re-vegetation costs approximately \$45,000 per hectare.
- Incentivisation through subdivision would assist in offsetting this cost and encourage enhancement and/or restoration.
- Submitter seeks that provisions for ecological enhancement and/or restoration of appropriate areas be included.
- Rule 22.4.1.6 ii requires the legal protection of the conservation feature, but there are additional means such as vesting in Council or s221 consent notice.
- Rule 22.4.1.6 (vi) requires a minimum of 8000m². Flexibility of lot size should be provided where the lot boundaries encompass an existing dwelling curtilage or established rural activities.

Point Number 686.14

Summary of Decision Requested: Retain Rule 22.4.1.2 (a) (iv) as a restricted discretionary activity for lots between 8,000m² and 1.6ha.

Decision Reasons:

- Supports the creation of an additional vacant lot between 8,000m² and 1.6ha.
- Supports the additional lot between 8,000m² and 1.6ha as a restricted discretionary activity.

Point Number 686.15

Summary of Decision Requested: Add a new discretionary activity to Rule 22.4.1.2 General Subdivision, as follows:

DI

(a) General subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.2 (iv) RDI.

(b) General subdivision around established rural activities that does not comply with Rule 22.4.1.2 (iv) RDI.

Decision Reasons:

- General subdivision creating a child lot around an existing dwelling, where a curtilage is established and farming regime is already in place on the balance lot, should be provided flexibility in lot size to ensure that the existing farming regime can continue.
- This will ensure the boundaries proposed are practical to ensure the most efficient ongoing management of the land and not to meet an arbitrary rule.
- A lot size consistent with the established farming regime will avoid the redevelopment of farm tracks and fence lines to access what is a relatively small piece of land.
- A discretionary rule should be provided for lots less than 8,000m² and greater than 1.6ha where they contain an existing dwelling.
- There may be site specific factors that create a unique situation that is conducive to the proposed lot size whilst remaining consistent with the objectives and policies and achieving the anticipated environmental results.
- For lots smaller than 8,000m² it is only necessary to confirm the provision of services within the lot boundaries.
- Lots greater than 1.6ha may need an assessment with respect to the productive potential of the land.
- If the land comprises existing curtilage around the house then the lot will not result in any unreasonable effects with respect to the productive potential of the balance land.
- If the land comprises productive potential, then a Farm Management Report should be provided to demonstrate that the both the proposed lot and the balance lot are sized to ensure rural land uses continue to predominate.
- The creation of lots that accommodate existing and well-established rural activities should be provided for where these are of a viable, sustainable and permanent nature and it is appropriate for these to be subdivided from other activities on the site.

Point Number

686.16

Summary of Decision Requested:

Delete Rule 22.4.1.2 RD1 (a)(v) General Subdivision (the 80/20 rule);

AND

Add a new matter of discretion to Rule 22.4.1.2 RD1 (b) General Subdivision, as follows:

(b)(vi) Effects on rural productivity and fragmentation of high class soils.

Decision Reasons:

- There is no analysis in the s32 report regarding the relevance or practicality of this rule.
- The submitter agrees with the intent of this rule, which is to design subdivision to avoid the fragmentation of the high class soils.
- The strict and arbitrary 80/20 requirement of this rule may not necessarily result in the best layout, design or farming outcome for the site.
- The objectives and policies (5.1.1, 5.2) give primacy to the protection of high class soils.
- In addition to the objectives and policies (5.2), the submitter would like to see matters relating to the retention of high class soils and the maintenance of productivity/farming systems addressed as a matter of discretion for the General Subdivision provisions.
- The strength of the objectives and policies together with expanded matters of discretion are sufficiently strong to ensure adverse outcomes on high class soils are avoided.
- The requirement to demonstrate the 80/20 split will result in the necessary inclusion of Landuse Capability Reporting with every subdivision application under the General Provisions to demonstrate that this exact figure is met. This becomes an additional compliance cost that does not necessarily result in a better environmental outcome. Consent planners should have the discretion of where these are required in accordance with the recommended matter of discretion.

Point Number

686.17

Summary of Decision Requested:

Retain Rule 22.4.1.2 (a)(i), (ii) and (iii) General Subdivision.

Decision Reasons:

- Supports inclusion of the General Subdivision provisions.

Point Number

686.18

Summary of Decision Requested:

Retain Rule 22.4.1.4 Boundary relocation as notified, except for amendments sought below;

AND

Amend Rule 22.4.1.4 Boundary Relocation, as follows:

(a) The boundary relocation must:

(i) Relocate a common boundary or boundaries between two or more existing Records of Title or consented lots that existed prior to 18th July 2018.

(b) Council's discretion is restricted to the following matters:

....

(v) Effects on high class soils, farm management and productivity.

Decision Reasons:

- Support inclusion of boundary relocations and flexibility to allow rural properties to rationalise large landholdings to provide logical lot arrangement that better support the farming activity.
- Rural boundary relocations typically result in positive effects through enhancement of the productive farming system and allowing relocation of potential house sites to more favorable locations.
- Many farms in the district held in multiple Records of Title and have ability to relocate boundaries and create General and Conservation Lots under proposed provisions.
- Submitter would like to see provision made for relocation of the boundaries of adjacent consented lots and Records of Title in the Franklin Section of the District Plan (22.B.15.1).
- Consider retention of the date 18 July 2018 as appropriate, as this would allow for closer scrutiny and a higher activity status for those Records of Title and consented lots created under the Transferable and Environmental lot rule of the previous section of the District Plan which had restrictions on size.
- Relocation of a lot created under the previous Transferable Lot Rules from an area containing no high class soils to a high class soil area would create an adverse outcome.
- Inclusion of high class soils a matter of discretion together with proposed objectives and policies in Chapter 5 (Rural Environment) would give council a robust framework to avoid adverse effects on high class soils.

Point Number

686.19

Summary of Decision Requested:

Amend Rule 22.4.1.5 Rural Hamlet Subdivision, to allow for relocation of consented lots and reduce lot size requirements as follows:

(a) Subdivision to create a Rural Hamlet must comply with all of the following conditions:

- (i) It results in 3-5 proposed lots being clustered together;
 - (ii) All existing Records of Title and/or consented lots form one continuous landholding;
 - (iii) Each proposed lot has a minimum of **85,000m²**;
 - (iv) Each proposed lot has a maximum of **1.60ha**;
 - (v) The proposed balance lot has a minimum area of 20ha;
 - (vi) It does not create any additional lots beyond the number of existing Records of Title.
- (b) Council's discretion is restricted to the following matters:
- (i) Subdivision layout and design including dimension, shape and orientation of the proposed lots and specified building areas;
 - (ii) Subdivision layout and design including dimension, shape and orientation of the proposed lots;
 - (iii) Effects on rural character and amenity values;
 - (iv) Effects on landscape values;
 - (v) Potential for reverse sensitivity effects;
 - (vi) Extent of earthworks including earthworks for the location of the building platforms and access ways;
 - (viii) Effects on rural productivity and fragmentation of high class soils.

Decision Reasons:

- Support provisions for Hamlet Subdivision in the Rural Zone.
- When designed well, the positive benefits of Rural Hamlets include shared infrastructure, improved and enhancement of the productive farming system, and provide housing and lifestyle choices within the district.
- Inclusion of consented lots, both general and conservation, would have positive outcomes via provision of shared infrastructure and enhancement of production systems and limit wide dispersal of lots.
- Enable subdivision layout to account for effects from intensive farming/mineral extraction activities.
- May be more appropriate to have smaller lot sizes to ensure benefits of Hamlet design are achieved.
- Rural Hamlets provide compact design within rural setting.
- The proposed subdivision rules mean lots at 1.6 ha would take up 8ha of land and visually result in dispersed rural housing, not a Hamlet.
- Hamlet provisions should ensure a response to landscape context is more important than meeting performance standards around lot size.
- Rural character and amenity will be maintained by 20 ha+ balance surrounding the Hamlet.

Submitter Number:

687

Submitter:

Campbell Tyson

Point Number

687.1

Summary of Decision Requested:

Retain the proposed Residential zoning of the land at 4 Wayside Road, Te Kauwhata (with the exception of a portion of land at the intersection of Wayside Road and Te Kauwhata Road, as shown in Figure 4 of the submission).

Decision Reasons:

- Consistency with previous planning documents.
- Supports the financial investment from the landowner who has begun preliminary design and investigation to develop the land.
- Zoning of residential land is consistent with the NPS on Urban Land Capacity, which identifies the Waikato District as high growth urban area.
- The site contains minimal development constraints making it an appropriate site for residential use.
- The site is well located for development with access to SH1 and the Te Kauwhata Town Centre.
- Supports and is supported by the existing community facilities, amenity and infrastructure in Te Kauwhata Town Centre.

Point Number

687.2

Summary of Decision Requested:

Retain the proposed Residential West Te Kauwhata Overlay at 4 Wayside Road, Te Kauwhata, (with the exception of a portion of land at the intersection of Wayside Road and Te Kauwhata Road as shown in Figure 4 of the submission).

Decision Reasons:

- Consistency with previous planning documents.
- Supports the financial investment from the landowner who has begun preliminary design and investigation to develop the land.
- The site contains minimal development constraints making it an appropriate site for residential use.
- The site is well located for development with access to SH1 and the Te Kauwhata Town Centre.
- Supports and is supported by the existing community facilities, amenity and infrastructure in Te Kauwhata Town Centre.

Point Number

687.3

Summary of Decision Requested:

Delete the indicative Walkway, Cycleway, Bridleway from 4 Wayside Road, Te Kauwhata.

Decision Reasons:

- The indicative walkway, cycle way, bridleway does not align with the approved subdivision consent for the property to the north at 24 Wayside Road. However, the adjoining landowner advises it matches their revised proposal.

Point Number

687.4

Summary of Decision Requested:

Delete the indicative roads at 4 Wayside Road, Te Kauwhata, as indicated in Figure 3 in submission, specifically the slip land running parallel to Te Kauwhata Road and the road proposed to run parallel to the northern boundary.

Decision Reasons:

- The slip lane is irrelevant and serves no purpose. The plan indicates the segregation strip off Te Kauwhata Road and a subdivision layout can be created using these entrances without the need for the slip land alongside Te Kauwhata Road.
- The requirement for the slip lane creates inconsistencies within the Plan Rule 14.12.1.1(1)(d) which states that no access, access leg, or right-of-way shall run parallel to any road within 30m. The requirement for the slip lane should be removed as this creates a non-compliance with the transportation section of the Plan.

- The slip lane may result in effects from headlights on cars on the slip lane to cars on Te Kauwhata Road.
- Te Kauwhata Road is an Arterial Road whose primary function is to link the Town Centre to SH1. It is not desirable for the on-site amenity of residents to have dwellings facing an arterial road.
- An alternative option would be to bund along Te Kauwhata Road and have dwellings fronting an internal road. Bunding, landscaping and fencing the length of the Te Kauwhata road frontage would reduce the effects of arterial traffic on the future residents and reinforce the strategic need to prioritize the through traffic function over and above the property access function.
- The internal indicative road to the north does not align with the contour of the land. An improved response would be to work with the contour of the land rather than imposing a grid layout over it.
- The internal indicative road should follow the contour of the existing gully, therefore maintaining the natural storm water runoff patterns and ensuring houses are elevated above the road to have 'eyes on the street.'

Point Number 687.5

Summary of Decision Requested: Delete Rule 16.4.13 RD1(a) Subdivision creating reserves, and make it a matter of discretion.

Decision Reasons:

- Roading infrastructure is expensive and the rule will result in additional costs for developers which may not be justifiable from an economic perspective. The enforcement of the rule may increase the cost of development which could be passed onto purchasers.
- This is an arbitrary standard which may not be relevant for all reserve types or developments.
- Safety and surveillance of reserves may be achieved with less road frontage. We have analysed the site and its surroundings to identify the constraints and opportunities and the attached Subdivision Concept Plan has been designed to respond with these findings.
- There is no analysis in the s32 stating why the 50% rule has been applied. While this may be a principle to follow it should not be enforced through a rule.

Point Number 687.6

Summary of Decision Requested: Amend Table 14.12.5.14 Access and road conditions to apply the NZS standards Table 3.2 Roading Design Standards;
OR

Amend Table 14.12.5.14 Access and road conditions, to use former Franklin Section standards, as follows:

2-4 Users - 3.5m Legal width - 2.7m Minimum total seal width

5-8 Users - 8m Legal width - 5m Minimum total seal width

Decision Reasons:

- The proposed access standards are excessive, will result in inefficient use of the urban land resource and will prevent infill development in existing urban areas. The extra seal width also increase impervious surfaces and storm water run-off without any apparent need or benefit relating to traffic effects. Excessive width also adds additional costs to developments.
- NZS 4404:2010 - Land Development and Subdivision Infrastructure is a national document that covers access and road conditions so this matter should not form part of the Plan.
- The current standards in the Franklin Section of the Plan are more appropriate than the proposed provisions.

Point Number 687.7

Summary of Decision Requested: Amend the zoning at 4 (partial-split zone), 8, 10, 16 and 24 Wayside Road, Te Kauwhata, from Residential Zone to Business Zone (see Figure 4 in the submission for land identified.)

Decision Reasons:

- These sites contain existing commercial activities and businesses. Zoning should protect the existing businesses.
- The sites are well located near SH1 and would enjoy a high number of passing vehicle movements, both from Te Kauwhata residents and users of SH1. A business use would be a more efficient and appropriate use of this land to provide for activities that draw on the locational advantages of the site.
- The business zone would enable some diversity in the land use.
- Noise, glare and emissions generated from traffic and associated infrastructure along SH1. These effects can cause conflict with residential uses which require a higher level of onsite amenity. Rezoning to a business use will avoid reverse sensitivity effects on the State Highway and provides a buffer between the onramp and the residential zone.

Point Number 687.8

Summary of Decision Requested: Retain the general residential subdivision provisions in Rule 16.4.3 Subdivision – Te Kauwhata West Residential Area, as proposed in the District Plan, with the exception of Rule 16.4.3(a)(ii) (which is addressed elsewhere in the submission).

Decision Reasons:

- It enables the subdivision of land to provide for growth within the district.

Point Number 687.9

Summary of Decision Requested: Amend Rule 16.4.3(a)(ii) Subdivision – Te Kauwhata West Residential Area, to reduce the minimum average to 700m2.

Decision Reasons:

- To support efficient and compact growth
- Inefficient use of land that fails to take into account the anticipated growth for the area
- Fails to give effect to the Future Proof Strategy identified in Section 1.5.1 of the Plan that seeks a shift in the existing pattern of land use towards accommodating growth through a more compact urban form based on concentrating growth in and around Hamilton (67%) and the larger settlements of the district (21%). This involves a reduction in the relative share of the population outside of the subregion's existing major settlements through tighter control over rural-residential development and encouraging greater urban densities in existing settlements. Average residential lot size of 875m2 is considered to be an inefficient use of the residential land resource.
- Does not achieve the minimum density required by strategic Policy 4.1.5. This is an inconsistency between the rules and the Plan's objectives. The rule should give effect to the Plan, therefore, this should be rectified.

Point Number 687.10

Summary of Decision Requested: Delete Rule 16.4.3 RD1(a)(iv) Subdivision - Te Kauwhata, and make it a matter of discretion.

Decision Reasons:

- Submitter accepts that grid layouts result in increased permeability, legibility and walkability of residential areas. However, the establishment of formal and informal grid patterns may not be appropriate to all sites. Sites with topographical natural or physical constraints may be unable to practically implement a grid layout. There may also be sites where the lay of the land is best suited to an alternative roading design.
- There is no analysis in the s32 regarding this relevance or practicality of this rule. While grid layouts are an accepted urban design principle for good subdivision design, they are not an absolute response. Therefore, they should be used as a principle and not enforced through a rule.

Submitter Number: 688 **Submitter:** Gerardus & Yvonne Gemma Aarts

Point Number 688.1

Summary of Decision Requested: Retain the proposed Residential Zoning of the land at 111 Harrisville Road, Tuakau.

Decision Reasons:

- Consistency with PC16 where extensive resources were invested by Council and landowners which determined the site was suitable for residential development.
- Supports financial and resource commitments from landowners involved in previous plan-making processes and Resource Consenting processes to develop land in the Tuakau area.
- Zoning of residential land gives effect to the NPS on Urban Land Capacity which identifies the Waikato District as high growth urban area.
- The site contains limited development constraints making it an appropriate site for residential use. The site and its surroundings attached to the submission have been analysed to identify the constraints and opportunities and the Subdivision Concept Plan has been designed to respond with these findings.

Point Number 688.2

Summary of Decision Requested: Retain Rule 16.4.1 Subdivision - General, with the exception of Rule 16.4.1 (a)(iii) (which is addressed elsewhere in the submission).

Decision Reasons:

- Provides for the efficient use of the land resources
- Enables the subdivision of land to provide for the growth of the district

Point Number 688.3

Summary of Decision Requested: Delete Rule 16.4.1 RD1 (a)(iii) Subdivision - General, and make this a matter of discretion.

Decision Reasons:

- While grid layouts result in increased permeability, legibility and walkability of residential areas., the establishment of formal and informal grid patterns may not be appropriate to all sites. Sites with topographical natural or physical constraints may be unable to practically implement a grid layout. There may also be sites where the lay of the land is best suited to an alternative roading design.
- There is no analysis in the s32 regarding the relevance or practicality of this rule. While grid layouts are an accepted urban design principle for good subdivision design they are not an absolute response. Therefore, they should be used as a principle and not enforced through a rule.

Point Number 688.4

Summary of Decision Requested: Amend Rule 16.4.11 Subdivision – Road Frontage, to match the Waikato District Plan – Franklin Section Rule 26.6.4 Frontage to Road (Vehicular Access Requirement) provisions.

Decision Reasons:

- The submitter opposes Council prescribing a minimum frontage.
- There is no analysis in the s32 regarding therelevance or practicality of this rule.

Point Number 688.5

Summary of Decision Requested: Amend Rule 16.4.12 Subdivision – Building Platform, to match the Waikato District Plan – Franklin Section Rule 26.6.1 Shape Factor.

Decision Reasons:

- The submitter opposes the size of the shape factors.
- There is no analysis in the s32 regarding the relevance or practicality of this rule.

Point Number 688.6

Summary of Decision Requested: Delete Rule 16.4.13 RD1 (a) Subdivision creating reserves, and make this a matter of discretion.

Decision Reasons:

- Roading infrastructure is expensive and the rule will result in additional costs for developers which may not be justifiable from an economic perspective. The enforcement of the rule may increase the cost of development which could be passed onto purchasers.
- This is an arbitrary standard which may not be relevant for all reserve types or developments.
- Safety and surveillance of reserves may be achieved with less road frontage. The site and its surroundings have been analysed to identify the constraints and opportunities and the attached Subdivision Concept Plan has been designed to respond with these findings.
- There is no analysis in the s32 stating why the 50% rule has been applied. While this may be a principle to follow it should not be enforced through a rule.

Point Number 688.7

Summary of Decision Requested: **Amend** Table 14.12.5.14 Access and road conditions, to apply the NZS standards Table 3.2 Road Design Standards;
OR
Amend Table 14.12.5.14 Access and road conditions, to match the former Franklin Section Standards, as follows:
2 - 4 Users - 3.5m Legal width - 2.7m Minimum total seal width
5 - 8 Users - 8m Legal width - 5m Minimum total seal width

Decision Reasons:

- The proposed access standards are excessive, will result in inefficient use of the urban land resource and will prevent infill development in existing urban areas. The extra seal width also increase impervious surfaces and storm water run-off without any apparent need or benefit relating to traffic effects. Excessive width also adds additional costs to developments.
- NZS 4404:2010 - Land Development and Subdivision Infrastructure is a national document that covers access and road conditions so this matter should not form part of the Plan.
- The current standards in the Franklin Section of the Plan are more appropriate.

Submitter Number: 689 **Submitter:** Greig Developments No 2 Limited

Point Number 689.1

Summary of Decision Requested: **Retain** the general residential subdivision provisions in Chapter 16 Residential Zone, with the exception of submission points below.

Decision Reasons:

- Provides for the efficient use of the land resources
- Enables the subdivision of land to provide for the growth of the district

Point Number 689.2

Summary of Decision Requested: **Delete** 16.1.2 P3 (a) and (b) Permitted Activities, relating to a new retirement village or alterations to an existing one.

Decision Reasons:

- There are many examples of retirement villages/facilities located on sites of less than 3 hectares.
- Retirement villages can range in their design including individual detached units, townhouses and apartment-style units in a multi-story building. A minimum site size of 3 hectares will add to urban sprawl rather than provide housing intensification close to existing town centers.
- Finding an area of land over 3 hectares in size in the Residential zone will be challenging, particularly within 400 meters of public transport (which does not exist in Waikato).

Point Number 689.3

Summary of Decision Requested: **Add** a new activity to Rule 16.1.2 Permitted Activities as follows:
P13 Multi-unit development of up to three dwellings is a Permitted Activity
AND
Add similar standards to Rule 16.1.3 RD1 (including proposed amendments) as permitted activity standards to new Rule 16.1.2 P13
AND
Delete Rule 16.1.3(1)(RD1)(c) Restricted Discretionary, which requires the minimum net site area per residential unit to be 300m2.

Decision Reasons:

- Multi-unit development of up to three dwellings should be a Permitted Activity. This will allow for infill development and avoid unnecessary Resource Consent costs and time delays where the effects could be managed through permitted standards.
- The construction of up to three dwellings on a residential site is unlikely to result in adverse effects provided the relevant controls can be met.
- The proposed addition to the permitted activity table will allow existing land to be developed more efficiently without the need to subdivide the land.
- The rules does not promote higher densities or compact development and will add to urban sprawl rather than housing intensification.
- Density should be appropriate to the physical attributes of the proposal.
- There is no analysis in Section 32 regarding this relevance or practicality of this rule.

Point Number 689.4

Summary of Decision Requested: No specific decision sought, but submission recognises the importation of fill to enable residential development is appropriate in Rule 16.2.4.1 Earthworks - General and questions whether this would be a permitted activity (P2) or a non-complying activity (NC1).

Decision Reasons:

- These provisions seem to be workable but the submitters are interested in the thoughts of other submitters.
- Clean-fill may be required in residential zoned sites to enable green-field land to develop for residential purposes. It is unclear whether this is a P2 permitted activity or a NC1 non-complying activity. NC1 would be too restrictive and needs to be more lenient to enable green-field development within residential zones.

Point Number 689.5

Summary of Decision Requested: **Add** a new provision P2 to Rule 16.3.1 Dwelling that permits a multi-unit development of up to three dwellings, with similar standards to Rule 16.1.3 RD1 (including proposed amendments) applied as permitted activity standards

AND

Amend Rule 16.3.1 Dwelling to ensure that this rule does not apply to multi-unit developments.

Decision Reasons:

- The current rule is too restrictive
- Multi-unit development of up to three dwellings will allow for infill development and avoid unnecessary Resource Consent costs and time delays where the effects could be managed through permitted activity standards
- There are a number of larger (more than 1000m²) sections within the older existing residential areas in Tuakau, Te Kauwhata, Ngaruawahia and Pokeno. These areas are often close to the Town Centre. Intensification of these sites should be encouraged given their proximity to existing services.
- This will allow existing land to be developed more efficiently without the need to subdivide the land allowing landowners to build additional dwellings on existing lots.
- Permitted standards can control amenity effects to ensure that neighboring sites are not affected.
- This approach is consistent with the Operative District Plan – Franklin Section where up to three dwellings can be constructed on properties without Resource Consent provided permitted standards would be achieved.

Point Number

689.6

Summary of Decision Requested:

Amend Rule 16.3.5 PI Daylight admission as follows:

Buildings must not protrude through a height control plane rising at an angle of ~~37.45~~ degrees commencing at an elevation of 2.5m above ground level at every point of the site boundary

Decision Reasons:

- It is inconsistent with previous Planning documents which are less restrictive
- It is too restrictive for urban areas
- Adequate amenity and daylight for adjoining sites can be achieved with a less restrictive control plane
- The 37-degree angle is difficult to calculate

Point Number

689.7

Summary of Decision Requested:

Amend Rule 16.3.6 PI Building coverage as follows

The total building coverage must not exceed ~~50%~~40%

Decision Reasons:

- Opposes the 40% site coverage as the height limit does not enable the efficient use of urban land and fails to increase the development capacity of existing urban areas.
- To allow the greater utilization of residential zoned land to support the strategic direction outlines in Section A and Chapter B 4.1 of the Plan supports increase densities and housing choice throughout the district. This approach is consistent with the Operative District Plan – Franklin Section

Point Number

689.8

Summary of Decision Requested:

Amend Rule 16.3.7 P1 (a) Living court, as follows:

(a) A living court must be provided for each dwelling that meets all of the following conditions:

...

(iii) When located on the ground floor, it has a minimum area of ~~80~~40m² and a minimum dimension of ~~3~~1.4m in any direction; and

(iv) When located on a balcony of an above ground apartment, it must have a minimum area of ~~10~~4.5m² and a minimum dimension of 2m in any direction.

AND

Amend Rule 16.3.7 P2 (a) Living court as follows:

A living court must be provided for each minor dwelling that meets all of the following conditions

...

P2 (a)

...

(iii) When located on the ground floor it has a minimum area of ~~10~~4.6m² and a minimum dimension of ~~2~~1.4m in any direction;

(iv) When located on a balcony of an above ground apartment, it must have a minimum area of ~~8~~4.5m² and a minimum dimension of ~~1.6~~2m in any direction.

Decision Reasons:

- Excessive sized outdoor living areas will restrict the ability to develop the urban land. The size standards exceed the existing Waikato District Plan – Franklin Section standard which requires up to 60m² of the outdoor living area
- The perception of urban living is changing and people no longer need large outdoor areas
- Smaller outdoor living courts have been adopted by Auckland Council to promote a more compact living approach and should be adopted by Waikato District Council to achieve the strategic objectives
- Reducing the minimum outdoor living court allows for variety in lifestyle and lower maintenance
- Rule 16.3.8 (Service court) requires an additional service court, which ensures adequate outdoor space for living and other domestic requirements.

Point Number

689.9

Summary of Decision Requested:

Amend Rule 16.3.8 P1(a) Service court as follows:

(a) A service court must be provided for each dwelling and minor dwelling each with all of the following dimensions:

(i) minimum area of ~~5~~4.5m²; and

(ii) contains a circle of at least ~~2~~3m diameter.

Decision Reasons:

- The Plan requires excessive service court for modern urban living. Excessive service courts will restrict the ability to develop urban land efficiently
- There is no assessment in the Section 32 analysis to support the size of the service court

Point Number 689.10

Summary of Decision Requested: **Amend** Rule 16.3.9.1 P1 (a) Building setbacks – All boundaries as follows:

(a) A building must be set back a minimum of:

...

(iii) ~~1.24-5m~~ from every boundary other than a road boundary; and

(iv) ~~1.24-5m~~ from every vehicle access to another site.

Decision Reasons:

- The Plan requires excessive building setbacks for residential Lots that will restrict the ability to develop the urban land. The setbacks exceed the existing Waikato District Plan – Franklin Section standards for minimum side and rear yards of one meter
- Reducing the side yard allows for variety in lifestyle and lower maintenance

Point Number 689.11

Summary of Decision Requested: **Amend** Rule 16.3.9.3 P1 (a)(ii) Building setback - Waterbodies to match Rule 24.3.6.3 Building setback - waterbodies

AND

Amend Rule 16.3.9.3 P1 Building setbacks - Waterbodies as follows:

(ii) 23m from the bank of any named river (other than the Waikato and Waipa Rivers);

AND

Add a new permitted rule P3 to Rule 16.3.9.3 Building setback - Waterbodies as follows:

P3 A building must be set back a minimum of 10m from the bank of a perennial or intermittent named or unnamed stream.

Decision Reasons:

- These are not consistent with other zones or the existing Operative District Plan – Franklin Section provisions

Point Number 689.12

Summary of Decision Requested: **Delete** Rule 16.4.1 RD1 (a)(iii) Subdivision - General

Decision Reasons:

- The submitter accepts that grid layouts result in increased permeability, legibility and walkability of residential areas. However, the establishment of formal and informal grid patterns may not be appropriate to all sites. Sites with topographical natural or physical constraints may be unable to implement a grid layout.
- There may also be sites where the lay of the land is best suited to an alternative roading design.
- There is no analysis in Section 32 regarding this relevance or practicality of this rule
- While grid layouts are an accepted urban design principle for good subdivision design they are not an absolute response

Point Number 689.13

Summary of Decision Requested: **Delete** Rule 16.4.2 RD1 (a)(iv) Te Kauwhata Ecological Residential Area

Decision Reasons:

- The submitter accepts that grid layouts result in increased permeability, legibility and walkability of residential areas. However, the establishment of formal and informal grid patterns may not be appropriate to all sites. Sites with topographical natural or physical constraints may be unable to implement a grid layout.
- There may also be sites where the lay of the land is best suited to an alternative roading design.
- There is no analysis in Section 32 regarding this relevance or practicality of this rule
- While grid layouts are an accepted urban design principle for good subdivision design they are not an absolute response

Point Number 689.14

Summary of Decision Requested: **Delete** Rule 16.4.13 (a) Subdivision creating reserves and make this a matter of discretion.

Decision Reasons:

- Roading infrastructure is expensive and the rule will result in additional costs for developers, which may not be justifiable from an economic perspective. The enforcement of the rule may increase the cost of development, which could pass onto purchasers.
- This is an arbitrary standard which may not be relevant for all reserve types or developments
- Safety and surveillance of reserves may be achieved with less road frontage
- There is no analysis in Section 32 stating why the 50% rule has been applied.

Point Number 689.15

Summary of Decision Requested: **Amend** Rule 16.4.14 Subdivision of esplanade reserves and esplanade strips to adopt the provisions in the Operative District Plan – Franklin Section Rule 11.5 – Esplanade Reserves and Strips

Decision Reasons:

- This needs to be assessed on a case-by-case basis and Council should allow a waiver or reduction in width in certain circumstances.
- Accepts that esplanade reserves and strips enable public access and recreation.

Point Number	689.16
Summary of Decision Requested:	Retain Chapter 24 Village Zone, except for those addressed in the submission points.
Decision Reasons:	<ul style="list-style-type: none"> • It provides for the efficient use of the land resources • Enables the subdivision of land to provide for the growth of the district.
Point Number	689.17
Summary of Decision Requested:	Add a new permitted activity to Rule 24.1.1 Permitted Activities as follows: <i>A new retirement village or alterations to an existing retirement village</i>
Decision Reasons:	<ul style="list-style-type: none"> • Retirement villages do not feature as a land use activity in the Village Zone. Given the demand for such facilities, provision should be made for retirement villages in all urban areas, including the Village Zone.
Point Number	689.18
Summary of Decision Requested:	No specific decision sought, but submission recognises the importation of fill to enable residential development is appropriate in Rule 24.2.4.1 Earthworks - General and questions whether this should be a permitted activity (P2) or a non-complying activity (NC1).
Decision Reasons:	<ul style="list-style-type: none"> • These provisions seem workable but the submitter is interested in the thoughts of other submitters • Clean-fill may be required in residential zones to enable green-field land to be developed for residential purposes. It is unclear to the submitter whether it is a P2 permitted activity or a NC1 non-complying activity. NC1 would be too restrictive and needs to be more lenient to enable green-field development within residential zones.
Point Number	689.19
Summary of Decision Requested:	Retain Rule 24.3.2 P1 Minor dwelling as proposed in terms of a maximum gross floor area of 70m2 and requiring a net site area of 1000m2 or more.
Decision Reasons:	<ul style="list-style-type: none"> • No reasons provided.
Point Number	689.20
Summary of Decision Requested:	Amend Rule 24.3.4 Daylight admission as follows: <i>A building must not protrude through a height control plane rising at an angle of 45 degrees commencing at an elevation of 2.5m above ground level at every point of the site boundary</i> .
Decision Reasons:	<ul style="list-style-type: none"> • Inconsistency with previous Planning documents which are less restrictive • Too restrictive for urban areas • Adequate amenity and daylight for adjoining sites can be achieved with a less restrictive control plane • The 37-degree angle is difficult to calculate
Point Number	689.21
Summary of Decision Requested:	Retain Rule 24.3.5 Building coverage
Decision Reasons:	<ul style="list-style-type: none"> • These building coverages recognise the different attribute of lot connected to public wastewater • It corresponds with rule 24.4.2 Subdivision - Te Kowhai and Tuakau
Point Number	689.22
Summary of Decision Requested:	Retain Rule 24.3.6.3 Building setback - Waterbodies, except for the amendments sought below AND Amend Rule 24.3.6.3 P1 (a)(i)C Building set back - Waterbodies as follows: <i>Named River bank, other than the Waikato River and Waipa River.</i> AND Amend Rule 24.3.6.3 P3 Building setback - Waterbodies as follows: <i>A building must be setback a minimum of 10m from the bank of a perennial or intermittent <u>named or unnamed</u> stream.</i>
Decision Reasons:	<ul style="list-style-type: none"> • It is important to define a stream to avoid confusion with the definition of a river. The RMA defines river as "a continually or intermittently flowing body of freshwater; and includes a stream and modified watercourse" if a watercourse is named "Stream" then it should be subject to the appropriate setback by the Plan
Point Number	689.23
Summary of Decision Requested:	Retain Rule 24.4.2 RD2 (a)(i) Subdivision – Te Kowhai and Tuakau
Decision Reasons:	

- No reasons provided.

Point Number 689.24

Summary of Decision Requested: **Amend** Rule 24.4.9 RDI(a) Road frontage to adopt the provisions in the Operative District Plan – Franklin Section 26.6.4 Frontage to Road (Vehicular Access Requirement)

Decision Reasons:

- Every proposed lot as part of the subdivision with a road boundary, other than a proposed lot containing an access allotment, utility allotment, right of way or access leg must have a width along the road boundary of at least 20m
- The layout of a development is dependent on the size and shape of the site as well as its topography (amongst other constraints). While a 20m minimum width along a road boundary can generally work in many developments that have the ability to follow a grid design, the reality is that not every site is flat with no topographical or size/shape constraints
- Sites with topographical natural or physical constraints may be unable to practically implement a layout that achieves 20m road frontage for all lots with the road. There may also be sites where the lay of the land is best suited to an alternative roading design
- There is no analysis in Section 32 regarding this relevance or practicality of this rule.

Point Number 689.25

Summary of Decision Requested: **Delete** Rule 24.4.11(a) Subdivision Creating Reserves and make it a matter of discretion.

Decision Reasons:

- Roading infrastructure is expensive and the rule will result in additional costs for developers, which may not be justifiable from an economic perspective. The enforcement of the rule may increase the costs of development, which could be passed onto purchasers
- This is an arbitrary standard which may not be relevant for all reserve types or developments
- Safety and surveillance of reserves may be achieved with less road frontage
- There is no analysis in Section 32 stating why the 50% rule was applied.

Point Number 689.26

Summary of Decision Requested: **Amend** Rule 24.4.12 Subdivision of Esplanade Reserves and Esplanade Strips to adopt the provisions in the Operative District Plan – Franklin Section Rule 11.5 – Esplanade Reserves and Strips

Decision Reasons:

- Accept that esplanade reserves and strips enable public access and recreation.
- This needs to be assessed on a case-by-case basis and Council should allow a waiver or reduction in width in certain circumstances

Point Number 689.27

Summary of Decision Requested: **Amend** Table 14.12.5.1 Separation distances to adopt the provisions in the Operative District Plan – Franklin Section 9.5 – Location of Vehicle Crossings for arterial and collector roads.

Decision Reasons:

- There is no analysis in Section 32 regarding this relevance or practicality of this table
- Roads are classified in terms of the relative importance of their movement and access functions. At the 'top' of the hierarchy are those roads, which have as their principal purpose the unrestricted movement of vehicles. Accordingly, the access available to properties along the route of such roads is either totally restricted or strictly managed through design. At the other extreme (local roads) the objective is to maximize the ease and safety of access to properties

Point Number 689.28

Summary of Decision Requested: **Delete** the entirety of Table 14.12.5.3 Minimum sight distances and refer to RTS6 – Guidelines for visibility at driveways

Decision Reasons:

- There is no analysis in Section 32 regarding this relevance or practicality of this table. There are national documents that cover separation distances so this should not form part of the plan.

Point Number 689.29

Summary of Decision Requested: **Amend** Table 14.12.5.14 Access and road conditions – Residential, Village, Business, Business Town Centre and Industrial Zone to apply the NZS standards Table 3.2 Roading Design Standards.

OR

Amend Table 14.12.5.14 Access and road conditions - Residential, Village, Business, Business Town Centre and Industrial Zone to use former Franklin Section standards as follows:

2-4 Users - 3.5m Legal width - 2.7m Minimum total seal width

5-8 Users - 8m Legal width - 5m Minimum total seal width

Decision Reasons:

- The proposed access standards are excessive, will result in inefficient use of the urban land resource and will prevent infill development in existing urban areas. The extra seal width also increase impervious surfaces and storm water run-off without any apparent need or benefit relating to traffic effects. Excessive width also adds additional costs to developments.
- NZS 4404:2010 - Land Development and Subdivision Infrastructure is a national document that covers access and road conditions so this matter should not form part of the Plan.
- The current standards in the Franklin Section of the Plan are more appropriate than the proposed provisions.

Point Number	689.30
Summary of Decision Requested:	Add a definition for "Special Housing Development" into Chapter 13 Definitions from the Operative District Plan – Franklin Section.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	689.31
Summary of Decision Requested:	Amend the definition for "Height Control Plane" in Chapter 13 Definitions to rise at an angle of 45 degrees rather than 37 degrees.
Decision Reasons:	<ul style="list-style-type: none"> Consequential amendment of relief sought elsewhere in the submission.
Point Number	689.32
Summary of Decision Requested:	Amend the definition for "Living Court" in Chapter 13 Definitions as follows: <i>Means an area of outdoor space directly related to the living area of a household unit, and for the household's exclusive use. It does not include parking, manoeuvring areas and buildings, but does include swimming pools, pergolas and similar open-framed structures <u>including a covered deck.</u></i>
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	689.33
Summary of Decision Requested:	Amend the definition for "Multi-Unit Development" in Chapter 13 Definitions as follows: <i>Means multiple residential units, <u>being attached or detached</u> which are integrated in a comprehensive manner It includes:</i> <i>(a) an apartment building; and</i> <i>(b) a duplex</i> <i>(c) <u>Terraced housing</u></i> ...
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	689.34
Summary of Decision Requested:	Delete Rule 16.4.1 RD1(a)(iv) Subdivision – General
Decision Reasons:	<ul style="list-style-type: none"> This is not able to be achieved on some sites due to the configuration of the site and topographical constraints which mean creation of roads will be difficult The standard is arbitrary and there is no assessment in the Section 32 analysis to support the 15% standard
Point Number	689.35
Summary of Decision Requested:	Delete Rule 16.4.3 RD1(a)(v) Te Kauwhata West Residential Area
Decision Reasons:	<ul style="list-style-type: none"> This is not able to be achieved on some sites due to the configuration of the site and topographical constraints which mean creation of roads will be difficult The standard is arbitrary and there is no assessment in the Section 32 analysis to support the 15% standard
Point Number	689.36
Summary of Decision Requested:	Delete Rule 16.4.4 RD1(a)(iii) Multi-unit development AND Add the following to Rule 16.4.4 RD1 (a) Multi-unit development: <i>Prior to subdivision occurring around existing buildings and development, all development must meet one of the following:</i> <i>(a) have existing use rights;</i> <i>(b) comply with the relevant zone rules; or</i> <i>(c) Be in accordance with an approved land use resource consent.</i>
Decision Reasons:	<ul style="list-style-type: none"> It is too restrictive. Multi-unit development of up to three dwellings as an activity will allow for infill development and avoid unnecessary Resource Consent costs and time delays where the effects could be managed through permitted activity standards. Lots for multi-unit development should be sized in relation to the proposed unit sizes. There is no assessment in the Section 32 analysis to support the 300m2 net site area. prior to subdivision occurring, all development must meet one of the following: <ul style="list-style-type: none"> (a) have existing use rights; (b) comply with the relevant zone rules; or (c) be in accordance with an approved land use resource consent.

Point Number 689.37

Summary of Decision Requested: **Amend** Rule 16.4.1.1 Subdivision – Road frontage to adopt the provisions in the Operative District Plan – Franklin Section 26.6.4 Frontage to Road (Vehicular Access Requirement)

Decision Reasons:

- There is no analysis in Section 32 regarding this relevance or practicality of this rule
- Opposes council prescribing a minimum frontage.

Point Number 689.38

Summary of Decision Requested: **Amend** Rule 16.4.1.2 Subdivision – Building platform to adopt the Shape Factor in the Operative District Plan – Franklin Section 26.6.1.

Decision Reasons:

- There is no analysis in Section 32 regarding this relevance or practicality of this rule
- Opposes the size of the shape factors

Submitter Number: 690 **Submitter:** Paramjit & Taranpal Singh

Point Number 690.1

Summary of Decision Requested: **Amend** Rule 22.4.1.1 Prohibited Subdivision, so all references to "lot" are in the be changed to "Record of Title."

Decision Reasons:

- It may be necessary to create multiple lots and hold them in one Record of Title. This may occur when a stream or a public road bisects land held together in one Record of Title.

Point Number 690.2

Summary of Decision Requested: **Retain** 22.4.1.2 (a) (i-ii) General Subdivision rules, as notified.

Decision Reasons:

- Submitter supports the inclusion of the General Subdivision rules.

Point Number 690.3

Summary of Decision Requested: **Add** a new discretionary activity to Rule 22.4.1.2 General Subdivision, as follows:

DI

(g) General subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.2, (iv) RDI.

(b) General subdivision around established rural activities that does not comply with Rule 22.4.1.2, (iv) RDI.

Decision Reasons:

- General Subdivision creating a child lot around an existing dwelling, where a curtilage is established and farming regime is already in place on the balance lot, should be provided flexibility in lot size to ensure that the existing farming regime can continue.
- This will ensure the boundaries proposed are practical to ensure the most efficient ongoing management of the land. A lot size consistent with the established farming regime will avoid the redevelopment of farm tracks and fence lines to access what is a relatively small piece of land.
- A discretionary rule should also be provided for lots less than 8,000m² and greater than 1.6ha where they contain an existing dwelling. There may be site specific factors that create a unique situation that is conducive to the proposed lot size whilst remaining consistent with the objectives and policies.
- For lots smaller than 8000m², it is only necessary to confirm the provision of services within the lot boundaries.
- Lots greater than 1.6ha may need an assessment with respect to the productive potential of the land. If the land comprises existing curtilage around the house then the lot will not result in any unreasonable effects with respect to the productive potential of the balance land. If the land comprises productive potential, then a Farm Management report should be provided to demonstrate that both the proposed lot and the balance lot are sized to ensure rural land uses continue to predominate.
- Creation of lots that accommodate existing and well-established rural activities should be provided for where these are of a viable, sustainable and permanent nature, and it is appropriate for these to be subdivided from other rural activities on the site

Point Number 690.4

Summary of Decision Requested: **Delete** 22.4.1.2 (a) (v) General Subdivision (80/20 Rule) provisions;

AND

Add a new matter of discretion to Rule 22.4.1.2 (b) General Subdivision, as follows:

(vi) Effects on rural productivity and fragmentation of high class soils.

Decision Reasons:

- There is no analysis in the s32 regarding the relevance or practicality of this rule.
- The strict and arbitrary 80/20 requirement of this rule may not necessarily result in the best layout, design or farming outcome for the site.
- The objectives and policies (5.1.1, 5.2) give primacy to the protection of high class soils. In addition to the objectives and policies (5.2), the submitter would like to see matters relating to the retention of high class soils and the maintenance of productivity/farming systems addressed as a matter of discretion for the General Subdivision provisions. The strength of the objectives and policies together with expanded matters of discretion are sufficiently strong to ensure adverse outcomes on high class soils are avoided.
- The requirement to demonstrate the 80/20 split will result in the necessary inclusion of Landuse Capability Reporting to demonstrate that this exact figure is met. This becomes an additional compliance cost that does not necessarily result in a better environmental outcome. Council's Consent Planners should have the discretion of where these are required in accordance with the recommended matter of discretion.

Point Number 690.5

Summary of Decision Requested: **Amend** Table 14.12.5.15 Access and road conditions (Rural and Country Living Zones), to apply NZ Standard NZS4404 Table 3.2 Roadway Design Standards;

OR

Amend Table 14.12.5.15 Access and road conditions (Rural and Country Living Zones), to replace with Section 22B.7.2 of the Franklin Section of the Operative District Plan;

AND

Delete the requirement for sealed access and right of ways in the Rural and Country Living Zones from Table 14.12.5.15 Access and road conditions (Rural and Country Living Zones).

Decision Reasons:

- Access and right of way widths are too wide.
- Opposes the legal widths and seal widths.
- Opposes the requirement to seal access and right of ways in the Rural and Country Living Zones as metal access ways are appropriate within Rural Zones and more consistent with the character of Rural areas.

Point Number 690.6

Summary of Decision Requested: **Amend** Table 14.12.5.1 Separation Distances, to adopt Table 9.5 Location of Vehicle Crossings for arterial and collector roads from the Franklin Section of the Operative District Plan.

Decision Reasons:

- No analysis in s32 report regarding the relevance or practicality of this table.
- Roads are classified in regards to the relative importance of their movement and access functions.
- Top of hierarchy are roads with the primary purpose of unrestricted movement of vehicles. Access to properties along route of such roads is either totally restricted or strictly managed through design.
- The objective of Local roads is to maximise ease and safety of access to properties.

Point Number 690.7

Summary of Decision Requested: **Delete** Table 14.12.5.3 Minimum Sight Distances, and refer to RTS6 Guidelines for visibility at driveways.

Decision Reasons:

- No analysis in s32 report around the relevance or practicality of this table.
- There are national documents covering sight distances so this matter should not be part of the Plan, so any amendment is made to legislation, the Plan does not need to be changed.

Point Number 690.8

Summary of Decision Requested: **Amend** Rule 22.3.1 Number of dwellings within a lot, to allow for three dwellings on lots over 100ha as a permitted activity.

Decision Reasons:

- Should be permitted as per the Franklin Section of the Operative District Plan.
- Lots over 100ha are able to absorb and mitigate effects of a third house by virtue of their size.

Point Number 690.9

Summary of Decision Requested: **Amend** Rule 22.4.1.1 Prohibited Subdivision PR1, PR2, PR3, PR4, to change the activity status from Prohibited to Non-Complying Activities.

Decision Reasons:

- There may be circumstances where the subdivision of high class soils has overall positive effects that can be supported by the objectives and policies. Relocating consented lots within a holding (multiple Records of Title held in the same ownership) may produce a better outcome from a farming and landscape perspective.
- In some instances it may be unavoidable to create an additional Record of Title.
- The rule relies on a definition of High Class Soils. High class soils as defined in the Proposed Plan (relying on soil classification only), may not be versatile due to a range of factors identified through case law.
- It is unreasonable to prohibit the creation of lots that accommodate existing and well-established rural activities which are viable and sustainable such as greenhouses, pack house, packing sheds, intensive farming, poultry hatcheries or commercial orchards.
- Rural activities do not need to be held on the same certificate of title as other rural activities. Subdivision may enable more opportunities for economic wellbeing and the efficient and effective operation of the activity.
- Commercial reasons could necessitate subdivision including the desire to sell or lease the business rather than disposal of the entire property or the need to invest more capital in the operation.
- Prevents opportunities for subdivision where there is a significant capital investment, particularly in buildings and the intensive rural activity will continue to be commercially viable and sustainable following separation from other rural activities on the site.
- PR4 unreasonably restricts subdivision potential over what is necessary to avoid undermining the intent of the rule under which these Record of Title were created. Rule 22B of the Franklin Section the donor certificates of title had to meet a minimum area of 1ha each, however, there is no maximum, with many donor Records of Title ranging upwards from 20ha prior to the amalgamation. Under the Franklin Section of the District Plan there was no corresponding rule that limited any further subdivision of the donor lot. While subdividing lots amalgamated under Section 22b of the Franklin Section require closer scrutiny this should merit a Non-Complying Activity status. The land affected may contain qualifying Significant Natural Areas or may be able to relocate boundaries without creating an outcome that may compromise the prior transferable subdivision.
- The objectives and policies of the Proposed Plan should be sufficiently strong to ensure that the subdivision of land containing high class soils is protected and that subdivision in the Urban Expansion Zone does not undermine the integrated and efficient development of this zone.

Point Number 690.10

Summary of Decision Requested: **Retain** the table in Rule 22.4.1.6 (a) (i) Conservation lot subdivision.

Decision Reasons:

- Support the table identified in Rule 22.4.1.6 (a)(i).

Point Number 690.11

Summary of Decision Requested: **Amend** Rule 22.4.1.6 Conservation lot subdivision, as follows:

(i) The lot must contain:

(A) a contiguous area of existing Significant Natural Area either as shown on the planning maps and/or;
 (B) a contiguous area, to be enhanced and/or restored;

As determined by an experience and suitably qualified ecologist in accordance with the table below:

(ii) The area of Significant Natural area, and/or area to be enhanced and/or restored, is assessed by a suitably qualified person as satisfying at least one criteria in Appendix 2 (Criteria for Determining Significance of Indigenous Biodiversity);

(iii) The Significant Natural Area or area to be restored is not already subject to legal protection a conservation covenant pursuant to the Reserves Act 1977 or the Queen Elizabeth II National Trust Act.

(iv) The subdivision proposes to legally protect all areas of Significant Natural Area and/or area to be restored by way of a conservation covenant pursuant to the Reserves Act 1977 or the Queen Elizabeth National Trust Act.

(v) An ecological management plan is prepared to address the ongoing management of the covenant protected area to ensure that Significant Natural Area area to be protected is self-sustaining and that plan:

A. Addresses fencing requirement for the covenant protected area;

B. Addresses ongoing pest plan and animal control;

C. Identifies any enhancement and/or restoration or edge-planting required within the covenant area to be protected.

(vi) All proposed lots... (vii) Subdivision entitlement.

(b) Council's discretion is restricted to the following matters.

(i) Subdivision layout and proximity of building platforms to Significant Natural Area the area to be protected;

(ii) Matters contained in an ecological management plan for the covenant protected area.

(iii) Effects of the subdivision on localised rural character and amenity values;

(iv) Extent of earthworks including earthworks for the location of building platform and access ways.

(v) Mechanism of legal protection for the area to be protected.

Decision Reasons:

- Supports the incentivisation of legally and physically protecting Significant Natural Areas and other areas of existing biodiversity which offers positive benefits for the Region.
- There is no provision for ecological enhancement and/or restoration in the Conservation Lot rules.
- Water quality is a key issue identified in the RPS and the Vision and Strategy.
- This is recognised in the rural objectives and policies which seek enhancement of surface and ground water quality and the natural characteristics of waterways.
- The plan should be enabling of improving biodiversity and water quality within the Waikato Catchment and incentivise enhancement and/or restoration of areas that meet criteria in Appendix 2.
- Re-vegetation costs approximately \$45,000 per hectare.
- Incentivisation through subdivision would assist in offsetting this cost and encourage enhancement and/or restoration.
- Seek that provisions for ecological enhancement and/or restoration of appropriate areas be included.
- Rule 22.4.1.6 ii requires the legal protection of the conservation feature, but there are additional means such as vesting in Council or s221 consent notice.

Point Number 690.12

Summary of Decision Requested: **Retain** Rule 22.4.1.2 (a)(iv) as notified.

Decision Reasons:

- The creation of an additional vacant lot between 8000m2 and 1.6ha is supported.

Point Number 690.13

Summary of Decision Requested: **Add** a new discretionary activity to Rule 22.4.1.6 as follows:

DL
 (a) Conservation lot subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.6 (vi-vii) RD1.
 (b) Conservation lot subdivision around established rural activities that does not comply with Rule 22.4.1.6 (vi-vii) RD1.

Decision Reasons:

- Flexibility for a lot area should be provided where the lot boundaries encompass an existing dwelling curtilage or established rural activities. This avoids unnecessary fragmentation of productive farming land. This could be addressed as a matter of discretion.

Submitter Number: 691 **Submitter:** McPherson Resources Limited

Point Number 691.1

Summary of Decision Requested: **Delete** the definitions for "Aggregate Extraction Activities", "Extractive Industry", "Mineral Extraction and Processing" from Chapter 13 Definitions.

AND

Add a replacement definition for "Mineral and Aggregate Extraction Activities" to Chapter 13 Definitions as follows (or words to similar effect):

Mineral and Aggregate Extraction Activities
Means those activities associated with mineral and aggregate extraction, including:

a. Excavation, blasting, processing (crushing, screening, washing and blending);

b. The storage, distribution and sale of minerals and aggregates by wholesale to industry or by retail;

c. Ancillary earthworks;

d. The removal and deposition of overburden;

e. Treatment of stormwater and wastewater;

f. Landscaping and rehabilitation work, including cleanfilling;

g. Ancillary buildings and structures; and

h. Residential accommodation necessary for security purposes

AND

Any consequential amendments or alternative relief to give effect to the matters raised in the submission.

Decision Reasons:

- There are three different definitions in the PDP covering a range of extractive industries: aggregate extraction activities, mineral extraction and processing, and the extractive industry. This adds unnecessary confusion that can be avoided by removing the superfluous definitions and retaining only one for 'mineral and aggregate extraction activities' as proposed.

Point Number

691.2

Summary of Decision Requested:

Retain Objective 5.4.1 Mineral and extractive industries, except for the amendments sought below

AND

Amend Objective 5.4.1 Mineral and extractive industries as follows (or words to similar effect):

Mineral resource use and mineral and aggregate extraction activities provide economic, social and environmental benefits to the district and are protected.

AND

Any consequential amendments or alternative relief to give effect to the matters raised in the submission.

Decision Reasons:

- Submitter supports this objective as it provides a level of protection for the industry, which includes quarry operations
- Protection is strengthened which is key, given that this industry is vital to this district in that it contributes an important share of its GDP.
- This is supported by the Regional Policy Statement, particularly Objective 3.10 and Policies 4.4 and 6.8, which specifically protect regionally significant industries and recognize the importance of mineral extraction to sustain anticipated regional growth.

Point Number

691.3

Summary of Decision Requested:

Amend Policy 3.2.2 (b) Identify and Recognise, as follows (or words to similar effect):

(b) Recognise and protect Significant Natural Areas by ensuring the characteristics that contribute to their significance are not adversely affected by activities other than mineral and aggregate extraction.

AND

Any consequential amendments or alternative relief to give effect to the matters raised in the submission.

Decision Reasons:

- To ensure that mineral extraction industry (particularly the McPherson Quarry) is not unreasonably hindered by the existence of indigenous forestry in near proximity to the quarry itself
- This is in line with the Regional Policy Statement, which makes specific reference to the importance of mineral extraction and the benefits to be derived for the region from allowing further extraction of the same.

Point Number

691.4

Summary of Decision Requested:

Amend Policy 3.2.3 (a)(i) Management hierarchy, as follows (or words to similar effect):

(a) Recognise and protect indigenous biodiversity within Significant Natural Areas by:

(i) avoiding the significant adverse effects of vegetation clearance and the disturbance of habitats unless specific activities need to be enabled, such as for mineral and aggregate extraction activities;

AND

Any consequential amendments or alternative relief to give effect to the matters raised in the submission.

Decision Reasons:

- To ensure that mineral extraction industry (particularly the McPherson Quarry) is not unreasonably hindered by the existence of indigenous forestry in near proximity to existing quarries
- This is in line with Regional Policy Statement which makes specific reference to the importance of mineral extraction and the benefits to be derived for the region from allowing further extraction of the same.
- In the event that the SNA overlay is not removed from the McPherson's property Policy 3.2.4 needs to be amended to ensure the McPherson's quarry can offer up such biodiversity offsets, even if it impacts on an area with the SNA overlay.
- McPherson Supports the use of biodiversity offsetting as they accept that operations involving mineral and aggregate extraction can sometimes result in residual adverse effects.
- It is appropriate to provide policy guidance that can be used in circumstances where applications received are non-complying but would be acceptable based on the use of a biodiversity offset.

Point Number

691.5

Summary of Decision Requested:

Amend Policy 3.2.4 (b) Biodiversity offsetting, in the event that the Significant Natural Area overlay is not removed from the McPherson's property (as addressed elsewhere in the submission), as follows (or words to similar effect):

(b) Within a Significant Natural Area not otherwise subject to mineral or aggregate extraction activities, a biodiversity offset will only be considered appropriate where adverse effects have been avoided, remedied or mitigated in accordance with the hierarchy established in Policy 3.2.3.

AND

Any consequential amendments or alternative relief to address the matters raised in the submission.

Decision Reasons:

- This is in line with Regional Policy Statement which makes specific reference to the importance of mineral extraction and the benefits to be derived for the region from allowing further extraction of the same.
- In the event that the SNA overlay is not removed from the McPherson's property Policy 3.2.4 needs to be amended to ensure the McPherson's quarry can offer up such biodiversity offsets, even if it impacts on an area with the SNA overlay.
- McPherson Supports the use of biodiversity offsetting as they accept that operations involving mineral and aggregate extraction can sometimes result in residual adverse effects.
- It is appropriate to provide policy guidance that can be used in circumstances where applications received are non-complying but would be acceptable based on the use of a biodiversity offset.

Point Number

691.6

Summary of Decision Requested: **Amend** 3.2.7 Policy (a)(v) Managing Significant Natural Areas, as follows (or words to similar effect):
(v) Avoiding ~~physical and~~ legal fragmentation where practicable.
OR
Amend Policy 3.2.7 (a)(v) Managing Significant Natural Areas, as follows if the Council does not want to remove the words "physical" (or words to similar effect):
(v) Avoiding physical and legal fragmentation where practicable.
AND
Any consequential amendments or alternative relief to address the matters raised in the submission.

Decision Reasons:

- To cater for the existing situation at the McPherson Quarry, where the Significant Natural Area has long been physically separated by the quarry activities.
- The aim of the proposed change is to retain the ability to have extractive industries within the district in a way that acknowledges that in some instances, physical separation is already existing and a necessity to allow for the continued extraction of minerals.
- The use of the word 'physical' unreasonably limits the ability to continue extracting aggregate at the McPherson Quarry, in that it would hinder the ability to grow the footprint of the quarry.
- Quarry activities naturally require the expansion of the quarry footprint over time, as and when a certain area is exhausted of the particular resource being extracted. For the McPherson Quarry, which has been in operation for over 60 years in the same location, the footprint will continue to expand slowly and over a long period of time (between 50-100 years) meaning that the effects of the growth can be managed to ensure that the environmental effects are reasonable.

Point Number

691.7

Summary of Decision Requested:

Retain the intent of Policy 5.4.2 Access to minerals and extractive industries, except for the amendments sought below.

AND

Amend 5.4.2 – Access to minerals and extractive industries as follows (or words to similar effect):

(a) Enable extractive industries provided that adverse effects are avoided, remedied or mitigated insofar as it is reasonable and practicable while still ensuring that the industry remains viable.

(b) Protect access to, and extraction of, mineral resources by:

(i) Identifying lawfully established extractive industries in or outside of Aggregate Extraction Areas and Coal Mining Areas on planning maps;

(ii) Identifying the site of a potential extractive industry within or outside of an Aggregate Resource Area on planning maps;

(c)...

AND

Any consequential amendments or alternative relief to address the matters raised in the submission.

Decision Reasons:

- Supports the intention of this policy as it aims at safeguarding the operation of mineral and extractive industries in the Rural Zone.
- Based on the reference to "Aggregate Extraction Areas" and "Aggregate Resource Areas", the protection only extends to those quarries which are currently operating.
- It provides no protection to new extractive industries across the district, as such properties would have to apply for a Plan change in order to have the same level of protection
- Aggregate is a significant and economically vital natural resource for the Waikato District, which attributes to the economic and social wellbeing of the local area. It does so not only by supplying employment opportunities but also by ensuring that brown and blue rock can be sourced locally and used both within the district as well as within the wider region. This helps ensure that the construction cost of regional and district projects is kept at a minimum, as the distance which the aggregate has to travel is reduced

Point Number

691.8

Summary of Decision Requested:

Amend Rule 22.2.3.1 PI (a)(i) Earthworks - General, as follows (or words to similar effect):

Ancillary rural and mineral/aggregate extraction earthworks;

AND

Any consequential amendments or alternative relief to address the matters raised in the submission.

Decision Reasons:

- Earthworks are a natural part of extracting minerals and aggregate. Without stripping the overburden/topsoil, you cannot extract the underlying aggregate.
- It is important that the industry is able to carry out ancillary earthworks as a Permitted Activity to avoid the need to continuously having to apply for resource consent. With the imposition of appropriate conditions, Waikato District Council will still be able to ensure that the effects of permitted earthworks are appropriately managed.

Point Number

691.9

Summary of Decision Requested:

Add to the Planning Maps an 'Aggregate Extraction Areas' overlay to be applied across the entirety of the McPherson quarry site including the following legal titles (see the maps attached to the submission):

- CT NA2D/412 (comprising Allot 22 PSH of Mangatawhiri, Allot 139 and 140 PSH of Mangatawhiri and Allot 161 and 163 PSH of Mangatawhiri).
- CT NA2D/497 (comprising Allot 162 PSH of Mangatawhiri).
- CT NA2D/961 (comprising Allot 164 PSH of Mangatawhiri)

AND

Add to the Planning Maps an 'Aggregate Extraction Areas' overlay to be applied across the immediate neighbouring property of the McPherson quarry site, which have been earmarked for future expansions (as per resource consent application LUC023/19) being (see the maps attached to the submission):

- CT NA577/25 (comprising Allotment 23 Settlement of Pokeno, Allotment 24 Settlement of Pokeno, Allotment 130 Settlement of Pokeno, Allotment 132 Settlement of Pokeno, Allotment 133 Settlement of Pokeno).
- CT NA423/102 (comprising of Allotment 159 Parish of Mangatawhiri, Allotment 160 Parish of Mangatawhiri).

AND

Any consequential amendments or alternative relief to address the matters raised in the submission.

Decision Reasons:

- The proposed amendment is for the Proposed District Plan to include the 'Aggregate Extraction Areas' overlay across the entirety of the McPherson Quarry titles, as well as parts of the immediate neighborhood property to the south and west (which has already been earmarked for future expansion of the quarry), refer to Appendix B for details.
- Applying these overlays consistently across the district (particularly for all existing quarries, such as the McPherson Quarry, which forms part of the existing environment and has been operating in this location for over half a century) is appropriate and reasonable, based on the historical use of this site as a mine, the proposed expansion over the next 45 years (per LUCO23/19) and the long term availability to mine aggregate in this particular location, which will benefit the whole district.
- The McPherson Quarry forms an important part of the mineral extraction industry, which is vital to the economic well-being of the district. By ensuring that appropriate planning provisions and overlays are applied across all legally existing quarries, Waikato District Council will ensure that this industry is safeguarded while still making sure that the effects of the same are managed and appropriately mitigated, remedied or offset.

Point Number

691.10

Summary of Decision Requested:

Retain Policy 5.3.3 Industrial and commercial activities, except for the amendments sought below;

AND

Add clause (c) to Policy 5.3.3 Industrial and commercial activities, as follows (or words to similar effect):

(c) Allowing for mineral and aggregate extraction activities insofar as they are existing in the Rural Zone.

This relief is sought in the event that any part of the submission from point 691.1 to 691.15 is not accepted by WDC;

AND

Any consequential amendments or alternative relief to address the matters raised in the submission.

Decision Reasons:

- The change requested by the addition of (c) is to ensure that aggregate and mineral extraction activities are still specifically catered for in the Rural Zone, being the most appropriate zone for activities of this kind based on location of the resource and the types of effects created by such activities. This industry is of both regional and district-wide importance and protection of the same is consistent with the Regional Policy Statement (which safeguards mineral extraction to ensure that the region can continue to grow).
- The submitter supports the restriction of Industrial and Commercial activities in the Rural Zone.

Point Number

691.11

Summary of Decision Requested:

Retain Policy 5.3.7(a)(iii) Reverse sensitivity effects, as notified.

This relief is sought in the event that any part of the submission from point 691.1 to 691.15 is not accepted by WDC.

Decision Reasons:

- McPherson supports the specific protection of existing mineral extraction and processing in the Rural Zone, because insofar as these types of activities are located outside of a specific 'Aggregate Extraction Area', they are best performed in the rural environment.

Point Number

691.12

Summary of Decision Requested:

Retain Policy 5.3.9 – Non-rural activities, as notified.

This relief is sought in the event that any part of the submission from point 691.1 to 691.15 is not accepted by WDC.

Decision Reasons:

- McPherson supports the management of non-rural activities were to occur. As McPherson operates a quarry in a rural area, non-rural activities may cause reverse sensitivity effects, which could compromise their quarry operations.
- Persons carrying out other activities may complain due to the environmental effects created by typical quarry activities

Point Number

691.13

Summary of Decision Requested:

Amend Policy 5.3.13 (a) Waste management activities, as follows (or words to similar effect):

(a) Provide for the rehabilitation of existing quarry sites upon decommission, including land and clean fill activities, where there is an environmental gain.

This relief is sought in the event that any part of the submission from point 691.1 to 691.16 is not accepted by WDC.

AND

Any consequential amendments or additional relief to address the matters raised in the submission.

Decision Reasons:

- McPherson supports the provision for rehabilitation of existing quarry sites, insofar as any rehabilitation carries out upon decommission of such quarries. The McPhersons want to ensure that once extractive processes of the quarry are no longer viable and/or equitable, that the landscape is restored as much as possible.
- As it is, based on the make-up of the McPherson Quarry (being one coherent site), the site does not lend itself well to staged rehabilitation as the entirety of the site is likely to be used for the duration of the quarry being in operation. As such, it is proposed that the words 'upon decommission' is added for certainty as to when rehabilitation is required.

Point Number

691.14

Summary of Decision Requested:

Retain the intent of Policy 5.3.15 Noise and Vibration, except for the amendments sought below;

AND

Amend Policy 5.3.15 (a)(iii) Noise and vibration, as follows (or words to similar effect):

(a) Adverse effects of noise and vibration are minimised by:

...

(iii) Maintaining appropriate buffers between high noise environments and noise sensitive activities insofar as that is practicable;

This relief is sought in the event that any part of the submission from point 691.1 to 691.15 is not adopted by WDC.

AND

Any consequential amendments or additional relief to address the matters raised in the submission.

Decision Reasons:

- McPherson supports the principle and intent of this policy in relation to noise and vibration
- With quarrying and aggregate extraction, a large amount of noise and vibration is occasionally generated as the aggregate is extracted from the ground. As such, compliance with the policy as currently worded may prove challenging.
- To ensure that existing quarry sites such as the McPherson Quarry can continue its operations without additional requirements insofar as noise and vibration buffers are concerned.

Point Number

691.15

Summary of Decision Requested:

Amend Rule 22.1.3 RD1 (a) Restricted Discretionary Activities, as follows (or words to similar effect):

(a) Intensive farming and mineral or aggregate extractive industries that meet all of the following conditions:

(i) Land Use - Effects in Rule 22.2; [subject to proposed amendments]

(ii) Land Use - Building in Rule 22.3; [subject to proposed amendments]

(iii) ...

AND

Delete Rule 22.1.5 D8 Discretionary Activities.

This relief is sought in the event that any part of the submission from point 691.1 to 691.15 is not accepted by WDC.

AND

Any consequential amendments or additional relief to address the matters raised in the submission.

Decision Reasons:

- The Operative District Plan (Franklin Section) includes a chapter for aggregate extraction, which classifies aggregate extraction as either of Permitted, Controlled, Restricted Discretionary, and Discretionary, depending on the location of the activity (and the surrounding environment).
- The Proposed District Plan has dealt with this matter by applying overlays, one for 'Aggregate Extraction Areas' and one for 'Aggregate Resource Areas'. The application of these overlays will provide a certain level of protection for these types of activities (particularly if the changes proposed in these submissions regarding specific regulations for these areas are applied) however, the PDP has excluded the McPherson Quarry from both of these overlays. As a result, the Rural zoning of the McPherson Quarry leaves it without specific protection of its existing (or future) aggregate extraction activities.
- Rule 22.1.5 would unreasonably limit the ability of the McPhersons to expand their quarry footprint (which is a necessity when the available mineral/aggregate in a certain area has been exhausted) in that any expansion would require a resource consent as a Discretionary Activity. This means that Council has the ability to decline the application. This is unreasonable.
- The McPherson Quarry has operated from this site for over 60 years and the quarry is very much part of the existing environment.
- It is inherent in any quarry activity that in order to continue extracting the particular resource/mineral available (in this case aggregate), the footprint needs to expand over time.
- The extraction of minerals is a regionally significant activity that is protected by the RPS. In that sense, it is imperative that existing operations such as the McPherson Quarry are able to continue operating (and therefore, expand their footprint) as a quarry and that this ability is sufficiently protected by appropriate planning provisions in the Proposed District Plan.
- Based on the above, the McPhersons submit the proposed changes made to Rules 22.1.3 and 22.1.5 to ensure that extractive industries are identified as a Restricted Discretionary Activity in the Rural Zone.

Point Number

691.16

Summary of Decision Requested:

Delete the Significant Natural Areas from the Planning Maps for the following titles:

- CT NA2D/412 (comprising Allot 22 PSH of Mangatawhiri, Allot 139 and 140 PSH of Mangatawhiri, Allot 161 and 163 PSH of Mangatawhiri)
- CT NA2D/497 (comprising Allot 162 PSH)
- CT NA2D/961 (Allot 164 PSH)

AND

Any consequential amendments or alternative relief to address the matters raised in the submission.

Decision Reasons:

- The submitter requests that the Significant Natural Area overlay be removed in its entirety insofar as it affects any land owned by the McPherson family.
- The land has been owned by the McPherson family for 140 years and have made good use of the available resource.
- The Significant Natural Area overlay placed over large parts of McPherson's property would severely limit the ability to expand the quarry footprint over time.
- This will have significant adverse effects on not only the McPhersons (as the owner and operator of the quarry) but also the mineral and aggregate industry, which relies on the ability of existing operators to continue extracting aggregate to support the anticipated district and regional growth.
- The Significant Natural Area overlay is inappropriate and unreasonable based on the fact that it directly impacts on the viability of their existing business.
- It goes against the sustainable management purpose of the Resource Management Act to impose an overlay which will prevent people from providing for their social and economic wellbeing which is what the proposed Significant Natural Overlay will do.

Point Number

691.17

Summary of Decision Requested:

Retain the Proposed District Plan subject to the decision sought in the submission

Decision Reasons:

- Submitter supports the overall direction of the Proposed District Plan
- The submitter has some concerns about some sections, particularly how these would impact on the ability to continue operating the McPherson Quarry in a way that is both sustainable and commercially viable

Point Number

691.18

Summary of Decision Requested:

Amend the Planning Maps to apply the overlay relating to "Aggregate Extraction Areas" to all existing quarry operations in the District to ensure consistency, including the McPherson Quarry.

Decision Reasons:

- Mineral and aggregate extraction activities are significant to the economy of the Waikato District and to the region.
- They need to be recognized and provided for; they need to be carefully managed regarding environmental effects; and as site-specific resource-extraction activities, they need to be buffered from those more sensitive land uses which could, if sited in their immediate

environs, unreasonably constrain ongoing extraction operations, even to the point of threatening their viability.

Point Number 691.19

Summary of Decision Requested: **Add** provisions dedicated to "mineral and aggregate extraction activities" to the Proposed District Plan, which include specific rules in respect of the minerals and aggregate extraction industry in the Waikato District so as to ensure that this industry is appropriately safeguarded and the Regional Policy Statement is adhered to.

OR

Amend the provisions of the Rural Zone so as to provide sufficient protection for mineral and aggregate extraction activities.

Decision Reasons:

- Mineral and aggregate extraction activities are significant to the economy of the Waikato District and to the region.
- They need to be recognized and provided for; they need to be carefully managed regarding environmental effects; and as site-specific resource-extraction activities, they need to be buffered from those more sensitive land uses which could, if sited in their immediate environs, unreasonably constrain ongoing extraction operations, even to the point of threatening their viability.

Point Number 691.20

Summary of Decision Requested: **Amend** Rule 22.3.7.2 P1 (a) Building setback sensitive land use as follows (or words to similar effect):

(a) Any building for a sensitive land use must be set back a minimum of:

..

(iv) 200m from an Aggregate Extraction Area, mineral or aggregate extraction activities containing a sand resource;

(v) 500m from an Aggregate Extraction Area, mineral or aggregate extraction activities containing a rock resource;

AND

Any consequential amendments or alternative relief to address the matters raised in the submission.

Decision Reasons:

- Mineral and aggregate extraction can result in effects which give rise to reverse sensitivities. This has the potential to threaten the commercial viability of existing and/or future extractive industries, which is of detriment to not only quarry operators but also to the whole district, which relies heavily on this industry for its GDP.
- By ensuring the appropriate setback rules apply not only to those quarries which are subject to the proposed overlays but also to others (including future quarries which would need to apply for a Plan change to have the same level of protection), it will provide sufficient safeguarding for the industry going forward.

Point Number 691.21

Summary of Decision Requested: **Add** a new rule Rule 22.2.1.4 Noise - Mineral and Aggregate Extraction as follows (or words to similar effect):

22.2.1.4 NOISE – MINERAL AND AGGREGATE EXTRACTION

Any noise created by mineral or aggregate extraction activities is permitted provided that if measured at the national boundary of any dwelling, which existed at [insert date of plan becoming operative], does not exceed:

a) 55dBA (L10) 7am to 7pm Monday to Friday;

b) 55dBA (L10) 7am to 6pm Saturday;

c) 50dBA (L10) 7pm to 10pm Monday to Friday;

d) 50dBA (L10) 7am to 6pm Sundays and Public Holidays

e) 45dBA (L10) and 70dBA (Lmax) at all other times including Public Holidays.

AND

Any consequential amendments or alternative relief to address the matters raised in the submission.

Decision Reasons:

- The McPhersons oppose the removal of the provisions specifically related to aggregate extraction activities in the Operative District Plan, particularly when dealing with effects generally created by the aggregate industry.
- It is proposed that rules specific to mineral and aggregate extraction activities are added which specifically defines what effects are anticipated from these sorts of activities.
- The proposed rules intend to safeguard both the industry as well as the surrounding properties (insofar as reasonable and practicable). This is particularly important in relation to effects relating to noise, dust and vibration, as these are key elements of an activity of this kind.

Point Number 691.22

Summary of Decision Requested: **Add** a vibration and blasting rule associated with mineral and aggregate extraction activities, as follows (or words to similar effect):

VIBRATION AND BLASTING - MINERAL AND AGGREGATE EXTRACTION ACTIVITIES

a) The measurement of blast noise (air blast) and ground vibration from blasting shall be carried out in accordance with best practice standards.

b) The noise created by the use of explosives measured at a notional boundary of 20 metres from occupied dwellings shall not exceed a peak overall sound pressure of 128 dB

c) Blasting shall be confined to two occasions per day except where necessary for safety reasons.

d) Where blasting is irregular and the occupiers of neighbouring sites could be alarmed, they shall be advised of pending blasts, at least one hour before any such blast.

e) When blasting, the limit of particle velocity (peak particle velocity) measured on any foundation of an adjacent occupied building not connected with the site, or suitable location adjacent to the building, shall not exceed 25mm/second for commercial buildings or 10mm/second for dwellings and buildings of similar design.

f) Every blast shall be recorded with particular attention to details of charge weight and delay practice. Monitoring using reliable and appropriate methods representative of all blasts, at varying distances and various sites of different sensitivity shall be carried out to ensure that clauses ii and vi above are complied with. Blast records and monitoring results shall be made available to the Council on request.

AND

Any consequential amendments or alternative relief to address the matters raised in the submission.

Decision Reasons:

- The McPhersons oppose the removal of the provisions specifically related to aggregate extraction activities in the Operative District Plan, particularly when dealing with effects generally created by the aggregate industry.
- It is proposed that rules specific to mineral and aggregate extraction activities are added which specifically defines what effects are anticipated from these sorts of activities.
- The proposed rules intend to safeguard both the industry as well as the surrounding properties (insofar as reasonable and practicable). This is particularly important in relation to effects relating to noise, dust and vibration, as these are key elements of an activity of this kind.

Point Number 691.23

Summary of Decision Requested: **Add** an air emission rule for mineral and aggregate extraction activities as follows (or words to similar effect):

AIR EMISSIONS - MINERAL AND AGGREGATE EXTRACTION ACTIVITIES

Subject to any resource consent which may have been obtained, dust or any other airborne contaminant shall not be discharged at a level that is likely to cause a nuisance or affect the amenity values of any property in the area.

AND

Any consequential amendments or alternative relief to address the matters raised in the submission.

Decision Reasons:

- The McPhersons oppose the removal of the provisions specifically related to aggregate extraction activities in the Operative District Plan, particularly when dealing with effects generally created by the aggregate industry.
- It is proposed that rules specific to mineral and aggregate extraction activities are added which specifically defines what effects are anticipated from these sorts of activities.
- The proposed rules intend to safeguard both the industry as well as the surrounding properties (insofar as reasonable and practicable). This is particularly important in relation to effects relating to noise, dust and vibration, as these are key elements of an activity of this kind.

Point Number 691.24

Summary of Decision Requested: **Add** an allotment boundary rule for mineral and aggregate extraction activities as follows (or words to similar effect):

ALLOTMENT BOUNDARY - MINERAL AND AGGREGATE EXTRACTION ACTIVITIES

Subdivision is a restricted discretionary activity if the boundary of every allotment is drawn so that it is within:

(a) 200m of the boundary of a lawfully established mineral and aggregate extraction activity used for sand extraction; and

(b) 500m of the boundary of a lawfully established mineral and aggregate extraction activity used for rock extraction

AND

Any consequential amendments or alternative relief to address the matters raised in the submission.

Decision Reasons:

- McPherson owns and operates the McPherson Quarry outside of Pokeno. In order to safeguard this operation, it is imperative that appropriate provisions relating to subdivisions in the rural zone are implemented into the Proposed District Plan.
- The proposed rule will limit the risk of creating reverse sensitivity effects by ensuring that the McPhersons are considered an affected party in situations where properties adjacent to their existing quarries are subject to a subdivision application

Submitter Number: 692 **Submitter:** WEL Networks Limited

Point Number 692.1

Summary of Decision Requested: **Retain** the definition of "Temporary Infrastructure" in Chapter 13: Definitions.

Decision Reasons:

- Supports the definition as it includes the installation of poles and other equipment and generators, necessary for maintenance and emergency works.

Point Number 692.2

Summary of Decision Requested: **Retain** the definition of "Utility Allotment" in Chapter 13: Definitions.

Decision Reasons:

- Supports the definition as it includes an allotment used exclusively for the purposes of accommodating infrastructure.

Point Number 692.3

Summary of Decision Requested: **Retain** Rule 14.2.1 PI Permitted Activities relating to new infrastructure.

Decision Reasons:

- PI would ensure that network utility equipment such as pillar boxes, service pillars and ring main units (which are small but essential and a common part of WEL's electricity) network are permitted.

Point Number 692.4

Summary of Decision Requested: **Add** a new activity to Rule 14.2.1 Permitted Activities, that applies to the design and location of infrastructure services, as follows (or other amendments to give effect to the concerns raised):

P5 Design and location of infrastructure services

14.2.1.5 Within all Zones new subdivision and development shall provide utilities corridors in the road reserve free of tree plantings and in accordance with Tables 14.12.5.14 and 14.12.5.15.

AND

Add a new activity to Rule 14.2.3 Discretionary Activities, that applies where the activity cannot comply with the new P5 as follows (or other amendments to give effect to the concerns raised):

Decision Reasons:

- Allowing adequate berm space is necessary to ensure sufficient space is available for WEL to install its network utility equipment. Ensuring adequate berm space will ensure greater urban planning and provide sufficient areas for footpaths and landscaping along the road exclusive of each other, which will enhance the amenity of any subdivision or development.

Point Number 692.5

Summary of Decision Requested: Retain Rule 14.3.1 P1 Permitted Activities relating to the operation, maintenance, repair and removal of existing infrastructure.

Decision Reasons:

- Support this rule as it would ensure existing use rights on any existing lawfully established activity

Point Number 692.6

Summary of Decision Requested: Amend Rule 14.3.1.1 P2 Permitted Activities, relating to P2 Minor upgrading of existing infrastructure as follows (or other amendments to give effect to the concerns raised):

14.3.1.1

(1) The realignment, configuration, relocation or replacement of infrastructure and associated structures that meet all of the following conditions:

- (a) Are within ~~5~~10m of the existing alignment or location;
- (b) Do not increase the height of any existing pole or support structure by more than ~~15~~25%;
- (c) Do not increase the diameter (width) of any existing pole or support structure by more than 15%;
- ~~(d) Do not increase the diameter of any existing above-ground pipe by more than 15%; and~~
- (e) Do not increase the area of any existing above-ground structure by ~~by more than 15%~~ up to 10m².

...

Decision Reasons:

- To enable continuation of small scale day to day activities
- A significant amount of relocations will be more than 5m outside the existing alignment or location particularly in residential locations where space is limited
- A 25% increase in pole height will enable WEL to install poles with increased heights to address clearance issues where a mid span pole is not appropriate such as over roads
- 1d should be deleted – WEL and other utilities may occasionally run cables up poles where underground infrastructure meets overhead. Any increase in capacity triggered by development may require increased cables sizes where the difference is 25mm versus 100mm respectively, which is greater than a 15% increase.
- 1e should be amended to refer to the permitted new infrastructure activity volume rule.

Point Number 692.7

Summary of Decision Requested: Retain Rule 14.3.1 P3 Permitted Activities relating to Temporary Infrastructure.

Decision Reasons:

- Support this rule as it would provide for temporary activities provided they do not exceed 12 months

Point Number 692.8

Summary of Decision Requested: Retain Rule 14.3.1 P4 Permitted Activities, relating to earthworks associated with infrastructure.

Decision Reasons:

- Support the rule as it would provide for earthworks ancillary to WEL's day to day activities as a permitted activity

Point Number 692.9

Summary of Decision Requested: Add a new clause (1) to Rule 14.3.1.4 Permitted Activities, relating to P5 Trimming, maintenance or removal of vegetation or trees associated with Infrastructure as follows (or other amendments to give effect to the concerns raised):

14.3.1.4

(1) Trimming and pruning of trees and vegetation necessary to protect all overhead electric lines or telecommunication lines; or

~~(2) Any trimming, maintenance...~~

Decision Reasons:

- To ensure that it is clear that WEL has the ability to trim and prune trees where they pose a risk or are currently affecting the electricity network.
- Trees if not maintained near electricity lines may strike the lines causing faults or more seriously snap the line posing a risk to the general public.

Point Number 692.10

Summary of Decision Requested: Retain Rule 14.3.1 P6 Permitted Activities, relating to pipe and cable bridges.

Decision Reasons:

- Supports this rule as it would provide for the installation of electricity cables to bridge structures as a permitted activity

Point Number 692.11

Summary of Decision Requested: **Amend Rule 14.3.1.6** Permitted Activities relating to P7 Electric vehicle chargers as follows (or other amendments to give effect to the concerns raised):

14.3.1.6

(1) Electric vehicle chargers that meet all of the following conditions:

(a) Do not exceed maximum height of ~~4.8~~ 4m each;

(b) Do not exceed a maximum area of 1.5m² each;

~~(c) Have a socket connection, or a fitted cable management accessory;~~

~~(d) Have at least one formed car park (in accordance with the relevant requirements of Table 14.12.5.1.1) per connection or charging cable if the site is located outside the road;~~

(e) Are not located in an Identified Area.

Decision Reasons:

- This height of 4m would be consistent with the new infrastructure rules and will enable the installation of high powered chargers which are slightly larger than electric vehicle chargers and bus chargers which are almost double the height of vehicle chargers
- It should be noted that the height of a standard electric vehicle charger is 2.5m
- WEL are unsure why Council would want to apply point (c) – this rule would limit technologies such as inductive charging
- Remove (d) – as a carpark is not always appropriate, particularly if the charger is located on private property.

Point Number 692.12

Summary of Decision Requested: **Retain Rule 14.3.1 P8** Permitted Activities, relating to service connections.

Decision Reasons:

- Supports this rules as it would ensure service connections are a permitted activity.

Point Number 692.13

Summary of Decision Requested: **Retain Rule 14.3.1 P9** Permitted Activities, relating to minor infrastructure services.

Decision Reasons:

- Supports this rule as it would ensure that network utility equipment such as pillar boxes, service pillars and ring main units (which are small but essential and a common part of WEL's electricity network) are permitted

Point Number 692.14

Summary of Decision Requested: **Retain Rule 14.3.1 P11** Permitted Activities, relating to signage.

Decision Reasons:

- Support this rule as it would ensure that signage associated with infrastructure required for health and safety or asset identification purposes and/or required by legislation would be a permitted activity

Point Number 692.15

Summary of Decision Requested: **Retain Rule 14.3.1 P12** Permitted Activities, relating to service connections for subdivision.

Decision Reasons:

- Support this rule as it would ensure that service connections for subdivision would be a permitted activity.

Point Number 692.16

Summary of Decision Requested: **Retain Rule 14.3.2 C1** Controlled Activities, relating to subdivision to create a utility allotment for accommodating infrastructure.

Decision Reasons:

- Support this rule as it would provide for subdivision to create a utility allotment for accommodating infrastructure would be a controlled activity.

Point Number 692.17

Summary of Decision Requested: **Retain Rule 14.5.1 P1** Permitted Activities, relating to below ground distribution lines.

Decision Reasons:

- Support P1 as it would ensure that below ground distribution lines would be a permitted activity.

Point Number 692.18

Summary of Decision Requested: **Delete** Activity specific condition 14.6.1.1 (a)(b) – Permitted Activities relating to P1 Small scale electricity generation (or other amendments to give effect to the concerns raised).

~~(b) is not located on a road, or unformed road.~~

Decision Reasons:

- WEL is unsure why Council is proposing to restrict Community-scale electricity generation within road reserve and unformed roads. The CAR process would ensure that any safety effects of the proposal are considered.

Point Number 692.19

Summary of Decision Requested: Delete Rule 14.6.1.1 (a)(b) and (a)(c) Permitted Activities, relating to P2 Community scale electricity generation (or other amendments to give effect to the concerns raised) as follows:

14.6.1.1

...

(a) is not located within an Identified Area;

~~(b) is not located on a road, or unformed road;~~

~~(c) Less than 20kW of electricity is generated;~~

Decision Reasons:

- The conditions require energy generation to not exceed 20kW which is acceptable for small-scale generation but impractical and unreasonable and would likely discourage this type of generation.
- 5 to 10 kW would likely supply a normal-sized dwelling, therefore 20 kW would likely supply two dwellings.
- The other conditions imposed would restrict the size of any structures installed.
- WEL is unsure why community scale electricity generation within a road reserve or unformed road would be restricted. The CAR process would ensure any safety effects of the proposal are considered.

Point Number 692.20

Summary of Decision Requested: Amend Activity specific condition 14.6.1.2 P3 relating to Research and exploratory-scale investigation for renewable electricity generation activities (or other amendments that give effect to the concerns raised) as follows:

(a) Research and exploratory-scale investigations for renewable electricity generation activities that comply with all of the following:

(i) The noise limits that are applicable to the zone, except within the Rural Zone where the height of any equipment must not exceed of 20m;

(ii) The height of any equipment must not exceed the building height limit of the zone in which they are located by more than 3m;

(iii) The size and location of any equipment must not exceed height in relation to boundary relevant to the zone in which it is located; and

(iv) Setbacks relevant to the zone in which it is located;

(v) Is not located within an identified area

~~(vi) Is not located on a road, or unformed road.~~

Decision Reasons:

- WEL is unsure why Council is proposing to restrict research and exploratory-scale investigations for renewable electricity generation activities within road reserve and unformed roads. The CAR process would ensure that any safety effects of the proposal are considered, so (vi) should be deleted.
- All structures not exceeding 20m within the Rural Zone would be in line with the permitted height of poles and masts in that zone.

Point Number 692.21

Summary of Decision Requested: Retain Rule 14.6.1 P4– Permitted Activities relating to temporary diesel-fuelled electricity generation activities.

Decision Reasons:

- Supports this rule as it would provide for temporary diesel-fuelled electricity generation activities as a permitted activity.

Point Number 692.22

Summary of Decision Requested: Retain Rule 14.10.1 P1 Permitted Activities, relating to ancillary equipment.

Decision Reasons:

- P1 would provide for equipment ancillary to telecommunication facilities as a permitted activity.

Point Number 692.23

Summary of Decision Requested: Retain Objective 6.1.1 Development, operation and maintenance of infrastructure.

Decision Reasons:

- Objective 6.1.1 acknowledges the importance of infrastructure.

Point Number 692.24

Summary of Decision Requested: Retain Policy 6.1.2 Development, operation and maintenance.

Decision Reasons:

- Policy 6.1.2 acknowledges the importance of infrastructure.

Point Number 692.25

Summary of Decision Requested: Retain Policy 6.1.3 Technological advances.

Decision Reasons:

- Supports Policy 6.1.3 as it promotes energy-efficient and sustainable design technologies which is in line with WEL's policies.
- Policy 6.1.3 is consistent with 7(ba), 7(i) and 7(j) of the RMA.

Point Number 692.26

Summary of Decision Requested: Retain Policy 6.1.4 Infrastructure benefits.

Decision Reasons:

- Policy 6.1.4 acknowledges the importance of infrastructure.

Point Number 692.27

Summary of Decision Requested: Retain Policy 6.1.5 Natural hazards and climate change.

Decision Reasons:

- Policy 6.1.5 acknowledges the importance of infrastructure.

Point Number 692.28

Summary of Decision Requested: Retain Objective 6.1.6 Reverse sensitivity.

Decision Reasons:

- Objective 6.1.6 ensures that development is managed around infrastructure to avoid potential reverse sensitivity effects.

Point Number 692.29

Summary of Decision Requested: Retain Policy 6.1.7 Reverse sensitivity and infrastructure.

Decision Reasons:

- Policy 6.1.7 ensures that development is managed around infrastructure to avoid potential reverse sensitivity effects.

Point Number 692.30

Summary of Decision Requested: Retain Objective 6.1.8 Infrastructure in community and identified areas.

Decision Reasons:

- Objective 6.1.8 enables development and maintenance of infrastructure provided development considers any potential effects on the surrounding environment.

Point Number 692.31

Summary of Decision Requested: Retain Policy 6.1.9 Environmental effects, community health, safety and amenity.

Decision Reasons:

- Policy 6.1.9 enables development and maintenance of infrastructure provided development considers any potential effects on the surrounding environment.

Point Number 692.32

Summary of Decision Requested: Amend Section 1.5.7.7 (a) Energy, as follows (or other amendments to give effect to the concerns raised):

(a) The district plan recognises the national and regional importance of existing energy resources and infrastructure, which include coalfields, coal mines, Huntly Power Station, gas, electricity transmission and distribution, and coal conveyance facilities, as well as renewable energy. The plan addresses the positive and adverse effects of energy infrastructure and development.

Decision Reasons:

- Electricity distribution infrastructure is included as regionally significant in the WRPS, therefore this amendment would be consistent with the WRPS.

Point Number 692.33

Summary of Decision Requested: Amend Policy 6.1.11 Undergrounding new infrastructure, as follows (or other amendments that give effect to the concerns raised):

*(a) Encourage new infrastructure to be placed underground unless:
 (i) The adverse effects on the environment are greater than placing the infrastructure above ground;
 (ii) A natural or physical feature or structure renders underground placement impractical or undesirable; or
 (iii) There are significant operational, functional, technical, cultural or economic reasons that require the infrastructure be above ground;
 (iv) within the Rural Zone.*

Decision Reasons:

- 6.1.11 encourages new infrastructure to be placed underground. It is noted that overhead infrastructure within the Rural Zone is a permitted activity therefore encouraging infrastructure to be placed underground in this zone is unreasonable and contrary to the relevant rural rule.

Point Number 692.34

Summary of Decision Requested: Retain Objective 6.4.1 Integration of infrastructure with subdivision, land use and development.

Decision Reasons:

- This ensures that provision for infrastructure such as electricity and telecommunications is provided for as part of the subdivision process

Point Number 692.35

Summary of Decision Requested: Retain Policy 6.4.2 Provide adequate infrastructure.

Decision Reasons:

- This ensures that provision for infrastructure such as electricity and telecommunications is provided for as part of the subdivision process

Point Number 692.36

Summary of Decision Requested: **Retain** Policy 6.4.3 Infrastructure Location and Services.

Decision Reasons:

- This ensures that provision for infrastructure such as electricity and telecommunications is provided for as part of the subdivision process

Point Number 692.37

Summary of Decision Requested: **Retain** Policy 6.5.2 Construction and operation of the land transport network.

Decision Reasons:

- It provides for network utilities to be accommodated within transport corridors.

Point Number 692.38

Summary of Decision Requested: **Amend** Policy 6.5.6 Network utility location, as follows (or other amendments to give effect to the concerns raised):

Encourage the location of network utility infrastructure within transport corridors ~~where provided any adverse effect on the function, safety and efficiency of the transport network will not be compromised~~ is avoided, remedied, or mitigated.

Decision Reasons:

- The policy as worded is open to interpretation, which may result in excessive restrictions on infrastructure providers.

Point Number 692.39

Summary of Decision Requested: **Retain** Objective 10.1.1 Effects of Hazardous substances.

Decision Reasons:

- The provision sets a clear direction for hazardous facilities.

Point Number 692.40

Summary of Decision Requested: **Retain** Objective 10.2.1 Contaminated Land.

Decision Reasons:

- The provision sets a clear direction for contaminated land in accordance with the NES.

Point Number 692.41

Summary of Decision Requested: **Retain** the definition of "Building" in Chapter 13 Definitions.

Decision Reasons:

- Supports the definition as it refers to the definition under the Building Act.

Point Number 692.42

Summary of Decision Requested: **Retain** the definition of "Infrastructure" in Chapter 13 Definitions.

Decision Reasons:

- Supports the definition as it would include network utility activities.

Point Number 692.43

Summary of Decision Requested: **Retain** the definition of "Minor Infrastructure Structure" in Chapter 13: Definitions.

Decision Reasons:

- Supports the definition as it would include activities that WEL would undertake regularly (i.e. on a daily basis)

Point Number 692.44

Summary of Decision Requested: **Retain** the definition of "Minor upgrading of existing infrastructure" in Chapter 13: Definitions.

Decision Reasons:

- Supports the definition as it would include activities that WEL would undertake regularly (i.e. on a daily basis)

Point Number 692.45

Summary of Decision Requested: **Retain** the definition of "Network Utility Operator" in Chapter 13 Definitions.

Decision Reasons:

- Supports the definition as it has the same meaning as the RMA, which would include WEL.

Point Number 692.46

Summary of Decision Requested: **Retain** the definition of "Renewable Electricity Generation Activities" in Chapter 13: Definitions.

Decision Reasons:

- Supports the definition as it includes small and community-scale distributed renewable generation activities and the system of electricity conveyance required to convey electricity to the distribution network

Point Number 692.47

Summary of Decision Requested: **Retain** the definition of "Self Contained Power Unit" in Chapter 13: Definitions.

Decision Reasons:

- Supports the definition as it includes battery units which are essential in the storage of electricity

Point Number 692.48

Summary of Decision Requested: **Retain** the definition of "Service Connection" in Chapter 13: Definitions.

Decision Reasons:

- Supports the definition as it includes the service line that would connect WEL to the customer

Point Number 692.49

Summary of Decision Requested: **Retain** the definition of "Small-Scale Electricity Generation" in Chapter 13: Definitions.

Decision Reasons:

- Supports the definition as it includes small renewable generation activities and connecting to the network

Point Number 692.50

Summary of Decision Requested: **Retain** Policy 6.1.10 Infrastructure in identified areas.

Decision Reasons:

- Policy 6.1.10 enables development and maintenance of infrastructure provided development considers any potential effects on the surrounding environment.

Point Number 692.51

Summary of Decision Requested: **Retain** Policy 6.1.12 Co-location of compatible facilities.

Decision Reasons:

- Policy 6.1.12 supports the co-location of infrastructure which would limit the footprint in which infrastructure occupies.

Point Number 692.52

Summary of Decision Requested: **Retain** Policy 6.1.13 Future growth areas.

Decision Reasons:

- Policy 6.1.13 enables development and maintenance of infrastructure provided development considers any potential effects on the surrounding environment.

Point Number 692.53

Summary of Decision Requested: **Retain** Policy 6.1.14 Electromagnetic and radio frequency fields.

Decision Reasons:

- Policy 6.1.14 enables development and maintenance of infrastructure provided development considers any potential effects on the surrounding environment.

Point Number 692.54

Summary of Decision Requested: **Retain** Objective 6.3.1 Renewable energy.

Decision Reasons:

- Recognises and encourages the use of renewable energy resources. Renewable energy generation is encouraged by the National Energy Strategy.
- This benefits the community as a whole through increasing security of supply as well as the subsequent economic benefits to the community and environment.
- The objective would encourage the community to invest in renewable energy development and is therefore consistent with section 7(b), 7(i) and 7(j) of the RMA and promotes sustainable management purpose in section 5 of the RMA.

Point Number 692.55

Summary of Decision Requested: **Retain** Policy 6.3.2 Utilising energy efficiency.

Decision Reasons:	<ul style="list-style-type: none"> Recognises and encourages the use of renewable energy resources. Renewable energy generation is encouraged by the National Energy Strategy. This benefits the community as a whole through increasing security of supply as well as the subsequent economic benefits to the community and environment. The policy would encourage the community to invest in renewable energy development and is therefore consistent with section 7(b), 7(i) and 7(j) of the RMA and promotes sustainable management purpose in section 5 of the RMA.
Point Number	692.56
Summary of Decision Requested:	Retain Policy 6.3.3 Enabling renewable electricity generation.
Decision Reasons:	<ul style="list-style-type: none"> Recognises and encourages the use of renewable energy resources. Renewable energy generation is encouraged by the National Energy Strategy. This benefits the community as a whole through increasing security of supply as well as the subsequent economic benefits to the community and environment. This policy would encourage the community to invest in renewable energy development and is therefore consistent with section 7(b), 7(i) and 7(j) of the RMA and promotes sustainable management purpose in section 5 of the RMA.
Point Number	692.57
Summary of Decision Requested:	Retain Policy 6.3.4 Future renewable electricity.
Decision Reasons:	<ul style="list-style-type: none"> Recognises and encourages the use of renewable energy resources. Renewable energy generation is encouraged by the National Energy Strategy. This benefits the community as a whole through increasing security of supply as well as the subsequent economic benefits to the community and environment. This policy would encourage the community to invest in renewable energy development and is therefore consistent with section 7(b), 7(i) and 7(j) of the RMA and promotes sustainable management purpose in section 5 of the RMA.
Point Number	692.58
Summary of Decision Requested:	Retain Policy 6.3.5 Existing renewable electricity facilities.
Decision Reasons:	<ul style="list-style-type: none"> Recognises and encourages the use of renewable energy resources. Renewable energy generation is encouraged by the National Energy Strategy. This benefits the community as a whole through increasing security of supply as well as the subsequent economic benefits to the community and environment. This policy would encourage the community to invest in renewable energy development and is therefore consistent with section 7(b), 7(i) and 7(j) of the RMA and promotes sustainable management purpose in section 5 of the RMA.
Point Number	692.59
Summary of Decision Requested:	Retain Policy 10.1.2 Location of new hazardous facilities.
Decision Reasons:	<ul style="list-style-type: none"> Sets a clear direction for hazardous facilities.
Point Number	692.60
Summary of Decision Requested:	Retain Policy 10.1.3 Residual risks of hazardous substances.
Decision Reasons:	<ul style="list-style-type: none"> Sets a clear direction for hazardous facilities.
Point Number	692.61
Summary of Decision Requested:	Retain Policy 10.1.4 Reverse sensitivity effects.
Decision Reasons:	<ul style="list-style-type: none"> Sets a clear direction for hazardous facilities.
Point Number	692.62
Summary of Decision Requested:	Retain Policy 10.2.2 Managing the use of contaminated land.
Decision Reasons:	<ul style="list-style-type: none"> Sets a clear direction for contaminated land in accordance with the NES.
Point Number	692.63
Summary of Decision Requested:	Retain Rule 14.2.1 P2 Permitted Activities, relating to construction noise.
Decision Reasons:	<ul style="list-style-type: none"> P2 would ensure that works comply with NZS 6803:1999 Acoustics – Construction noise, which WVEL acknowledges is a recognised standard for construction noise.
Point Number	692.64
Summary of Decision Requested:	Retain Rule 14.2.1 P3 Permitted Activities, relating to any activity emitting electric and magnetic fields.
Decision Reasons:	

- P3 would ensure that any activity emitting electric magnetic fields would comply with International Commission on Non-ionising Radiation Protection Guidelines which VVEL acknowledges is a recognised standard for electric and magnetic fields.

Point Number 692.65

Summary of Decision Requested: **Retain** Rule 14.2.1 P4 Permitted Activities, relating to any activity emitting radio frequency fields.

Decision Reasons:

- P4 would ensure that any activity emitting radio frequency fields would comply with New Zealand Standard for Radiofrequency Fields Part 1: Maximum Exposure Levels 3 kHz to 300GHz (NZS 2772.1:1999) which WEL acknowledges is a recognised standard for radio frequency fields.

Point Number 692.66

Summary of Decision Requested: **Retain** Rule 14.5.1 P2 Permitted Activities, relating to overhead distribution lines in the Rural Zone.

Decision Reasons:

- Supports P2 as it would ensure that overhead distribution lines and support structures within the Rural Zone would be a permitted activity.

Point Number 692.67

Summary of Decision Requested: **Retain** 14.5.1 P3 Permitted Activities, relating to overhead distribution lines within road or unformed road in the Rural Zone.

Decision Reasons:

- Supports P3 as it would ensure that overhead distribution lines and support structures within road or unformed road located adjacent to the Rural Zone would be a permitted activity.

Point Number 692.68

Summary of Decision Requested: **Retain** Rule 14.5.1 P4 Permitted Activities, relating to substations and associated transformers and switching stations.

Decision Reasons:

- Supports P4 as it would ensure that substations, associated transformers, and switching stations within the Business Zone, Business Town Centre Zone, Tamahere Business Zone, Te Kowhai Airpark Zone, Industrial Zone, Heavy Industrial Zone and Motor Sport and Recreation would be a permitted activity.

Point Number 692.69

Summary of Decision Requested: **Retain** Rule 14.5.1 P5 Permitted Activities, relating to construction or alteration of a building for a sensitive land use.

Decision Reasons:

- Supports P5 as it would ensure that construction or alteration of a building for a sensitive land use to have a setback minimum of 10m from the center of line of any electrical distribution or transmission lines.

Point Number 692.70

Summary of Decision Requested: **Retain** Rule 14.10.1 P2 Permitted Activities, relating to below ground telecommunications and radio communications facilities lines, cables and ducts.

Decision Reasons:

- Supports P2 as it would provide for below ground telecommunications and radio-communications facilities, lines, cables and ducts as a permitted activity.

Point Number 692.71

Summary of Decision Requested: **Retain** Rule 14.10.1 P3 Permitted Activities relating to cabinets.

Decision Reasons:

- Supports P3 as it would provide for cabinets as a permitted activity.

Point Number 692.72

Summary of Decision Requested: **Retain** Rule 14.10.1 P4 Permitted Activities relating to antennas and lines attached to retaining walls, tunnels, bridges and other structures located within the road.

Decision Reasons:

- Supports P4 as it would provide for antennas and lines attached to retaining walls, tunnels, bridges and other structures located within the road as a permitted activity.

Point Number 692.73

Summary of Decision Requested: **Retain** Rule 14.10.1 P5 Permitted Activities relating to antennas.

Decision Reasons:

- Supports P5 as it would provide for antennas attached to a building and/or structure as a permitted activity.

Point Number	692.74
Summary of Decision Requested:	Retain Rule 14.10.1 P6 Permitted Activities relating to antennas.
Decision Reasons:	<ul style="list-style-type: none"> • Supports P6 as it would provide for antennas inside new or existing buildings as a permitted activity.
Point Number	692.75
Summary of Decision Requested:	Retain Rule 14.10.1 P8 Permitted Activities relating to small cell units.
Decision Reasons:	<ul style="list-style-type: none"> • Supports P8 as it would provide for small cell units exceeding the permitted volumetric dimension of 0.1 m² regulated in the NESTF as permitted activity.
Point Number	692.76
Summary of Decision Requested:	Retain Rule 14.10.1 P9 Permitted Activities relating to poles, antennas and head frames.
Decision Reasons:	<ul style="list-style-type: none"> • Supports P9 as it would provide for Poles, antennas and head-frames as a permitted activity.
Point Number	692.77
Summary of Decision Requested:	Retain Rule 14.10.1 P10 Permitted Activities relating to externally mounted satellite dishes and ancillary components.
Decision Reasons:	<ul style="list-style-type: none"> • Supports P10 as it would provide for externally-mounted telecommunication satellite dishes and ancillary components as a permitted activity.
Point Number	692.78
Summary of Decision Requested:	Retain Rule 14.10.1 P13 Permitted Activities relating to self-contained power units.
Decision Reasons:	<ul style="list-style-type: none"> • Supports P13 as it would provide for self-contained power units as a permitted activity.
Point Number	692.79
Summary of Decision Requested:	Retain Rule 14.10.1 P14- Permitted Activities relating to aerial telecommunication lines and associated structures.
Decision Reasons:	<ul style="list-style-type: none"> • Supports P14 as it would provide for aerial telecommunication lines and associated support structures, including those not complying with regulations 41-42 of the NESTF as a permitted activity.
Point Number	692.80
Summary of Decision Requested:	Retain Rule 14.10.1 P15 Permitted Activities relating to lightning rods.
Decision Reasons:	<ul style="list-style-type: none"> • Supports P15 as it would provide for lightning rods as a permitted activity.

Submitter Number:	693	Submitter:	Alstra (2012) Limited
Point Number	693.1		
Summary of Decision Requested:	Retain Objective 4.1.1 - Strategic as notified.		
Decision Reasons:	<ul style="list-style-type: none"> • The submitter supports the Waikato District Council's vision for liveable communities within the Waikato district that are sustainable coordinated and efficient while protecting existing intensive farming operations from growth that could negatively impact these operations. 		
Point Number	693.2		
Summary of Decision Requested:	Retain Objective 5.1.1 The Rural Environment as notified.		
Decision Reasons:	<ul style="list-style-type: none"> • Supports the vision to ensure that subdivision, use and development within the rural environment are contained or restricted especially where (ii) and (iii) are concerned • While it is the intention of the Council to seek the zoning of the two Alstra properties on Great South and River Roads as Residential, from Rural, they are still rural activities that can be impacted by urban style by urban style subdivision • These activities are specifically located within the rural environment to counteract the perceived effect on the urban dweller, provided appropriate rules are put in place to provide reverse sensitivity protection for these ongoing operations. 		

Point Number	693.3
Summary of Decision Requested:	Retain Policy 4.1.15 Ngaruawahia as notified, particularly Policy 4.1.15(a)(ii).
Decision Reasons:	<ul style="list-style-type: none"> Alstra appreciates the Council's efforts to single them out for protection within this policy and believe that this provides a clear direction to potential developers of the new residential areas that these existing operations will be protected. Alstra appreciates that they are faced with a double-edged sword with this proposed approach to zoning in Ngaruawahia. Should this zoning be confirmed, Alstra will be able to realise the residential value of the property but are also faced with a potential increase in neighbours on small blocks creating reverse sensitivity effects. Alstra accepts this situation as inevitable given a growing Ngaruawahia and reiterate that with strong policy direction and implementation methods they can be adequately protection by this development, until such time as the intensive farms cease to exist.
Point Number	693.4
Summary of Decision Requested:	Retain Policy 5.3.6 – Intensive farming activities as notified.
Decision Reasons:	<ul style="list-style-type: none"> While this policy is stated within the Rural Character and Amenity section of the PDP, it applies to Alstra and is supported. The support of well operated intensive farming activities as indicated in Policy 5.3.6, will ensure the economic growth of the district. Alstra alone provides employment for 45 people across their farms with the bulk of these being local Ngaruawahia community members
Point Number	693.5
Summary of Decision Requested:	Retain Policy 5.3.7 – Reverse sensitivity effects as notified.
Decision Reasons:	<ul style="list-style-type: none"> Alstra supports the WDC in terms of effects of reverse sensitivity. This is especially true in the sense that in a typical rural environment of the Waikato District, including around the periphery of urban areas where Alstra currently operates. Alstra considers it key that reverse sensitivity can be managed through implementation methods of Council and appropriate design of development taking into consideration these existing activities
Point Number	693.6
Summary of Decision Requested:	Retain Policy 5.3.15 – Noise and vibration as notified.
Decision Reasons:	<ul style="list-style-type: none"> With the understanding that noise is a common occurrence when it comes to intensive farming, Alstra supports the noise and vibration policy, particularly on the basis that existing activities should be protected from noise sensitive activities.
Point Number	693.7
Summary of Decision Requested:	<p>Retain Rule 16.3.9.2 Building setback - sensitive land use, except for the amendments sought below;</p> <p>AND</p> <p>Add to Rule 16.3.9.2 Building setback - sensitive land use a new clause (vi) as follows (or words to similar effect):</p> <p><i>(vi) 300m from the closest point of a building on another site associated with an intensive farming activity.</i></p> <p>AND</p> <p>Any consequential amendments or additional relief to address the matters raised in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> The addition provides an additional implementation method to protect the existing recognised intensive farming operations within Ngaruawahia. It would be expected that that should the proposal default to a discretionary activity, due to being within that 300m buffer, Alstra would be considered an affected party by council. As a lifelong Ngaruawahia resident, the submitter is encouraged by the residential growth of their town and does not seek to stifle this growth. There are legal methods Alstra can implement to both allow the continued operation of the intensive farms and allow appropriate development around these operations.
Point Number	693.8
Summary of Decision Requested:	<p>Retain Rule 16.2.1.1 Noise- General, except for the amendments sought below;</p> <p>AND</p> <p>Amend Rule 16.2.1.1 PI Noise – General as follows (or words to similar effect):</p> <p><i>Farming noise (including intensive farming), and noise generated by emergency generators and emergency sirens.</i></p> <p>AND</p> <p>Any consequential amendments or alternative relief to address the matters raised in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> Supports the rule as it provides for current farming activities to occur, now including intensive farming. As intensive poultry farming practices general emit low amounts of noise, apart for in the summer months when the fans are needed more regularly to ensure adequate temperature for the birds, the operations that Alstra run are within the noise regulations that are required for a permitted activity.
Point Number	693.9
Summary of Decision Requested:	Retain Rule 16.4.7 RD1 (a) (iii) (A) Title boundaries – contaminated land, notable trees, intensive farming and aggregate extraction areas, except for the amendments sought below;

AND

Amend Rule 16.4.7 RD1 (a) Title boundaries - contaminated land, notable trees, intensive farming and aggregate extraction areas as follows (or words to similar effect):

Subdivision of land containing adjoining or adjacent to contaminated land, notable trees, intensive farming and Aggregate Extraction Area must comply with all of the following conditions...

AND

Any consequential amendments or alternative relief to address the matters raised in the submission.

Decision Reasons:

- Support is given in relation to the requirement for a 300m setback from any intensive farm within the Waikato District, however the wording of the proposed rule seems to indicate that the land being subdivided must contain the intensive farm.
- To provide for the subdivision of adjoining or adjacent land as well, providing reverse sensitivity protection for the existing Alstra sites.

Point Number

693.10

Summary of Decision Requested:

Add reverse sensitivity provisions protecting the existing intensive farming activities on the property at 38B River Road, Ngaruawahia (Property 1009876) from sensitive activities (which includes residential development);

AND

Retain the proposed Residential Zone as notified for the property at 38B River Road, Ngaruawahia (Property 1009876) if there are reverse sensitivity provisions protecting the existing intensive farming activities (including residential development);

OR

Amend the zoning of the property at 38B River Road, Ngaruawahia (Property 1009876) to Rural Zone if the amendments sought in the submission regarding reverse sensitivity are not accepted.

AND

Any consequential or alternative relief to address the matters raised in the submission.

Decision Reasons:

- The intensive farming activities that are referred to in Policy 4.1.15 are owned and operated by Alstra Poultry
- This zoning has the potential to restrict these operations without the proposed amendments.

Point Number

693.11

Summary of Decision Requested:

Add reverse sensitivity provisions protecting the existing intensive farming activities on the property at 5463B Great South Road, Ngaruawahia (Property 1005128) from sensitive activities (which includes residential development);

AND

Retain the proposed Residential Zone for the property at 5463B Great South Road, Ngaruawahia (Property 1005128) if there are reverse sensitivity provisions protecting the existing intensive farming activities from sensitive activities (including residential development);

OR

Amend the zoning of the property at 5463B Great South Road, Ngaruawahia (Property 1005128) to Rural Zone if the amendments sought in the submission regarding reverse sensitivity are not accepted;

AND

Any consequential amendments or alternative relief to address the matters raised in the submission.

Decision Reasons:

- The intensive farming activities that are referred to in Policy 4.1.15 are owned and operated by Alstra Poultry
- This zoning has the potential to restrict these operations without the proposed amendments.

Point Number

693.12

Summary of Decision Requested:

Amend the zoning for the property at 138A Starr Road, Ngaruawahia (Property 1005065) from Rural Zone to Residential Zone;

OR

Amend the zoning for the property at 138A Starr Road, Ngaruawahia (Property 1005065) from Rural Zone to Country Living Zone.

Decision Reasons:

- Alstra is the owner of a 15ha block of land at the end of Starr Road that was originally purchased for a new intensive farming site. However with the growth of Ngaruawahia and its surrounds this location was no longer deemed to be a suitable location. Since that decision approximately 4 years ago, there has been a significant increase in residential development right up to Starr Road from Duke Street, confirming that this was the right decision.
- As a rural property, it has become relatively unproductive and is used as a maize block. Alstra believes this would be better suited as a Residential or Country Living Zone given the significant number of smaller titles around it and the potential for reverse sensitivity effects as development in the area increases.

Point Number

693.13

Summary of Decision Requested:

Retain the Proposed District Plan subject to the decisions sought in the submission.

Decision Reasons:

- Supports the overall content of the Proposed District Plan.

Point Number

693.14

Summary of Decision Requested:

Amend the Proposed District Plan to protect the two intensive farming properties within the Ngaruawahia Residential Zone from residential development until Alstra decides to cease operations.

Decision Reasons:

- The hatching, breeding and rearing of chickens on these sites are proposed to continue for the foreseeable future under contract with Inghams.

Submitter Number:	694	Submitter:	Brendhan Greaney
On behalf of:	Multi-Party Submission - See notes for full details		
Point Number	694.1		
Summary of Decision Requested:	Delete the indicative road of Redwood Grove, Tamahere, from the Proposed District Plan.		
Decision Reasons:	<ul style="list-style-type: none"> The intention of the Redwood Grove indicative road was to provide access to the block of land on 264 Newell Road. This property has subsequently subdivided with access provided to each of its lots off Newell Road, making the original purpose of the Redwood Grove indicative road redundant. In the Proposed District Plan, the Redwood Grove indicative road had been extended to access the three 4ha lots (Newell Road 286A, 28613, 286C) currently legally accessed off Elmwood Lane, but now this is being achieved by another means. In the subsequent Notified Draft District Plan, the Redwood Grove indicative road was shortened to access only the block of land, Newell Road 286A. This still represents an extension of the Redwood Grove indicative road, from how it is included in the existing Operative Plan. The extension into the undeveloped lot has the effect of joining the lot, through the extended indicative road, to Redwood Grove, when it already and logically has access from Elmwood Lane. It seems that the indicative road extension into this property is financially motivated, to recover the Redwood Grove development deficit. The properties bordering the Redwood Grove indicative road were purchased with the knowledge of the indicative road as it is drawn on the current Operative Plan. The properties were purchased and further developed on the basis that the indicative road would be removed from the District Plan at the next review (commencing 2017) for at least the following reasons: <ul style="list-style-type: none"> Its purpose to provide access to 264 Newell Road has been achieved by another means, making it redundant. This is consistent with the notation of the Redwood Grove indicative road as "Intention Important, Location Unimportant" in the Operative District Plan. The undeveloped lot of 286A Newell Road, that the indicative road has been extended into, in the Notified Draft plan, is legally accessed off Elmwood Lane and so doesn't require access from Redwood Grove. There was never an intention for the Redwood Grove indicative road to be extended to access the undeveloped lot (or lots) legally accessed off Elmwood Lane. The proposed extension of the indicative road is therefore an extension of purpose after the original purpose has been achieved. As there are already 9 properties accessed off Elmwood Lane, it is already above the threshold in District Plan Rule 21 in Appendix A which requires that access to 8 or more properties is to be by public road. This is consistent with the notation of Elmwood Lane in the District Plan as "Indicative Road, Location Important", providing the property owners with the clear intent of Elmwood Lane as the logical continued access to Elmwood Lane properties The existing Elmwood Lane (location important designation) would continue to be used to access the 4ha lot(s) in preference to establishing a new road to access the same properties. Utilizing existing Elmwood Lane to access the three undeveloped 4ha lots in the event they are developed would have minimal impact on the existing residential properties accessed from Elmwood Lane. The Redwood Grove indicative road, as included in the current Operative Plan and extended in the Notified Draft District Plan, does not provide any additional access utility, or additional utility generally, to the connected lot (286A Newell Road) or the other two undeveloped lots if the indicative road is subsequently extended, beyond the existing or alternative access options from Elmwood Lane. Between release of the Proposed Draft Indicative Plan and the Notified Draft District Plan, there has been further exploration of the options for optimally accessing Newell Road lots 286A, 286B, 286C, currently accessed from Elmwood Lane, in the event they are developed. The most logical option remains as per the earlier submission on Proposed Plan Change 3 attached as Appendix One in Submission. Essentially, a widening of the beginning of Elmwood Lane, separating off the Elmwood Lane indicative road into lot 286A, and further extending through to lot 286C. Removing established trees along the Redwood Grove indicative road (200 plus 10 meter trees and 30 plus 30 meter trees, including Blackwood and Totara) would add substantial incremental cost over utilizing or further developing the already legally established access from Elmwood Lane. It would be recognized that removing the established trees to enable the Redwood Grove indicative road would be detrimental to environmental sustainability and visual impact. Establishment of the Redwood Grove indicative road would have a direct detrimental impact on the value of at least nine existing properties estimated to be well in excess of \$1,000,000. Developing the Redwood Grove indicative road would unnecessarily increase impervious land cover, creating a detrimental environmental outcome. Establishment of the Redwood Grove indicative road would create an inferior traffic outcome creating an additional intersection onto Redwood Grove itself, with very poor line of sight for turning traffic. The owners of the undeveloped lots currently accessed by Elmwood Lane support the use of Elmwood Lane for current and future developed access as the most logical and lowest cost option. Most importantly, that a logical and pragmatic decision to utilize an existing road would prevail. A subdivision concept plan for the development of the undeveloped lots accessed from Elmwood Lane has been prepared and supplied to Council that has relatively high utility, is visually logical, and also enables the Redwood Grove indicative road to be removed from the District Plan. Refer to Appendix One attached to Submission. The logic is that the developers of the undeveloped lots will not be financially disadvantaged versus Redwood Grove indicative road access, and the broader issues highlighted relating to the indicative road will be avoided. 		

Submitter Number:	695	Submitter:	Sharp Planning Solutions Ltd
Point Number	695.1		
Summary of Decision Requested:	Requests council to promote discussion with Kiwirail, the NZ Government, and the Regional Council and transport providers about future development of rail infrastructure and appropriately designated corridors in its region.		
Decision Reasons:	<ul style="list-style-type: none"> Rail compared to road is at a 23% time and distance disadvantage for the haulage of anything but low time important commodities. The disadvantage depletes the benefit of rail haulage. The outcome: greater longevity or roading assets and infrastructure, less rebuild costs and improved road safety and travel times, improved bulk freight transport efficiency/costs and export gains, as well as a more balanced level of transport provider investments. 		
Point Number	695.2		
Summary of Decision Requested:	Add Iwi areas of interest on Planning Maps, and list site-specific properties known known for existing mana whenua interests as occurs within the Auckland Unitary Plan, and the reasons for this (except where such information is not appropriate to publicly disclose).		
Decision Reasons:	<ul style="list-style-type: none"> This provides certainty for applicants and avoids requests for cultural reports. Cultural reports costs thousands of dollars and are frequently based on a high level of uncertainty. Not all reports provide substantive advice. This approach would assist to make matters certain - to respect mana whenua interests and to ensure applicants can be pre-informed those matters are directly relevant. This channel of pre-report information access is currently missing. If applicants were independently pre-informed why a cultural report may be needed, this would build goodwill. This approach would comply with the language of parts 5, 6 and 8 of the RMA. 		

Point Number 695.3

Summary of Decision Requested: Add those sites to which Sections 1.7.2.1(a), 1.7.3.1 and 1.7.3.5 are relevant as a planning overlay on the Planning Maps.

Decision Reasons:

- This would assist applicants for when a resource consent application is required to supply a statement of relevance to this document where it may potentially affect the rohe.
- Not all sites listed in the Waikato River Catchment would be relevant, as some are many kilometres from the river or key tributaries.

Point Number 695.4

Summary of Decision Requested: Add an online calculator for development contributions linked to the Planning Maps that provides a site-specific assessment.

Decision Reasons:

- These could be much more simplified and made easier to understand how much is applicable.

Point Number 695.5

Summary of Decision Requested: Requests applied development plans for each village and town to set out how localities should be developed which sets out how localities should be developed with visual plans.

Decision Reasons:

- In major development, it is expected that applicants will develop master plans.

Point Number 695.6

Summary of Decision Requested: Council to consider the needs of all likely road users when re-sealing road surfaces.

Decision Reasons:

- There are several examples where no consideration was given to all likely road users such as cyclists.
- It actively discourages cycling on local roads and incentivises proneness to sprains and injury, as well as being less safe for grip in all weather conditions. This detracts from active exercise opportunities.
- This practice undermines health outcomes.
- It is up to 33% harder to ride for the same amount of energy as a relatively smooth surface.
- Car and vehicle efficiency is decreased up to 15% due to a greater power to weight ratio. Vehicles are able to maintain momentum thus the energy loss is not as profound.
- The avoidance of flushing can be achieved by using a considerably smoother sealing surface.
- Very rough chip surfaces hold more water, drain less well and are less safe to use as the amount of grip per area of tire is lessened, leading to aqua-planned at speeds of 90km/h or more.
- The surface is more prone to pot-holing due to irregular pressures placed by vehicles and typically does not act as long.
- The only purpose achieved by the current rough chip seal is to save sealing costs, but at the immediate expense of all else.
- A safe environment for all road users that is created through thoughtful design enhances the presence of all users - this assists to slow traffic and on local roads and results in safer outcomes.

Point Number 695.7

Summary of Decision Requested: Add a hierarchy of non-motor vehicle routes for cycling, walking and horse riding.

Decision Reasons:

- An adequate width shoulder could be retained for cycling on identified key routes without compromising the road carriageway.
- There are several examples of roads that are key cycling link 'arterial' routes (see submission, Appendix 2).
- Providing links to other local roads and avoiding main routes are favoured by cyclists for safety reasons.
- Cycling is a very popular activity.
- There are more cyclists than rugby players nowadays.
- Runners, rowers, gymnasts, rugby, soccer and hockey players and swimmers use cycling to build fitness, as well as triathletes and racing cyclists.

Point Number 695.8

Summary of Decision Requested: Amend Development Contributions policies to be much more simplified and made easier to understand how much is applicable.

Decision Reasons:

- No reasons provided.

Point Number 695.9

Summary of Decision Requested: Amend Section 2.12.1(a)(vii) Whanaungatanga (relationship to nature) so that "other land" is objectively defined and care is exercised as to which land this policy applies to, without limiting the natural and legal right of Maori to express and recognise their relationship with the land.

Decision Reasons:

- This aspect is fully supported upon land owned or managed by Maori or in areas of high cultural importance such as the Waikato River margins.
- Some cultural symbols in public places can sometimes have underlying/implicit religion/belief values overtones.
- Caution needs to be exercised in terms of sensitivity to others with respect to this in the type of symbol being displayed.

Point Number 695.10

Summary of Decision Requested: Delete Policy 3.5.3(a)(iii) Protecting the natural character qualities of the coastal environment.

Decision Reasons:

- It is too open ended.
- It has no threshold required by s95 and 104 of the Resource Management Act to define a potential or actual effect or assisting to write certain resource conditions.
- It is unclear if the overlay only applies to part of a site or part of an area proposed to be developed.
- Policy 3.5.3(ii) is considered to cover this aspect and places the onus on the applicant to demonstrate evidence.

Point Number 695.11

Summary of Decision Requested: Delete Policy 3.5.4(a)(iii) Protecting the natural character of wetlands, and lakes and rivers and their margins.

Decision Reasons:

- Policy 3.5.4(a)(iii) is meaningless
- It is too open ended
- It has no threshold required by s95 and 104 of the Act to define a potential or actual effect or assisting to write certain resource conditions
- Development cannot consolidate with existing development unless it adjoins such land and connections have been provided for in that previous development.
- It is very unclear as to what extent does the "natural character and landscape values have already been compromised" mean to the user of the Plan.
- All development takes up land - "sprawling" is not defined as to what it means in terms of an identifiable threshold or ration of area and a reference to an objective definition or source may assist.

Point Number 695.12

Summary of Decision Requested: Amend Policy 3.5.4(a)(iv) Protecting the natural character of wetlands, and lakes and rivers and their margins to include a reference to a specific rule, or requirement of the Resource Management Act, is placed here to assist the reader.

Decision Reasons:

- Open ended subjective statements will only frustrate applicants as it provides no certainty what is actually to be complied with.

Point Number 695.13

Summary of Decision Requested: Add a new clause (iv) to Policy 4.2.5(a) Setback: Side boundaries as follows:
(iv) For property and building maintenance.

Decision Reasons:

- No reasons provided.

Point Number 695.14

Summary of Decision Requested: Delete Policy 4.2.5(b)(i) and (ii) Setback - Side boundaries.

Decision Reasons:

- It is too restrictive.
- There are other reasons for reduced side yard setback, such as the presence of infrastructure.

Point Number 695.15

Summary of Decision Requested: Amend Policy 4.2.7(b) Site Coverage and Permeable Surfaces to remove the words "lawns and gardens."

Decision Reasons:

- It is solely the right of a land owner to decide if they want lawns and gardens or not on their property and not be directed by Council Planners that they must have this.
- Council will not maintain the lawn and garden for owners.
- The key requirement of the permeable surface is that it is required to comply.

Point Number 695.16

Summary of Decision Requested: Amend Policy 4.2.10(a) Daylight and outlook as follows:
Maintain adequate daylight, and enable opportunities for passive solar gain ~~by providing for the progressive reduction in the heights of buildings.~~
AND
Consider adding a link to a rule or a source for context for Policy 4.2.10(a) Daylight and outlook.

Decision Reasons:

- The phrase has no context and is meaningless.
- The reduction of the height of buildings on a flat site could lead to less exposure to sunlight.
- There are other means of providing solar access.

Point Number 695.17

Summary of Decision Requested: Amend Policy 4.2.10(b) Daylight and outlook as follows:
Require the height, bulk and location of development to maintain sunlight access and privacy, and to minimise non-compliant visual dominance effects on adjoining sites where they are demonstrated to the satisfaction of council that they cannot be reasonably avoided due to constraints such as steep topography in relation to effects of works and costs.

Decision Reasons:

- Visual dominance can only occur through a non-compliance or an effect greater than a permitted activity equivalent comparison.

Point Number 695.18

Summary of Decision Requested: Amend Policy 4.2.10(c) Daylight and outlook as follows:
Maintain and enhance attractive open space character of residential areas by ensuring that development is compatible in scale to surrounding activities and structures and has ~~generous~~ compliant on-site landscaping, screening and street planting, as set out in design guide xyz as stated as being applicable to the proposal in that design guide.

Decision Reasons:

- The term "generous" is too open ended and has no context or reference.
- Council would have to develop a design guide to source will assist applicants with a specific requirements they are to achieve.

- Open-ended uncertainty frustrates applicants and leads to delays and costs from arguments with Council Planners as to what represents a satisfactory outcome.

Point Number 695.19

Summary of Decision Requested: **Add** references/links throughout the Proposed District Plan, as it is in Policy 4.2.12(a) Outdoor living court - Multi-unit development.

Decision Reasons:

- This referencing within Policy 4.2.12(a) is exactly the type of reference/link to objective information that is requested to occur elsewhere in the Proposed District Plan.

Point Number 695.20

Summary of Decision Requested: **Delete** Policy 4.2.15(a)(iv) Earthworks.

OR

Amend Policy 4.2.15(a)(iv) Earthworks to refer to "unauthorised clean-fill" instead of "clean-fill".

Decision Reasons:

- It is ultra-vires.
- It lacks any comprehension of building and development requirements.
- If it meant to refer to unauthorised clean-fill, it should state so.
- The statement is objected to it (in its present form).
- The stated prohibition on importation of all clean-fill would make almost all development impossible.
- Building sand, crushed stone, shells or bark for gardens can all be regarded as clean-fill if received from an authorised source.
- Some sites need earth brought in to address drainage or where building of the soil level is required for stability and building platform integrity.

Point Number 695.21

Summary of Decision Requested: **Delete** Policy 4.2.15(d) Earthworks.

OR

Amend Policy 4.2.15(d) Earthworks to refer to minimising earthworks to maintain the fundamental shape, contour and landscape characteristics where otherwise possible.

Decision Reasons:

- It is ultra-vires
- It lacks any comprehension of building and development requirements.
- Altering fundamental shape, contour and landscape cannot be avoided in some scenarios to achieve a suitable and safe building development outcome.
- If the intended outcome is to minimise earthworks then this is what the clause should state.

Point Number 695.22

Summary of Decision Requested: **Amend** Policy 4.2.15(e) Earthworks to identify which sites this applies to as a planning overlay on the Proposed District Plan maps.

OR

Amend Policy 4.2.15(e) Earthworks to provide a reference document source for applicants to refer to determine to what extent they need to comply.

Decision Reasons:

- This clause has no context as to how it is intended to be applied.
- Subjective open-ended statements frustrate applicants.

Point Number 695.23

Summary of Decision Requested: **Amend** Policy 4.2.18(a)(i) Multi-unit development to include reference to the document (Appendix 3.4 of the Proposed District Plan) at the start of this policy, rather than part way through or at the end of this section.

Decision Reasons:

- The reader will read the various open-ended requirements of (a) and wonder how that might be achieved.
- It is only later in clause (b) the reference document is stated.
- Dispersing key requirements of the District Plan in a prominent and consistent manner would better assist applicants.

Point Number 695.24

Summary of Decision Requested: **Retain** Policy 4.2.23(a)(i) Non-residential activities.

AND

Delete Policy 4.2.23(a)(iv) Non-residential activities.

OR

Add to Policy 4.2.23(a)(iv) Non-residential activities a list of the types of non-residential activities that can occur in residential areas, with restrictions on dominance.

Decision Reasons:

- The intent to avoid dominance in residential areas is fully supported.
- Policy 4.2.23(a)(iv) is not well considered.
- Non-residential activities on front sites would be more prominent on front sites if the intent is to restrict a dominant presence in the residential zone.
- The location of restriction on cul-de-sacs, and to strategic roads, is equally bizarre.
- This would see a disproportionate amount of these activities occur on residential through streets.

Point Number 695.25

Summary of Decision Requested: **Amend** Policy 4.2.26(a)(ii) Neighbourhood centres in structure plan areas to replace "provide" with "plan" and define the walkable catchment in

relationship to the catchment.

Decision Reasons:

- The statement is not well considered.
- It needs to be revised.
- The walkable catchment requirement would potentially restrict the size of neighbourhood centres and could create an inefficient dispersal of resources and infrastructure where more than one would be needed when on that is larger could do the task efficiently provided that it does not overly tax the roading system.
- The work "provide" implies that such centres must wait for development to occur around them and be retrofitted.

Point Number

695.26

Summary of Decision Requested:

Amend Policy 4.3.3(a) Future development - Tuakau and Te Kowhai by replacing with the following wording:

Enable infrastructure and service availability so that future subdivision and development in Tuakau and Te Kowhai provides for suitable building and access locations to be identified.

Decision Reasons:

- This statement is back to front and does not make sense.
- Buildings and access cannot be located to enable future development as development would be current when that occurs.

Point Number

695.27

Summary of Decision Requested:

Amend Policy 4.3.5(a) Building setbacks as follows:

Maintain existing and promote new vistas and views between new buildings in the Village Zone when viewed from a road.

Decision Reasons:

- The word "new" needs to be placed elsewhere in the phrase as the vista would already be existing (it cannot be new) whether it be from a building, a road, or any other place - before or after the building is built.

Point Number

695.28

Summary of Decision Requested:

Amend Policy 4.3.6(a) Front setback character to consider new/anticipated development.

Decision Reasons:

- Consider Pokeno Design Guide for the Pokeno Village.
- The statement is supported in principle.

Point Number

695.29

Summary of Decision Requested:

Amend Rule 4.3.7(a) Excessive building scale as follows:

Enable development shall only to exceed height, bulk and form only where it is in keeping with and does not detract from the amenity values of the street which are existing and (where a design guide is available) any development proposal balances the anticipated amenity values with those which are existing.

Decision Reasons:

- The relief sought provides for appropriate step-change of development.
- Incorrect tense used.
- It encourages non-compliance.

Point Number

695.30

Summary of Decision Requested:

Amend Policy 4.3.15(d) Earthworks as follows:

Subdivision and development occurs in a manner that maintains fundamental shape, contour and landscape characteristics. That earthworks shall be to the extent necessary to enable the development, and where practical shall try to maintain the shape, contour and landscape characteristic.

Decision Reasons:

- The objective is unachievable, as earthworks will often change the fundamental shape, contour and landscape, especially if large scale.
- It is ultra-vires.
- It lacks any comprehension of building and development requirements.
- Altering fundamental shape, contour and landscape cannot be avoided in some scenarios to achieve a suitable and safe building development outcome.
- If the intended outcome is to minimise earthworks then this is what the clause should state.

Point Number

695.31

Summary of Decision Requested:

No specific decision sought for Policy 4.3.15(e), however submission considers common clauses for all development should be under one section in the District Plan to avoid unnecessary repetition.

Decision Reasons:

- It is ultra-vires.
- It lacks any comprehension of building and development requirements.
- Altering fundamental shape, contour and landscape cannot be avoided in some scenarios to achieve a suitable and safe building development outcome.
- If the intended outcome is to minimise earthworks then this is what the clause should state.

Point Number

695.32

Summary of Decision Requested:

Amend Policy 4.4.6 Signage to include restrictions on the number of signs on a premises.

Decision Reasons:

- Many signs are superfluous to advise traffic of safety, speed or directions.
- This avoids signage clutter.

Point Number	695.33
Summary of Decision Requested:	Amend Policy 4.4.7 Managing the adverse effects of signs to include restrictions on the number of signs on a premises.
Decision Reasons:	<ul style="list-style-type: none"> • Many signs are superfluous to advise traffic of safety, speed or directions. • This avoids signage clutter.
Point Number	695.34
Summary of Decision Requested:	Amend Policy 4.5.2(a)(iii) Commercial function and purpose to provide for small convenience retail and community activities in all business zones.
Decision Reasons:	<ul style="list-style-type: none"> • It restricts small-scale convenience retail and community activity outside of Business Zone Tamahere and neighbourhood centres.
Point Number	695.35
Summary of Decision Requested:	Delete Policy 4.5.9(a) Employment opportunities: Business Town Centre Zone and Business Zone
Decision Reasons:	<ul style="list-style-type: none"> • The statement is superfluous as it states the obvious and does not require the applicant to undertake any specific action. • It clutters the Proposed District Plan with unnecessary statements.
Point Number	695.36
Summary of Decision Requested:	<p>Amend Policy 4.5.11 Residential upper floors: Business Town Centre Zone and Business Zone as follows:</p> <p>(a) <i>Maintain the commercial viability of the Business Town Centre Zone and Business Zone while:</i></p> <p>(i) <i>Providing for mixed use developments, ensuring residential activities are located above ground floor; and <u>as applicable</u></i></p> <p>(ii) <i>Removal of any existing Amend residential activity located at ground level, or <u>relocating the existing residential activity currently located at ground level to above ground level where a business or other type of land use is to be located at the ground level.</u></i></p>
Decision Reasons:	<ul style="list-style-type: none"> • The policy does not account for existing residential activity.
Point Number	695.37
Summary of Decision Requested:	Delete Policy 4.5.14(a)(ii) Raglan Town Centre.
Decision Reasons:	<ul style="list-style-type: none"> • This statement is not well considered and should be deleted. • In commercial areas with shops with footprints, it is impossible to not access a site by vehicle across a footpath where an access exists. • Clause (a)(i) addresses the sought requirement, by stating 'prioritising and providing for pedestrian movement and safety.' This is all that needs to be stated.
Point Number	695.38
Summary of Decision Requested:	Amend Policy 4.5.15(a)(iv)B Huntly Town Centre to include an exemption statement for a building that is of a historical character where a veranda was not part of the original design.
Decision Reasons:	<ul style="list-style-type: none"> • Supports policy in principle with amendments.
Point Number	695.39
Summary of Decision Requested:	Delete Policy 4.5.17(a)(iv)D Te Kauwhata Town Centre.
Decision Reasons:	<ul style="list-style-type: none"> • The locality (and the Waikato in general) is known for a consistently damp climate. • Roofs with a reasonable pitch assist the watertight integrity of buildings.
Point Number	695.40
Summary of Decision Requested:	Delete Policy 4.5.33 Reverse sensitivity.
Decision Reasons:	<ul style="list-style-type: none"> • This clause repeats itself in intent with slightly different working as in Policy 4.5.31
Point Number	695.41
Summary of Decision Requested:	Amend the Proposed District Plan to delete unnecessary duplication of the term "reverse sensitivity".
Decision Reasons:	<ul style="list-style-type: none"> • The number of times the words "reverse sensitivity" appears when preparing resource consent applications and is repeatedly requested to be addressed in the Operative District Plan is annoying.
Point Number	695.42

Summary of Decision Requested:	Amend Policy 4.5.37 Managing the adverse effects of signs to list common requirements that apply across all zones in one section of the Proposed District Plan.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	695.43
Summary of Decision Requested:	Delete Policy 4.7.2(a)(vii) Subdivision location and design.
Decision Reasons:	<ul style="list-style-type: none"> It does not achieve good quality subdivision design. It directly promotes static predictable roads that promote inappropriately fast and unsafe driving in residential areas. A consistent grid layout is an obsolete form of subdivision design. A slight variation of short block lengths (not in excess of 200m) curved streets and where appropriate narrowed design of roading can assist safety through wider berms and visibility of public space. Fencing to front building lines instead of the front boundary assists this. Roads in a residential area are a place to exercise, for kids to play and to provide surveillance and interaction opportunity between neighbours. Roads are not just a place for cars.
Point Number	695.44
Summary of Decision Requested:	Amend Section 4.7 Urban Subdivision and development to be a separate section of the Proposed District Plan.
Decision Reasons:	<ul style="list-style-type: none"> Key information is placed in an ad-hoc manner.
Point Number	695.45
Summary of Decision Requested:	Amend Policy 4.7.3(a) Residential subdivision to be placed before Policy 4.7.2(a) Subdivision location and design.
Decision Reasons:	<ul style="list-style-type: none"> It will save the reader from frustration of seeing open-ended requirements then later finding out where to access the required information to do so. Doing so assists applicants to read the plan and access information in a logical efficient and consistent manner.
Point Number	695.46
Summary of Decision Requested:	Amend Policy 4.7.4 lot size to include shape, required setbacks, and slope, especially for Raglan and Pokeno.
Decision Reasons:	<ul style="list-style-type: none"> Minimum lot sizes are only one factor of good quality subdivision design. Account needs to be taken for shape, required setbacks and slope to provide a viable building platform. From the submitter's experience of subdivision, especially in and around Pokeno and Raglan, these factors need to be taken account of with rules designed to accommodate these considerations.
Point Number	695.47
Summary of Decision Requested:	Retain Policy 4.7.9(a) Connected neighbourhoods.
Decision Reasons:	<ul style="list-style-type: none"> The content is fully supported.
Point Number	695.48
Summary of Decision Requested:	Amend Policy 4.7.11(b) Reverse sensitivity as follows: <i>Avoid potential reverse sensitivity effects of locating new dwellings in the <u>buffer setback</u> vicinity of an <u>existing</u> (or <u>approved</u>), intensive farming, extraction industry or industrial activity <u>unless the written approval of the activity operator has been obtained</u>.</i>
Decision Reasons:	<ul style="list-style-type: none"> The clause needs to be re-phrased to be able to be practically applied. The above indicates that such activities should be shown on the Planning Maps as an overlay.
Point Number	695.49
Summary of Decision Requested:	Delete Policy 4.7.12(a) Boundary adjustments and relocations.
Decision Reasons:	<ul style="list-style-type: none"> This is a superfluous statement as it states the obvious and does not require the applicant to undertake any specific action. It clutters the Proposed District Plan with unnecessary statements.
Point Number	695.50
Summary of Decision Requested:	No specific decision sought with regards to Objective 5.1.1(a)(i) The rural environment, but the submission states that the matter of high class soils fragmentation could be fully solved/avoided by:
	<ul style="list-style-type: none"> Ensuring any Rural Zoned lots over 20ha can undertake a transferable rural lot subdivision; and On lesser sized Rural Zones land where high class soils exist, enabling a rural lot transfer option.
	AND
	Council should reconsider the exclusion of transferable rural lot rights.

Decision Reasons:

- This option is not currently provided for.
- This would eliminate any concern over fragmenting high-class soils and reduction of viable production land in the area.
- The certificate of title would record the parent land has had such a subdivision and cannot be further subdivided under that provision via a Section 221 consent notice.
- Created lots would have to occur within a defined zoned location, not on the subdivided site (except to prove viability).
- It will eliminate the need to fragment high class soil on lesser sized rural zoned land, where high class soils exist.
- The relief sought is consistent with the Proposed District Plan objective to protect rural land soil resources.

Point Number 695.51

Summary of Decision Requested: No specific decision sought with regards to Policy 5.3.8(d) Effects on rural character and amenity from rural subdivision, but submission states rural hamlet subdivision should not occur in an adhoc manner, which will cumulatively result in undermining the rural character. Such subdivision should have entitlements transferred to land around existing towns and villages.

Decision Reasons:

- Rural hamlet subdivision should not occur in an adhoc manner.
- It cumulatively results in undermining the rural character through dispersed development of non-rural activity.
- It contradicts to the Rural Zone objectives and policies in (ii) Maintenance of the rural character and amenity of the surrounding rural environment; and (iii) Minimisation of cumulative effects.

Point Number 695.52

Summary of Decision Requested: Delete Policy 5.3.9(a) Non-rural activities.

Decision Reasons:

- These are rural activities naturally associated with the rural sector.

Point Number 695.53

Summary of Decision Requested: Amend Policy 5.3.15 Noise and vibration to include earthworks within residential setbacks of adjoining property.

Decision Reasons:

- This can have potential to vibrate adjoining building structures where close by.

Point Number 695.54

Summary of Decision Requested: No specific decision sought with respect to Policy 5.6.3(a)(i) Subdivision within the Country Living Zone, but submission considers greater intensification of Country Living Zoned land is to be encouraged not discouraged.

Decision Reasons:

- It currently presents a significant cumulative waste of rural land resources.
- Council should focus on developing land in and around villages and towns and not adhoc sprawling Country Living Zones.
- Smaller lot sizes should be encouraged where infrastructure can be supplied.

Point Number 695.55

Summary of Decision Requested: Add a list of all known sites where Hazardous Activities and Industries List activities are understood to have occurred on the Planning Maps.

Decision Reasons:

- Waipa District Council does this.

Point Number 695.56

Summary of Decision Requested: Retain the definition for "Agricultural and horticultural research activities" in Chapter 13 Definitions which no longer contains references to "Genetic Engineering".

Decision Reasons:

- Genetic engineering has been dropped, which is supported.

Point Number 695.57

Summary of Decision Requested: Amend the definition of "Airfield" in Chapter 13 Definitions to include areas for aircraft to be stored and maintained, and airport administration buildings.

Decision Reasons:

- No reasons provided.

Point Number 695.58

Summary of Decision Requested: Amend the definition for "Blasting" in Chapter 13 Definitions to include an irregular array of blast holes.

Decision Reasons:

- The potential and actual effect of both irregular and regular blast holes is likely to be similar.

Point Number 695.59

Summary of Decision Requested: Amend the definition for "Boundary" in Chapter 13 Definitions to be more comprehensive for cross-leases, covering internal boundaries associated with registered exclusive use areas and external boundaries covering the whole of the cross lease site.

Decision Reasons:

- The submitter is concerned that this definition is not full enough.
- Cross leases can also have internal boundaries associated with registered exclusive use area, and external boundaries covering the whole of the cross-lease site.
- Refer to the definition of "site" and the language used to defined a cross lease.

Point Number 695.60

Summary of Decision Requested: Amend the definition of "Community Activity" in Chapter 13 Definitions to include "sporting activity".

Decision Reasons:

- No reasons provided.

Point Number 695.61

Summary of Decision Requested: Add a definition for "Construction Noise" in Chapter 13 Definitions.

Decision Reasons:

- There should be a definition for this.

Point Number 695.62

Summary of Decision Requested: Amend the definition for "Cumulative risk" in Chapter 13 Definitions to objectively state if it means other facilities on or off the site.

Decision Reasons:

- Use of the term "other facilities" is meaningless.

Point Number 695.63

Summary of Decision Requested: No specific decision sought but submission supports the absence of "Growth Areas" as a defined term.

Decision Reasons:

- This is supported in principle, to provide Council flexibility in forward planning.

Point Number 695.64

Summary of Decision Requested: Add a definition for "Disposal" to Chapter 13 Definitions

Decision Reasons:

- There should be a definition of "Disposal"

Point Number 695.65

Summary of Decision Requested: Amend the definition of "Dripline" in Chapter 13 Definitions to include, when a tree is deciduous, the ground underneath the furthest extent of the branch system of the tree.

Decision Reasons:

- No reasons provided.

Point Number 695.66

Summary of Decision Requested: Add a definition for "Horticultural Activity" to Chapter 13 Definitions.

Decision Reasons:

- There should be a definition of "Horticultural Activity".

Point Number 695.67

Summary of Decision Requested: Amend the scope of the definition for "Health Facility" in Chapter 13 Definitions.

Decision Reasons:

- A business, such as the Caci Clinic in Hamilton, which provides for a range of health as well as beauty and skincare services, would not fit easily into this definition.

Point Number 695.68

Summary of Decision Requested: Amend the definition of "Height Control Plane" in Chapter 13 Definitions to consider slopes, and the use of 45 degree rather than 37 degree and to be subservient to building height from the ground and setbacks.

Decision Reasons:

- The definition is incomplete and inconsistent with other Councils.
- The definition only considers flat sizes. Most sites are not flat, but have a slope. The slope directs the overall height of the building.
- Sites with steep slopes are unfairly disadvantaged by the standard application of the height in relation to boundary rules.
- No other council uses the 37 degree place angle as a general application except for the southern quarter - the sunlight angle in Waikato does not differ from Auckland, Hamilton or Waipa districts.
- The height control plane also needs to be subservient to building height from the ground and setbacks.

Point Number 695.69

Summary of Decision Requested:	Add Planning Map references to the definition of "High Class Soils" in Chapter 13 Definitions. AND Add maps of High Class Soils to the Proposed District Plan.
Decision Reasons:	<ul style="list-style-type: none"> No references currently exist for the public to access, but these are needed to indicate if further investigation is required.
Point Number	695.70
Summary of Decision Requested:	No specific decision sought in relation to the definition of "Homestay" in Chapter 13 Definitions, however submission notes that there is no maximum duration of stay listed.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	695.71
Summary of Decision Requested:	Amend the definition of "Indicative Road" in Chapter 13 Definitions to include phrasing that where an indicative road is constructed and is open to the public the classification is redundant.
Decision Reasons:	<ul style="list-style-type: none"> Previous application of rules when the indicative road has not been removed from the Planning Maps but the maps has been constructed. Must include phrasing where an indicative road has otherwise been constructed and is open to the public and therefore the indicative road classification is redundant. Difficulties have been encountered with inflexible Council Planner's interpretations in Raglan and Tamahere that insisted on proposals being a prohibited activity in one instance, and in the other, on considering the effects of future development on an indicative road where the road had been constructed just 50m away and was open to the public.
Point Number	695.72
Summary of Decision Requested:	Add a definition of "Landfill" to Chapter 13 Definitions.
Decision Reasons:	<ul style="list-style-type: none"> A definition of "landfill" should be added.
Point Number	695.73
Summary of Decision Requested:	Amend the definition of "Living Court" in Chapter 13 Definitions to state the proximity on a site to the downstairs or upstairs of a dwelling, including covered area such as porticos, decks, conservatories, and indoor-outdoor flow areas; and a swimming pool on its own is insufficient.
Decision Reasons:	<ul style="list-style-type: none"> Some persons value indoor space more than outdoors. A swimming pool on its own is not sufficient for living court purposes for all residents year-round.
Point Number	695.74
Summary of Decision Requested:	Amend the definition of "Minor Dwelling" in Chapter 13 Definitions to provide an exclusion for decks and garaging from the dwelling area.
Decision Reasons:	<ul style="list-style-type: none"> It is considered decks and garaging should be included.
Point Number	695.75
Summary of Decision Requested:	Amend the definition of "National Grid Corridor" in Chapter 13 Definitions to be consistent with the NZECP34:2001 requirements, and recognise that in some cases, high voltage line pylons and/or their conductor wires also set out a 22.5m setback.
Decision Reasons:	<ul style="list-style-type: none"> High voltage line pylons and/or their conductor wires also set out a 22.5m setback.
Point Number	695.76
Summary of Decision Requested:	Amend the definition of "Notional Boundary" in Chapter 13 Definitions consistent with Section 218 of the Resource Management Act and other Councils.
Decision Reasons:	<ul style="list-style-type: none"> Notional boundaries are not provided for in the Resource Management Act as quasi-considerations of future subdivision. Council practice is only to apply it to primary dwellings where two are sought to be placed on a certificate of title and not minor dwellings, which is also inconsistent with the terms of the District Plan definition that is used. This term and its application is unnecessary (likely ultra-vires) and inappropriate virtual encumbrance stifling potential intensification of land use in residential areas and effective utilization of existing infrastructure. The term does not appear in the Resource Management Act. It places a future requirement on a proposal that is not part of that proposal or yet known, as the potential for subdivision would be considered under subdivision rules. It is not relevant effects-based consideration of s95 or s104 of the Resource Management Act as no effect can be properly ascertained, implied, or derived in terms of the actual use that is being proposed. Section 87BA would provide for a notional boundary to be a permitted activity under implicit written approval, and this Resource Management Act definition legally overrides the District Plan definition. Other Councils do not use this definition so it is inconsistent practice. Other Councils provide for lesser subdivision lot sizes than minimums around approved dwellings as part of combined land use consent applications immediately followed by subdivision - given compliance with other minimum provisions. This practice occurs within Auckland, Tauranga and Hamilton City Council. This would create regional consistency.

Point Number 695.77

Summary of Decision Requested: Amend the definition of "Rear Record of Title" in Chapter 13 Definitions to describe the situation where an allotment although approved, has not yet had a Record of Title issued.

Decision Reasons:

- This is an incomplete definition.
- Does not describe the situation where an allotment although approved, has not yet had a Record of Title issued.

Point Number 695.78

Summary of Decision Requested: Add a definition of "Reverse Sensitivity" to Chapter 13 Definitions.

Decision Reasons:

- A definition of "Reverse Sensitivity" should be added.

Point Number 695.79

Summary of Decision Requested: Add a definition of "Rural Hamlet Subdivision" in Chapter 13 Definitions.

Decision Reasons:

- A definition of "Rural Hamlet Subdivision" should be added.

Point Number 695.80

Summary of Decision Requested: Delete the definition of "Viable Record of Title" in Chapter 13 Definitions

Decision Reasons:

- Likely to be ultra-vires.
- The Resource Management Act does not provide for active discrimination in defining which record of title is viable or not, only in specific zones.
- The same rules have to apply all lots in all zones if they are to be applied.

Point Number 695.81

Summary of Decision Requested: Amend the definition of "Village Green" in Chapter 13 Definitions to not be restricted only to Tamahere, so as to be later used as a general development term when Villages are more widely developed.

Decision Reasons:

- The term should not be inappropriately restricted only to Tamahere.

Point Number 695.82

Summary of Decision Requested: Amend the definition of "Visually permeable" in Chapter 13 Definitions as follows:
Means materials on a fence or wall that have ~~continuous vertical or horizontal gaps of at least 50mm width that result in~~ at least 50% visual permeability that include continuous vertical or horizontal gaps of at least 50mm width.

Decision Reasons:

- The definition cannot be applied as it reads.
- It suggests only the gaps have the visual permeability.

Point Number 695.83

Summary of Decision Requested: Amend Rule 16.1.3 RDI(h) Restricted Discretionary Activities so that an additional 10m² per bedroom be required for outdoor living space for 3 bedrooms or more, and that the 4m dimension be reduced to 3m.

Decision Reasons:

- The Council should be aiming for regional consistency .
- There is no obvious need for such wide variations to occur.
- The minimum dimensions in the Proposed District Plan are difficult to achieve, particularly on many narrow sites that occur in the District. This requirement is 60% greater than that for Hamilton City (included in the submission), with no logical explanation for such a great difference.
- The area requirement is supported in principle, there seem to be more practical consideration that Hamilton has applied, however again there appears to be no reason for either Council, to vary as much as 300% in one example.

Point Number 695.84

Summary of Decision Requested: Amend Rule 16.2.4.1 PI Earthworks - General so that earthworks are applied as a ratio to site area, i.e. a 1:1 ratio on a 450m² site would provide 450m³ earthworks.

Decision Reasons:

- The Proposed District Plan penalises bigger sites for no apparent outcome, especially when a bigger site is likely to be better able to absorb and diffuse effects.
- Earthworks totals should not cancel each other out, i.e. cut and fill add together.

Point Number 695.85

Summary of Decision Requested: Retain a maximum area of earthworks in Rule 16.2.4.1 PI Earthworks - General.

Decision Reasons:

- No reasons provided.

Point Number 695.86

Summary of Decision Requested: Amend Rule 16.2.4.1 P3 Earthworks - General so that the volume is applied as a ratio to site, i.e. a 1:5 ratio, so a 450m2 site would therefore provide a 90m3 fill.

Decision Reasons:

- The Proposed District Plan penalises bigger sites for no apparent outcome, especially when a bigger site is likely to be better able to absorb and diffuse effects.

Point Number 695.87

Summary of Decision Requested: Amend Rule 16.2.4.4 Earthworks - Landscape and Natural Character Areas so that the 50m2 area figure is volume and the 250m3 volume figure is area.

Decision Reasons:

- The volume compared to area is 5:1 ratio, so every 1m2 of works can allow 5m3 volume to occur, which is very intensive and likely to cause environmental damage.
- The figures seem to be inconsistent with Rule 22.2.3.3 and is considered an error.

Point Number 695.88

Summary of Decision Requested: Amend Rule 16.2.4.4 Earthworks - Landscape and Natural Character so that the earthworks applied within the affected area by the overlay (as distinct from the whole of the site) as a 1:5 ratio to site area. i.e. if 500m2 occurs in the overlay, only 100m2 area and 100m3 volume will be allowed.

Decision Reasons:

- This better reflects the qualities of the overlay intent of the natural character.
- 250m3 of works as a static approach regardless of site size is not practical.

Point Number 695.89

Summary of Decision Requested: Amend Rule 16.3.2 P1(a)(i) Minor dwelling to apply a 600m2 threshold instead of the current 900m2 requirement.

Decision Reasons:

- Hamilton City Council allows 600m2 in the Residential Zone on reticulated and serviced sites (but precludes later subdivision).
- The Proposed District Plan approach is a 150% difference to HCC for no logical planning reason.
- The Council should be moving toward regional consistency.
- It would better enable the region to meet its share of provision of affordable housing options in a more cost effective manner by reducing building costs.

Point Number 695.90

Summary of Decision Requested: Amend Rule 16.3.3.1 P1 Height - Building general so the rule applies to that part of the building structure opposite the immediate ground level only.

AND

Amend Rule 16.3.5 Daylight admission as a consequential amendment.

Decision Reasons:

- The rule is suitably for flat sites.
- A development on a steeply sloped site is severely penalised.
- This would avoid giving neighbours perverse objection rights.
- Height in relation to boundary would need to account for the same.
- Subdivision design would need to ensure larger lots on steeper sites than the minimums to avoid solar access issues when development occurs.

Point Number 695.91

Summary of Decision Requested: Amend Rule 22.3.7.1 P3(a)(ii) Building setbacks – All boundaries, to be 12m rather than 25m.

Decision Reasons:

- A 12m setback would be adequate.

Point Number 695.92

Summary of Decision Requested: No specific decision sought with respect to Rule 22.4.1.1 PR2 and PR3 Prohibited subdivision, however the submission considers the rules are unnecessarily complex and a transferable right if supplied would completely eliminate the need for concern over high class soils if the created entitlement is required to be transferred to another zone with capacity for the intended purpose.

Decision Reasons:

- The rules are unnecessarily complex.
- If a transferable right subdivision process is supplied it would 100% eliminate the need for concern over high class soils if the created entitlement is required to be transferred to another Zone with capacity for the intended purpose.

Point Number 695.93

Summary of Decision Requested: Delete Rule 22.4.1.1 PR4(a) Prohibited Subdivision;

OR

Amend Rule 22.4.1.1 PR4(a) Prohibited Subdivision, to be an exemption (if this is the intent).

Decision Reasons:

- The rule is likely to be ultra-vires.
- It is unclear how Council can lawfully limit amalgamation or re-survey of land as part of subdivision.

- S241 of the Resource Management Act allows for amalgamation and re-survey of land (s218), regardless of how the record of title was first created.
- The District Plan cannot override the legal rights set out in the Act, nor add them where the Act is silent on such matters.
- The rule is an error and was probably intended to be an exemption.

Point Number 695.94

Summary of Decision Requested: No specific decision sought, however the submission considers that Rule 22.4.1.2 RDI (v) A and B General subdivision adds unnecessary and inappropriate complexity and that no variation margin is set out for realistic variations which do occur (the Operative District Plan Franklin Section allowed plus or minor 10% range).

Decision Reasons:

- This rule adds unnecessary and inappropriate complexity to consideration of development applications.
- No variation margin is set out to allow for realistic variations, which do occur.

Point Number 695.95

Summary of Decision Requested: Delete the date component of Rule 22.4.1.4 RDI (a) Subdivision – Boundary relocation.

Decision Reasons:

- It is likely to be ultra-vires.
- It is unclear how the Council can lawfully place a record of title date restriction on boundary relocations and adjustments.
- The Resource Management Act allows for boundary relocation and adjustments regardless of the date the record of title was created.
- The District Plan cannot override the legal rights set out in the Act, nor add to them where the Act is silent on such matters.

Point Number 695.96

Summary of Decision Requested: Amend Rule 22.4.1.5 Rural Hamlet Subdivision, to include a transferable rural lot right subdivision.

Decision Reasons:

- It is preferred that Council instead create appropriate planning and rezoning around existing towns and villages than ad-hoc dispersed subdivision.
- A transferable rural lot right subdivision combined with an appropriate level of vision and growth planning around existing towns and village will enable and promote development, and address latent development potential, within an improved framework and development outcomes.

Point Number 695.97

Summary of Decision Requested: Amend Rule 22.4.1.6 RDI (a)(iii) Conservation lot subdivision to apply a discretionary activity status to a conservation lot subdivision utilising land already subject to the listed covenant(s) where such land has not been previously subdivided.

Decision Reasons:

- This would respect owners of land who of their own initiative have previously bush at their own expense without seeking reward.
- Such subdivision would be subject to all the other same requirements listed in the provisions, in the same way an unprotected bush area would be assessed and considered.

Point Number 695.98

Summary of Decision Requested: Add to Rule 22.4.6 RDI (a)(i) Subdivision of land containing all or part of an Environmental Protection Area a reasonable setback (trigger threshold applied) e.g. where an overlay occurs in or within 100m of lots being proposed to be developed, with the exception of the balance lot;
AND
Amend Rule 22.4.6 RDI (a)(i) Subdivision of land containing all or part of an Environmental Protection Area, as follows:
A planting and management plan is submitted to Council for the Environmental Protection Area prepared by a suitably-qualified person, containing The plan is to contain details of exclusively indigenous species suitable to the area and conditions, for the purpose of planting enhancement and management where this is considered necessary after qualified ecological assessment of the Environmental Protection Area Planning Overlay on the site.

Decision Reasons:

- This blanket imposition is concerning.

Point Number 695.99

Summary of Decision Requested: Amend Rule 22.4.9 RDI (a)(i) Subdivision – Building platform, to reduce the area of a building platform on the proposed lot from 1000m2 to 800m2.

Decision Reasons:

- A building platform of 800m2 would suffice for most rural dwellings, access and servicing curtilage.

Point Number 695.100

Summary of Decision Requested: Retain a maximum area of earthworks in Rule 22.7.1.3 P1(a)(i) Earthworks within a Development Area.

Decision Reasons:

- No reasons provided.

Point Number 695.101

Summary of Decision Requested: Amend Rule 22.7.1.3 P(a)(i) to be applied on a ratio based on the site area i.e. a 1:1 ratio so that a 450m2 site would provide 450m3 of earthworks.

Decision Reasons:

- The Proposed District Plan penalises bigger sites for no apparent planning outcome, especially when a bigger site is likely to be able to absorb and diffuse effects.
- Earthworks totals should be counted as not cancelling each other out i.e. cut and fill are added together.

Point Number	695.102
Summary of Decision Requested:	Amend Rule 22.7.1.4 P1 (a)(ii) Building height within a Development Area, to have a 45 degree plane angle rather than 37 degrees to be subservient to building height from the ground and setbacks and to be consistent with other adjoining Councils.
Decision Reasons:	<ul style="list-style-type: none"> No other Council uses the 37 degree plane angle as a general application except for the southern quarter. The sunlight angles does not differ from Auckland, Hamilton or Waipa districts.
Point Number	695.103
Summary of Decision Requested:	Amend Rule 22.8.3 RDI(c)(ii) A and B Restricted Discretionary Activities, to have a 1200m setback apply to the said zones and if an existing pig farm already occurs at that setback, then the effects of that have to be taken into account as well; AND Amend Rule 22.8.3 RDI(c)(ii) A and B Restricted Discretionary Activities, to require any development occurring within that setback to have an enforced Council non complaints covenant applied.
Decision Reasons:	<ul style="list-style-type: none"> The concern with inequitable distribution rules such as this is that they do not relate to real world operations and realistic assessment of effects. If a consented activity with 500 pigs approved later wishes to expand to 550 pigs in the same location and is 1,320m setback, the setback per pig is just the same as 500 pigs at 1,200m. If the same operator starts a second pig farm at 1,200m setback it would have the same effect as a 1,000 pig operation at 1,200m setback.
Point Number	695.104
Summary of Decision Requested:	Amend Rule 22.8.3 RDI(c)(ii) A and B Restricted Discretionary Activities, to include a setback requirement of equivalent distance (1200m) from the Paa Zone.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	695.105
Summary of Decision Requested:	Retain the maximum area of earthworks in Rule 23.2.3.1 P2 Earthworks – General.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	695.106
Summary of Decision Requested:	Amend Rule 23.2.3.1 P2 Earthworks – General, so that earthworks limits be applied as a ratio of the site area i.e. 1:1 so that a 450m2 site would provide 450m3 of earthworks.
Decision Reasons:	<ul style="list-style-type: none"> The Proposed District Plan penalises bigger sites for no apparent planning outcome, especially when a bigger site is likely to be able to absorb and diffuse effects. Earthworks totals should be counted as not cancelling each other out i.e. cut and fill are added together.
Point Number	695.107
Summary of Decision Requested:	Amend Rule 23.2.3.1 P4(i) Earthworks – General, to increase the infill volume from 20m3 to 50m3.
Decision Reasons:	<ul style="list-style-type: none"> The imported infill volume is too low and should be 50m3 to be realistic for works outside of a building form.
Point Number	695.108
Summary of Decision Requested:	Amend Rule 23.2.3.1 P4(ii) Earthworks – General, to increase the maximum depth from 1m to 1.5m.
Decision Reasons:	<ul style="list-style-type: none"> A depth of 1.5m is not realistic.
Point Number	695.109
Summary of Decision Requested:	Amend Rule 23.2.3.3 P1 (a)(i) Earthworks – Significant Natural Areas, to change the suffix from 50m2 to 50m3.
Decision Reasons:	<ul style="list-style-type: none"> This is to denote volume and not area.
Point Number	695.110
Summary of Decision Requested:	Amend Rule 23.2.3.4 P1 (a)(ii) Earthworks – within Landscape and Natural Character Areas so that the 50m2 area figure is volume and the 250m3 volume is area.
Decision Reasons:	<ul style="list-style-type: none"> The submitter considers the reference to m2 and m3 is an error.

Point Number 695.111

Summary of Decision Requested: Amend the planning maps to reduce the number of planning overlays that undertake similar functions and group them, particularly landscape, features and character overlays.

Decision Reasons:

- Simplicity is best.

Point Number 695.112

Summary of Decision Requested: Amend Rule 23.2.6.1 P2(a)(iii) Signs – General, to increase the maximum sign size to 3m2 (total per site).

Decision Reasons:

- The sign size is too small as Country Living Lots tend to be fairly large.
- It is considered that relief sought will be in keeping with the balance of rural and residential qualities.
- The relief sought is more appropriate.

Point Number 695.113

Summary of Decision Requested: No specific relief sought for Rule 23.2.6.1 P2(a)(vii), however the submission notes that Council has no jurisdiction over State Highways and the Waikato Expressway when these are under NZTA jurisdiction.

Decision Reasons:

- While NZTA regulations have not been considered due to time constraints, it is noted that Council has no jurisdiction over State Highways and the Waikato Expressway when these are under NZTA jurisdiction.

Point Number 695.114

Summary of Decision Requested: Amend Rule 23.2.6.2 P1(a)(ii) Signs – Effects on traffic, to delete the words “and any other sign”;
OR
Amend Rule 23.2.6.2 P1(a)(ii) Signs – Effects on Traffic, as follows:
Be located at least 60m from controlled intersections, pedestrian crossings and any other sign on the same site.
OR
Amend Rule 23.2.6.2 P1(a)(ii) Signs – Effects on Traffic, as follows:
Be located at least 60m from controlled intersections, pedestrian crossings and ~~any other sign~~ railway crossings (or roads under Council jurisdiction).

Decision Reasons:

- This is unrealistic.
- The cost of the consent would usually be more than the cost of the sign.

Point Number 695.115

Summary of Decision Requested: Amend Rule 23.3.4.1 P1 Height, so the rule should apply to that part of the building structure opposite the immediate ground level only;
AND
Amend Rule 23.3.5 Daylight admission as a consequential amendment.

Decision Reasons:

- This would avoid giving neighbours perverse objection rights.
- Height in relation to boundary would need to account for the same.
- Subdivision design would need to ensure larger lots on steeper sites than the minimums to avoid solar access issues when development occurs.

Point Number 695.116

Summary of Decision Requested: Amend Rule 23.3.5 P1 Daylight admission, as follows:
Buildings must not protrude through a height control plane rising at an angle of ~~37.45~~ degrees commencing at an elevation of ~~2.52~~m above ground level at every point of the site boundary.

Decision Reasons:

- There is no logical planning reason for this differentiation.
- All daylight control planed should be consistent with each other and that are used by adjoining Councils.

Point Number 695.117

Summary of Decision Requested: Amend Rule 23.3.6 P1 Building coverage, as follows:
The total building coverage must not exceed 10% of the site area or 300m2, whichever is the larger.

Decision Reasons:

- The submitter considers re-phrasing is required.

Point Number 695.118

Summary of Decision Requested: Amend Rule 23.3.7.1 P2(a)(ii) Building setbacks – All boundaries, to include an exemption where an indicative road has been constructed and is open to the public but the indicative road has not been removed from the Planning Maps.

Decision Reasons:

- Difficulties have been encountered with inflexible Council Planner's interpretations in Raglan and Tamahere that insisted on proposals being a prohibited activity in one instance, and in the other, on considering the effects of future development on an indicative road where the road had been constructed just 50m away and was open to the public.

Point Number 695.119

Summary of Decision Requested: Amend Rule 23.3.7.1 P2(a)(iii) Building setbacks – All boundaries to reduce the minimum setback to 6m for all sites.

Decision Reasons:

- This rule to be changes to a reduced setback to be realistic.
- The minimum setback at 23.3.7.1 P2(a)(ii) is just 1.5m, yet for the an allotment over 1,000m² is 12m.
- The 24m distance requirement from a dwelling on an adjoining lot is completely impractical. If a dwelling is placed 1.5m from the existing boundary, adjoining site of 1,000m² application site loses 22.5m x 31.623m equals a loss of 711m², which cannot be used for the building platform.
- It is impractical.

Point Number 695.120

Summary of Decision Requested: Amend Rule 23.3.7.5 Building setbacks – Waterbodies and Rule 22.3.7.5 Building setbacks, to be made the same.

Decision Reasons:

- There does not appear to be a regulatory or logical reason for a difference with the Rural Zone.

Point Number 695.121

Summary of Decision Requested: Amend Rule 23.4.2 RD1(a)(i) General subdivision, to allow provision for 1000m² sized serviced (reticulated service) lots on the outskirts of towns and villages.

Decision Reasons:

- This is a waste of soil resources which typically occurs on high class rural land.

Point Number 695.122

Summary of Decision Requested: Amend Rule 23.4.8 RD1(a)(i) Subdivision – Building platform, to decrease the area from 1000m² to 600m² (exclusive of boundary setbacks).

Decision Reasons:

- A building platform area of 600m² would suffice for most Country Living Zone dwellings, access and servicing curtilage.

Point Number 695.123

Summary of Decision Requested: No specific relief sought for Rule 23.4.8 RD1(a)(v) Subdivision – Building platform, but submission notes that a 1% AEP requirement normally applies although the submitter is not opposed to a lesser requirement provided this is consistent with regulatory practice elsewhere.

Decision Reasons:

- The submitter is not opposed to a lesser requirement provided this is consistent with regulatory practice elsewhere.

Point Number 695.124

Summary of Decision Requested: Retain a maximum area of earthworks in Rule 24.2.4.1 P1 Earthworks – General.

Decision Reasons:

- No reasons provided.

Point Number 695.125

Summary of Decision Requested: Amend Rule 24.2.4.1 P1 Earthworks – General, so that earthworks limits be applied as a ratio of the site area i.e. 1:1 so a 450m² site would provide 450m³ of earthworks.

Decision Reasons:

- The Proposed District Plan penalises bigger sites for no apparent outcome, especially when a bigger site is likely to be better able to absorb and diffuse effects.
- Earthworks totals should not cancel each other out, i.e. cut and fill add together.

Point Number 695.126

Summary of Decision Requested: Amend Rule 24.2.4.1 P3(a)(i) Earthworks – General, to increase the infill volume from 20m³ to 50m³.

Decision Reasons:

- The infill volume is too low and should be realistic for works outside of a building platform.

Point Number 695.127

Summary of Decision Requested: Amend Rule 24.2.4.1 P3(a)(ii) Earthworks – General, to increase the depth from 1m to 1.5m.

Decision Reasons:

- The relief sought is realistic.

Point Number	695.128
Summary of Decision Requested:	Amend Rule 24.2.4.2 P1(a) Earthworks – for Maaori Sites and Maaori Areas of Significance, to provide clarity as to whether the 100m setback of a Maaori Area of Significance applies to adjoin sites.
Decision Reasons:	<ul style="list-style-type: none"> • It is unclear to the reader if this is the case or not. • Applicants require independent pre-certainty and clarity on these matters.
Point Number	695.129
Summary of Decision Requested:	Amend Rule 24.2.4.2 P1(a) Earthworks – for Maaori Sites and Maaori Areas of Significance, to provide a zone specific trigger; and sites that exceed the suggested area/ratio of 1:1 earthworks could be another trigger.
Decision Reasons:	<ul style="list-style-type: none"> • No earthworks threshold is set out which triggers the requirement. • If there are appropriate sediment management controls, earthworks outside of setback distances and within permitted activity levels are unlikely to cause any actual or potential effect to adjoining property. • Acknowledging it is important to respect and protect cultural sites. • Council uses a standard consent condition cover matters in development and subdivision proposals. • Cultural Reports can cost \$3000 to \$15000 at a time, which is hugely significant for small to medium scale proposals. • This rule will likely lead to frustration among applicants if a report is required but does not produce reasons why, or in the finished report fails to provide development advice. • The result could be a diminishing of and disrespect for the important role of mana whenua.
Point Number	695.130
Summary of Decision Requested:	Amend Rule 24.2.4.4 P1(a)(ii) Earthworks – within Landscape and Natural Character Areas, so that the 50m2 area figure is volume and the 250m3 volume is area.
Decision Reasons:	<ul style="list-style-type: none"> • This is considered an error.
Point Number	695.131
Summary of Decision Requested:	Amend Rule 24.2.7.1 P2(a)(iii) Signs – General, to enlarge the maximum area of a sign from 0.25m2 to 1 m2 (total per site).
Decision Reasons:	<ul style="list-style-type: none"> • The sign size is too small as Village Zone lots tend to be fairly large. • It will keep with the balance of rural and residential qualities. • It is more appropriate.
Point Number	695.132
Summary of Decision Requested:	<p>Amend Rule 24.2.7.2 P1(a)(ii) Signs - Effects on Traffic, to delete the words “and any other sign”;</p> <p>OR</p> <p>Amend Rule 24.2.7.2 P1(a)(ii) Signs – Effects on Traffic, as follows:</p> <p><i>To be located at least 60m from controlled intersections, pedestrian crossings and any other sign <u>on the same site</u></i></p> <p>OR</p> <p>Amend Rule 24.2.7.2 P1(a)(ii) Signs – Effects on Traffic, as follows:</p> <p><i>To be located at least 60m from controlled intersections, pedestrian crossings and any other sign <u>railway crossings (or roads under Council jurisdiction)</u>.</i></p>
Decision Reasons:	<ul style="list-style-type: none"> • This is unrealistic. • The cost of the consent would usually be more than the cost of the sign.
Point Number	695.133
Summary of Decision Requested:	<p>Amend Rule 24.3.3.1 P1 Height – Building general, so the rule only applies to that part of the building structure opposite the immediate ground level;</p> <p>AND</p> <p>Amend Rule 24.3.4 P1 Daylight admission as a consequential amendments.</p>
Decision Reasons:	<ul style="list-style-type: none"> • This would avoid giving neighbours perverse objection rights. • Height in relation to boundary would need to account for the same. • Subdivision design would need to ensure larger lots on steeper sites than the minimums to avoid solar access issues when development occurs.
Point Number	695.134
Summary of Decision Requested:	<p>Amend Rule 24.3.4 P1 Daylight admission, as follows:</p> <p><i>A building must not protrude through a height control plane rising at an angle of 37 45 degrees commencing at an elevation of 2.5 3m above ground level at every point of the site boundary.</i></p>
Decision Reasons:	<ul style="list-style-type: none"> • There is no logical planning reason for this differentiation. • All daylight control plan should be consistent with each other and that are used by adjoining Councils.
Point Number	695.135
Summary of Decision Requested:	Amend Rule 24.3.5 P1 and P2 to retain the operative district plan building coverage of 10% or 300m2, whichever is the larger.

Decision Reasons:

- Whether or not a site is reticulated or does not have bearing on building coverage.
- It is the area and ground conditions (for non-reticulated sites) of the lot that prescribes suitability.
- It does not achieve any outcome under the Act that cannot be achieved via other regulations already in place.

Point Number 695.136

Summary of Decision Requested: Amend Rule 24.3.6.1 P1(a)(ii) Building setbacks – All boundaries, to include phrasing that if an indicative road is constructed and is open to the public the classification is redundant.

Decision Reasons:

- Previous application of rules when the indicative road has not been removed from the Planning Maps but the maps has been constructed.

Point Number 695.137

Summary of Decision Requested: Amend Rule 24.3.6.3 Building setbacks – Waterbodies and Rule 22.3.7.5 Building setbacks – Waterbodies, to be the same.

Decision Reasons:

- There does not appear to be a regulatory or logical reason for a difference with the Rural Zone.

Point Number 695.138

Summary of Decision Requested: Amend Rule 24.4.2 RD1(a)(i) Subdivision – Te Kowhai and Tuakau to allow provision for 1000m² sized serviced lots on the outskirts of towns and villages;

AND

Add a rule to Rule 24.4.2 RD1 Subdivision – Te Kowhai and Tuakau, that enables 2,500m² lots for non-reticulated serviced lots, consistent with the Regional Council net lot area requirement.

Decision Reasons:

- 3000m² is a waste of soil resource.

Point Number 695.139

Summary of Decision Requested: Retain the 20m frontage as proposed in Rule 24.4.9 RD1(a) Road frontage .

Decision Reasons:

- This is only 15m in the Country Living Zone at 23.4.7 RD1(a) but has larger proposed lots.

Point Number 695.140

Summary of Decision Requested: Amend Rule 23.4.7 RD1(a) Subdivision – Road frontage, to change the minimum width along the road boundary in the Country Living Zone from 15m to 20m.

Decision Reasons:

- It is 20m in Rule 24.4.9 RD1(a).

Point Number 695.141

Summary of Decision Requested: Undertake further detailed growth investigations in the following localities, in order of priority.

- Matangi – Add 1,000m² serviced lots capacity and enlarge commercial area.
- Tuakau – Residential and Village Zone additions, enlargement of commercial area, regenerate rail precinct and station.
- Mercer – Residential and Village Zone additions, enlargement of commercial area, regenerate rail precinct and station.
- Gordonton – Residential and Village Zone additions, enlargement of commercial area, promote it as a rural service hub.
- Huntly – Once Huntly East Mine subsidence resolved, Residential and Village Zone additions, enlargement of commercial area, regenerate rail precinct and station into freight hub.
- Karakariki Valley/Karakariki Road (near Whatawhata) – Development of the secluded valley could occur as it is already near a country living estate which occurs on the otherside of the hill. The hill top retained as a scenic reserve with walking tracks and gardens on it slower reaches, extending to the Waipa River. A small commercial area developed on the western side of the hill which itself would be flanked by residential, village and country living allotments as one reaches further out.
- Te Uku – Creation into a large village. Village Zone type allotments that are serviced or 2,500m² non-reticulated lots developed here.
- Taupiri – Residential and Village Zone additions, enlargement of commercial area, regenerate rail precinct and station. Provide designations for rail line to Morrinsville in conjunction with Matamata-Piako District Council. Designation of rail corridor near expressway and to bypass Ngaruawahia (the latter retained for freight and future commuter passenger and light rail services to Hamilton).
- Ngaruawahia – Residential and village zone additions. Allow for minor commercial servicing.
- Orini – Limited village development planned here.

Decision Reasons:

- Various, as set out in the submission.

Point Number 695.142

Summary of Decision Requested: Add potential sand extraction to the District Planning Maps and that this is discussed in conjunction with sand pit operators and quarry owners, as well as the construction industry.

Decision Reasons:

- Sand extraction availability is essential to the very ability of the construction and development sector to operate.
- Many of the areas of available that are suitable for use are being built over in the Waikato District, and in surrounding districts. This is occurring without appropriate restraints. This could lead to making accessing this vital resource impossible in the future and place an inappropriate reliance on imported material.
- Such areas should have development buffers placed around them with mandatory no-complaints covenants placed on development within a 200m buffer of the boundary of an active or consented extraction site, or a potential sand extraction site.
- It is frequently possible to rehabilitate such sites after use to safe and stable building platforms for other uses, including residential.

Point Number 695.143

Summary of Decision Requested: Delete Policy 4.3.15(d) Earthworks.

OR

Amend Policy 4.3.15(d) Earthworks to refer to minimising earthworks to maintain the fundamental shape, contour and landscape characteristics where otherwise possible.

Decision Reasons:

- It is ultra-vires.
- It lacks any comprehension of building and development requirements.
- Altering fundamental shape, contour and landscape cannot be avoided in some scenarios to achieve a suitable and safe building development outcome.
- If the intended outcome is to minimise earthworks then this is what the clause should state.

Point Number 695.144

Summary of Decision Requested: No specific decision sought, but submission recommends that council follow the design principles of Professor Newman *et al* and Engwicht, in subdivision design.

Decision Reasons:

- No reasons provided.

Point Number 695.145

Summary of Decision Requested: **Amend** Section 14.12 Transportation, to change the driveway gradient from 12.5% maximum for a concrete drive to 20%.

Decision Reasons:

- To achieve sub-regional consistency, as there is no reason for variation to occur.

Point Number 695.146

Summary of Decision Requested: **Investigate** incentives for road transport operators to form co-operatives using computerised freight sourcing and tracking systems, and for road truck operators to invest in rail rolling stock or leasing.

Decision Reasons:

- This would retain revenue within truck companies.
- This would mean that road freight operators would decide, rather than have imposed regulation to change.
- Provides flexibility of use.

Point Number 695.147

Summary of Decision Requested: **Add** to Rule 22.3.7.1 Building Setbacks - All boundaries a statement to say that where an indicative road is no longer relevant, or constructed and in use, the rule is no longer applicable.

Decision Reasons:

No specific reasons provided.

Point Number 695.148

Summary of Decision Requested: Requests to be notified and given a reasonable opportunity to prepare a response of this chapter when the contents become available.

Decision Reasons:

- This section has not provisions listed, so respondents are unable to submit on this.

Point Number 695.149

Summary of Decision Requested: **Ensure** that Council website online links and pathways are easy to find and links are to the current plan/s and maps.

Decision Reasons:

- No reason provided but submission states that current practice is good and information is easy to find

Point Number 695.150

Summary of Decision Requested: **Clarify** the Section 88 and Schedule 4 application requirements to Council planners and provide this detail online to the public with examples.

Decision Reasons:

- This will assist applicants

Point Number 695.151

Summary of Decision Requested: **Develop** a consistent methodology for assessment during the District Plan review process where more than one District Plan is assessed and that there are no wide variations of personal interpretations with Planners.

Decision Reasons:

- This will provide certainty for applicants and goodwill during a period of increased complexity and costs for both applicants and Council.

Point Number	695.152
Summary of Decision Requested:	Provide objective online information to applicants regarding how Council will assess an application where two District Plans require to be assessed, for each phase of the plan change process.
Decision Reasons:	<ul style="list-style-type: none"> Some information is currently available, however this could be expanded.
Point Number	695.153
Summary of Decision Requested:	Delete the use of the suffix (a) after single item statements in the Proposed District Plan.
Decision Reasons:	<ul style="list-style-type: none"> This is not necessary. Headings have their own reference number. If another clause is added later, this could then be renumbered with the suffix. This saves applicants time when preparing consents. Several clauses have long references that takes time when preparing consents. Some review and simplification for users would be appreciated. Template consents would show any unnecessary repetition.
Point Number	695.154
Summary of Decision Requested:	Amend Section 1.4.1(a) Demographic trends to use five to ten year forecasts instead of 45 to 50 year forecasts.
Decision Reasons:	<ul style="list-style-type: none"> The projection of 147,000 in the district is likely to be too low. A five to ten year forecast is more meaningful to correlate.
Point Number	695.155
Summary of Decision Requested:	Develop and add applied plans to Section 1.4.1.3(a) Uneven population growth across the district, to grow every town and village in this District, developed in conjunction with owners and development professionals.
Decision Reasons:	<ul style="list-style-type: none"> Council needs to be more proactive in terms of Town and Village growth that can readily occupy growth. Matangi, Huntly, Taupiri, Te Uku, Whatawhata/Karakariki, Ngaruawahia, Tauwhare, Tuakau and Mercer can all be worked towards as key recipients of growth, but little is acknowledged outside of Pokeno, Te Kauwhata and Te Kowhai.
Point Number	695.156
Summary of Decision Requested:	Add to 1.4.2.3 (a) Challenges clear Council applied mechanism that achieves and facilitates the desired outcomes listed in the objectives in a focused way that addresses all likely localities for demand in the District.
Decision Reasons:	<ul style="list-style-type: none"> Council needs to concentrated on growth patterns and it is requested to approach MPS and Central Government to facilitate. The need is more urgent that it may appear. A greater applied focus on growth of other towns and villages is needed by Council. The growth of rural villages, such as Matangi, can help offset the stated depopulation in clause 1.4.1.3 of rural areas that is anticipated, by placing persons with rural interests in rural locations. Smaller towns close to industrial areas are also robust for the likely workforce to decide to establish. The approach above would assist to trigger needed renewal and investment in our region. This would also assist to address Objective 1.4.2.3 (a) (iii) being skills shortages.
Point Number	695.157
Summary of Decision Requested:	No specific decision sought, but submission states that the current sprawl of the Country Living Zone at Tamahere with 5000m2 lots which directly contradicts the intent of Section 1.4.2.3(a)(vi) Challenges.
Decision Reasons:	<ul style="list-style-type: none"> Serviced lots of 1,000m2 around Matangi could house five times as many parties and reduce land resources by 80% per allotment.
Point Number	695.158
Summary of Decision Requested:	Add provisions for transferable rural lot right with entitlements placed in country living zones or in villages and towns as a tool to facilitate objectively focused planning and development outcomes.
Decision Reasons:	<ul style="list-style-type: none"> There is no applied framework to accommodate growth demand in rural areas. Ad-hoc approaches lead to unintended consequences.
Point Number	695.159
Summary of Decision Requested:	Delete Section 1.4.3.1(c) Rural activities.
Decision Reasons:	<ul style="list-style-type: none"> This clause is legally inappropriate as it can be used in an open-ended subjective negative manner by a Council Planner as justification to curtail a rural subdivision application based on unfounded assumptions. No reference is given to the economic analysis document the comments are based on.
Point Number	695.160
Summary of Decision Requested:	Amend the Proposed District Plan (including Section 1.4.3.2(a) Protecting the rural environment) with consideration to the Matangi Committee

Decision Reasons:

- Section 1.4.3.2(a) directly contradicts the approach taken by Council to have a large Country Living Zone in Tamahere but a refusal to develop around Villages and the like, such as Matangi which could have accommodated such growth more intensively with less impact on high quality rural production areas.

Point Number 695.161

Summary of Decision Requested: Amend the Proposed District Plan to include a more structured approach to growth in periphery areas beyond the Country Living Zone of 5,000m² lots.

Decision Reasons:

- Council needs to be more proactive in terms of Town and Village growth that can readily occupy growth.
- Matangi, Huntly, Taupiri, Te Uku, Whatawhata/Karakariki, Ngaruawahia, Tauwhare, Tuakau and Mercer can all be worked towards as key recipients of growth, but little is acknowledged outside of Pokeno, Te Kauwhata and Te Kowhai.

Point Number 695.162

Summary of Decision Requested: Add a transferable lot right subdivision approach similar to that of Waipa District Council and Auckland Council where areas of entitlement generation and placement are identified.

Decision Reasons:

- The approaches used by those Councils control the desired outcome of lot placement in appropriate locations and have little of the complexity of the former Franklin Council system.
- Council needs to be more proactive in terms of Town and Village growth that can readily occupy growth.
- Matangi, Huntly, Taupiri, Te Uku, Whatawhata/Karakariki, Ngaruawahia, Tauwhare, Tuakau and Mercer can all be worked towards as key recipients of growth, but little is acknowledged outside of Pokeno, Te Kauwhata and Te Kowhai.

Point Number 695.163

Summary of Decision Requested: Add an applied mechanism to address various issues including sections 1.4.4(a) and 1.4.4(b) The urban environment and 1.5.1(b) and 1.5.1(c) Compact urban development on a district wide basis for every town and village.

Decision Reasons:

- This statement directly contradicts the approach taken by the Council to have a large Country Living Zone at Tamahere.
- There appears to be no applied mechanisms to facilitate an efficient outcome on a district wide basis for every town and village, such that the District Plan appears to directly encourage a wide dispersed ad-hoc development in the rural zone.

Point Number 695.164

Summary of Decision Requested: No specific decision sought, however the submission requests Council to demonstrate how Objective 1.5.1 (b) Compact urban development is going to be achieved by rezoning of land around towns and key villages. The submission states that Country Living Zone lots could be smaller and serviced near key villages and towns to avoid the minimum 2,500m² regional plan requirement for non-reticulated sites.

Decision Reasons:

- This is not readily apparent how the likely demand is without taking up large tracts or rural production land for the Country Living Zone.
- Council's 'one site fits all' approach could be more flexible and tailored to locality specific approaches to lot sizes.

Point Number 695.165

Summary of Decision Requested: No specific decision sought, however submission considers that it is unclear from the objectives and policies how the Regional Policy Statement Policy 6.17.1 will be realistically achieved without a strong applied focus and mechanism on developing towns and villages (in regards to Section 1.5.4(c) Urban Growth).

Decision Reasons:

- Policy 6.17.1 of the WRPS 2016 states that the WDC shall include provisions in the District Plan to give effect to Policy 6.17.
- It remains unclear from reading the objectives and policies how this is going to be realistically achieved.
- Leaving it all to prevail in a one-size-fits-all Country Living Zone ad-hoc approach to manage rural demand is likely to undermine achieving the urban form objectives.
- Latent rural demand - which has been a strong growth driver in recent years - does not yet appear to be managed through a robust planning approach.

Point Number 695.166

Summary of Decision Requested: No specific decision sought, however the submission considers Section 1.5.6(d) Transport and Logistics is uninformed, open ended and inaccurate.

Decision Reasons:

- The rail systems investment is small compared to the road corridor has not been realigned and upgraded like the road.
- The last significant investment between Hamilton and Auckland was the doubling of part of the rail route in the 1930s.
- Most of the route is prone to tail buckling due to poor engineering standards.
- The 40km/hr maximum in 22 degrees Celsius between Hamilton and Auckland does not compare to the 115km/hr maximum in 40 degrees in Australian rails.
- Queensland tilt trains (passenger, diesel, electric) travel over similar terrain as in between Auckland and Hamilton, at 160km/hr.
- Rail is best suited to bulk volumes of freight and passengers between key centres due to its greater fuel efficiency from steel wheel on steel rail for the same tonne moved.
- Rail does not have the significant subsidisation that road funding has from various sources.
- Rail use improves safety, reduces fuel energy use per tonne moved when ideal capacities are available, and allows road investment and capacity to last longer.

Point Number 695.167

Summary of Decision Requested: Amend Rule 16.3.3.2 P1 Building and vegetation in a battlefield view shaft area to have greater setbacks, rather than the 5m maximum height.

Decision Reasons:

- The rule is suitable for flat sites and is too low to be practical.
- A development on steeply sloped sites is severely penalised.

- The key issue is not the height of a dwelling, but the view shaft around it.

Point Number 695.168

Summary of Decision Requested: **Amend** Rule 16.3.4 Fences or walls - Road boundaries and Reserve Zone boundaries so that no fences or walls occur ahead of the front building line or within the 3m front yard setback to a road.

Decision Reasons:

- In the interest of good urban design and road safety.

Point Number 695.169

Summary of Decision Requested: **Amend** Rule 16.3.4 Fences or walls - Road boundaries and Reserve Zone boundaries for fences to be at least 50% permeable for that part of the fence over 1.2m height facing a reserve, with permeability to be spaced evenly along the fence.

Decision Reasons:

- Active road corridors slow drivers subconsciously as they see more activity in a residential street.
- This assists security through observation.
- Privacy can still be achieved with solid 1.8m side and rear fences.

Point Number 695.170

Summary of Decision Requested: **Amend** Rule 16.3.5 PI Daylight admission as follows:
Buildings must not protrude through a height control plane rising at an angle of 37.15 degrees commencing at an elevation of 2.52 m above ground level at every point of the site boundary.

Decision Reasons:

- It should be consistent with other Councils, unless scientific evidence demonstrates that the sun angle differ in the Waikato district compared to other districts.

Point Number 695.171

Summary of Decision Requested: **Amend** Rule 16.3.7 Living Court so that an additional 10m² per bedroom be required for outdoor living space for 3 bedrooms or more, and that the 4m dimension be reduced to 3m.

Decision Reasons:

- The council should be aiming for regional consistency.
- There is no obvious need for such wide variations to occur.
- The minimum dimensions in the Proposed district Plan are difficult to achieve, particularly on narrow sites that occur in the District.
- This requirement is 60% greater than that for Hamilton City with no logical explanation for such a great difference.

Point Number 695.172

Summary of Decision Requested: **Amend** Rule 16.4.1 RDI(a)(i) Subdivision - General so that flat sites have a minimum of 400m², instead of 450m².

Decision Reasons:

- This would be consistent with Hamilton City Council Residential Zone requirements.
- Concurrent land use consent and subdivision consent can approve smaller lots around approved building.
- Care needs to be taken on steeper sites in terms of lot sizes when Council approves these to evidence later building viability as slope affects the viable building platform and height to boundary relationships.

Point Number 695.173

Summary of Decision Requested: **Amend** Rule 16.4.1 RDI(a)(iv) Subdivision - General to state that rear lots are to be avoided except where there is no realistic alternative.

Decision Reasons:

- The rule does not appear to consider topographical and existing existing infrastructure constraints.
- There appears to be no reason for a lesser constraint in the number of lots to which the rule applies.
- This will lead to inconsistent decision-making.

Point Number 695.174

Summary of Decision Requested: **Amend** Rule 16.4.2 RDI(a)(v) Subdivision - Te Kauwhata West Residential Area to state that rear lots are to be avoided except where there is no realistic alternative.

Decision Reasons:

- The rule does not appear to consider topographical and existing infrastructure constraints.
- There appears to be no reason for a lesser constraint in the number of lots to which the rule applies.
- This will lead to inconsistent decision-making.

Point Number 695.175

Summary of Decision Requested: **Amend** Rule 16.4.3 RDI to state that rear lots are to be avoided except where there is no realistic alternative.

Decision Reasons:

- The rules does not appear to consider topographical and existing infrastructure constraints.
- There appears to be no reason for a lesser constraint in the number of lots to which the rule applies.
- This will lead to inconsistent decision-making.

Point Number 695.176

Summary of Decision Requested:	Amend Rule 16.4.5 C1(b) Subdivision - Boundary adjustments to change the term "boundary relocation" to "boundary adjustment".
Decision Reasons:	<ul style="list-style-type: none"> The term "boundary relocation" is used in this clause whereas the heading refers to a boundary adjustment, and relocation refers to the whole boundary and adjustment is part of the boundary.
Point Number	695.177
Summary of Decision Requested:	Amend Rule 16.4.12 RD1(a)(i) Subdivision - Building platform as follows: <i>(i) a circle with a diameter of at least 4 5m exclusive of yards; or...</i>
Decision Reasons:	<ul style="list-style-type: none"> Sub-regional consistency of subdivision design should be a key focus for Council. The proposed rule is inconsistent. The Proposed District Plan requirement would be difficult to achieve on many sites as they are typically 20m across. There is no logical planning explanation, why urban residential sites require a 20% greater sized shape factor than an equivalent Residential Zone lot in Hamilton City. There is no planning outcome to be achieved by requiring excess size shape factors.
Point Number	695.178
Summary of Decision Requested:	Amend Rule 16.5.7.2(a)(i) Earthworks - General to apply a ratio based on the site area i.e. a 1:1 ratio so a 450m² site would provide for 450m³ of earthworks.
Decision Reasons:	<ul style="list-style-type: none"> The Proposed District Plan penalises bigger sites for no apparent outcome, especially when a bigger site is likely to be better able to absorb and diffuse effects. Earthworks totals should not cancel each other out, i.e. cut and fill add together.
Point Number	695.179
Summary of Decision Requested:	Retain a maximum area of earthworks in Rule 16.5.7.2(a)(i) Earthworks - general
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	695.180
Summary of Decision Requested:	Amend Rule 16.5.8.2 P1 Height as follows: <i>The maximum height of any building must not exceed 8.0m 7.5m.</i>
Decision Reasons:	<ul style="list-style-type: none"> To be consistent with other residential height provisions in the Proposed District Plan. There is no logical planning reason why one area should have an easier requirement than other areas in the absence of specific considerations.
Point Number	695.181
Summary of Decision Requested:	Amend Rule 16.5.8.4 P1 Daylight admission as follows: <i>Any building within the Medium Density Precinct identified on the Te Kauwhata Lakeside Precinct Plan 16.5.1(3)(a) shall not protrude through a height control plane rising at an angle of 45 degrees commencing at an elevation of 2.5 2m above ground level at every point of the site boundary, except that this standard does not apply to party walls located along site boundaries.</i>
Decision Reasons:	<ul style="list-style-type: none"> There is no logical planning reasons for this differentiation. All daylight control planes should be made to be consistent with each other and that used by other adjoining Councils.
Point Number	695.182
Summary of Decision Requested:	Amend Rule 16.5.8.4 P2 Daylight admission as follows: <i>Any building within the High Density Precinct identified on the Te Kauwhata Lakeside Precinct Plan 16.5.1(3)(a) shall not protrude through a height control plane rising at an angle of 45 degrees commencing at an elevation of 3.5 3m above ground level at every point of the site boundary within 20m of a street frontage, and 2.5 2m above ground level at every point on the site boundary greater than 20m from the street frontage; except that this standard does not apply to party walls located along site boundaries.</i>
Decision Reasons:	<ul style="list-style-type: none"> There is no logical planning reason for this differentiation. All daylight control planes should be made to be consistent with each other and are used by adjoining Councils.
Point Number	695.183
Summary of Decision Requested:	Amend Rule 16.5.8.6 Living Court to be consistent with other Living Court requirements through the Proposed District Plan.
Decision Reasons:	<ul style="list-style-type: none"> The requirements set out differ widely from dwelling requirements in other parts of the plan. There is no reason why one dwelling of the same capacity should have a different living court requirement of another. There is no specific circumstance why it should be different.
Point Number	695.184
Summary of Decision Requested:	Amend Rule 16.5.8.8 Fences so that all dwelling fencing provisions through the Proposed District Plan are the same.
Decision Reasons:	

- The requirement differs from Rule 16.3.4 with no logical planning reasons for this.
- Unnecessary complexity creates confusion and must be avoided.

Point Number 695.185

Summary of Decision Requested: **Amend** Rule 16.9.1 C1 (a)(v)C Subdivision Lakeside - general to be consistent with Rule 16.4.12 RD1 (a)(i) where the minimum lot sizes are the same at 450m².

Decision Reasons:

- The 12m shape factor differs from the 18m in Rule 16.4.12 RD1 (a)(i) but they should be consistent, where the minimum lot sizes are the same at 450m².

Point Number 695.186

Summary of Decision Requested: **Retain** a maximum area of earthworks in Rule 17.2.5.1 P1(a)(ii) Earthworks General.
AND
Amend Rule 17.2.5.1 P1(a)(ii) Earthworks General to apply a ration based on a site area, i.e. 1:1 so that a 450m² site would provide 450m³ earthworks.

Decision Reasons:

- The submitter supports the retention of a maximum are of earthworks.
- The Proposed District Plan penalises bigger sites for no apparent outcome, especially when a bigger site is likely to be better able to absorb and diffuse effects.

Point Number 695.187

Summary of Decision Requested: **Amend** Rule 17.2.5.1 P2 Earthworks - General to be consistent with the rest of the Proposed District Plan.

Decision Reasons:

- It is ultra-vires.
- It lacks any comprehension of building and development requirements.
- If it is meant to refer to unauthorised clean-fill, it should state so.
- The statement is objected to it (in its present form).
- The stated prohibition on importation of all clean-fill would make almost all development impossible.
- Building sand, crushed stone, shells or bark for gardens can all be regarded as clean-fill if received from an authorised source.
- Some sites need earth brought in to address drainage or where building of the soil level is required for stability and building platform integrity.

Point Number 695.188

Summary of Decision Requested: **Amend** Rule 17.3.2 P1(a) Daylight admission as follows:
P1(a) Any building must not protrude through a height control plane rising at angle of ~~37.45~~ degrees commencing at an elevation of ~~2.52~~m above ground level at the site boundary.

Decision Reasons:

- There is no logical planning reasons for this differentiation.
- All daylight control planes should be made to be consistent with each other and that used by adjoining Councils.

Point Number 695.189

Summary of Decision Requested: **Amend** Rule 17.3.7(a)(iii) Living Court so to revise and make consistent with outdoor living provisions elsewhere in the Proposed District Plan.

Decision Reasons:

- This is excessive for a balcony.

Point Number 695.190

Summary of Decision Requested: **Amend** Rule 17.5.5 P1 Daylight admission as follows:
Any building shall not protrude through a height control plane rising at an angle of 45 degrees commencing at an elevation of 3.5m above ground level at every point of the site boundary where it adjoins a residential zone.

Decision Reasons:

- There is no logical planning reason for this differentiation.
- All daylight control planes should be made to be consistent with each other and that used by adjoining Councils.

Point Number 695.191

Summary of Decision Requested: No specific decision sought, however submission states Rule 17.5.6 Gross floor area is *ultra-vires*.

Decision Reasons:

- It is an ultra-vires rule.
- An applicant has no control over the size of buildings on other properties in the zone.

Point Number 695.192

Summary of Decision Requested: **Amend** Rule 18.1.3 RD1(f) Restricted Discretionary Activities so that an additional 10m² bedroom be required for outdoor living space for 3 bedrooms or more, and the 4m dimension reduced to 3m.

Decision Reasons:

- The Council should be aiming for regional consistency.
- There is no obvious need for such wide variances to occur.
- The minimum dimensions in the Proposed District Plan are difficult to achieve, particularly on many narrow sites that occur in the District. This requirement is 60% greater than that for Hamilton City with no logical explanation for such a great difference.

Point Number 695.193

Summary of Decision Requested: **Amend** Rule 18.2.4.1 P1(a)(ii) Earthworks – General so that earthworks are applied as a ratio to site area i.e. a 1:1 ratio based on a site area e.g. a 450m² area would provide 450m³ earthworks.

Decision Reasons:

- The Proposed District Plan penalizes bigger sites for no apparent outcome, especially when a bigger site is likely to be better able to absorb and diffuse effects.
- Earthworks totals should not cancel each other out, i.e. cut and fill add together

Point Number 695.194

Summary of Decision Requested: **Amend** Rule 18.2.4.1 P2(a)(i) Earthworks – General to enable importation of fill to occur.

Decision Reasons:

- This is allowed in this zone but is avoided in the residential zone.
- Importation in all zones enables development to occur.

Point Number 695.195

Summary of Decision Requested: **Amend** Rule 18.3.2 P1 Daylight admission as follows:

(a) Any building must not protrude through a height control plane rising at an angle of ~~27~~ 45 degrees commencing at an elevation of ~~2.5~~ 3m above ground level at the site boundary where it adjoins the:

...

Decision Reasons:

- There is no logical planning reason for this differentiation.
- All daylight control planed should be consistent with each other and that are used by adjoining Councils.

Point Number 695.196

Summary of Decision Requested: **Amend** Rule 18.3.9(a)(iii) Living court, to be revised and made consistent with outdoor living provisions elsewhere in the Proposed District Plan.

Decision Reasons:

- It is excessive for a balcony.

Point Number 695.197

Summary of Decision Requested: **Retain** a maximum area of earthworks in Rule 18.2.4.1 P1(a)(ii) Earthworks - General.

Decision Reasons:

- No reasons provided.

Point Number 695.198

Summary of Decision Requested: **Amend** Rule 19.2.4 P1(a)(ii) Earthworks to be applied on a ratio based on site area. i.e. a 1:1 ratio so that a 450m² site would provide 450m³ earthworks.

Decision Reasons:

- The Proposed District Plan penalizes bigger sites for no apparent outcome, especially when a bigger site is likely to be better able to absorb and diffuse effects.
- Earthworks totals should not cancel each other out, i.e. cut and fill add together.

Point Number 695.199

Summary of Decision Requested: **Amend** Rule 19.3.3 P1 Daylight admission as follows:

Any building must not protrude through a height control plane rising at an angle of ~~27~~ 45 degrees commencing at an elevation of ~~2.5~~ 3m above ground level at every point of the boundary of a site within the Business Zone Tamahere.

Decision Reasons:

- There is no logical planning reason for this differentiation.
- All daylight control planed should be consistent with each other and that are used by adjoining Councils.

Point Number 695.200

Summary of Decision Requested: **Retain** the maximum area of earthworks in Rule 19.2.4 P1(a)(ii) Earthworks.

Decision Reasons:

- No reasons provided.

Point Number 695.201

Summary of Decision Requested: **Amend** Rule 22.1.3 RD1(c)(ii) B Restricted Discretionary Activities to have a minimum 1200m setback apply to the said zones and if an existing

pig farm already occurs at the setback, then the effects of that have to be taken into account as well;

AND

Amend Rule 22.1.3 RDI(c)(ii) B Restricted Discretionary Activities to require any development occurring within that setback to have an enforced Council no complaints covenant applied.

Decision Reasons:

- The concern with inequitable distribution rules such as this is that they do not relate to real world operations and realistic assessment of effects.
- What happens if a consented activity with 500 pigs approved later wishes to expand to 550 pigs in the same location and is 1,320m setback, the setback per pig is just the same as 500 pigs at 1,200m.
- If the same operator starts a second pig farm at 1,200m setback it would have the same effect as a 1,000 pig operation at 1,200m setback.

Point Number

695.202

Summary of Decision Requested:

Amend Rule 22.1.3 RDI (c)(ii)B Restricted Discretionary Activities to include a requirement to be setback or equivalent distance (1200m) from a Paa Zone.

Decision Reasons:

- No reasons provided.

Point Number

695.203

Summary of Decision Requested:

Amend Rule 22.1.5 NCI Non-Complying Activities to include an exemption clause in the situation where an indicative road remains on a planning map but has been constructed and is open to the public, either in the same location or very near.

Decision Reasons:

- The issue has occurred twice when preparing resource consent applications.
- There is no effect under the Act to address in that circumstance.
- It is ultra-vires.

Point Number

695.204

Summary of Decision Requested:

Amend Rule 22.2.3.1 P1, P2 and P4 Earthworks general so that earthworks are based on the site area i.e. a 1:1 ratio so a 45m2 site would provide 450m3 of earthworks.

Decision Reasons:

- The Proposed District Plan penalizes bigger sites for no apparent outcome, especially when a bigger site is likely to be better able to absorb and diffuse effects.
- Earthworks totals should not cancel each other out, i.e. cut and fill add together.

Point Number

695.205

Summary of Decision Requested:

Retain the maximum area of earthworks in Rule 22.2.3.1 P1, P2 and P3 Earthworks – General.

Decision Reasons:

- No reasons provided.

Point Number

695.206

Summary of Decision Requested:

Amend Rule 22.2.3.3 P1 and P2 Earthworks – Significant Natural Areas so that earthworks are based on the site area i.e. a 1:1 ratio so a 450m2 site would provide 450m3 of earthworks.

Decision Reasons:

- The Proposed District Plan penalizes bigger sites for no apparent outcome, especially when a bigger site is likely to be better able to absorb and diffuse effects.
- Earthworks totals should not cancel each other out, i.e. cut and fill add together

Point Number

695.207

Summary of Decision Requested:

Retain a maximum area of earthworks in Rule 22.2.3.3 P1 Earthworks – Significant Natural Areas.

Decision Reasons:

- No reasons provided.

Point Number

695.208

Summary of Decision Requested:

Amend Rule 22.2.3.4 Earthworks within Landscape and Natural Character Areas so that earthworks are based on the site area. i.e a 1:1 ratio so that a 450m2 site would provide 450m3 of earthworks.

Decision Reasons:

- The Proposed District Plan penalizes bigger sites for no apparent outcome, especially when a bigger site is likely to be better able to absorb and diffuse effects.
- Earthworks totals should not cancel each other out, i.e. cut and fill add together.

Point Number

695.209

Summary of Decision Requested:

Retain a maximum area of earthworks in Rule 22.2.3.4 Earthworks within Landscape and Natural Character Areas.

Decision Reasons:

- No reasons provided.

Point Number 695.210

Summary of Decision Requested: **Amend** Rule 22.2.6.2 P1 (a)(ii) Signs - Effects on Traffic, to delete the words "and any other sign";

OR

Amend Rule 22.2.6.2 P1 (a)(ii) Signs – Effects on Traffic, as follows:

Be located at least 60m from controlled intersections, pedestrian crossings and any other sign on the same site.

OR

Amend Rule 22.2.6.2 P1 (a)(ii) Signs – Effects on Traffic, as follows:

Be located at least 60m from controlled intersections, pedestrian crossings and ~~any other sign~~ railway crossings (or roads under Council jurisdiction).

Decision Reasons:

- This is unrealistic
- The cost of the consent would usually be more than the cost of the sign.

Point Number 695.211

Summary of Decision Requested: No specific decision sought for Rule 22.3.1 P1 (b) Number of dwellings within a lot, however the submitter has concerns that where land has been previously subdivided only the dwelling entitlement that was taken should count, and only on that parcel that was amalgamated. Any remaining entitlements that occur on the land should provide for entitlement to subdivide, and should not restrict subdivision of amalgamated titles where one of the parcels was not previously utilised.

Decision Reasons:

- The concern relates to subdivision entitlement, that where land has been previously subdivided only the dwelling entitlement that was taken should count.

Point Number 695.212

Summary of Decision Requested: **Amend** Rule 22.3.2 P1 (i) Minor dwelling by rephrasing to read:

The minor dwelling must be located within 20m of the existing dwelling.

Decision Reasons:

- No reasons provided.

Point Number 695.213

Summary of Decision Requested: **Amend** Rule 22.3.4.4 Buildings, structures and vegetation in a battlefield view shaft to have greater setbacks rather than the 5m maximum height.

Decision Reasons:

- A development on a steeply sloped site is severely penalised.
- The key issue is not the height of a dwelling, but the view shaft around.
- The 5m maximum is too low to be practical.

Point Number 695.214

Summary of Decision Requested: **Amend** Rule 22.3.5 P1 Daylight admission as follows:

A building must not protrude through a height control plane rising at an angle of ~~37~~ 45 degrees commencing at an elevation of ~~2.5~~ 2m above ground level at every point of the site boundary.

Decision Reasons:

- There is no logical planning reason for this differentiation.
- All daylight control planed should be consistent with each other and that are used by adjoining Councils.

Point Number 695.215

Summary of Decision Requested: **Amend** Rule 22.3.7.1 P1 (a)(ii), P2(a)(ii), P3(a)(ii) and P4(a)(ii) Building setbacks – All boundaries, to include an exemption clause in the situation where an indicative road remains on the Planning Map but has been constructed and is open to the public, either in the same location or very near.

Decision Reasons:

- There is no effect under the Act to address in that circumstance.
- The issue has occurred twice when preparing resource consent applications.
- It is ultra-vires.

Point Number 695.216

Summary of Decision Requested: **Amend** Rule 22.3.7.1 P1 (a)(iii) to change the setback requirement from 25m to 12m and remove the adjoining property size as follows:

12m from the boundary of an adjoining site ~~that is less than 6ha~~.

Decision Reasons:

- Auckland Council has one setback that applies regardless of the size of the adjoining property.
- If a property is 1ha in size, a 25m setback along three boundaries with a 7.5m setback to a road uses up to 65.75% of that property.
- In larger properties, the 25m setback can have dramatic impacts on production and activity potential.

Submitter Number: 696 **Submitter:** Brenda and Gavin Butcher

Organisation: Parkmere Farms

Point Number 696.1

Summary of Decision Requested: Amend the zoning of the properties in the area east of Pokeno, bounded by State Highway 2 to the north, Baird Road to the east, Avon Road to the south and State Highway 1 to the west from Rural Zone to Country Living Zone (Refer to map included in submission).

Decision Reasons:

- This area is contiguous with the existing Country Living Zone on the eastern side of State Highway 1.
- Due to the proximity of the Residential Zone the use of this land for rural uses is significantly constrained by reverse sensitivity complaints from the Residential Zone including odour and noise. This area is being use for primary rural industry including calf rearing, breeding horses, kiwifruit and drystock. These rural uses create amenity effects and the operation of these farms is being constrained by reverse sensitivity complaints arising from the Residential Zone.
- Rezoning will allow improved environmental outcomes with retirement and restoration of streams.
- Rezoning will result in improved water quality in the stream from retirement from farming.
- Rezoning meets the criteria in the Waikato Regional Policy Statement for rural-residential development.
- Enables existing accesses to State Highway 2 to be removed, as Avon, Fraser, Baird and Gulland Roads provide access opportunities.
- This area has constraints such as proximity to the State Highway, Transpower electricity transmission lines and a stream which are managed by the Proposed District Plan through setbacks and yard requirements.
- Provides additional housing choice to the stock offered in the Residential Zone in Pokeno.
- The use of this area for Country Living Zone is a more efficient use of the land.
- This area is serviced for reticulated water supply.
- This is a discrete area of land with defensible road boundaries.
- The area is separated from the Rural Zone by roads to prevent any consequential reverse sensitivity effects.
- It provides an effective transition from the Rural Zone by roads to prevent any consequential reverse sensitivity effects.
- State Highway 2 is a logical and defensible boundary between the Rural Zone and the Country Living and Residential Zone.
- State Highway 1 is a logical and defensible boundary between the Country Living and Residential Zone.
- A resource consent has already been granted for 96 Avon Road for a number of residential chalets. This development is of a density more akin to a residential development. This development will compromise any rural character and serves to illustrate that the character of the area is more consistent with the adjoining Country Living Zone than the Rural Zone.
- Will not undermine the form and function of Pokeno as an urban town.

Point Number 696.2

Summary of Decision Requested: Amend Rule 23.1.1 Permitted Activities, to include a small-scale childcare as a permitted activity.

Decision Reasons:

- Small-scale childcare offers a vital social service to the community.
- Small-scale childcare has no effects greater than a large family.
- The activity is appropriate in the Country Living Zone.
- Inclusion of small-scale childcare as a separate activity will clarify the distinction between home occupations (which are permitted) and education facility (which currently requires consent as a Discretionary activity).

Point Number 696.3

Summary of Decision Requested: Amend Rule 22.1.2 Permitted Activities, to include small scale childcare as a permitted activity.

Decision Reasons:

- Small-scale childcare offers a vital social service to the community.
- Small-scale childcare has no effects greater than a large family.
- This activity is appropriate in the Rural Zone and will not undermine the rural character.
- Inclusion of childcare as a separate activity will clarify the distinction between home occupations (which are permitted) and education facility (which currently requires a consent as a discretionary activity).

Point Number 696.4

Summary of Decision Requested: Retain Rule 22.1.2 P1 Permitted Activities (Equestrian Centre).

Decision Reasons:

- Equestrian centres are appropriate in the Rural Zone
- They generate less effects than farming activities.

Point Number 696.5

Summary of Decision Requested: Amend Rule 23.3.6 P1 Building coverage, as follows:
The total building coverage must not exceed 10% or ~~300m²~~ 400m², whichever is the larger.

Decision Reasons:

- This is a consequential amendment to enabling a smaller minimum site size.
- It will still enable a useable gross floor area of principal dwelling, minor dwelling and accessory buildings.
- It will still ensure an open and spacious character is in accordance with the large lot residential form of the Country Living Zone.

Point Number 696.6

Summary of Decision Requested: Retain Rule 23.3.2 Minor dwelling, including the following aspects:

(a) A single minor dwelling is a permitted activity;

(b) 70m² as the maximum gross floor area

(c) The absence of limitations on the type of person occupying the minor dwelling (e.g. dependent family member);

(d) Absence of provisions requiring the minor dwelling to be temporary.

Decision Reasons:

- Minor dwellings provide housing choice, particularly when families are changing in their makeup
- Minor dwellings provide an affordable option for housing.
- The limit on the size ensures they will be secondary to the primary dwelling.
- For the elderly, minor dwellings enable independent living, while still being close enough to family to have supported living.
- In terms of effects, particularly with the size limit, they are no different to a sleepout.
- The effects and their occupancy rate are no different to a large primary dwelling.

Point Number	696.7
Summary of Decision Requested:	Retain Rule 22.3.2 Minor dwelling (a) A single minor dwelling is a permitted activity; (b) 70m ² as the maximum gross floor area (c) The absence of limitations on the type of person occupying the minor dwelling (e.g. dependent family member); (d) Absence of provisions requiring the minor dwelling to be temporary.
Decision Reasons:	<ul style="list-style-type: none"> Minor dwellings provide housing choice, particularly when families are changing in their makeup Minor dwellings provide an affordable option for housing. The limit on the size ensures they will be secondary to the primary dwelling. For the elderly, minor dwellings enable independent living, while still being close enough to family to have supported living. In terms of effects, particularly with the size limit, they are no different to a sleepout. The effects and their occupancy rate are no different to a large primary dwelling.

Point Number	696.8
Summary of Decision Requested:	Delete Rule 22.3.2(b)(i) Minor dwelling, which requires the minor dwelling to be within 20m of the primary dwelling.
Decision Reasons:	<ul style="list-style-type: none"> The condition is arbitrary. On a Rural zoned property, sheds can be located anywhere on the property so long as they comply with the yard requirements and daylight admission rules. Minor dwellings should have a similar approach. There are no effects with a minor dwelling being located greater than 20m from the principal dwelling. Will allow more effective use of the land and more optimal layout. No need for the principal and minor dwelling to be located in close proximity.

Point Number	696.9
Summary of Decision Requested:	Retain Rule 23.3.7.2 P1 (a)(ii) Building setback - sensitive land use.
Decision Reasons:	<ul style="list-style-type: none"> 15m setback from a national route or regional arterial boundary is an appropriate minimum setback to mitigate against noise and vibration effects generated from the State Highway.

Point Number	696.10
Summary of Decision Requested:	Amend Rule 22.3.6 P1 Building coverage, by increasing the permitted building coverage limits.
Decision Reasons:	<ul style="list-style-type: none"> For genuine rural enterprises, accessory buildings such as hay sheds, stables, garages, tractor sheds are necessary. The proposed limit of 2% or 500m² (whichever is the larger) is too constraining to enable the level of buildings required to support rural production activities.

Point Number	696.11
Summary of Decision Requested:	Retain Rule 22.1.2 P12 Permitted Activities (Horse Training Centre)
Decision Reasons:	<ul style="list-style-type: none"> Horse training centres are appropriate in the Rural Zone. They generate lesser effects than farming activities.

Point Number	696.12
Summary of Decision Requested:	Amend Rule 23.4.2 RDI (a)(i) General Subdivision, as follows: All proposed lots must have a net site area of at least 5000 <u>3000m²</u> .
Decision Reasons:	<ul style="list-style-type: none"> There is no need or justification for a 5000m² minimum lot size. The residents living in these areas have urban expectations and struggle to maintain 5000m². The Country Living Zone is actually a large lot residential and is not a rural zone. A smaller site size is more in accordance with this housing and living choice. Reducing the minimum lot size will enable more efficient use of the land. Aligns more clearly with the 2500m² minimum site size required for on-site wastewater management. Still enables an open and spacious character, in accordance with the large lot residential form of the Country Living Zone.

Submitter Number:	697	Submitter:	Waikato District Council
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Point Number	697.1
Summary of Decision Requested:	Amend Rule 14.3.3 RDI Restricted Discretionary Activities by deleting clauses (v) and (vii).
Decision Reasons:	<ul style="list-style-type: none"> Matters of discretion relate to earthworks but this is more appropriately covered in RD2.

Point Number	697.2
Summary of Decision Requested:	Delete Rule 14.3.4 DI Discretionary Activities AND

Amend Rule 14.3.4 as a consequential amendment by renumbering (D2) to (D4) and (D1) to (D3).

Decision Reasons:

- This captures structures such as powerpoles which are more appropriately addressed through the relevant sections of Chapter 14 eg Rules 14.5 and 14.10. As the road controlling authority, Council or NZTA respectively can determine which structures are appropriate in the road.

Point Number

697.3

Summary of Decision Requested:

Amend Rule 14.4.1 (P1) Permitted Activities Buildings, structures and sensitive land uses within the National Grid Yard in existing Residential or Village Zones as of 18 July 2018 by relocating its activity specific conditions in Rule 14.4.1.1 into Chapters 16 and 24

AND

Retain those parts of Rule 14.4.1 (P1) and 14.4.1.1 which relate to rules regarding network utilities as follows:

~~(P1) Infrastructure buildings, and structures and sensitive land uses within the National Grid Yard in existing Residential or Village Zones as of 18 July 2018~~

14.4.1.1

(1) Within the National Grid Yard in the Residential or Village Zone:

~~(a) Building alterations and additions to an existing building or structure for a sensitive land use that does not involve an increase in the building height or footprint;~~

~~(b) New buildings and structures that are not for a sensitive land use;~~

~~(c) (g) Infrastructure (other than for the reticulation and storage of water for irrigation purposes) undertaken by a network utility operator as defined in the Resource Management Act 1991.~~

...

Decision Reasons:

- Relocate into Chapter 16 and 24 so it is more easily able to be found. The rule is focused on landuse rather than infrastructure.

Point Number

697.4

Summary of Decision Requested:

Amend Rule 14.4.1 P2 Permitted Activity Buildings, structures and sensitive land use within the National Grid Yard in all other zones as of 18 July 2018 (and its associated standards) by relocating into Chapters 17, 18, 19, 20, 21, 22, 23, 25, 26, 27, 28 where these zones are relevant to the location of the National Grid.

Rule 14.4.1.2(1)(c) Buildings, structures and sensitive land use within the National Grid Yard in all other zones as of 18 July 2018 will apply solely to the Rural Zone and Country Living Zone (Chapter 22 and 23 respectively).

AND

Undertake consequential renumbering in the zone chapters.

AND

Delete 14.4.1 (P2) and its activity specific conditions in 14.4.1.1 from Chapter 14.

Decision Reasons:

- Relocate into the zone chapters so the rule is more easily able to be found. The rule is focused on landuse rather than infrastructure.

Point Number

697.5

Summary of Decision Requested:

Amend Rule 14.4.1.2(4)(b) Buildings, structures and sensitive land use within the National Grid Yard in all other zones as of 18 July 2018 In its relocated positions, as follows:

(4) Artificial crop protection and support structures between 8m and 12m from a single pole support structure and any associated guy wire (but not tower) must:

...

(b) Be ~~maximum~~ no higher than 2.5m high.

Decision Reasons:

- Amend for clarity that artificial crop protection needs to be less than 2.5m.
- This will apply to the rule that is inserted into the zone chapters.

Point Number

697.6

Summary of Decision Requested:

Amend Zone Chapters by replicating Rule 14.4.1 Earthworks activities within the National Grid Yard P3 and its activity-specific conditions in Rule 14.4.1.3 into Chapters 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28 where these zones are relevant to the location of the National Grid.

AND

Consequential renumbering will be required in the zone chapters.

Decision Reasons:

- Replicate this rule into the zone chapters so the rule is more easily able to be found. The rule is focused on landuse rather than infrastructure.

Point Number

697.7

Summary of Decision Requested:

Amend Rule 14.4.1(P3) Permitted Activity Earthworks activities within the National Grid Yard as follows:

Earthworks activities ~~associated with infrastructure~~ within the National Grid Yard.

AND

Amend Rule 14.4.1.3 Earthworks activities within the National Grid Yard as follows:

(1) Earthworks ~~must for National Grid support poles and any stay wires~~ that comply with the following conditions:

(a) ...

(2) Earthworks ~~for National Grid must comply with all of the following conditions near support towers (including any tubular steel tower that replaces a steel lattice tower) that comply with all of the following conditions:~~

(a) ...

(3) ...

(b) Earthworks undertaken as part of agricultural or domestic cultivation, or repair, sealing or resealing of a road, footpath, driveway or farm track;

(c) ...

~~are a post hole for a farm fence or horticulture structure more than 6m from the visible outer edge of a tower support structure foundation;~~

(d) ...

Decision Reasons:

- Amend the rule so that it is clear that it is referring to earthworks in close proximity to National Grid structures.

Point Number

697.8

Summary of Decision Requested:

Amend Rule 14.4.1.3(2)(b) Earthworks activities within the National Grid Yard as follows:

(b) Do not exceed 3m depth between 6m and 12m of the outer edge of the visible foundation of the tower;

Decision Reasons:

- Provide additional clarity that the measurement is referring to depth.

Point Number

697.9

Summary of Decision Requested:

Amend Zone Chapters by Replicating Rule 14.4.2 (RD3 and its associated matters of discretion) into Chapters 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28 where these zones are relevant to the location of the National Grid. Consequential renumbering will be required in the zone chapters.

AND

Retain Rule 14.4.2(RD3) in Chapter 14.

Decision Reasons:

- Replicate this rule into the zone chapters so the rule is more easily able to be found. The rule is focused on landuse rather than infrastructure.

Point Number

697.10

Summary of Decision Requested:

Amend Zone Chapters by Replicating Rule 14.4.2 (RD4 and its associated matters of discretion) into Chapters 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28 where these zones are relevant to the location of the National Grid.

AND

Consequential renumbering will be required in the zone chapters.

Decision Reasons:

- Replicate the rule into the zone chapters so the rule is more easily able to be found. The rule is focused on subdivision rather than infrastructure.

Point Number

697.11

Summary of Decision Requested:

Amend Rule 14.4.2.1 RD4 Restricted Discretionary Activities as follows:

The subdivision of land in any zone within the National Grid Corridor for the purposes of infrastructure that complies with all of the following conditions...

Decision Reasons:

- Focus the rule in Chapter 14 on subdivision for infrastructure to avoid duplication when the rule is moved into other chapters.

Point Number

697.12

Summary of Decision Requested:

Amend Rule 14.4.4 NC2 Non-Complying Activities as follows:

Transformers, substations and switching stations associated with the National Grid located within identified areas ~~identified areas~~

Decision Reasons:

- Minor amendment to remove duplication.

Point Number

697.13

Summary of Decision Requested:

Amend Chapters 16 and 24 by Replicating Rule 14.4.4 NC3 into Chapters 16 and 24, with consequential renumbering in the zone chapters.

Decision Reasons:

- Replicate rule into the zone chapters so the rule is more easily able to be found. The rule is focused on landuse rather than infrastructure. Retain rule in Chapter 14 to address infrastructure within the National Grid Yard.

Point Number

697.14

Summary of Decision Requested:

Amend Zone Chapters by Relocating Rule 14.4.4 NC4 into Chapters 17, 18, 19, 20, 21, 22, 23, 25, 26, 27, 28 where these zones are relevant to the location of the National Grid.

AND

Undertake consequential renumbering in the zone chapters.

Decision Reasons:

- Replicate rule into the zone chapters so the rule is more easily able to be found. The rule is focused on landuse rather than infrastructure.

Point Number

697.15

Summary of Decision Requested:

Amend Chapters 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28 by relocating Rule 14.4.4 NCS into where these zones are relevant to the location of the National Grid.

AND

Undertake consequential renumbering in the zone chapters.

And
Delete 14.4.4 NC5 from Chapter 14.

Decision Reasons:

- Relocate into the zone chapters so the rule is more easily able to be found. The rule is focused on landuse rather than infrastructure.

Point Number 697.16

Summary of Decision Requested: **Amend** Chapters 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28 by relocating Rule 14.4.4 NC6 into where these zones are relevant to the location of the National Grid.

AND
Undertake consequential renumbering in the zone chapters.
AND
Delete 14.4.4 NC6 from Chapter 14.

Decision Reasons:

- Relocate into the zone chapters so the rule is more easily able to be found. The rule is focused on landuse rather than infrastructure.

Point Number 697.17

Summary of Decision Requested: **Amend** Chapters 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28 by relocating Rule 14.4.4 NC7 into where these zones are relevant to the location of the National Grid.

AND
Undertake consequential renumbering in the zone chapters.
And
Delete 14.4.4 NC7 from Chapter 14.

Decision Reasons:

- Relocate into the zone chapters so the rule is more easily able to be found. The rule is focused on landuse rather than infrastructure.

Point Number 697.18

Summary of Decision Requested: **Amend** Chapters 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28 by replicating Rule 14.4.4 NC8 into where these zones are relevant to the location of the National Grid.

AND
Undertake consequential new numbering in the zone chapters.
AND
Retain 14.4.4 NC8 in Chapter 14.

Decision Reasons:

- Replicate into the zone chapters so the rule is more easily able to be found. The rule is focused on landuse rather than infrastructure.

Point Number 697.19

Summary of Decision Requested: **Amend** Chapters 22, 23, 24, by relocating Rule 14.4.4 NC9 into where these zones are relevant to the location of the National Grid and these activities occurring.

AND
Undertake consequential renumbering in the zone chapters.
AND
Delete 14.4.4 NC9 from chapter 14

Decision Reasons:

- Relocate into the zone chapters so the rule is more easily able to be found. The rule is focused on landuse rather than infrastructure.

Point Number 697.20

Summary of Decision Requested: **Amend** Chapters 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28 by replicating Rule 14.4.4 NC10 into where these zones are relevant to the location of the National Grid.

AND
Undertake consequential renumbering in the zone chapters.
AND
Retain 14.4.4 NC10 in Chapter 14.

Decision Reasons:

- Replicate into the zone chapters so the rule is more easily able to be found.
- The rule is focused on subdivision rather than infrastructure.

Point Number 697.21

Summary of Decision Requested: **Amend** Rule 14.5.1(b) Permitted Activities as follows:
(b) Rule 14.2.1.1 will apply to the activities set out in this table unless there is a specific area, height, location and noise condition listed below.

Decision Reasons:

- Consequential amendment of changes to Rule 14.2.1(P1)(1).

Point Number 697.22

Summary of Decision Requested: **Add** to Rule 14.5.1.2 Permitted Activities a new clause (v) as follows:
(v) Maximum height 10m

Decision Reasons:

- Identify a maximum height as a consequential amendment of changes to 14.2.1(P1)(1).

Point Number 697.23

Summary of Decision Requested: **Amend** Chapters 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28. by relocating Rule 14.5.1 (P5) into these chapters
AND
Undertake consequential renumbering in the zone chapters.
AND
Delete Rule 14.5.1(P5) from Chapter 14.

Decision Reasons:

- Relocate into the zone chapters so the rule is more easily able to be found. The rule is focused on landuse rather than infrastructure.

Point Number 697.24

Summary of Decision Requested: **Amend** Chapters 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28. by relocating Rule 14.5.2 RD2 Construction or alteration of a building for a sensitive land use into these chapters
AND
Undertake consequential renumbering in the zone chapters.
AND
Delete Rule 14.5.2 RD2 from Chapter 14.

Decision Reasons:

- Relocate into the zone chapters so the rule is more easily able to be found. The rule is focused on landuse rather than infrastructure.

Point Number 697.25

Summary of Decision Requested: **Amend** Rule 14.6.1(b) Permitted Activities as follows:
(b) Rule 14.2.1.1 will apply to the activities set out in this table unless there is a specific ~~area, height,~~ location and noise condition listed below.

Decision Reasons:

- Consequential amendment of changes to Rule 14.2.1(P1)(1).

Point Number 697.26

Summary of Decision Requested: **Add** to Rule 14.6.1.1(a) Permitted Activity a new clause (l) as follows:
(l) All other structures not listed above must not be higher than the maximum building height limit of the zone in which they are located.

Decision Reasons:

- Identify a maximum area as a consequential amendment of changes to 14.2.1(P1)(1).

Point Number 697.27

Summary of Decision Requested: **Amend** Rule 14.6.3 D1 Discretionary Activities as follows:
Large-scale wind farms located within the Rural Zone, not within an identified area.

Decision Reasons:

- More complete rule cascade.

Point Number 697.28

Summary of Decision Requested: **Amend** Rule 14.6.4 NCI Non-Complying Activities as follows:
NCI Large-scale wind farms ~~not located within a zone other than the Rural Zone, including within an Identified Area~~
AND
Add new 14.6.4 NC2 as follows:
NC2 Large-scale wind farm located within the Rural Zone and within an Identified Area

Decision Reasons:

- No reasons provided.

Point Number 697.29

Summary of Decision Requested: **Amend** Rule 14.7.1(b) Permitted Activity as follows:

(b) Rule 14.2.1.1 will apply to the activities set out in this table unless there is a specific ~~area, height,~~ location and noise condition listed below.

Decision Reasons:

- Consequential amendment of changes to Rule 14.2.1(P1)(1).

Point Number 697.30

Summary of Decision Requested: **Amend** Rule 14.7.1 P1 Permitted Activities as follows:
P1 Below ground pipelines for the conveyance of liquid fuels and gas, not within an Identified Area
AND
Delete Rule 14.7.1.1 (iii) Permitted Activities.

Decision Reasons:

- Provides additional clarity for the rule.

Point Number 697.31

Summary of Decision Requested: **Amend** Rule 14.7.2 P2 Permitted Activities Below ground pipelines located within an Identified Area as follows:
P1 Below ground pipelines for the conveyance of liquid fuels and gas, located within an Identified Area.

Decision Reasons:

- This would provide additional clarity.

Point Number 697.32

Summary of Decision Requested: **Amend** Rule 14.8.1(b) Permitted Activities as follows:
(b) Rule 14.2.1.1 will apply to the activities set out in this table unless there is a specific ~~area, height,~~ location and noise condition listed below.

Decision Reasons:

- Consequential amendment of changes to Rule 14.2.1(P1)(1).

Point Number 697.33

Summary of Decision Requested: **Add** a new clause (v) to Rule 14.8.1.2 Permitted Activities as follows:
(v) Maximum area is 10m².

Decision Reasons:

- Identify a maximum area as a consequential amendment of changes to 14.2.1(P1)(1).

Point Number 697.34

Summary of Decision Requested: **Amend** Rule 14.8.1.2 (a)(ii) Permitted Activities as follows:
(ii) There shall be no more than one structure, instrument or device per site;

Decision Reasons:

- The intention is to restrict structures not panels or instruments. Amendments to focus on the number of structures.

Point Number 697.35

Summary of Decision Requested: **Delete** Rule 14.8.2 (a)(vi) Restricted Discretionary Activities.

Decision Reasons:

- The rules do not apply to Identified Areas.

Point Number 697.36

Summary of Decision Requested: **Add** to Rule 14.8.3 Discretionary Activities as follows:
D3 Meteorological enclosures and buildings, including automatic weather stations that do not comply with one or more conditions in Rule 14.8.3(P1).
D4 Meteorological and air quality monitoring structures and devices that do not comply with one or more conditions in Rule 14.8.3(P2).

Decision Reasons:

- There is currently no activity cascade for meteorological structure or activities that do not comply with one of more conditions in Rule 14.8.1(P1) or (P2). Include a discretionary rule to cover this scenario.

Point Number 697.37

Summary of Decision Requested: **Amend** Rule 14.9.1(b) Permitted Activities as follows:
(b) Rule 14.2.1.1 will apply to the activities set out in this table unless there is a specific ~~area, height,~~ location and noise condition listed below.

Decision Reasons:

- Consequential amendment of changes to Rule 14.2.1(P1)(1).

Point Number 697.38

Summary of Decision Requested: Amend Rule 14.9.2 RDI Restricted Discretionary Activities as follows:
Amateur radio configurations that are not located on a road, unformed road or Identified Area, and do not comply with one or more of the conditions of Rules 14.9.1.1, 14.9.1.2 and 14.9.1.3

Decision Reasons:

- Additional clarity to the rule and reducing duplication where one activity could be covered by multiple rules.

Point Number 697.39

Summary of Decision Requested: Amend Rule 14.10.1(b) Permitted Activities as follows:

(b) Rule 14.2.1.1 will apply to the activities set out in this table unless there is a specific ~~area, height,~~ location and noise condition listed below.

Decision Reasons:

- Consequential amendment of changes to Rule 14.2.1(P1)(1).

Point Number 697.40

Summary of Decision Requested: Amend Rule 14.10.1.1 P1 (a) Permitted Activities by adding new clauses (ii) and (iii) to as follows:

(ii) Not exceed 10m² in area above-ground;
(iii) Not exceed 2.5m in height.

Decision Reasons:

- Include maximum height and area as a consequential amendment to Rule 14.2.1(P1)(1).

Point Number 697.41

Summary of Decision Requested: Amend Rule 14.10.1.2 P3 (a) Permitted activities by adding new clauses (ii) and (iii) as follows:

(ii) Not exceed 10m² in area above-ground;
(iii) Not exceed 2.5m in height.

Decision Reasons:

- Include maximum height and area as a consequential amendment to Rule 14.2.1(P1)(1).

Point Number 697.42

Summary of Decision Requested: Amend Rule 14.10.1.4 P5 (b) Permitted Activities as follows:

(b) Rule 14.10.1.4 does not apply to private television antennas and satellite dishes ~~+2~~.

Decision Reasons:

- Amend notation for accuracy.

Point Number 697.43

Summary of Decision Requested: Amend Rules 14.10.1.6 P8 (a)(i) Permitted activities as follows:

(i) Do not exceed a maximum ~~volumetric dimension~~ volume of 0.25m²;

AND

Amend Rule 14.10.2 C7 Controlled Activities as follows:

Small cell units located within an Identified Area exceeding the maximum ~~volumetric dimension~~ volume of 0.11m² regulated in the NESTF, up to a maximum volume of 0.25m².

Decision Reasons:

- Simplify wording to refer to "volume".

Point Number 697.44

Summary of Decision Requested: Amend Rule 14.10.1.9 P11 Permitted Activities by adding new clauses (iv) and (v) as follows:

(iv) Not exceed 10m² in area above-ground;
(v) Not exceed 2.5m in height.

Decision Reasons:

- Include maximum height and area as a consequential amendment to Rule 14.2.1(P1)(1).

Point Number 697.45

Summary of Decision Requested: Amend Rule 14.10.1.11 P13 Permitted Activities by adding new clauses (iii) and (iv) as follows:

(iii) Not exceed 10m² in area above-ground;
(iv) Not exceed 2.5m in height.

Decision Reasons:

- Include maximum height and area as a consequential amendment to Rule 14.2.1(P1)(1).

Point Number 697.46

Summary of Decision Requested: Amend Rule 14.10.2 Controlled Activities by renumbering C5 (a) Dish antennas... as C6

AND

Consequently **renumber** the remaining controlled activities.

Decision Reasons:

- There are two C5 activities. Renumber for improved clarity.

Point Number

697.47

Summary of Decision Requested:

Amend Rule 14.11.1(2) Permitted Activities as follows:

(2) Rule 14.2.1.1 will apply to the activities set out in this table unless there is a specific ~~area, height,~~ location and noise condition listed below.

Decision Reasons:

- Consequential amendment of changes to Rule 14.2.1(P1)(1).

Point Number

697.48

Summary of Decision Requested:

Add a new rule to Rule 14.11.1 Permitted Activities as follows:

Water servicing for new development or subdivision

AND

Add new activity specific conditions (14.11.1.10) as follows:

(a) Development or subdivision within the Residential, Village, Business, Business Town Centre, Industrial, Industrial Zone Heavy, Reserve, Te Kowhai Airport and Rangitahi Peninsula Zone must have a water supply that complies with the following conditions:

(i) Is connected to public, reticulated water network if a reticulated system is within 20m of the site;

(ii) Water supply must be provided on site if a public, reticulated water supply is not available.

(b) Development in the Rural, Country Living and Motorsport and Recreation Zone must have a water supply on-site

Decision Reasons:

- Include a rule with standards regarding water supply. There are currently rules requiring stormwater and wastewater to be managed, but there is no equivalent rules requiring an adequate water supply to be provided. Further investigation is needed as to the most appropriate condition because the rule needs to apply where a reticulated supply is in close proximity to the newly created site, but may not be adjacent (i.e. it may be across the other side of the road).

Point Number

697.49

Summary of Decision Requested:

Add a new activity RD10 to Rule 14.11.2 Restricted Discretionary Activities as follows:

RD10 Water supply that does not comply with Rule 14.11.1(P1)

Discretion is restricted to:

(a) Health and safety of the occupants; and

(b) Sufficiency of supply for fire fighting.

Decision Reasons:

- Include a restricted discretionary activity for development or subdivision that does not comply with the water supply rule.

Point Number

697.50

Summary of Decision Requested:

Amend Rule 14.11.1 (i) Permitted Activities Notes to replace the reference of the "Regional Infrastructure Technical Specifications" to the correctly reference and renumber the notes.

AND

Amend Rule 14.11.1 Permitted Activities to correct numbering.

Decision Reasons:

- Update the reference to Regional Infrastructure Technical Specifications. Numbering of the notes needs correcting.

Point Number

697.51

Summary of Decision Requested:

Delete Rule 14.11.1 P2 Permitted Activities The establishment of impervious surfaces associated with new development or subdivision and 14.11.1.2 from Chapter 14;

AND

Amend Chapters 16, 28, 24, 23 by relocating Rule 14.11.1 P2 and activity specific conditions in 14.11.1.2 into these chapters.

Decision Reasons:

- Relocate this rule into chapters 16, 28, 24, 23 as this is more logically located in the zone chapters.

Point Number

697.52

Summary of Decision Requested:

Amend Rule 14.11.1(P4) Permitted Activities as follows:

~~Below ground~~ Pipelines for the conveyance of water, wastewater and stormwater

Decision Reasons:

- Correct the activity so that it more accurately reflects the conditions.

Point Number

697.53

Summary of Decision Requested:

Add new clauses (ii) and (iii) to Rule 14.11.1.6 P6 (a) Permitted Activities as follows:

(ii) Not exceed 10m² in area above-ground;

(iii) Not exceed 2.5m in height.

Decision Reasons:

- Include maximum height and area as a consequential amendment to Rule 14.2.1(P1)(1).

Point Number 697.54

Summary of Decision Requested: **Amend** Rule 14.11.1 P7 Permitted Activities as follows:
 (a) Stormwater treatment, detention and retention facilities or devices, excluding stormwater wetlands or ponds that comply with the following:
~~(i) is not a stormwater wetland or pond.~~

Decision Reasons:

- Amend so that the activity description is more accurate.

Point Number 697.55

Summary of Decision Requested: **Amend** Rule 14.11.8 P8 Permitted Activities Stormwater ponds or wetlands to correct numbering
 AND
 As a consequential amendment renumber P9 and P10.

Decision Reasons:

- The numbering of the conditions needs correcting to avoid duplication.

Point Number 697.56

Summary of Decision Requested: **Delete** Rule 14.11.2(RD2) Restricted Activities and associated matters of discretion from Chapter 14
 AND
Amend Chapters 16, 28, 24, 23 by relocating Rule 14.11.2 (RD2) and matters of discretion into these chapters.

Decision Reasons:

- Relocate this rule into chapters 16, 28, 24, 23 as this is more logically located in the zone chapters

Point Number 697.57

Summary of Decision Requested: **Amend** Rule 14.11.2 RD6 Restricted Discretionary Activities as follows:
 Stormwater ponds or wetlands, that serve more than one site, located within:
 (i) Residential Zone
 (ii) Rangitahi Peninsula Zone
 (iii) Village Zone
 (iv) Country Living Zone
 (v) Road and unformed road
 (vi) Identified Area

Decision Reasons:

- This is to correct the numbering.
- The amendments as they are currently are hard to read.

Point Number 697.58

Summary of Decision Requested: **Amend** Rule 14.11.3 D1 Discretionary Activities as follows:
 Water treatment plants not located within road ~~and~~ or unformed road or an Identified Area.

Decision Reasons:

- This will increase the clarity of this rule.

Point Number 697.59

Summary of Decision Requested: **Amend** Rule 14.11.3 D2 Discretionary Activities as follows:
 Wastewater treatment plants located within the following:
 (i) Industrial Zone
 (ii) Heavy Industrial Zone
 (iii) Motor Sport and Recreation Zone
 (iv) Rural Zone
 (v) Country Living Zone
 (vi) Reserve Zone

Decision Reasons:

- This is to correct the numbering.
- The amendments as they are currently are hard to read.

Point Number 697.60

Summary of Decision Requested: **Amend** Rule 14.11.4 NCI Non-Complying Activities as follows:
 Water treatment plants located within the following:
 (i) Road ~~and~~ or unformed road; or
 (ii) Identified Area

Decision Reasons:

- This will correct the numbering and improve clarity of the rule.
- The amendments as they are currently are hard to read.

Point Number	697.61
Summary of Decision Requested:	<p>Amend Rule 14.11.4 NC2 Non-Complying Activities as follows:</p> <p>Wastewater treatment plants located within the following:</p> <p>(iii) Residential Zone (iii) Rangitahi Peninsula Zone (iii) Village Zone (iii) Business Zone (iii) Business Town Centre Zone (iii) Tamahere Business Zone (iii) Te Kowhai Airpark Zone (iii) Road and unformed road (iii) Identified Area</p>
Decision Reasons:	<ul style="list-style-type: none"> This is to correct the numbering. The amendments as they are currently are hard to read.
Point Number	697.62
Summary of Decision Requested:	<p>Amend Rule 14.12.1.2(1)(a)(iv) Permitted Activities as follows:</p> <p>iv. The requirements of Table 14.12.5.7 do not apply to residential and rural activities;</p>
Decision Reasons:	<ul style="list-style-type: none"> Remove reference to residential activities because the tables relate to residential activities, and contain standards for residential activities.
Point Number	697.63
Summary of Decision Requested:	<p>Amend Rule 14.12.1.2 P2 (1)(c) Permitted Activities as follows:</p> <p>(c) Any on-site car parking spaces for non-residential activities within the Residential Zones must be set back at least 3m from the road boundary of the site and screened by planting or fencing from being viewed from the road;</p>
Decision Reasons:	<ul style="list-style-type: none"> This will improve the clarity of measurability of this rule.
Point Number	697.64
Summary of Decision Requested:	<p>Amend Rule 14.12.1.2(1)(e) Permitted Activities On-site parking and loading as follows:</p> <p>(e) On-site car parking spaces and loading bays are formed to be sealed if five or more parking spaces are required</p>
Decision Reasons:	<ul style="list-style-type: none"> Improved clarity and measurability of the rule.
Point Number	697.65
Summary of Decision Requested:	<p>Amend Rule 14.12.1.2 P2 (1)(g) Permitted Activities as follows:</p> <p>(g) On-site car parking spaces and loading bays are not to be located on any shared access or residential living court;</p>
Decision Reasons:	<ul style="list-style-type: none"> The terminology needs to be consistent.
Point Number	697.66
Summary of Decision Requested:	<p>Amend Rule 14.12.1.3 P3 (1)(a) Permitted Activities as follows:</p> <p>(a) On-site manoeuvring space shall be provided to ensure that no vehicle is required to reverse onto from or to a road except..</p>
Decision Reasons:	<ul style="list-style-type: none"> This will increase the clarity of this rule.
Point Number	697.67
Summary of Decision Requested:	<p>Amend Rule 14.12.1.4(1) Permitted activities as follows:</p> <p>(f) ... i. All traffic vehicle movements generated from all activities on the site combined (including those movements which were lawfully established prior to 5 December 2012), there is a maximum 750 vehicle movements per day; and ii. ... (g) ... i. All traffic vehicle movements generated from all activities on the site combined (excluding those movements which were lawfully established prior to 5 December 2012), there is maximum 350 vehicle movements per day;</p>
Decision Reasons:	<ul style="list-style-type: none"> This will provide consistency between the terms used.
Point Number	697.68
Summary of Decision Requested:	<p>Amend Rule 14.12.1.4 Permitted Activities Traffic generation as follows:</p> <p>(1) Any activity <u>Each site</u> must comply with the following traffic generation conditions:</p>
Decision Reasons:	

- Clarity that the traffic generation applies per site as it is not clear from the rules.

Point Number 697.69

Summary of Decision Requested: **Amend** Rule 14.12.1.6(1)(d)(ii) Permitted Activities New public roads, including where the road has been identified on the planning maps as an Indicative road, and associated road network activities as follows:

ii. Have swale drains on both sides of the carriageway capable of collecting all road runoff and overland flow towards the road or right of way from a 20% Annual Exceedance ~~Period~~ Probability event; and

Decision Reasons:

- Consistency with defined terms.

Point Number 697.70

Summary of Decision Requested: **Amend** Rule 14.12.1.6(1)(a) Permitted Activities New public roads, including where the road has been identified on the planning maps as an Indicative road, and associated road network activities as follows:

(a) The public road is located within road or unformed road as shown on the planning maps;

Decision Reasons:

- Improved clarity of the rule.

Point Number 697.71

Summary of Decision Requested: **Amend** Rule 14.12.1 P8 Permitted Activities Off-road pedestrian and cycle facilities as follows:
Off-road pedestrian and cycleways facilities

AND

Amend Rule 14.12.1.8(a) as follows:
(a) Off-road pedestrian and cycleways cycling facilities that comply with all of the following conditions:

Decision Reasons:

- Improved clarity of the rule and consistency of terminology.

Point Number 697.72

Summary of Decision Requested: **Amend** Rule 14.12.2 RD2 Restricted Discretionary On-site parking and loading that does not comply with one or more of the conditions of Rule 14.12.1.2 by adding a new matter of discretion as follows:

Discretion is restricted to:

(a) The number, area, type, location and marking of parking spaces;
(b) The area, design, gradient, stormwater management, construction and materials of parking and loading spaces,
(c) Accessibility of parking areas from on-site activities;
(d) Safety for vehicles and pedestrians;
(e) Mitigation to address amenity and connectivity.
(f) Need for parking spaces.

Decision Reasons:

- Inclusion of a new matter of discretion to address parking demand and requirements.

Point Number 697.73

Summary of Decision Requested: **Amend** Table 14.12.5.7 Required parking spaces and loading bays to add two new activities as follows:

Activity:
Dwellings located within the Lakeside Te Kauwhata Precinct.

Minimum Required Parking Spaces:
1 car space per dwelling on a site less than 300m² in area; or
2 car spaces per dwelling on a site greater than 300m² in area.

Minimum Required Loading Bays: Nil

Activity:
Retirement villoges located within the Lakeside Te Kauwhata Precinct.

Minimum Required Parking Spaces:
0.5 car spaces per independent dwelling or unit and 1 visitor car space per 10 residents.

Minimum Required Loading Bays: Nil

Decision Reasons:

- The car parking provisions for Lakeside (as per the decisions version of Plan Change 20) have been inadvertently missed from the table.

Point Number 697.74

Summary of Decision Requested: **Amend** Table 14.12.5.7 Required parking spaces and loading bays in the activity for "Health facility, veterinary and personal services", the minimum required parking spaces (second column) to read:

3 car spaces per ~~professional-full time staff equivalent~~

Decision Reasons:

- In the activity "health facility, veterinary and personal services", the requirements for 3 spaces per professional should be amended to be "full time staff equivalent" to be consistent with the requirements for other activities.

Point Number 697.75

Summary of Decision Requested: **Amend** Table 14.12.5.7 Required parking spaces and loading bays in the activity for "Indoor sports facility", the minimum required parking spaces (second column) as follows:

4 car spaces per sports court or 1 car space per 4 persons provided for in the design, whichever is the greater number of carparks

Decision Reasons:

- Additional clarity for the rule regarding indoor sports facilities

Point Number 697.76

Summary of Decision Requested: Amend Table 14.12.5.7 Required parking spaces and loading bays by replacing throughout the table, "HGV" with "heavy goods vehicle"

Decision Reasons:

- Additional clarity by reducing the number of acronyms.

Point Number 697.77

Summary of Decision Requested: Amend Table 14.12.5.10 Required bicycle spaces to include a diagram or standard for the size of a bicycle space .

Decision Reasons:

- Additional clarity for the rule.

Point Number 697.78

Summary of Decision Requested: Amend Table 14.12.5.14 Access and road conditions (Residential, Village, Business, Business Town Centre and Industrial Zones) and its heading to include the Te Kowhai Airpark, Rangitahi Peninsula and Motorsport and Recreation zones where appropriate.

Decision Reasons:

- Te Kowhai Airpark Zone, Rangitahi Peninsula Zone and Motorsport and Recreation Zone are missing from the heading.

Point Number 697.79

Summary of Decision Requested: Amend Table 14.12.5.14 Access and road conditions (Residential, Village, Business, Business Town Centre and Industrial Zones) by updating the footnote references to the Regional Integrated Technical Specifications to reflect the correct title and version.

Decision Reasons:

- Update the references to the external document "Regional Integrated Technical Specifications".

Point Number 697.80

Summary of Decision Requested: Add to Rule 14.12.1 Permitted Activities a new rule as follows:

P10

Esplanade reserves and strips where a road is stopped.

14.12.1.10

(a) Where land comprising a stopped road or any part of a stopped road adjoins:

(i) the mark of mean high water springs of the sea; or

(ii) the bank of any river with an average width of 3 metres or more; or

(iii) the margin of any lake with an area of 8 hectares or more.

Section 345(3) of the Local Government Act 1974 and section 118 of the Public Works Act 1981 will apply only where the land comprising the stopped road or part of the stopped road is identified.

(iv) in Appendix 5 (Esplanade Priority Areas); or

(v) on the planning maps as requiring an esplanade reserve, esplanade strip or access strip to be set aside.

AND

Add a new rule in Discretionary Rule 14.12.3 as follows:

D3

Esplanade reserves where a road is stopped that does not comply with Rule 14.12.1.10

Decision Reasons:

- Include a rule to clarify the situation for road stopping and esplanade reserves and strips. Even though this rule is regarding esplanade reserves, it needs to apply district-wide.

Point Number 697.81

Summary of Decision Requested: Amend Table 14.12.5.1 Separation distances by replacing the term "Speed Environment" with "Design Speed."

Decision Reasons:

- More accurate terminology.

Point Number 697.82

Summary of Decision Requested: Amend Table 14.12.5.3 Minimum sight distances by replacing the term "Speed Environment" to "Design Speed."

Decision Reasons:

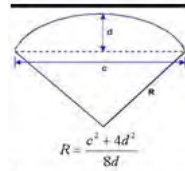
- More accurate terminology.

Point Number 697.83

Summary of Decision Requested: Add to Table 14.12.5.3 Minimum sight distances: by including the following after the:

<u>Road Centreline Radius</u>	<u>Approx. Design Speed</u>
<u>0 - 45m</u>	<u>50 kmh</u>
<u>45 - 60m</u>	<u>60 kmh</u>
<u>60 - 80m</u>	<u>65 kmh</u>
<u>80 - 100m</u>	<u>70 kmh</u>
<u>100 - 120m</u>	<u>75 kmh</u>
<u>120 - 150m</u>	<u>80 kmh</u>
<u>150 - 200m</u>	<u>85 kmh</u>
<u>200 - 300m</u>	<u>95 kmh</u>
<u>300 - 400m</u>	<u>100 kmh</u>
<u>>400m</u>	<u>110kmh</u>

Curve radius can be determined using the following formula:
Refer to original submission for diagram.



Include rules referencing 14.12.5.3's new diagrams where appropriate.

Decision Reasons:

- This speed environment table is required to go along with Table 14.12.5.3.

Point Number 697.84

Summary of Decision Requested: Amend Chapter 16: Residential Zone heading as follows:

Chapter 16: Residential Zone – Rules

Decision Reasons:

- To assist in clarifying that all of the provisions within the chapter are rules.

Point Number 697.85

Summary of Decision Requested: Amend Chapter 16: Residential Zone Rule 16(2) as follows:

The rules that apply to subdivision in the Residential Zone are contained in Rule 16.4 and the relevant rules in: 14 Infrastructure and Energy; and 15 Natural Hazards and Climate Change (Placeholder).

Decision Reasons:

- To clarify that the rules in Chapter 14: Infrastructure and Energy and Chapter 15: Natural Hazards and Climate Change apply to subdivision as well as to land use activities

Point Number 697.86

Summary of Decision Requested: Amend Chapter 16: Residential Zone Rule 16(5) as follows:

The Residential Zone contains a Specific Area that is Lakeside Te Kauwhata Precinct ...to the rest of the Residential Zone.

Decision Reasons:

- Grammar.

Point Number 697.87

Summary of Decision Requested: Amend Rule 16.1.2 (1) Permitted Activities as follows:

~~(a) Activity-specific conditions;~~
~~(b) Land Use – Effects rules in Rule 16.2 (unless the activity rule and/or activity-specific conditions identify a condition(s) that does not apply);~~
~~(c) Land Use – Building rules in Rule 16.3 (unless the activity rule and/or activity-specific conditions identify a condition(s) that does not apply);~~
~~(d) Activity-specific conditions."~~

Decision Reasons:

- The list of rules (a) – (c) should follow the order that they appear.

Point Number 697.88

Summary of Decision Requested: Delete Rule 16.1.2 Permitted Activities Activity P2 Activity Specific: Condition (a) A Marae Complex or Papakainga Housing Development on Maaori Freehold Land or on Maaori Customary Land specific.

Decision Reasons:

- There was no intention to restrict building coverage for these activities.

Point Number 697.89

Summary of Decision Requested: Amend Rule 16.1.2 P2 Permitted Activities A Marae Complex or Papakainga Housing Development on Maaori Freehold Land or on Maaori Customary Land as follows:

(b) (i) A Concept Management Plan ~~approved~~ endorsed by the Maori Land Court AND

(c) (i) A Concept Management Plan ~~approved~~ endorsed by the Maori Land Court;

Decision Reasons:

- The correct term is "endorsed" rather than "approved".

Point Number 697.90

Summary of Decision Requested: **Amend** Rule 16.1.2 P3 (e)(i) Permitted Activities A new retirement village or alterations to an existing retirement village as follows:

Minimum service court is either:

(i) Apartment – Communal outdoor space (ie no individual service courts required of at least 5m2 with a minimum dimension of 1.5 metres for each apartment.

Decision Reasons:

- There is no minimum size for the communal service court which is required for a permitted activity standard. A 5m2 area for each apartment would be suitable for outdoor storage and washing lines.

Point Number 697.91

Summary of Decision Requested: **Amend** Rule 16.1.2 P3 (e)(ii) Permitted Activity A new retirement village or alterations to an existing retirement village as follows:

(iii) All other units – 10m2 with a minimum dimension of 1.5 metres for each unit.

Decision Reasons:

- There is no minimum dimension for the service court.

Point Number 697.92

Summary of Decision Requested: **Amend** Rule 16.1.2 P4 (f) Permitted Activities Home occupation to read as follows:

(f) For up to 4 people.

Decision Reasons:

- A maximum number of people is required for clarity.

Point Number 697.93

Summary of Decision Requested: **Delete** Rule 16.1.2 P9 Activity Specific Condition (b) Permitted Activity Home stay activity specific condition (b).

Decision Reasons:

- The condition is not relevant to the activity.

Point Number 697.94

Summary of Decision Requested: **Add** to Rule 16.1.2 Permitted Activity a new rule as follows:

P1.3 Childcare Facility

For up to 4 children that are not permanent residents at the home.

Decision Reasons:

- Childcare facilities for up to 4 children should be provided for in the residential zone.

Point Number 697.95

Summary of Decision Requested: **Amend** Rule 16.1.3 Restricted Discretionary Activities table heading into read as follows:

~~The Council's discretion shall be limited to the following matters: Matters of Discretion~~

Decision Reasons:

- Alignment with other zone chapters.

Point Number 697.96

Summary of Decision Requested: **Add** a new condition to Rule 16.1.3 RD1 Restricted Discretionary as follows:

A detailed site plan depicting the proposed record of title boundaries for each residential unit and any common areas (including access and services must be provided, ensuring that a freehold (fee simple or unit title subdivision complied with rule 16.4.4 (Subdivision – Multi-unit development);

AND

Add a new rule to Rule 16.1.3 as follows:

(d) where units or apartments are being proposed, the following minimum unit areas apply:

<i>Unit of Multi-Unit</i>	<i>Minimum Unit Area</i>
<i>Studio unit or 1 bedroom unit</i>	<i>60m²</i>
<i>2 bedroom unit</i>	<i>80m²</i>
<i>3 or more bedroom unit</i>	<i>100m²</i>

Decision Reasons:

- To set a density standard that would determine the number of units that could be built on a site and to ensure that each residential unit is contained within an area that would enable subdivision.

Point Number	697.97
Summary of Decision Requested:	Amend Rule 16.1.4 D1 Discretionary Activities to read as follows: <i>Any permitted activity that does not comply with <u>one or more of the</u> the 'Activity-Specific Conditions' in Rule 16.1.2.</i>
Decision Reasons:	<ul style="list-style-type: none"> • Consistency with other chapters and additional clarity of the rule.
Point Number	697.98
Summary of Decision Requested:	Delete Rule 16.1.4 D2 Discretionary Activities.
Decision Reasons:	<ul style="list-style-type: none"> • This rule is not needed as it refers to Land Use Effects and Land Use Building rules which are in subsequent parts of the chapters.
Point Number	697.99
Summary of Decision Requested:	Delete Rule 16.2.1 (1) Noise.
Decision Reasons:	<ul style="list-style-type: none"> • Reduces duplication – this noise rule is adequately covered by points (2) and (3).
Point Number	697.100
Summary of Decision Requested:	Delete Rule 16.2.1.1 P3 Permitted Activities Noise-General AND Amend Rule 16.2.1.1 P2 Permitted Activities Noise-General to read as follows: <i>(a) Noise measured within any other site in the Residential Zone must not exceed: (i) 50dB (LAeq), 7am to 7pm, every day; (ii) 45dB (LAeq), 7pm to 10pm, every day; and (iii) 40dB (LAeq) and 65dB (LAmax), 10pm to 7am the following day. (b) Noise levels shall be measured in accordance with the requirements of NZS 6801:2008 "Acoustics - Measurement of Environmental Sound"; and (c) Noise levels shall be assessed in accordance with the requirements of NZS 6802:2008 "Acoustic Environmental noise". Amend Rule 16.2.1.1 P3 D1 to read as follows: Rule 16.2.1.1 P1 or P2 or P3.</i>
Decision Reasons:	<ul style="list-style-type: none"> • P3 needs to be conditions of P2 as they are the standards which need to be met.
Point Number	697.101
Summary of Decision Requested:	Amend Rule 16.2.1.2 P1(a) Permitted Activities Noise-Construction to read as follows: <i>Construction noise must meet <u>not exceed</u> the limits in NZS 6803:1999 (Acoustics – Construction Noise); and</i>
Decision Reasons:	<ul style="list-style-type: none"> • Additional clarity that the rule construction noise should not exceed the limits, rather than meet the limits in the NZS.
Point Number	697.102
Summary of Decision Requested:	Amend Rule 16.2.3 P1 Permitted Activities Glare and artificial light spill to read as follows: <i><u>Illumination from</u> Glare and artificial light spill must not exceed 10 lux measured horizontally and vertically within any other site.</i>
Decision Reasons:	<ul style="list-style-type: none"> • Consistency of wording with other zone chapters.
Point Number	697.103
Summary of Decision Requested:	Amend Rule 16.2.4 Earthworks as follows: <i>(1) Rule 16.2.4.1 – General, provides the permitted rules for earthworks activities for the Residential Zone. <u>This rule does not apply in those areas specified in Rule 16.2.4.2, 16.2.4.3 and 16.2.4.4.</u></i>
Decision Reasons:	<ul style="list-style-type: none"> • The wording of the rule does not make it clear that the rules in 16.2.4(2) apply instead of the general earthworks rule.
Point Number	697.104
Summary of Decision Requested:	Amend Rule 16.2.4(2) Earthworks as follows: <i>There are specific standards for earthworks within rules: (a) Rule 16.2.4.1A – Earthworks within the National Grid Yard (a b) Rule 16.2.4.2 – Maaori Sites and Maaori Areas of Significance; (b c) Rule 16.2.4.3 – Significant Natural Areas; (c d) Rule 16.2.4.4 – Landscape and Natural Character Areas. And Add new rule after Rule 16.2.4.1 Earthworks-General as follows: <u>16.2.4.1A Earthworks within the National Grid Yard</u> P1 (a) <u>The following earthworks within the National Grid Yard:</u> (i) <u>Earthworks undertaken as part of domestic cultivation; or repair, sealing or resealing of a road, footpath or driveway;</u> (ii) <u>Vertical holes not exceeding 500mm in diameter that are more than 1.5m from the outer edge of the pole support structure or stay wire;</u> (iii) <u>Earthworks for which a dispensation has been granted by Transpower under New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663.</u> P2.</i>

(g) Earthworks activities within the National Grid Yard near National Grid support poles or any stay wires must comply with the following conditions:
 (i) Do not exceed a depth of 300mm within 2.2m of the pole or stay wire; and
 (ii) Do not exceed a depth of 750mm between 2.2m and 5m of the pole or stay wire.
 P3
 (g) Earthworks within the National Grid Yard near National Grid support towers (including any tubular steel tower that replaces a steel lattice tower) must comply with all of the following conditions:
 (i) Do not exceed 300m depth within 6m of the outer edge of the visible foundation of the tower;
 (ii) Do not exceed 3m between 6m and 12m of the outer edge of the visible foundation of the tower;
 (iii) Do not compromise the stability of a National Grid support structure;
 (iv) Do not result in the loss of access to any National Grid support structure; and
 (v) Must be less than the minimum ground to conductor clearance distances in Table 4 of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663.
 RD1
 (g) Earthworks within the National Grid Yard that do not comply with one or more of the conditions of Rules 16.2.4.1A P1, P2 or P3.
 (b) Discretion is restricted to:
 (i) Impacts on the operation, maintenance, upgrading and development of the National Grid;
 (ii) The risk to the structural integrity of the affected National Grid support structure(s);
 (iii) Any impact on the ability of the National Grid owner (Transpower) to access the National Grid;
 (iv) The risk of electrical hazards affecting public or individual safety, and the risk of property damage.

Decision Reasons:

- Replicate the earthworks rule within the National Grid from Chapter 14 into Chapter 16 for increased clarity and usability of the Plan.

Point Number 697.105

Summary of Decision Requested: Amend Rule 16.2.4.1 P1 (a) Permitted Activities to read as follows:

(a) Earthworks (excluding the importation of fill material) within a site must meet all of the following conditions:
 (i) Be located more than 1.5 m horizontally from any waterway, open drain or overland flow path;
 (ii) Not exceed a volume of 250m³ and an area of more than 1000m² over any consecutive 12 month period;
~~(iii) Not exceed an area of 1000m² over any consecutive 12 month period;~~
 (iv) The total depth of any excavation or filling does not exceed 1.5m above or below ground level;
 (v) The slope of the resulting cut, filled areas or fill batter face in stable ground, does not exceed a maximum of 1:2 (1 vertical to 2 horizontal);
 (vi) Earthworks are set back at least 1.5m from all boundaries;
 (vii) Areas exposed by earthworks are revegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks;
 (viii) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls;
 (ix) Do not divert or change the nature of natural water flows, water bodies or established drainage paths.

Decision Reasons:

- The rule needs to apply over a single consecutive 12 month period for both volume and area thresholds. The words "at least" provide clarity to the rule. This is also consistent with other zone chapters.

Point Number 697.106

Summary of Decision Requested: Amend Rule 16.2.4.1 P3(a)(iv) Permitted Activities to read as follows:

(iv) Fill material is setback at least 1.5m from all boundaries;

Decision Reasons:

- The wording "at least" provide clarity to the rule.

Point Number 697.107

Summary of Decision Requested: Amend Rule 16.2.4.2 RD1 Earthworks-Maori Sites and Maori Areas of significance to read as follows:

(a) Earthworks within a Maori Site of Significance as identified in Schedule 30.3 (Maori Site of Significance) ~~and as~~ shown on the planning maps.

Decision Reasons:

- Wording provides clarity.

Point Number 697.108

Summary of Decision Requested: Amend 16.2.4.2 RD2 Earthworks-Maori Sites and Maori Areas of Significance as follows:

(b) The Council's discretion is ~~limited~~ restricted to the following matters:
 (i) ~~Location of earthworks in relation to the site~~
 (ii) ~~Effects on heritage and cultural values.~~

Decision Reasons:

- The matter of discretion is not relevant because the whole property boundary is included as a scheduled site.

Point Number 697.109

Summary of Decision Requested: Amend Rule 16.2.4.3 P1 (a) Earthworks-Significant Natural Areas to read as follows:

(a) Earthworks ~~are~~ for the maintenance of existing tracks, fences or drains within an identified Significant Natural Area and must meet all of the following conditions:
 (i) ~~Maximum~~ Do not exceed a volume of 50m³ in a single consecutive 12 month period;
 (ii) ~~Maximum~~ Do not exceed an area of 250m² in a single consecutive 12 month period; and
 (iii) ~~Do not~~ include the importation of any fill material.
 (iv) The total depth of any excavation or filling does not exceed 1.5m above or below ground level with a maximum slope of 1:2 (1 vertical to 2 horizontal);
 (v) Earthworks are setback at least 1.5m from all boundaries;
 (vi) Areas exposed by earthworks are revegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks;
 (vii) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls;
 (viii) Do not divert or change the nature of natural water flows, water bodies or established drainage paths.

Decision Reasons:

- Wording provides clarity to the rule and consistency with other zone chapters.

Point Number 697.110

Summary of Decision Requested: Amend Rule 16.2.4.3 RD1 Earthworks-Significant Natural Areas to read as follows:

(a) Earthworks that do not comply with Rule 16.2.4.3 P1.
 (b) Council's discretion shall be restricted to the following matters:

(i) The location of earthworks ~~in relation taking into account to~~ waterways, significant indigenous vegetation or habitat;
(ii) The ~~protection of~~ adverse effects on the Significant Natural Area ~~values~~.

Decision Reasons:

- Wording provides clarity to the rule and consistency with other zone chapters.

Point Number 697.111

Summary of Decision Requested: Delete Rule 16.2.4.3 D1 Earthworks- Significant Natural Areas.

Decision Reasons:

- Not required as activity falls to Restricted Discretionary Activity.

Point Number 697.112

Summary of Decision Requested: Delete from Rule 16.2.4.4 P1(a)(ii) Earthworks-Landscape and Natural Character Areas the table titled Landscape or Natural Character Area.
AND

Amend the heading of Permitted Activities Rule 16.2.4.4 Earthworks-Landscape and Natural Character Areas as follows:

Earthworks – Landscapes, Natural Features and Natural Character Areas

AND

Amend Rule 16.2.4.4 P1(a)(i) and (ii) Earthworks-Landscape and Natural Character Areas as follows

Earthworks for the maintenance of existing tracks, fences or drains within the following landscapes, natural features and natural character areas:

(i) Significant Amenity Landscape (SAL);

(ii) High or Outstanding Natural Character area of the coastal environment;

(iii) ~~Outstanding Natural Feature (ONF) and dune~~

(iv) Outstanding Natural Feature (ONF); and

(v) Outstanding Natural Landscape (ONL)

~~an identified Landscape or Natural Character Area and must meet all of the following conditions;~~

A. The earthworks are undertaken within a single consecutive 12 month period;

B. The earthworks must not exceed ~~the following areas and volumes~~ an area of 50m² and a volume of 250m³ within a single consecutive 12 month period;

AND

Amend Rule 16.2.4.4 P1(a) by renumbering (iii)-(vii) as C.-G.

Decision Reasons:

- The heading and structure of the rule do not make it clear that all of matters under Permitted Activity P1(a) apply to the landscapes, character and features listed in the table in (a)(ii).

Point Number 697.113

Summary of Decision Requested: Amend Rule 16.2.5 P1(a)(i) Hazardous substances to read as follows:

(a) The use, storage or disposal of any hazardous substance must meet the following conditions where:

(i) the aggregate quantity of any hazardous substance of any hazard classification on a site is less than the quantity specified in the Residential zone in Table 5.1 ~~contained within~~ Appendix 5 (Hazardous Substances).

Decision Reasons:

- Provides clarity to the rule and alignment with other zone chapters. Deletion of words "contained within" provide clarification to this rule.

Point Number 697.114

Summary of Decision Requested: Add Rule 16.2.5 NC1 Hazardous substances as follows:

NCL

The use, storage of fuel for retail sale within a service station in the Residential zone.

Decision Reasons:

- Rule required to ensure no service station activities establish in sensitive zones including the residential zone.

Point Number 697.115

Summary of Decision Requested: Add Rule 16.2.5 NC2 Hazardous substances as follows:

NC2 Any new hazardous facility that involves the storage and handling of hazardous substances with explosive or flammable intrinsic properties within 12m of the centre line of a National Grid Transmission Line

Decision Reasons:

- Replicate the hazardous facilities rule within the National Grid from Chapter 14 into Chapter 16 for increased clarity and usability of the Plan.

Point Number 697.116

Summary of Decision Requested: Amend Rule 16.2.6.2 RD1(b)(i) Notable tree-Trimming to read as follows:

(i) Timing and manner in which the activity is carried out; and

Decision Reasons:

- Word "and" provides clarification to this rule.

Point Number 697.117

Summary of Decision Requested:	Amend Rule 16.2.6.3 P1 (a) Notable tree-Activities within the drip line as follows: (a) Any activity within the dripline of a notable tree identified in Schedule 30.2 (Notable Trees) must <u>not comply with all of the following conditions:</u> (i) No <u>involve</u> excavation, compaction, sealing or soil disturbance and <u>or</u> placement of fill material <u>or cleanfill</u> , except for the sealing of an existing road or footpath; (ii) No <u>involve</u> parking or storage of materials, vehicles or machinery; (iii) Discharge of an eco-toxic substance; and (iv) No <u>involve</u> construction of structures.
Decision Reasons:	<ul style="list-style-type: none"> Provides clarity to the rule and alignment with other zone chapters.
Point Number	697.118
Summary of Decision Requested:	Amend Rule 16.2.6.3 P1 (a)(i) Notable tree-Activities within the drip line as follows: (i) No excavation, compaction, sealing or soil disturbance and placement of fill material <u>or cleanfill</u> , except for the sealing of an existing road or footpath;
Decision Reasons:	<ul style="list-style-type: none"> Inclusion of "cleanfill" provides clarification that it is included in the rule.
Point Number	697.119
Summary of Decision Requested:	Amend Rule 16.2.6.3 RD1 (a) Notable tree-Activities within the dripline to read as follows: (a) Any activity <u>within the dripline of the notable tree</u> that does not comply with Rule 16.2.6.3 P1.
Decision Reasons:	<ul style="list-style-type: none"> Wording "within the dripline of the notable tree" provides clarity for the rule.
Point Number	697.120
Summary of Decision Requested:	Delete Rule 16.2.7.1 P2 (a) (viii) Signs-general.
Decision Reasons:	<ul style="list-style-type: none"> This is not a condition as the Residential Zone provisions do not apply to the road reserve.
Point Number	697.121
Summary of Decision Requested:	Delete Rule 16.2.7.1 P3(a)(iv).
Decision Reasons:	<ul style="list-style-type: none"> This is not an appropriate condition as the Residential Zone provisions do not apply to the road reserve.
Point Number	697.122
Summary of Decision Requested:	Delete Rule 16.2.7.2 P1(a)(iv) Signs-Effects.
Decision Reasons:	<ul style="list-style-type: none"> The condition is unnecessary and in many instances will not be able to be complied with.
Point Number	697.123
Summary of Decision Requested:	Amend Rule 16.2.8 Indigenous vegetation clearance inside a Significant Natural Area heading to read as follows: <i>Indigenous vegetation clearance <u>inside-within</u> a Significant Natural Area</i>
Decision Reasons:	<ul style="list-style-type: none"> Wording provides clarity.
Point Number	697.124
Summary of Decision Requested:	Add Rule 16.2.8 P1 (a) (vi) Indigenous vegetation clearance inside a Significant Natural Area as follows: <u>Removing vegetation for conservation activities.</u>
Decision Reasons:	<ul style="list-style-type: none"> This new rule ensures indigenous vegetation can be cleared for conservation activities.
Point Number	697.125
Summary of Decision Requested:	Amend Rule 16.2.8 P2 Indigenous vegetation clearance inside a Significant Natural Area as follows: <i>Removal of up to 5m³ of manuka and/or kanuka outside of the Coastal Environment per year per <u>property site</u> for domestic firewood purposes or arts and crafts provided the removal will not directly result in the death, destruction or irreparable damage of any other tree, bush or plant.</i>
Decision Reasons:	<ul style="list-style-type: none"> Additional clarity that the rule is intended to apply "per site" rather than "per property" which is not a defined term.
Point Number	697.126
Summary of Decision Requested:	Delete Rule 16.2.8 P5 Indigenous vegetation clearance inside a Significant Natural Area

AND

Make consequential change to D1 as follows:
"~~...or P4, P5 or P6.~~"

Decision Reasons:

- Rule P5 duplicates P1 with the only difference being that P5 captures Maaori Freehold land or Maaori Customary land, which is already captured by P1.

Point Number 697.127

Summary of Decision Requested: **Delete** Rule 16.2.8 P6 Indigenous vegetation clearance inside a Significant Natural Area
AND
Make consequential change to D1 as follows: "~~... or P4, P5 or P6.~~"

Decision Reasons:

- The activity is a repeat of P2.

Point Number 697.128

Summary of Decision Requested: **Amend** 16.3.1 P1 Dwelling to read as follows:
One dwelling within ~~site a record of title.~~

Decision Reasons:

- Words' "a record of title" has been included for correction.

Point Number 697.129

Summary of Decision Requested: **Amend** Rule 16.3.2 P1 Minor dwelling to read as follows:
(a) One minor dwelling contained within a ~~site a record of title~~ must comply with all of the following conditions:

Decision Reasons:

- Words' "a record of title" been included for correction.

Point Number 697.130

Summary of Decision Requested: **Amend** 16.3.3(2) Height as follows:
Rule 16.3.3.1 Height – Building general provides permitted height limits across the entire Residential Zone. This rule does not apply in those areas specified in Rules 16.3.3.2 or 16.3.3.3

Decision Reasons:

- The wording of the rule does not make it clear that the rules in 16.3.3.2 or 16.3.3.3 apply instead of the Building general rule.

Point Number 697.131

Summary of Decision Requested: **Amend** Rule 16.3.3.3 P1 Height - Buildings, structures and vegetation within an airport obstacle limitation surface as follows:
Any building, structure or vegetation must not protrude through ~~any~~ the airport obstacle limitation surface as identified on the planning maps and in Appendix 9 - Te Kowhai Airfieldpark and defined in Section E, Designation N – Waikato Regional Airport as shown on the planning maps.

Decision Reasons:

- This rule applies to both the Te Kowhai Airfield and the Waikato Regional Airport so needs to be specified. Additional wording provides clarity to the rule.

Point Number 697.132

Summary of Decision Requested: **Amend** Rule 16.3.3.3 D1 Height - Buildings, structures and vegetation within an airport obstacle limitation surface to read as follows:
Any building, structure or vegetation that does not comply with Rule 16.3.3.3 P1.

Decision Reasons:

- Additional wording provides clarity to the rule.

Point Number 697.133

Summary of Decision Requested: **Amend** Rule 16.3.5 RDI(b) Daylight admission to read as follows:
*(a) Council's discretion shall be restricted to the following matters:
(i) Height of the building;
(ii) Design and location of the building;
(iii) ~~Extent of shading on adjacent sites. Level of shading on any other sites.~~
(iv) Privacy on ~~another any other sites;~~ and
(v) ~~Effects on amenity values and residential character of the locality.~~*

Decision Reasons:

- Additional words in this rule provide clarity and consistency with other zones.

Point Number 697.134

Summary of Decision Requested: **Amend** Rule 16.3.6 D1 Building coverage as follows:
~~Total~~ Building coverage that does not comply with Rule 16.3.6 P1, P2 or P3.

Decision Reasons:

- Consistency of wording across the zone chapters.

Point Number 697.135

Summary of Decision Requested: **Add** in after Rule 16.3.6 as follows:

Rule 16.3.6A Impervious surfaces

P1 - The impervious surface of a site must not exceed 70%.

RD1

(a) Impervious surface that does not comply with Rule 16.3.6A P1

(b) Council's discretion is restricted to the following matters:

(i) Site design, layout and amenity;

(ii) The risk of flooding, nuisance or damage to the site or other buildings and sites.

Decision Reasons:

- To include the impervious surfaces rule from Rule 14.11.1(P2) and 14.11.2(RD2) to make it easier to find.

Point Number 697.136

Summary of Decision Requested: **Add** to Rule 16.3.9 Building setbacks new clause (6) as follows:

(6) Rule 16.3.9.5 Building setback – National Grid Yard

AND

Add to 16.3 Land Use- Building new rule 16.3.9.5 after Rule 16.3.9.4 as follows:

16.3.9.5 Buildings and structures within the National Grid Yard

P1

(a) Within the National Grid yard, building alterations and additions to an existing building or structure must comply with the following conditions:

(i) Not involve an increase in the building height or footprint; and

(ii) Comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663 under all National Grid transmission line operating conditions.

P2

(a) Within the National Grid yard, the maximum height of fences are 2.5m within 5m from the nearest National Grid Pole or 6m from the nearest National Grid tower.

P3

(a) Within the National Grid yard, new buildings and structures that are not for a sensitive land use must comply with the following conditions:

(i) Comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663 under all National Grid transmission line operating conditions; and

(ii) Locate a minimum 12m from the outer visible foundation of any National Grid tower and locate a minimum 12m from any pole and associated stay wire, unless it is:

A. A building or structure where Transpower has given written approval in accordance with clause 2.4.1 of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663.

NCL

Any building alterations or additions within the National Grid Yard that does not comply with Rule 16.3.9.5 P1, P2 or P3.

Decision Reasons:

- Replicate the rule regarding buildings and structure within the National Grid from Chapter 14 into Chapter 16 for increased clarity and usability of the Plan.

Point Number 697.137

Summary of Decision Requested: **Amend** Rule 16.3.9.1 P1 (a)(ii) Building setbacks – All boundaries as follows:

(ii) 13m from ~~the edge of~~ an indicative road.

Decision Reasons:

- As the indicative road is just a line, there is no 'edge' to be set back from.

Point Number 697.138

Summary of Decision Requested: **Add** to Rule 16.3.9.2 Building setback – Sensitive land use as follows:

P2

(a) Any building for a sensitive land use must be set back a minimum of:

(i) 10m from the centre line of any electrical distribution or transmission lines, not associated with the National Grid, that operate at a voltage of up to 110kV;

(ii) 12m from the centre of line of any electrical distribution or transmission lines, not associated with the National Grid, that operate at a voltage of 110kV or more.

P3

(a) Within the National Grid yard, alterations or additions to a building used for an existing sensitive land Yard must comply with all the following conditions:

(i) Not increase the building height or footprint; and

(ii) Comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663 under all National Grid transmission line operating conditions; and

(iii) Locate a minimum 12m from the outer visible foundation of any National Grid tower and locate a minimum 12m from any pole and associated stay wire, unless Transpower has given written approval in accordance with clause 2.4.1 of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663.

D1

Any building for a sensitive land use that does not comply with Rule 16.3.9.2 P1 or P2.

NCL

Any activity within the National Grid Yard that does not comply with Rule 16.3.9.2 P3.

NC2

Any new building for a sensitive land use within the National Grid Yard

NC3

Any change of use of an existing building to a sensitive land use within the National Grid Yard

NC4

The establishment of any new sensitive land use within the National Grid Yard

Decision Reasons:

- Replicate the rule regarding sensitive landuses from Chapter 14 into Chapter 16 for increased clarity and usability of the Plan.

Point Number	697.139
Summary of Decision Requested:	Amend Rule 16.3.9.3 P2(a) Building setback – Water bodies as follows: <i>(a) A public amenity of up to 25m2, or a pump shed (<u>public or private</u>), within any building setback identified in Rule 16.3.9.3 P1.</i>
Decision Reasons:	<ul style="list-style-type: none"> Clarify that the pump shed is both private and public.
Point Number	697.140
Summary of Decision Requested:	Add new rule after Rule 16.3.10 Building - Horotiu Acoustic Area as follows: <u>16.3.10A Building – Te Kowhai Noise Buffer</u> <u>PI</u> <u>Construction of, or addition, or alteration to, a dwelling within the Te Kowhai Noise Buffer that is designed and constructed to achieve the internal design sound levels specified in Section 3.2 of Appendix L (Acoustic Insulation).</u> <u>RD1</u> <u>(a) Construction of, or addition, or alteration to, a dwelling that does not comply with Rule 16.3.10A PI</u> <u>(b) Council's discretion shall be restricted to the following matters:</u> <u>(i) on-site amenity values;</u> <u>(ii) noise levels received at the notional boundary of the dwelling;</u> <u>(iii) timing and duration of noise received at the notional boundary of the dwelling;</u> <u>(iv) potential for reverse sensitivity effects.</u>
Decision Reasons:	<ul style="list-style-type: none"> There is Residential Zoned land in close proximity to the Te Kowhai Airfield and therefore there needs to be a rule managing internal noise limits in dwellings in the Residential Zone.
Point Number	697.141
Summary of Decision Requested:	Amend Rule 16.3.11 Historic Heritage heading to read as follows: Historic Heritage <u>Items</u>
Decision Reasons:	<ul style="list-style-type: none"> Consistency of wording across the zone chapters.
Point Number	697.142
Summary of Decision Requested:	Amend Historic Heritage Rule 16.3.11(2) as follows: <i>The rules in 16.3.11.6 – Matangi and Huntly address development within the two precincts.</i>
Decision Reasons:	<ul style="list-style-type: none"> Spelling mistake.
Point Number	697.143
Summary of Decision Requested:	Amend Rule 16.3.11.3 P1(a)(i) All heritage items – Alterations or addition to read as follows: <i>No significant feature of interest is removed, destroyed or damaged; <u>and</u></i>
Decision Reasons:	<ul style="list-style-type: none"> Consistency with other chapters and additional clarity of the rule.
Point Number	697.144
Summary of Decision Requested:	Amend Rule 16.3.11.3 RD1 All heritage items – Alterations or addition to read as follows: Any activity <u>Alteration or addition to a heritage item</u> that does not comply with Rule 16.3.11.3 P1.
Decision Reasons:	<ul style="list-style-type: none"> Consistency with other chapters and additional clarity of the rule.
Point Number	697.145
Summary of Decision Requested:	Amend Rule 16.3.11.5 All heritage items – Site development heading to read as follows: <i>All heritage items – <u>all</u> Site development</i>
Decision Reasons:	<ul style="list-style-type: none"> Consistency with other chapters.
Point Number	697.146
Summary of Decision Requested:	Delete Rule 16.4 Subdivision (1)-(5) AND Add to replace as follows: <i>(1) Rule 16.4.1 Subdivision – General provides for subdivision density and apply across within the Residential Zone subject to compliance with the following;</i> <i>(a) Rule 16.4.7 Subdivision – Title boundaries – contaminated land, notable trees, intensive farming and aggregate extraction areas;</i> <i>(b) Rule 16.4.8 Title boundaries – Significant Natural Areas;</i> <i>(c) Rule 16.4.9 Title boundaries – Maaori sites and Maaori areas of Significance;</i> <i>(d) Rule 16.4.10 Subdivision of land containing heritage items;</i> <i>(e) Rule 16.4.11 Subdivision – Road Frontage;</i>

- (f) Rule 16.4.12 Subdivision – Building Platform;
 (g) Rule 16.4.13 Subdivision creating reserves;
 (h) Rule 16.4.14 Subdivision of esplanade reserves and esplanade strips;
 (i) Rule 16.4.15 Subdivision of land containing mapped off-road walkways; and
 (j) Rule 16.4.16 Subdivision of land containing an Environmental Protection Area.
- (2) Rule 16.4.1 Subdivision - General does not apply where the following specific areas and/or activities rules apply:
 (a) Rule 16.4.2 Subdivision – Te Kauwhata Ecological Residential Area;
 (b) Rule 16.4.3 Subdivision – Te Kauwhata West Residential Area;
 (c) Rule 16.4.4 Subdivision – Multi-unit development;
 (d) Rule 16.4.5 Subdivision – Boundary adjustments; and
 (e) Rule 16.4.6 Subdivision – Amendments and updates to cross lease flats plans and conversion to freehold.
 (3) The following rules apply to specific areas and/or activities:
 (a) Rule 16.4.2 - Subdivision - Te Kauwhata Ecological Residential Area (refer to Rule (4));
 (b) Rule 16.4.3 - Subdivision - Te Kauwhata West Residential Area (refer to Rule (4)); ~~and~~
 (c) Rule 16.4.4 - (Subdivision – Multi-Unit development);
 (d) Rule 16.4.5 – subdivision boundary adjustments;
 (e) Rule 16.4.6 – subdivision amendments and updates to cross lease flats plan and conversion to freehold;
 (f) Rule 16.4.7 – subdivision title boundaries natural hazard area, contaminated land, Significant Amenity Landscape, notable trees, intensive farming and aggregate extraction areas;
 (g) Rule 16.4.8 – subdivision title boundaries Significant Natural Areas, heritage items, archaeological sites, sites of significance to Māori;
 (h) Rule 16.4.9 – Title boundaries – Māori site and Māori areas of significance.
 (i) Rule 16.4.10 - subdivision of land containing heritage items;
 (j) Rule 16.4.13 – subdivision reserves; ~~and~~
 (k) Rule 16.4.14 - subdivision esplanade reserves and esplanade strips;
 (l) Rule 16.4.15 – subdivision of land containing mapped off-road walkways; and
 (m) Rule 16.4.16 – subdivision of land containing Environmental Protection Area.
 (4) Rule 16.4.4 Subdivision – Multi-unit development does not apply in the following areas:
 (a) Rule 16.4.2 - Subdivision – Te Kauwhata Ecological Residential Area; and
 (b) Rule 16.4.3 - Subdivision - Te Kauwhata West Residential Area.

Decision Reasons:

- The rule contains an unclear mixture of subdivision conditions that apply to the general subdivision, as well as subdivisions that apply only in specific areas or circumstances.

Point Number 697.147

Summary of Decision Requested: Add to 16.4 Subdivision Rule 16.4 as follows:

(6) Rule 16.4.10A – subdivision of land within the National Grid Corridor.

AND

Consequential renumbering

16.4.10A Subdivision of land within the National Grid Corridor RDI.

(a) The subdivision of land within the National Grid Corridor must comply with all of the following conditions:

(i) All allotments intended to contain a sensitive land use must provide a building platform for the likely principal building(s) and any building(s) for a sensitive land use located outside of the National Grid Yard, other than where the allotments are for roads, access ways or infrastructure; and

(ii) The layout of allotments and any enabling earthworks must ensure that physical access is maintained to any National Grid support structures located on the allotments, including any balance area.

(b) Council's discretion is restricted to the following matters:

(i) The subdivision layout and design in regard to how this may impact on the operation, maintenance, upgrading and development of the National Grid;

(ii) The ability to provide a complying building platform outside of the National Grid Yard;

(iii) The risk of electrical hazards affecting public or individual safety, and the risk of property damage;

(iv) The nature and location of any vegetation to be planted in the vicinity of National Grid transmission lines.

NCI.

Any subdivision of land within the National Grid Corridor that does not comply with one or more of the conditions of Rule 16.4.10A RDI.

Decision Reasons:

- Replicate the rules regarding subdivision in the National Grid Corridor from Chapter 14 to Chapter 16 to increase the ease of use of the District Plan.

Point Number 697.148

Summary of Decision Requested: Amend Rule 16.4.1(a)(iv) Subdivision - General, as follows:

(iv) Where 4 or more proposed lots are proposed to be created, the number of rear records of title ~~lots~~ do not exceed...

Decision Reasons:

- The rule should link to the definition of "Rear Record of Title".

Point Number 697.149

Summary of Decision Requested: Amend Rule 16.4.2 RDI (a) Subdivision - Te Kauwhata Ecological Residential Area, as follows:

Proposed lots, except where the proposed lot is an access allotment, utility allotment or reserve to vest in the Te Kauwhata Ecological Residential Area...

Decision Reasons:

- The rule needs to clarify that it does not apply to access lots (as these are part of the subdivision), utilities (which are exempt from subdivision standards) or to reserves (which have their own subdivision rule).

Point Number 697.150

Summary of Decision Requested: Amend Rule 16.4.3 RDI (a) Subdivision - Te Kauwhata West Residential Area, as follows:

Proposed lots, except where the proposed lot is an access allotment, utility allotment or reserve to vest within the Te Kauwhata West Residential Area...

Decision Reasons:

- The rule needs to clarify that it does not apply to access lots (as these are part of the subdivision), utilities (which are exempt from subdivision standards) or to reserves (which have their own subdivision rule).

Point Number 697.151

Summary of Decision Requested: Amend Rule 16.4.4. RDI (a)(iii) Subdivision - Multi-unit development, as follows:

The minimum existing exclusive area for each residential unit lot size where a new freehold (fee simple) lot is being created must be 300m2 net site area.

Decision Reasons:

- The intent of the condition was to set a density (number of units) that could be subdivided that matched the land use condition in Rule 16.1.3 RD1(c). The current wording does not achieve this intent.

Point Number 697.152

Summary of Decision Requested: Amend Rule 16.4.5 C1 Subdivision – Boundary adjustments, as follows:

(b) Proposed lots must not generate any additional building infringements to those which legally existing prior to the boundary ~~relocation~~ adjustment.

Decision Reasons:

- Incorrect reference to 'relocation' rather than 'adjustment'.

Point Number 697.153

Summary of Decision Requested: Delete from Rule 16.4.6 C2 Subdivision - Amendments and updates to cross lease flats plans and conversion to freehold C2(b)(i) the line.

Decision Reasons:

- Matter of control (i) is not relevant to this rule.

Point Number 697.154

Summary of Decision Requested: Delete Rule 16.4.6 D1 Subdivision - Amendments and updates to cross lease flats plans and conversion to freehold.

Decision Reasons:

- There are no conditions for the controlled activities, hence no need for D1.

Point Number 697.155

Summary of Decision Requested: Amend Rule 16.4.7 Title boundaries – contaminated land, notable trees, intensive farming and aggregate extraction areas heading, as follows:

Title boundaries – ~~Existing Buildings, contaminated land, notable trees, intensive farming and aggregate extraction areas~~

Decision Reasons:

- This rule heading needs amending to reflect the changes being made to RD1.

Point Number 697.156

Summary of Decision Requested: Amend Rule 16.4.7 RD1 Title boundaries – contaminated land, notable trees, intensive farming and aggregate extraction areas (the same as set out in the Village Zone in Rule 24.4.5 RD1) retaining only the rules relating to existing buildings and make consequential changes, as follows:

~~(a) Subdivision of land containing contaminated land, notable trees, intensive farming and Aggregate Extraction Areas must comply with all of the following conditions:~~

~~(i) The boundaries of every proposed lot containing existing buildings must demonstrate compliance with the following building rules (other than where any non-compliance existed lawfully prior to the subdivision) relating to:~~

~~A. daylight admission (Rule 16.3.5);~~

~~B. building coverage (Rule 16.3.6);~~

~~C. building setbacks (Rule 16.3.9).~~

~~(ii) The boundaries of every proposed lot must not divide the following:~~

~~A. a natural hazard area;~~

~~B. contaminated land;~~

~~C. Significant Amenity Landscape; or~~

~~D. notable tree;~~

~~(iii) The boundaries of every proposed lot must provide the following setbacks:~~

~~A. 300m from any intensive farming activity;~~

~~B. 500m from the boundary of an Aggregate Extraction Area for rock extraction; and~~

~~C. 200m from the boundary of an Aggregate Extraction Area for sand excavation.~~

~~(b) Council's discretion shall be restricted to the following matters:~~

~~(i) Landscape values;~~

~~(ii) Amenity values and character;~~

~~(iii) Reverse sensitivity effects;~~

~~(iv) Effects on existing buildings;~~

~~(v) Effects on natural hazard areas;~~

~~(vi) Effects on contaminated land;~~

~~(vii) Effects on any notable trees; and~~

~~Effects on an intensive farming activity.~~

Decision Reasons:

- The rule can be read to mean that all the features need to be on a lot, which is incorrect and is consistent with Village Zone.

Point Number 697.157

Summary of Decision Requested: Amend Rule 16.4.7 NCI Title boundaries – contaminated land, notable trees, intensive farming and aggregate extraction areas, to be a discretionary activity rather than a non-complying activity as follows:

~~NCI D1~~

Decision Reasons:

- The activity status should be Discretionary as not complying with a distance should not require that level of assessment.

Point Number 697.158

Summary of Decision Requested: Amend Rule 16.4.12 RD1 (a) Subdivision - Building platform, as follows:

Every proposed lot, other than one designed specifically for access, or is a utility allotment...

Decision Reasons:

- Grammar.

Point Number 697.159

Summary of Decision Requested: **Amend** Rule 16.4.14 RD1 (a) (ii) Subdivision of esplanade reserves and esplanade strips, as follows:

(ii) The proposed lot is more than 4ha, or more than 20m ~~from~~ of mean high water springs, or is a water body identified in Appendix 4 (Esplanade Priority Areas).

Decision Reasons:

- Clarity of wording.

Point Number 697.160

Summary of Decision Requested: **Amend** Rule 16.4.15 Subdivision of land containing mapped off-road walkways, as follows:

Subdivision of land containing mapped off-road walkways, cycleways or bridleways.
(a) Subdivision where walkways, cycleways or bridleways.
(i) The walkway, cycleway or bridleway, is... shared pedestrian, ~~and~~ cycle or riding use as per Rule 14.12.1 P8 (Transportation);
(ii) The walkway, cycleway or bridleway, is generally in accordance with the walkway, cycleway or bridleway, route shown on the planning maps;
(iii) The walkway, cycleway or bridleway, is...
(b) Council's discretion shall be restricted to the following matters:
(i) Alignment of the walkway, cycleway or bridleway;
(ii) Drainage in relation to the walkway, cycleway or bridleway;
(iii) Standard of design and construction of the walkway, cycleway or bridleway;

Decision Reasons:

- The rule is meant to apply to walkways, cycleways and bridleways.

Point Number 697.161

Summary of Decision Requested: **Amend** Chapter 17 Business Zone heading to read as follows:

Business Zone Rules

Decision Reasons:

- For increased clarity and consistency with other chapters.

Point Number 697.162

Summary of Decision Requested: **Amend** Rule 17(2) Chapter 17: Business Zone, as follows:

The rules that apply to subdivision in the Business Zone are contained in Rule 17.4 and the relevant rules in 14 Infrastructure and Energy; and 15 Natural Hazards and Climate Change, (Placeholder).

Decision Reasons:

- To clarify that the rules in Chapter 14: Infrastructure and Energy and Chapter 15: Natural Hazards and Climate Change apply to subdivision as well as to land use activities.

Point Number 697.163

Summary of Decision Requested: **Amend** Rule 17.1.2(1) Permitted Activities, as follows:

The activities listed below are permitted activities if they ~~comply with~~ meet all of the following:

(a) Activity-specific conditions; and
(b) Land Use – Effects rules in Rule 17.2 (unless the activity-specific rule and/or conditions identifies a condition(s) that does not apply); and
(c) Land Use – Building rules in Rule 17.3 (unless the activity-specific rule and/or conditions identifies a condition(s) that does not apply); and
~~(d) Activity-specific conditions.~~

Decision Reasons:

- Additional clarity to make it clear how the activity-specific conditions are to be applied.

Point Number 697.164

Summary of Decision Requested: **Delete** Rule 17.1.2 (P2) Commercial services.

Decision Reasons:

- There is duplication between the terms "commercial activities" and "commercial services" and this is more appropriately represented by a single term.

Point Number 697.165

Summary of Decision Requested: **Delete** Rule 17.1.2 P11 Hauora.

Decision Reasons:

- The term is included in "Marae complex" and "papakaiinga housing development" so there is no need for a separate activity.

Point Number 697.166

Summary of Decision Requested: **Amend** Rule 17.1.2 P16 (a)(i) A Marae Complex or Papakainga Housing Development on Maori Freehold Land or on Maori Customary Land, as follows:

(i) A Concept Management Plan ~~approved~~ endorsed by the Maori Land Court
AND
Amend Rule 17.1.2(P16)(b)(i), as follows:

(i) A Concept Management Plan ~~approved~~ endorsed by the Maori Land Court;

Decision Reasons:

- The correct term is "endorsed" rather than "approved".

Point Number 697.167

Summary of Decision Requested: **Amend** Rule 17.1.3 RD1 (a) (i) and (ii) Restricted Discretionary Activities, as follows:

(i) ~~Land Use – Effects rules in...~~

AND

(ii) ~~Land Use – Building rules in...~~

Decision Reasons:

- Alignment with other zone chapters.

Point Number 697.168

Summary of Decision Requested: **Amend** Rule 17.1.3 RD1 (a)(iv) Restricted Discretionary, as follows:

(iv) ~~A detailed site plan depicting the proposed lot-record-of-title boundaries for each residential unit and any common areas (including access and services) must be provided, ensuring that a freehold (fee simple) or unit title subdivision complies with Rule 18.4.2 (Subdivision of multi-unit developments);~~

Decision Reasons:

Point Number 697.169

Summary of Decision Requested: **Add** to Rule 17.1.3 Restricted Discretionary Activities RD1 a new condition (viii) as follows:

(viii) ~~Each residential unit must meet the following minimum unit size:~~

Unit of Apartment Minimum Unit Area

Studio unit or 1 bedroom unit 60m²

2 bedroom unit 80m²

3 bedroom unit 100m²

Decision Reasons:

- Include residential unit size table for consistency with the subdivision rule.

Point Number 697.170

Summary of Decision Requested: **Add** to Rule 17.1.3 Restricted Discretionary Activities a new activity rule, as follows:
RD2

~~A new retirement village or alterations to an existing retirement village;~~

(a) ~~All residential units must not be located at ground level;~~

(b) ~~The site is connected to public water and wastewater infrastructure;~~

(c) ~~Minimum living court or balcony area and dimensions;~~

(i) ~~Apartment – 10m² area with minimum dimension horizontal and vertical of 2.5m;~~

(ii) ~~Studio unit or 1 bedroom unit – 12.5m² area with minimum dimension horizontal and vertical of 2.5m; or~~

(iii) ~~2 or more bedroomed unit – 15m² area with minimum dimension horizontal and vertical of 2.5m;~~

(d) ~~Minimum service court is either:~~

(i) ~~Apartment – Communal outdoor space (ie no individual service courts required) of at least 5m² with a minimum dimension of 1.5 metres for each apartment; or~~

(ii) ~~All other units – 10m² with a minimum dimension of 1.5 metres for each unit;~~

(e) ~~The following Land Use – Effects rule in Rule 17.2 does not apply;~~

(i) ~~Rule 17.2.7 (Signs);~~

(f) ~~The following Infrastructure and Energy rule in Chapter 14 does not apply:~~

A. ~~Rule 14.12.1 Pd(1)(g) (Traffic generation);~~

~~Matters of Discretion~~

(a) ~~Effects on amenity values;~~

(b) ~~Integration with the existing business environment;~~

(c) ~~Connectivity to public reticulated public water supply and wastewater;~~

(d) ~~Bulk and scale of the retirement village development;~~

(e) ~~Potential reverse sensitivity effects;~~

(f) ~~Effects on the roading network.~~

Decision Reasons:

- Retirement villages in the Business Zone should be provided for within towns and villages provided they can be serviced by infrastructure. Retirement villages provide opportunities for residential development (aged care) that is not only confined to the residential zone.

Point Number 697.171

Summary of Decision Requested: **Delete** Rule 17.1.4 D1 Discretionary Activities;

AND

Consequential renumbering of D2 and D3.

Decision Reasons:

- This rule is not needed as it refers to Land Use – Effects and Land Use – Building rules which are in subsequent parts of the chapter.

Point Number 697.172

Summary of Decision Requested: **Amend** Rule 17.1.4 D2 Discretionary Activities as follows:

Any ~~permitted~~ activity that does not comply with one or more of the activity-specific conditions for a permitted activity under in Rule 17.1.2.

Decision Reasons:

- Consistency with other chapters and additional clarity of the rule.

Point Number	697.173
Summary of Decision Requested:	Delete Rule 17.2.1(1) Noise; AND Undertake consequential renumbering.
Decision Reasons:	<ul style="list-style-type: none"> Reduce duplication – this noise rule is adequately covered by points (2) and (3).
Point Number	697.174
Summary of Decision Requested:	Delete Rule 17.2.1.1 P3 and P4 Noise - General; AND Add to Rule 17.2.1.1 P2 Noise - General, as follows: (a) Noise measured within any site: (i) In the Business Zone must not exceed: A. 65dB (LAeq), 7am to 11pm every day; and B. 55dB (LAeq) and 85dB (LAmax), 11pm to 7am the following day; (ii) In the Residential or Village Zone must not exceed: A. 55dB (LAeq), 7am to 7pm; B. 50dB (LAeq), 7pm to 10pm; C. 45dB (LAeq) and 75dB (LAmax), 10pm to 7am the following day. (b) Noise measured within any site in any zone other than the Business Zone, Residential Zone or Village Zone must meet the permitted noise levels for that zone. (c) Noise levels must be measured in accordance with the requirements of NZS 6801:2008 "Acoustics - Measurement of Environmental Sound". (d) Noise levels must be assessed in accordance with the requirements of NZS 6802:2008 "Acoustics - Environmental noise". AND Amend Rule 17.2.1.1 D1 Noise-General, as follows: Noise that does not comply with Rule 17.2.1.1 P2, P3 or P4 .
Decision Reasons:	<ul style="list-style-type: none"> To clarify that the conditions are associated with noise and are not an activity in their own right.
Point Number	697.175
Summary of Decision Requested:	Amend Rule 17.2.1.2 P1 Noise – Construction, as follows: (a) Construction noise must <u>not exceed</u> meet the limits in NZS 6803:1999 (Acoustics – Construction Noise); and
Decision Reasons:	<ul style="list-style-type: none"> Additional clarity of the rule – construction noise should not exceed the limits, rather than meet the limits in the NZ Standard.
Point Number	697.176
Summary of Decision Requested:	Amend Rule 17.2.1.2 RD1 Noise – Construction, as follows: (a) Construction noise that does not comply with Rule 17.2.1.2 P1.
Decision Reasons:	<ul style="list-style-type: none"> Correct the rule reference.
Point Number	697.177
Summary of Decision Requested:	Amend Rule 17.2.2 P1 Servicing and hours of operation, as follows: <i>The loading and unloading of vehicles and the receiving of customers and deliveries associated with a commercial activity on a site adjoining the Residential and Village Zones may must only occur between 6:30am and 7:30-8:00pm.</i>
Decision Reasons:	<ul style="list-style-type: none"> Increase the hours of operation to allow more reasonable use of the site.
Point Number	697.178
Summary of Decision Requested:	Amend Rule 17.2.4 P1 Glare and artificial light spill, as follows: <u>Illumination from</u> Glare and artificial light spill <u>must</u> shall not exceed 10 lux measured horizontally and vertically at any point within any other site zoned Residential, Village or Country Living Zone.
Decision Reasons:	<ul style="list-style-type: none"> Consistency of wording with other chapters. The focus of the rule in the Business Zone should be to control light spill outside the Business Zone into the residential zones.
Point Number	697.179
Summary of Decision Requested:	Amend Rule 17.2.5(1) Earthworks, as follows: (1) Rules 17.2.5.1 – Earthworks - General provides the permitted rules for earthworks activities for the Business Zone. <u>This rule does not apply in those areas specified in Rules 17.2.5.1A, 17.2.5.2 and 17.2.5.3.</u>
Decision Reasons:	<ul style="list-style-type: none"> Clarify that the earthworks general rule does not apply in those areas where there is a specific rule.
Point Number	697.180

Summary of Decision Requested:

Amend Permitted Activities Rule 17.2.4 P1, as follows:

Illumination from glare and artificial light spill must shall not exceed 10 lux measured horizontally and vertically at any point within any other site zoned Residential, Village or Country Living Zone.

Decision Reasons:

- Consistency of wording with other chapters. The focus of the rule in the Business Zone should be to control light spill outside the Business Zone into the residential zones.

Point Number

697.181

Summary of Decision Requested:

Amend Rule 17.2.5.1 Earthworks – General, as follows:

~~P1~~

~~(a) Earthworks (excluding the importation of fill material) within a site must meet all of the following conditions:~~

- ~~(i) Be located more than 1.5m from a public sewer, open drain, overland flow path or other service pipe;~~
- ~~(ii) Not exceed a volume of more than 250m³ and an area of more than 1,000m² over any single consecutive 12 month period within a site;~~
- ~~(iii) The height of the resulting cut, filled areas or fill batter face in stable ground, not including any surcharge, does not exceed 1.5m, with a maximum slope of 1:2 (1 vertical to 2 horizontal);~~
- ~~(iv) Earthworks are set back at least 1.5m from all boundaries;~~
- ~~(v) Areas exposed by earthworks are revegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks;~~
- ~~(vi) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls;~~
- ~~(vii) Do not divert or change the nature of natural water flows, water bodies or established drainage paths.~~

~~AND~~

~~Add a new P2 as follows:~~

~~P2~~

~~(a) Earthworks for the purpose of creating a building platform within a site using imported fill material.~~

~~AND~~

~~Amend P2 as follows:~~

~~P2.3~~

~~(a) Earthworks for purposes other than creating a building platform within a site, using imported fill material (excluding cleanfill) must meet all of the following conditions. The importation of fill material to a site must meet all of the following conditions in addition to Rule 17.2.45.1 P1-~~

- ~~(i) Must Does not exceed a total volume of 500m³ per site and a depth of 1m;~~
- ~~(ii) Is fit for compaction;~~
- ~~(iii) The slope height of the resulting batter face filled area in stable ground must not exceed 4.5m with a maximum slope of 1:2 (1m vertical to 2m horizontal);~~
- ~~(iv) Fill material is setback at least 1.5m from all boundaries;~~
- ~~(v) Does not restrict the ability for land to drain;~~
- ~~(vi) Is not located within 1.5m of public sewers, utility services or manholes;~~
- ~~(vii) The sediment from fill material is retained on the site;~~
- ~~(viii) Areas exposed by earthworks are revegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks;~~
- ~~(ix) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls;~~
- ~~(x) Do not divert or change the nature of natural water flows, water bodies or established drainage paths.~~

~~RD 1~~

- ~~(a) Earthworks that do not comply with Rule 17.2.45.1 P1 or P2.3~~
- ~~(b) Council's discretion is limited restricted to the following matters:~~
 - ~~(i) Amenity values and landscape effects;~~
 - ~~(ii) Volume, extent and depth of earthworks;~~
 - ~~(iii) Nature of fill material;~~
 - ~~(iv) Contamination of fill material;~~
 - ~~(v) Location of the earthworks to waterways, significant indigenous vegetation and habitat;~~
 - ~~(vi) Compaction of the fill material;~~
 - ~~(vii) Volume and depth of fill material;~~
 - ~~(viii) Protection of the Hauraki Gulf Catchment Area;~~
 - ~~(ix) Geotechnical stability;~~
 - ~~(x) Flood risk, including natural water flows and established drainage paths~~
 - ~~(xi) Land instability, erosion and sedimentation; and~~
 - ~~(xii) Proximity to underground services and service connections.~~

Decision Reasons:

- Consistency with the equivalent rule in other chapters. Also enabling the importation of fill for a building platform as a permitted activity.

Point Number

697.182

Summary of Decision Requested:

Amend Rule 17.2.5.2 Earthworks - Maaori Sites and Maaori Areas of Significance, as follows:

- ~~(a) Earthworks within a Maaori site of significance as identified in Schedule 30.3 (Maaori site of Significance) as shown on the planning maps.~~
- ~~(b) Earthworks within a Maaori area of significance as identified in Schedule 30.4 (Maaori area of Significance) as shown on the planning maps.~~
- ~~(c) Council's discretion is restricted limited to the following matters:~~
 - ~~(i) Location of earthworks in relation to the site;~~
 - ~~(ii) Effects on heritage and cultural values.~~

~~AND~~

~~Add new P2 as follows:~~

~~P2~~

- ~~(a) Earthworks within a Maaori area of significance as identified in Schedule 30.4 (Maaori area of Significance) as shown on the planning maps.~~
- ~~(b) Council's discretion is restricted to the following matters:~~
 - ~~(i) Effects on heritage and cultural values.~~

Decision Reasons:

- For consistency with other chapters. The rules for earthworks in Maaori Sites of Significance and Maaori Area of Significance are separated into different rules.

Point Number

697.183

Summary of Decision Requested:

Amend Rule 17.2.5.3 P1 Earthworks – within Significant Natural Areas, as follows:

~~P1~~

~~(a) Earthworks are for the maintenance of existing tracks, fences or drains within an identified Significant Natural Area and must meet all of the following conditions....~~

~~AND~~

~~Delete Rule 17.2.5.3 D1 Earthworks – within Significant Natural Area.~~

Decision Reasons:

- Minor amendments to improve clarity. Deletion of a rule that is duplicating another rule.

Point Number 697.184

Summary of Decision Requested: **Delete** Rule 17.2.5.4 P1 (a)(ii);

AND

Add new Permitted Activities Rule 17.2.5.4(P2), as follows:

P2
(g) The storage or use of radioactive materials is in approved equipment for medical and diagnostic purposes, or specified as an exempt activity or article in the Radiation Safety Act and Regulations 2017.

AND

Amend Rule 17.2.5.4(D1) Hazardous substances as follows:
The use, storage or disposal of any hazardous substances that does not comply with Rule 17.2.5.4 P1 or P2.

Decision Reasons:

- For consistency with other chapters and also to recognise that the storage or use of radioactive substance is a separate activity.

Point Number 697.185

Summary of Decision Requested: **Add** new Non-Complying Rule 17.2.5.4 NCI, as follows:

NCI
Any new hazardous facility that involves the storage and handling of hazardous substances with explosive or flammable intrinsic properties within 12m of the centre line of a National Grid Transmission Line

Decision Reasons:

- Replicate the hazardous facilities rule within the National Grid from Chapter 14 (where it is relevant to the Business Zone) into Chapter 17 for increased clarity and usability of the Plan.

Point Number 697.186

Summary of Decision Requested: **Amend** Rule 17.2.5.4 D1 Hazardous substances, as follows:

D+2 service station that does not comply with Rule 17.2.4.5.4 CI.

Decision Reasons:

- Correct numbering error.

Point Number 697.187

Summary of Decision Requested: **Amend** Rule 17.2.6.1 P1 Notable tree – removal or destruction, as follows:

Removal or destruction of a notable tree identified in Schedule 30.2 (Notable Trees) where certification is provided to Council by a works arborist that states that the tree is dead, dying, diseased or is unsafe in accordance with Appendix 11 Tree Removal Certificate.

Decision Reasons:

- Consistency with the other chapters which require the certification to be of a specified form.

Point Number 697.188

Summary of Decision Requested: **Amend** Rule 17.2.6.1 C1 Notable tree – removal or destruction, as follows:

RD1
(a) Removal or destruction of a tree identified in Schedule 30.2 (Notable Trees) that does not comply with Rule 17.2.6.1 P1.
(b) Council's control discretion is restricted limited to the following matters:
(i) Timing and manner in which the activity is carried out;
(ii) Effects on amenity values; and
(iii) Effects on heritage values.

Decision Reasons:

- The controlled activity status should be restricted discretionary to reflect the protected nature of the notable tree.

Point Number 697.189

Summary of Decision Requested: **Amend** Rule 17.2.6.3 P1 Notable trees-activities within the dripline, as follows:

(a) Any activity within the dripline of a notable tree identified in Schedule 30.2 (Notable Trees) must not:
(i) Involve excavation, compaction, sealing or soil disturbance ~~and~~ or placement of fill material or cleanfill, except for the sealing of an existing road or footpath;

Decision Reasons:

- Amend to be consistent with the equivalent rules in other chapters.

Point Number 697.190

Summary of Decision Requested: **Delete** Rule 17.2.7.2 P1 (a)(vi) Signs - Effects on traffic.

Decision Reasons:

- Delete the rule as it is unreasonable given the small size of the towns and villages.

Point Number 697.191

Summary of Decision Requested: **Amend** Rule 17.2.7.1 P2 (a)(viii) Signs – General, as follows:

(i) The sign is ~~not attached to a~~ for the purpose of identification and interpretation of a Maaori Site of Significance listed in Schedule 30.3 (Maaori Sites of Significance) ~~except for the purpose of identification and interpretation.~~

Decision Reasons:

- Improve clarity of the rule.

Point Number 697.192

Summary of Decision Requested: Amend Rule 17.2.7.1 P3 (i) and (ii) Signs – General, as follows:

- (a) A real estate 'for sale' or 'for rent' sign relating to the site on which it is located must comply with all of the following conditions:
~~(i) It relates to the sale of the site on which it is located.~~
 (ii) There is no more than +2 signs per agency site.

Decision Reasons:

- Amend rule for increased clarity.

Point Number 697.193

Summary of Decision Requested: Amend Rule 17.2.7.2 P1 (a) Signs - Effects on traffic, as follows:

- (a) Any sign directed at road users must meet the following conditions:

Decision Reasons:

- Amend for additional clarity.

Point Number 697.194

Summary of Decision Requested: Amend Rule 17.2.8 P1(a) Outdoor storage, as follows:

- (a) Outdoor storage of goods or materials must comply with all the following conditions:

Decision Reasons:

- Amend for additional clarity.

Point Number 697.195

Summary of Decision Requested: Amend Permitted Activities Rule 17.2.8 P1 Outdoor storage, to include a maximum height conditions for the outdoor storage of goods or materials.

Decision Reasons:

- Include maximum height of goods and materials stored outdoors to more effectively manage amenity and access to sunlight on adjoining Residential and Village zoned properties.

Point Number 697.196

Summary of Decision Requested: Amend Rule 17.2.9 Indigenous vegetation clearance inside a Significant Natural Area heading, as follows:

- 17.2.9 Indigenous vegetation clearance ~~inside~~ within a Significant Natural Area

Decision Reasons:

- Amend the title for additional clarity.

Point Number 697.197

Summary of Decision Requested: Amend Rule 17.2.9 P1(a) Indigenous vegetation clearance inside a Significant Natural Area, to add new rule (vi) to read as follows:

- (vi) Removing vegetation for conservation activities.

Decision Reasons:

- This new rule ensures indigenous vegetation can be cleared for conservation activities.

Point Number 697.198

Summary of Decision Requested: Amend Rule 17.2.9 P2 Indigenous vegetation clearance inside a Significant Natural Area, as follows:

- Removal of up to 5m³ of manuka and/or kanuka outside of the Coastal Environment per year per ~~property site~~ for domestic firewood purposes or arts and crafts provided the removal will not directly result in the death, destruction or irreparable damage of any other tree, bush or plant.

Decision Reasons:

- Additional clarity that the rule is intended to apply "per site" rather than "per property" which is not a defined term.

Point Number 697.199

Summary of Decision Requested: Delete Rule 17.2.9 P5 Indigenous vegetation clearance inside a Significant Natural Area.

Decision Reasons:

- Remove duplication. P5 duplicates P1 with the only difference being that P5 captures Maaori Freehold Land or Maaori Customary Land, which is captured by P1 anyway.

Point Number 697.200

Summary of Decision Requested: Delete Rule 17.2.9 P6 Indigenous vegetation clearance inside a Significant Natural Area.

Decision Reasons:

- Delete Rule P6 as it duplicates P2.

Point Number 697.201

Summary of Decision Requested: **Amend** Rule 17.3.1.2 P1 Height - Buildings, structures and vegetation within an airport obstacle limitation surface, as follows:
Any building, structure or vegetation must not protrude through the airport obstacle limitation surfaces ~~as shown~~ identified on the planning maps and in Appendix 9 – Te Kowhai Airfield, and defined in Section E Designation N Waikato Regional Airport

Decision Reasons:

- Amend rule for additional clarity.

Point Number 697.202

Summary of Decision Requested: **Amend** Rule 17.3.2 RD1 Daylight admission, as follows:
*(b) Council's discretion is ~~limited~~ restricted to the following matters:
(i) Height of the building;
(ii) Design and location of the building;
(iii) Level of shading on ~~an~~ adjoining any other sites;
(iv) Privacy on other sites;
(v) Amenity values of the locality.*

Decision Reasons:

- Consistency with the equivalent rule in other chapters.

Point Number 697.203

Summary of Decision Requested: **Amend** Rule 17.3.4.1 P1 Building setbacks - Zone boundaries, as follows:
(a) Any building must be set back a minimum of, at least...

Decision Reasons:

- Consistency with the equivalent rule in other chapters.

Point Number 697.204

Summary of Decision Requested: **Amend** Rule 17.3.4.2 P2 Building setbacks - Water bodies, as follows:
A public amenity of up to 25m², or a pump shed (public or private), within any building setback identified in Rule 17.3.4.2 P1

Decision Reasons:

- Correct errors and improve clarity of the rule.

Point Number 697.205

Summary of Decision Requested: **Amend** Rule 17.3.4.2 P1 Building setbacks - Water bodies, as follows:
*(a) Any building must be setback a minimum of:
(i) ~~27.5m~~ from the margin of any:
A. Lake;
B. Wetland;
(ii) ~~27.5m~~ from the bank of any river (other than the Waikato River and Waipa River); and
(iii) ~~28~~ 32.5m from the margin of either the Waikato River and the Waipa River;
(iv) ~~27.5m~~ from mean high water springs.*

Decision Reasons:

- Amend the rule so that the setback represent 25m esplanade reserve plus the yard setback for the Waikato and Waipa Rivers, and 20m esplanade plus the yard setback for all other waterbodies.

Point Number 697.206

Summary of Decision Requested: **Add** the following Permitted Activities Rule into Chapter 17, after Rule 17.3.4.2:
17.3.4.2A Buildings and structures within the National Grid Yard
P1
*(a) Within the National Grid yard, building alterations and additions to an existing building or structure must comply with the following conditions:
(i) Not involve an increase in the building height or footprint;
(ii) Comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663 under all National Grid transmission line operating conditions.*
P2
(a) Within the National Grid yard, the maximum height of fences are 2.5m within 5m from the nearest National Grid Pole or 6m from the nearest National Grid tower.
P3
*Within the National Grid yard, new buildings and structures that are not for a sensitive land use must comply with the following conditions:
(i) Comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663 under all National Grid transmission line operating conditions; and
(ii) Locate a minimum 12m from the outer visible foundation of any National Grid tower and locate a minimum 12m from any pole and associated stay wire, unless it is:
A. A building or structure where Transpower has given written approval in accordance with clause 2.4.1 of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663.*
AND
Add the following Non complying Activities Rule as follows:
NC1
Any building alterations or additions within the National Grid Yard that does not comply with Rule 17.3.4.2A P1.
NC2
Any new buildings or structures within the National Grid Yard that does not comply with Rule 17.3.4.2A P2 or P3.

Decision Reasons:

- Replicate the rule regarding buildings and structure within the National Grid from Chapter 14 into Chapter 17 for increased clarity and usability of the Plan.

Point Number 697.207

Summary of Decision Requested: **Add** the following Permitted Activities Rule into Chapter 17, after new Rule 17.3.4.2A:

17.3.4.2B Sensitive land uses

P1

(a) Any building for a sensitive land use must be set back a minimum of:

(i) 1.0m from the centre line of any electrical distribution or transmission lines, not associated with the National Grid, that operate at a voltage of up to 110kV;

(ii) 1.2m from the centre of line of any electrical distribution or transmission lines, not associated with the National Grid, that operate at a voltage of 110kV or more.

P2

(a) Within the National Grid yard, alterations or additions to a building used for an existing sensitive land use must comply with all the following conditions:

(i) Not increase the building height or footprint; and

(ii) Comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663 under all National Grid transmission line operating conditions; and

(iii) Locate a minimum 1.2m from the outer visible foundation of any National Grid tower and locate a minimum 1.2m from any pole and associated stay wire, unless Transpower has given written approval in accordance with clause 2.4.1 of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663.

AND

Add the following Discretionary Activities Rule as follows:

D1

Any building for a sensitive land use that does not comply with Rule 17.3.4.2B P1.

AND

Add the following Non Complying Rule as follows:

NC1

Any activity within the National Grid Yard that does not comply with Rule 17.3.4.2B P2.

NC2

Any new building for a sensitive land use within the National Grid Yard.

NC3

Any change of use of an existing building to a sensitive land use within the National Grid Yard.

NC4

The establishment of any new sensitive land use within the National Grid Yard

Decision Reasons:

- Replicate the rule regarding sensitive land uses from Chapter 14 into Chapter 17 for increased clarity and usability of the Plan.

Point Number 697.208

Summary of Decision Requested: **Amend** Rule 17.3.5 P1 Horotiu Acoustic Area, to include the correct table reference from Table 8 to Table 11.

Decision Reasons:

- Correcting a table reference.

Point Number 697.209

Summary of Decision Requested: **Amend** Rule 17.3.5 D1 from Discretionary Activity D1 to Restricted Discretionary Activity RD1.

Decision Reasons:

- Rule needs to refer to the correct activity status, Restricted Discretionary Activity, not Discretionary.

Point Number 697.210

Summary of Decision Requested: **Add** new Permitted Activities Rule after 17.3.5, as follows:

17.3.5A Building – Te Kowhai Noise Buffer

P1

Construction of, or addition, or alteration to, a dwelling within the Te Kowhai Noise Buffer that is designed and constructed to achieve the internal design sound levels specified in Section 3.2 of Appendix 1 (Acoustic Insulation),

AND

Add Restricted Discretionary Rule, as follows:

RD1

(a) Construction of, or addition, or alteration to, a dwelling that does not comply with Rule 17.3.5A P1

(b) Council's discretion shall be restricted to the following matters:

(i) on-site amenity values;

(ii) noise levels received at the national boundary of the dwelling;

(iii) timing and duration of noise received at the national boundary of the dwelling;

(iv) potential for reverse sensitivity effects

Decision Reasons:

- The Business Zone does not currently have a rule relating to the Te Kowhai noise buffer, but there is Business Zoned land within close proximity to Te Kowhai Airpark. There is a possibility that residential units could be proposed on this site so there needs to be a noise insulation rule.

Point Number 697.211

Summary of Decision Requested: **Amend** Rule 17.3.6 P1 Dwelling, to include the correct table reference from Table 8 to Table 14.

Decision Reasons:

- Correcting a table reference.

Point Number 697.212

Summary of Decision Requested: **Amend** Rule 17.3.6 Dwelling, as follows:

PI

(a) One dwelling on ~~the~~ CFR a record of title.

(i) The dwelling must not be located at ground level;

(ii) The dwelling is designed and constructed to achieve the internal design sound levels specified in Appendix I (Acoustic Insulation) – Table ~~8~~ 14.

....

D1

A ~~residential activity dwelling~~ that does not comply with ~~conditions of~~ Rule 17.3.6 P1.

Decision Reasons:

- Correct and consistent use of terminology. Correct reference to diagrams within appendices.

Point Number 697.213

Summary of Decision Requested: **Delete** Rule 17.3.6 NCI Dwelling.

Decision Reasons:

- Deleting duplicated rule. Rule D1 and NCI are addressing the same activity.

Point Number 697.214

Summary of Decision Requested: **Amend** Rule 17.3.7 P1 (a) Living court, to read as follows:

A living court ~~shall~~ must be provided...

Decision Reasons:

- Consistency across zone chapters.

Point Number 697.215

Summary of Decision Requested: **Amend** Rule 17.3.7 P1(a)(i) Living court, to read as follows:

It is readily accessible from a living area of the dwelling; ~~and~~

Decision Reasons:

- Consistency across zone chapters.

Point Number 697.216

Summary of Decision Requested: **Amend** Rule 17.3.8 Heritage heading, to read as follows:

Heritage Items

Decision Reasons:

- Consistency across zone chapters.

Point Number 697.217

Summary of Decision Requested: **Amend** Rule 17.3.8.3 All heritage items – Alteration or addition, as follows:

PI

(a) Alteration ~~or~~ addition to a heritage item listed in Schedule 30.1 (Heritage Items) must comply with the following conditions....

RD1

(a) Alterations ~~or~~ additions to a heritage item that does not comply with Rule 17.3.8.3 P1

Decision Reasons:

- Improving the clarity of the rule.

Point Number 697.218

Summary of Decision Requested: **Amend** Rule 17.3.7.4-All heritage items- Maintenance or repair, as follows:

~~17.3.7.4~~ 4 All heritage items – Maintenance or repair

Decision Reasons:

- Correct numbering.

Point Number 697.219

Summary of Decision Requested: **Amend** Rule 17.3.7.5- All heritage items- All site development, as follows:

~~17.3.7.5~~ 5 All heritage items – All site development

Decision Reasons:

- Correct numbering.

Point Number 697.220

Summary of Decision Requested:	Amend 17.4 Subdivision heading, to read as follows: <u>Subdivision Rules</u>
Decision Reasons:	<ul style="list-style-type: none"> Consistency across zone chapters.
Point Number	697.221
Summary of Decision Requested:	Amend 17.4.1 General subdivision heading, to read as follows: General <u>Subdivision – General</u>
Decision Reasons:	<ul style="list-style-type: none"> Consistency across zone chapters.
Point Number	697.222
Summary of Decision Requested:	Amend Rule 17.4.1 General subdivision, as follows: <i>(1) Rule 17.4.1 provides for subdivision density <u>within the Business Zone.</u></i>
Decision Reasons:	<ul style="list-style-type: none"> Additional clarity on the relationship between rules.
Point Number	697.223
Summary of Decision Requested:	Amend Rule 17.4 (4) Subdivision, as follows: <i>(4) Rules 17.4.1 are also subject to compliance with the following rules subdivision controls-</i> <i>(i) Rule 17.4.1.3 – subdivision boundary adjustments</i> <i>(ii) Rule 17.4.1.4 – subdivision amendments and updates to cross lease flats plans</i> <i>(iii) Rule 17.4.1.5 – subdivision title boundaries Significant Natural Areas, heritage items, archaeological sites, sites of significance to Maaori</i> <i>(iv) Rule 17.4.1.6 - subdivision of land containing heritage items</i> <i>(v) <u>Rule 17.4.1.6A – subdivision of land within the National Grid Corridor.</u></i> <i>(vi) Rule 17.4.1.7 – subdivision road frontage</i> <i>(vii) Rule 17.4.1.8 - subdivision esplanade reserves and esplanade strips.</i>
	AND
	Add new rule after Rule 17.4.1.5 as follows: <u>17.4.1.5A Subdivision of land within the National Grid Corridor.</u>
	<u>RDI</u> <i>(a) <u>The subdivision of land within the National Grid Corridor must comply with all of the following conditions:</u></i> <i>(i) <u>All allotments intended to contain a sensitive land use must provide a building platform for the likely principal building(s) and any building(s) for a sensitive land use located outside of the National Grid Yard, other than where the allotments are for roads, access ways or infrastructure; and</u></i> <i>(ii) <u>The layout of allotments and any enabling earthworks must ensure that physical access is maintained to any National Grid support structures located on the allotments, including any balance area.</u></i> <i>(b) <u>Council's discretion is restricted to the following matters:</u></i> <i>(i) <u>The subdivision layout and design in regard to how this may impact on the operation, maintenance, upgrading and development of the National Grid;</u></i> <i>(ii) <u>The ability to provide a complying building platform outside of the National Grid Yard;</u></i> <i>(iii) <u>The risk of electrical hazards affecting public or individual safety, and the risk of property damage;</u></i> <i>(iv) <u>The nature and location of any vegetation to be planted in the vicinity of National Grid transmission lines.</u></i>
	AND
	Add new non complying rule, as follows: <u>NCL</u> <u>Any subdivision of land within the National Grid Corridor that does not comply with one or more of the conditions of Rule 17.4.1.5A RDI.</u>
Decision Reasons:	<ul style="list-style-type: none"> Replicate the subdivision rule within the National Grid Corridor from Chapter 14 (where this is relevant to the Business Zone) into Chapter 17 for increased clarity and usability of the Plan.
Point Number	697.224
Summary of Decision Requested:	Amend Rule 17.4.1 RDI (a) General subdivision as follows: <i>(a) Subdivision of land must comply with all of the following conditions:</i> <i>(i) Proposed lots <u>The record of title to be subdivided</u> must have a minimum size of 225m² net site area with the exception of access or utility allotments or reserves to vest;</i> <i>(ii) All <u>Proposed</u> lots must be connected to public-reticulated water supply and wastewater.</i>
Decision Reasons:	<ul style="list-style-type: none"> Increased clarity and consistent use of terms.
Point Number	697.225
Summary of Decision Requested:	Amend Rule 17.4.1.1 RDI (a) (i) Subdivision - Multi-unit development, to read as follows: <i>An application for land use consent under Rule 17.1.4 (Multi-unit housing development) must...</i>
Decision Reasons:	<ul style="list-style-type: none"> Consistency with the defined term.
Point Number	697.226
Summary of Decision Requested:	Amend Rule 17.4.1.2 CI(a)(i) Subdivision – Boundary adjustments, to read as follows: <i>The conditions specified in <u>either</u>:</i>
Decision Reasons:	<ul style="list-style-type: none"> Consistency across zone chapters.

Point Number	697.227
Summary of Decision Requested:	Amend Rule 17.4.1.2 C1 (b) Subdivision – Boundary adjustments, as follows: (b) The Council's control shall be limited to <u>reserved over</u> the following matters: (i) Subdivision layout; (ii) Shape of title and variation in title <u>lot</u> size.
Decision Reasons:	<ul style="list-style-type: none"> Increased clarity and consistent use of terms.
Point Number	697.228
Summary of Decision Requested:	Amend Rule 17.4.1.3 C1 Subdivision - Amendments and updates to cross lease flats plans, as follows: (a) An amendment or update to a cross lease or flats plan where: (i) An amendment. The purpose is to convert a cross lease or flats plan to a fee simple title; or (ii) An amendment or update to include for additions or alterations to buildings, accessory buildings and areas for exclusive use by an owner or owners. (b) The Council's control shall be limited to <u>is reserved over</u> the following matters: (i) Purpose of the amendment or update to cross lease or flats plan <u>boundary adjustment</u> ; (ii) Effects on existing buildings; (iii) Site layout and design of cross lease or flats plan; (iv) Compliance with permitted building rules where the amendment is to convert a cross lease title to fee simple.
Decision Reasons:	<ul style="list-style-type: none"> Provide clarity of rule and consistency with other zones.
Point Number	697.229
Summary of Decision Requested:	Amend Rule 17.4.1.4 NC1 Subdivision - Title boundaries – Significant Natural Areas, Maaori Sites and Areas of Significance to Maaori to be a Discretionary activity rather than non-complying as follows: NC1 Subdivision that does not comply with Rule 17.4.1.4 RD1
Decision Reasons:	<ul style="list-style-type: none"> Discretionary is a more appropriate activity cascade for subdivisions that can not meet the conditions.
Point Number	697.230
Summary of Decision Requested:	Amend Rule 17.4.1.5 NC1 Subdivision - land containing heritage items, to be a Discretionary Activity rather than Non Complying as follows: NC1 Subdivision that does not comply with Rule 17.4.1.4 RD1
Decision Reasons:	<ul style="list-style-type: none"> Discretionary is a more appropriate activity cascade for subdivisions that can not meet the conditions.
Point Number	697.231
Summary of Decision Requested:	Amend Rule 17.4.1.6 RD1 Subdivision - Road frontage, as follows: RD1 (a) Subdivision of land. Every proposed lot with a road frontage boundary, other than any access or utility allotment, right of way or access leg, must provide have: (i) A width along the road boundary of at least 15m; and (ii) Rule 17.4.1.6 (a)(i) (a) does not apply to a proposed access allotment or utility allotment. (b) The Council's discretion shall be limited/restricted to the following matters: (i) Road efficiency and safety and efficiency of vehicle access and road network; (ii) Amenity and streetscape.
Decision Reasons:	<ul style="list-style-type: none"> Improving the clarity of the rule.
Point Number	697.232
Summary of Decision Requested:	Amend Rule 17.4.1.7 Esplanade reserves and esplanade strips heading, to read as follows: <u>Subdivision – Esplanade reserves and esplanade strips</u>
Decision Reasons:	<ul style="list-style-type: none"> Consistency across zone chapters.
Point Number	697.233
Summary of Decision Requested:	Amend Rule 17.4.1.7 RD1 (a) Esplanade reserves and esplanade strips, as follows: (a) Subdivision must create an esplanade reserve or esplanade strip 20m wide (or other width stated in Appendix 4 (Esplanade Priority Areas) is required to be created and vested in Council from every subdivision where the land is being subdivided is proposed lot- (i) less than 4ha and within 20m of any; A. A. mean high water springs; B. the bank of any river whose bed has an average width of 3m or more; or C. a lake whose bed has an area of 8ha or more; and (ii) 4ha or more <u>and located</u> within 20m of <u>any;</u> <u>A</u> mean high water springs or <u>B</u> a water body identified in Appendix 4 (Esplanade Priority Areas).
Decision Reasons:	<ul style="list-style-type: none"> Improving the clarity of the rule.

Point Number 697.234
Summary of Decision Requested: Delete Rule 17.4.1.7 (RD1) matter of discretion (b)(vi) Esplanade reserves and esplanade strips.
Decision Reasons:

- Deletion of a matter of discretion that is inappropriate as it is not an effect that should be considered in a resource consent application.

Point Number 697.235
Summary of Decision Requested: Amend Rule 17.5.1 (2) Application of rules, as follows:
(2) The rules that apply to a permitted activity in Rule 17.5.1.2 P1-P1.7.8 within the Lakeside Te Kauwhata Precinct as identified on the planning maps are as follows:
Decision Reasons:

- Improving accuracy of the rule.

Point Number 697.236
Summary of Decision Requested: Amend 17.5 Specific Area - Lakeside Te Kauwhata Precinct, by replacing all references to the matters identified in the assessment criteria as X, with the correct reference.
Decision Reasons:

- Improves clarity of the rules and addresses a placeholder error.

Point Number 697.237
Summary of Decision Requested: Amend 17.5 Specific Area - Lakeside Te Kauwhata by replacing all references to CLDC with the correct term "comprehensive land development consent".
Decision Reasons:

- Improves clarity of the rules.

Point Number 697.238
Summary of Decision Requested: Amend 17.5 Specific Area - Lakeside Te Kauwhata by replacing all references to CSC with the correct term "Comprehensive Subdivision Consent".
Decision Reasons:

- Improves clarity of the rules.

Point Number 697.239
Summary of Decision Requested: Amend 17.5 Specific Area - Lakeside Te Kauwhata Precinct so all rule references are prefaced by the word "Rule".
Decision Reasons:

- Improves accuracy of the rule references.

Point Number 697.240
Summary of Decision Requested: Delete Rule 17.5.3 DI (b) Discretionary Activities, as follows:
~~*(b) The matters over which Council reserves discretion shall be used for assessing discretionary activity applications under this rule.*~~
Decision Reasons:

- It is not in accordance with the RMA for a discretionary activity to have matters of discretion restricted.

Point Number 697.241
Summary of Decision Requested: Amend Rule 17.5.5 P1 Daylight admission, as follows:
Any building shall not protrude through a height control plane rising at an angle of 45 degrees commencing at an elevation of 3.5m above ground level at every point of the site boundary where it adjoins a residential zone.
Decision Reasons:

- Correcting an error.

Point Number 697.242
Summary of Decision Requested: Amend Rule 17.5.5 RD1 (b) Daylight admission, as follows:
(b) Council's Discretion is restricted to:
Decision Reasons:

- Consistency with other restricted discretionary rules.

Point Number 697.243
Summary of Decision Requested: Amend Rule 17.5.9 RD1 (a)(i) Subdivision, as follows:

(i) is in accordance with Te Kawhata Lakeside Precinct Plan 16.5.1(3)(a); the roading network, walkways and cycleways shown on Precinct Plan 16.5.1(3)(b); and the open space shown on Precinct Plan 15.5.2-1(3)(c), as set out in the precinct parameters below; and

Decision Reasons:

- Correcting a referencing error.

Point Number 697.244

Summary of Decision Requested: Amend Rule 17.5.9 NC2 Subdivision, as follows:

A ~~Comprehensive Subdivision Consent~~ that does not meet ~~any of the parameters-conditions~~ for a discretionary activity outlined in 17.5.9 D1.

Decision Reasons:

- Ensuring consistent use of terminology.

Point Number 697.245

Summary of Decision Requested: Amend the heading for Chapter 18 to read as follows:

Business Town Centre Zone Rules

Decision Reasons:

- For increased clarity.

Point Number 697.246

Summary of Decision Requested: Amend Chapter 18 (2) Business Town Centre Zone, as follows:

The rules that apply to subdivision in the Business Town Centre Zone are contained in Rule 18.4 and the relevant rules in 14 Infrastructure and Energy and 15 Natural Hazards and Climate Change /Placeholder.

Decision Reasons:

- To clarify that the rules in Chapter 14: Infrastructure and Energy and Chapter 15 Natural Hazards and Climate Change apply to subdivision as well as to land use activities.

Point Number 697.247

Summary of Decision Requested: Amend Rule 18.1.2 Permitted activity Rule (a), as follows:

~~(a) The following activities listed below are permitted activities if they meet all the following:~~
~~(i) Activity-specific conditions; and~~
~~(ii) Land Use – Effects rules in Rule 18.2 (unless the activity-specific rule and/or conditions identifies a condition(s) that does not apply); and~~
~~(iii) Land Use – Building rules in Rule 18.3 (unless the activity-specific rule and/or conditions identifies a condition(s) that does not apply); and~~
~~(iii) Activity-specific conditions.~~

Decision Reasons:

- Additional clarity to make it clear how the activity-specific conditions are to be applied.

Point Number 697.248

Summary of Decision Requested: Delete Rule 18.1.2 P3 Commercial services.

Decision Reasons:

- There is duplication between the terms "commercial activities" and "commercial services" and this is more appropriately represented by a single term.

Point Number 697.249

Summary of Decision Requested: Amend Rule 18.1.2 P10 (e) A temporary event, as follows:

~~(e) The site is returned to its original previous condition no more than 3 days after the end of the event:~~

Decision Reasons:

- Consistency with other chapters.

Point Number 697.250

Summary of Decision Requested: Amend Rule 18.1.3 Restricted Discretionary Rule RD1 (c), as follows:

~~(c) A detailed site plan depicting the proposed record of title boundaries for each residential unit and any common areas (including access and services) must be provided, ensuring that a freehold (fee simple) or unit title subdivision complies with Rule 18.4.2 (Subdivision of multi-unit developments);~~

Decision Reasons:

- Consistency across the chapters.

Point Number 697.251

Summary of Decision Requested: Add Rule 18.1.3 RD1 (g) Restricted Discretionary Activity, as follows:

~~(g) Each residential unit must meet the following minimum unit size:~~

<u>Unit of Apartment</u>	<u>Minimum Unit Area</u>
<u>Studio Unit or 1 bedroom unit</u>	<u>60m²</u>
<u>2 bedroom unit</u>	<u>80m²</u>

Decision Reasons:

- Include residential unit size table for consistency with the subdivision rule.

Point Number

697.252

Summary of Decision Requested:

Amend Rule 18.1.3 Restricted Discretionary Activities table heading, as follows:

~~The Council's discretion shall be limited to the following matters: Matters of Discretion~~

Decision Reasons:

- Alignment with other zone chapters.

Point Number

697.253

Summary of Decision Requested:

Amend Rule 18.1.3 Restricted Discretionary Activities RD1(a), to read as follows:

- (a) A multi-unit development that meets all of the following conditions:
(i) ~~The Land Use – Effects in Rule 18.2;~~
(ii) ~~The Land Use – Building in Rule 18.3, except the following rules do not apply.~~
A. Rule 18.3.9 (Dwellings) ~~does not apply~~;
B. Rule 18.3.10 (Living court) ~~does not apply~~;

Decision Reasons:

- Alignment with other zone chapters.

Point Number

697.254

Summary of Decision Requested:

Amend Rule 18.1.3 RD1 (i) Restricted Discretionary Activities, as follows:

- (vi) A communal service court is provided comprising:
A, a minimum of 20m²; and
B, minimum dimension of 3m;

Decision Reasons:

- The communal service court needed a minimum size dimension.

Point Number

697.255

Summary of Decision Requested:

Amend Rule 18.1.4 Discretionary Activities (D1), as follows:

Any permitted activity that does not comply with one or more of the activity-specific conditions for a permitted activity ~~(in Rule 18.1.2) unless a lesser activity status under Land Use – Effects Rule 18.2 or Land Use – Building Rule 18.3 applies.~~

Decision Reasons:

- Provide additional clarity in the rule.

Point Number

697.256

Summary of Decision Requested:

Delete Rule 18.2.1 Noise (1);

AND

Amend Rule 18.2.1 Noise - for consequential renumbering of (2) and (3).

Decision Reasons:

- Reduce duplication - this noise rule is adequately covered by points (2) and (3).

Point Number

697.257

Summary of Decision Requested:

Delete 18.2.1.1 Rules P3 and P4 Noise - General;

AND

Add to Rule 18.2.1.1 P2 Noise - General, as follows:

- (a) Noise measured within any site:
(i) In the Business Town Centre Zone must not exceed:
A. 65dB (LAeq), 7am to 11pm every day; and
B. 55dB (LAeq) and 85dB (LAmax), 11pm to 7am the following day; or
(ii) In the Residential Zone and Village Zone must not exceed:
A. 55dB (LAeq), 7am to 7pm; and
B. 50dB (LAeq), 7pm to 10pm; and
C. 40dB (LAeq) and 65dB (LAmax), 10pm to 7am the following day.
(b) Noise measured within any site in any zone other than the Business Town Centre Zone, Residential Zone or Village Zone must meet the permitted noise levels for that zone.
(c) Noise levels must be measured in accordance with the requirements of NZS 6801:2008 "Acoustics - Measurement of Environmental Sound".
(d) Noise levels must be assessed in accordance with the requirements of NZS 6802:2008 "Acoustics - Environmental noise".

AND

Amend Rule 18.2.1.1 D1 Noise - General, as follows:

Noise that does not comply with Rules 18.2.1.1 P2, ~~P3 or P4.~~

Decision Reasons:

- To clarify that the conditions are associated with noise and are not an activity in their own right.

Point Number

697.258

Summary of Decision Requested:

Amend Rule 18.2.1.2 P1 Noise – Construction, as follows:

(a) Construction noise must ~~not exceed~~ ~~meet~~ the limits in NZS 6803:1999 (Acoustics – Construction Noise); and

Decision Reasons:

- Additional clarity of the rule – construction noise should not exceed the limits, rather than meet the limits in the NZ Standard.

Point Number 697.259

Summary of Decision Requested: Amend Rule 18.2.2 P1 Servicing and hours of operation, as follows:

The loading and unloading of vehicles ~~and/or~~ the receiving of customers ~~and/or~~ deliveries associated with a commercial activity on a site adjoining the Residential and Village Zones may occur between 6.30am and ~~7.30-8.00pm~~.

Decision Reasons:

- Increase the hours of operation to allow more reasonable use of the site.

Point Number 697.260

Summary of Decision Requested: Amend Rule 18.2.3 P1 Glare and artificial light spill, as follows:

Illumination from glare and artificial light spill must not exceed 10 lux measured horizontally and vertically at any ~~other-site~~ zoned Residential, Village or Country Living Zone.

Decision Reasons:

- Consistency of wording with other chapters. The focus of the rule in the Business Town Centre Zone should be to control light spill outside the Business Town Centre Zone into the residential zones.

Point Number 697.261

Summary of Decision Requested: Amend Rule 18.2.4 (1) Earthworks, as follows:

(1) Rules 18.2.4.1 – Earthworks - General provides the permitted rules for earthworks activities for the Business Town Centre Zone. This rule does not apply in those areas specified in Rules 18.2.4.1A and 18.2.4.2.

Decision Reasons:

- Clarify that the earthworks general rule does not apply in those areas where there is a specific rule.

Point Number 697.262

Summary of Decision Requested: Amend Rule 18.2.4 Earthworks (2), as follows:

(2) ~~There is a specific standards for earthworks are within rules:~~

- (a) ~~Rule 18.2.4.1A - Earthworks within the National Grid Yard~~*
(a) ~~Rule 18.2.4.2 – Maaori Sites and Maaori Areas of Significance.~~

AND

Add new rule, after Rule 18.2.4.1 to read:

18.2.4.1A Earthworks within the National Grid Yard

P1

The following earthworks within the National Grid Yard:

- (a) ~~Earthworks undertaken as part of domestic cultivation; or repair, sealing or resealing of a road, footpath or driveway;~~*
(b) ~~Vertical holes not exceeding 500mm in diameter that are more than 1.5m from the outer edge of the pole support structure or stay wire;~~
(c) ~~Earthworks for which a dispensation has been granted by Transpower under New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663.~~

P2

Earthworks activities within the National Grid Yard near National Grid support poles or any stay wires must comply with the following conditions:

- (a) ~~Do not exceed a depth of 300mm within 2.2m of the pole or stay wire; and~~*
(b) ~~Do not exceed a depth of 750mm between 2.2m and 5m of the pole or stay wire.~~

P3

Earthworks within the National Grid Yard near National Grid support towers (including any tubular steel tower that replaces a steel lattice tower) must comply with all of the following conditions:

- (a) ~~Do not exceed 300m depth within 6m of the outer edge of the visible foundation of the tower;~~*
(b) ~~The risk to the structural integrity of the affected National Grid support structure(s);~~
(c) ~~Do not compromise the stability of a National Grid support structure;~~
(d) ~~Do not result in the loss of access to any National Grid support structure; and~~
(e) ~~Must be less than the minimum ground to conductor clearance distances in Table 4 of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663.~~

RDL

Earthworks within the National Grid Yard that do not comply with one or more of the conditions of Rules 18.2.4.1A P1, P2 or P3.

Discretion is restricted to:

- (a) ~~Impacts on the operation, maintenance, upgrading and development of the National Grid;~~*
(b) ~~The risk to the structural integrity of the affected National Grid support structure(s);~~
(c) ~~Any impact on the ability of the National Grid owner (Transpower) to access the National Grid;~~
(d) ~~The risk of electrical hazards affecting public or individual safety, and the risk of property damage.~~

Decision Reasons:

- Replicate the earthworks rule within the National Grid from Chapter 14 into Chapter 18 (where they are relevant to the Business Town Centre Zone) for increased clarity and usability of the Plan.

Point Number 697.263

Summary of Decision Requested: Amend Rule 18.2.4.1 P1 Earthworks – General, as follows:

P1

Earthworks (excluding the importation of fill material) within a site must meet all of the following conditions:

- (i) ~~Earthworks must be~~ located more than 1.5m from a public sewer, open drain, overland flow path or other service pipe;*
(ii) ~~Earthworks must not~~ exceed a volume of more than 250m³ and an area of more than 1,000m² over any single consecutive 12 month period within a site;
(iii) The height of the resulting cut, filled areas or fill batter face in stable ground, ~~not including any surcharge~~, does not exceed 1.5m, with a maximum slope of 1:2 (1 vertical to 2 horizontal);
(iv) ~~Earthworks are set back at least 1.5m from all boundaries;~~
(v) Areas exposed by earthworks are revegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks;
(vi) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls;
(vii) ~~Earthworks must not~~ Do not divert or change the nature of natural water flows, waterbodies or established drainage paths;
(viii) ~~Earthworks must not result in the site being unable to be serviced by gravity sewers.~~

P2

(a) Earthworks for the purpose of creating a building platform within a site using imported fill material.

~~P23~~

~~(a) Earthworks for purposes other than creating a building platform within a site, using imported fill material (excluding cleanfill) must meet all of the following conditions. The importation of fill material to a site must meet the following conditions, in addition to the conditions in Rule 18.2.4.1.1 P1:~~

~~(i) Must not exceed a total volume of 500m³ per site and a depth of 1m;~~

~~(ii) Is fit for compaction;~~

~~(iii) The slope height of the resulting filled area batter face in stable ground must not exceed 4.5m with a maximum slope of 1:2 (1m vertical to 2m horizontal);~~

~~(iv) Fill material is setback at least 1.5m from all boundaries;~~

~~(v) Does not restrict the ability for land to drain;~~

~~(vi) Is not located within 1.5m of public sewers, utility services or manholes;~~

~~(vii) The sediment from fill material is retained on the site;~~

~~(viii) Areas exposed by earthworks are revegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks;~~

~~(ix) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls;~~

~~(x) Do not divert or change the nature of natural water flows, water bodies or established drainage paths.~~

RD1

(a) Earthworks that do not comply with Rules 18.2.4.1 P1 or P23.

(b) The Council's discretion shall be ~~limited~~ restricted to the following matters:

(i) Amenity values and landscape effects;

(ii) Volume, extent and depth of earthworks;

(iii) Nature of fill material;

(iv) Contamination of fill material;

(v) Location of the earthworks in relation to waterways, significant indigenous vegetation and habitat;

(vi) Compaction of the fill material;

(vii) Volume and depth of fill material;

(viii) Protection of the Hauraki Gulf Catchment Area;

(ix) Geotechnical stability;

(x) Flood risk, including natural water flows and established drainage paths

(xi) Land instability, erosion and sedimentation;

(xii) Proximity to underground services and service connections.

Decision Reasons:

- Consistency with the equivalent rule in other chapters. Also enabling the importation of fill for a building platform as a permitted activity.

Point Number

697.264

Summary of Decision Requested:

Amend Rule 18.2.4.2 RD2 Earthworks - Maori Sites and Maori Areas of Significance, as follows:

~~(b) The Council's discretion is limited~~ restricted to the following matters:

~~(i) Location of earthworks in relation to the site;~~

~~(ii) Effects on heritage and cultural values.~~

Decision Reasons:

- The matter of discretion is not relevant because the whole property boundary is included as a scheduled site.

Point Number

697.265

Summary of Decision Requested:

Amend Rule 18.2.5 Hazardous substances, as follows:

~~(a) The use, storage or disposal of any hazardous substances where~~ must meet the following conditions:

~~(i) The aggregate quantity of hazardous substances of any hazard classification on a site is less than the quantity specified for the Business Zone in Table 5.1 contained within Appendix 5 (Hazardous Substances)~~

Decision Reasons:

- Amend the hazardous substances rule to align with other chapters.

Point Number

697.266

Summary of Decision Requested:

Add to Rule 18.2.5 Hazardous substances, as follows:

D2 A service station that does not comply with Rule 18.2.5 C1.

AND

Amend Rule 18.2.5 Discretionary Activities Rule D1, as follows:

~~The use, storage or disposal of hazardous substances that do not comply with Rules 18.2.5 P1 or P2 or C1.~~

Decision Reasons:

- Insert rule for service stations that do not comply with the permitted activity conditions for consistency with other chapters.

Point Number

697.267

Summary of Decision Requested:

Add new Rule 18.2.5 NCI Hazardous substances, as follows:

NC1 Any new hazardous facility that involves the storage and handling of hazardous substances with explosive or flammable intrinsic properties within 12m of the centre line of a National Grid Transmission Line

Decision Reasons:

- Replicate the hazardous facilities rule within the National Grid from Chapter 14 into Chapter 18 (where relevant to the Business Town Centre Zone) for increased clarity and usability of the Plan.

Point Number

697.268

Summary of Decision Requested:

Delete Rule 18.2.6.2 Restricted Discretionary Activities Rule RD1 (b)(ii) Effects on public safety.

Decision Reasons:

- Amend to be consistent with the equivalent rules in other chapters.

Point Number	697.269
Summary of Decision Requested:	<p>Amend Rule 18.2.6.3 P1 Notable tree - activities within the dripline, as follows:</p> <p>(a) Any activity within the dripline of a notable tree identified in Schedule 30.2 (Notable Trees) complies with the following conditions must not:</p> <p>(i) No involve excavation, compaction, sealing or soil disturbance and/or placement of fill material, or cleanfill except for the sealing of an existing road or footpath; and</p> <p>(ii) No involve parking or storage of materials, vehicles or machinery; and</p> <p>(iii) No discharge of an eco-toxic substance; and</p> <p>(iv) No involve construction of structures.</p> <p>RD1</p> <p>(a) Any activity <u>within the dripline of a notable tree</u> that does not comply with Rule 18.2.6.3 P1.</p>
Decision Reasons:	<ul style="list-style-type: none"> Improved clarity of the rule and consistency with the other chapters.
Point Number	697.270
Summary of Decision Requested:	<p>Amend Rule 18.2.7.1 P2 (a)(ix) Signs – General, as follows:</p> <p>(ix) The sign is not attached to a for the purpose of identification and interpretation of a Maori Site of Significance listed in Schedule 30.3 (Maori Sites of Significance) except for the purpose of identification and interpretation.</p>
Decision Reasons:	<ul style="list-style-type: none"> Improve clarity of the rule.
Point Number	697.271
Summary of Decision Requested:	<p>Amend Rule 18.2.7.1 P3 (a)(i) and (ii) Signs – General, as follows:</p> <p>(b) A real estate 'for sale' or 'for rent' sign <u>relating to the site on which it is located</u> must comply with all of the following conditions:</p> <p>(i) It relates to the sale of the site on which it is located.</p> <p>(ii) There is no more than 4 <u>2</u> signs per agency site.</p>
Decision Reasons:	<ul style="list-style-type: none"> Amend rule for increased clarity.
Point Number	697.272
Summary of Decision Requested:	<p>Amend Rule 18.2.7.2 P1 Signs - Effects on traffic, as follows:</p> <p>(b) Any sign directed at road users must <u>meet the following conditions:</u></p>
Decision Reasons:	<ul style="list-style-type: none"> Amend for additional clarity.
Point Number	697.273
Summary of Decision Requested:	Delete Rule 18.2.7.2 P1 (a)(iv) Signs - Effects on traffic.
Decision Reasons:	<ul style="list-style-type: none"> It is not realistic or reasonable to require signs to be 130m from the entrance in a Business Town Centre Zone. This would result in clutter and confusion for motorists within the town centre.
Point Number	697.274
Summary of Decision Requested:	<p>Amend Rule 18.2.8 P1 (a)(i) Outdoor storage, as follows:</p> <p>(a) Outdoor storage of goods or materials must comply with the following conditions:</p> <p>(i) Be associated with the <u>activity operating from the site</u></p>
Decision Reasons:	<ul style="list-style-type: none"> Amend for additional clarity.
Point Number	697.275
Summary of Decision Requested:	Amend Rule 18.2.8 P1 Outdoor storage, to include a maximum height condition for the outdoor storage of goods or materials where this is appropriate to manage amenity effects such as next to Residential, Village or Country Living Zones.
Decision Reasons:	<ul style="list-style-type: none"> Include maximum height of goods and materials stored outdoors to more effectively manage amenity and access to sunlight on adjoining Residential and Village zoned properties.
Point Number	697.276
Summary of Decision Requested:	Amend Rule 18.2.8 P1 Outdoor storage, to include effective screening mechanisms for the outdoor storage of goods, where this is appropriate to manage amenity effects such as next to Residential, Village or Country Living Zones.
Decision Reasons:	<ul style="list-style-type: none"> Consider whether a close boarded fence or screening planting is the most effective means of ensuring amenity values are retained.
Point Number	697.277
Summary of Decision Requested:	Amend Rule 18.3.2 RD1 Daylight admission, as follows:

(b) Council's discretion is ~~limited~~ restricted to the following matters:

- (i) Height of the building;
- (ii) Design and location of the building;
- (iii) Level of shading on ~~an~~ adjoining any other sites;
- (iv) Privacy ~~of an~~ other sites;
- (v) ~~effects on~~ Amenity values and town centre character.

Decision Reasons:

- Consistency with the equivalent rule in other chapters.

Point Number 697.278

Summary of Decision Requested: **Amend** Rule 18.3.3 P1 Gross leasable floor area, as follows:

(a) ~~Any~~ Every individual tenancy....

Decision Reasons:

- Improved clarity of the rule.

Point Number 697.279

Summary of Decision Requested: **Amend** Rule 18.3.5 P1(a) Verandahs, as follows:

(a) Any new building, or alteration that increases the height or footprint of an existing building, on land with a verandah line identified on the planning maps, must be provided with a verandah that complies with the following conditions:

Decision Reasons:

- Amend to only require verandahs to be provided where alterations increase the height or footprint of the building. It is not reasonable to require verandahs for internal alterations and modifications.

Point Number 697.280

Summary of Decision Requested: **Amend** Rule 18.3.7 P1 Building setbacks – Water-bodies, as follows:

P1

(a) Any building must be setback a minimum of:

(i) ~~22.5m~~ 27.5m from the margin of any:

A. lake;

B. wetland;

(ii) ~~22.5m~~ 27.5m from the bank of any river (other than the Waikato and Waipa Rivers);

(iii) ~~22.5m~~ 32.5m from the bank of either the Waikato River and the Waipa River; and

(iv) ~~22.5m~~ 27.5m from mean high water springs.

Decision Reasons:

- Amend the rule so that the setback represents 25m esplanade reserve plus the yard setback for the Waikato and Waipa Rivers, and 20m esplanade plus the yard setback for all other waterbodies.

Point Number 697.281

Summary of Decision Requested: **Add** the following rule into Chapter 18, after Rule 18.3.7:

18.3.7A Buildings and structures within the National Grid Yard

P1

(a) Within the National Grid yard, building alterations and additions to an existing building or structure must comply with the following conditions:

(i) Not involve an increase in the building height or footprint;

(ii) Comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663 under all National Grid transmission line operating conditions.

P2

(a) Within the National Grid yard, the maximum height of fences are 2.5m within 5m from the nearest National Grid Pole or 6m from the nearest National Grid tower.

P3

Within the National Grid yard, new buildings and structures that are not for a sensitive land use must comply with the following conditions:

(i) Comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663 under all National Grid transmission line operating conditions; and

(ii) Locate a minimum 12m from the outer visible foundation of any National Grid tower and locate a minimum 12m from any pole and associated stay wire, unless it is:

A. A building or structure where Transpower has given written approval in accordance with clause 2.4.1 of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663; or

NCL

Any building alterations or additions within the National Grid Yard that does not comply with Rule 18.3.7A P1.

NC2

Any new buildings or structures within the National Grid Yard that does not comply with Rule 18.3.7A P2 or P3.

Decision Reasons:

- Replicate the rule regarding buildings and structure within the National Grid from Chapter 14 into Chapter 18 (where this is relevant to the Business Town Centre Zone) for increased clarity and usability of the Plan.

Point Number 697.282

Summary of Decision Requested: **Add** the following rule into Chapter 18 Business Town Centre Zone, after new rule 18.3.7A:

18.3.7B Sensitive land uses

P1

(a) Any building for a sensitive land use must be set back a minimum of:

(i) 1.0m from the centre line of any electrical distribution or transmission lines, not associated with the National Grid, that operate at a voltage of up to 110kV;

(ii) 1.2m from the centre of line of any electrical distribution or transmission lines, not associated with the National Grid, that operate at a voltage of 110kV or more.

P2

(a) Within the National Grid yard, alterations or additions to a building used for an existing sensitive land use must comply with all the following conditions:

(i) Not increase the building height or footprint; and

(ii) Comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663 under all National Grid transmission

line operating conditions; and
(iii) Locate a minimum 12m from the outer visible foundation of any National Grid tower and locate a minimum 12m from any pole and associated stay wire, unless Transpower has given written approval in accordance with clause 2.4.1 of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663.

D1
Any building for a sensitive land use that does not comply with Rule 18.3.7B P1.

NC1
Any activity within the National Grid Yard that does not comply with Rule 18.3.7B P2.

NC2
Any new building for a sensitive land use within the National Grid Yard.

NC3
Any change of use of an existing building to a sensitive land use within the National Grid Yard.

NC4
The establishment of any new sensitive land use within the National Grid Yard.

Decision Reasons:

- Replicate the rule regarding sensitive landuses from Chapter 14 into Chapter 18 (where this is relevant to the Business Town Centre Zone) for increased clarity and usability of the Plan.

Point Number 697.283

Summary of Decision Requested: Amend Rule 18.3.8 P1(a) and (b) Dwelling, as follows:
~~(a) One dwelling on a record of title within a lot must comply with all of the following conditions:~~
~~(b) The dwelling must comply with all of the following conditions~~

Decision Reasons:

- Correct and consistent use of terminology.

Point Number 697.284

Summary of Decision Requested: Amend Rule 18.3.10 Historic Heritage heading, as follows:

~~Historic Heritage Items~~

Decision Reasons:

- Consistency across zone chapters.

Point Number 697.285

Summary of Decision Requested: Amend Rule 18.3.10 (1) Historic Heritage to read, as follows:
~~The following rules manage heritage items (buildings and monuments) within the Business Town Centre Zone~~

Decision Reasons:

- Alignment with other zone chapters.

Point Number 697.286

Summary of Decision Requested: Amend Rule 18.3.10.2 D2 Group B heritage item demolition, removal or relocation, as follows:
~~Demolition, removal and relocation of Group B heritage item 104 Ngaruawahia Plunket Rooms that does not meet Rule 18.3.10.2 P1.~~

Decision Reasons:

- Correct incorrect rule reference.

Point Number 697.287

Summary of Decision Requested: Amend Rule 18.3.10.3 P1(a) All heritage items – alteration or addition, as follows:
~~Alteration or addition of a heritage item listed in Schedule 30.1 (Heritage Items) where must comply with the following conditions:~~

Decision Reasons:

- Alignment with other zone chapters.

Point Number 697.288

Summary of Decision Requested: Amend Rule 18.3.10.4 P1(a) All heritage items – maintenance or repair, as follows:
~~Maintenance or repair of a heritage item listed in Schedule 30.1 (Heritage Items) where must comply with the following conditions:~~

Decision Reasons:

- Consistency across zone chapters.

Point Number 697.289

Summary of Decision Requested: Amend 18.3.10.5 Rule RD1(b) (iv) All heritage items – all site development, to read as follows:
~~The relationship of the heritage items with the setting including the area between the heritage item and the road.~~

Decision Reasons:

- Alignment with other zone chapters.

Point Number	697.290
Summary of Decision Requested:	Amend 18.4 Subdivision heading, to read as follows: <u>Subdivision Rules</u>
Decision Reasons:	<ul style="list-style-type: none"> Alignment with other zone chapters.
Point Number	697.291
Summary of Decision Requested:	Amend Rule 18.4 Subdivision (1), to read as follows: <i>Rules 18.4.1 and 18.4.2 provide for subdivision density and apply across within the Business Town Centre Zone.</i>
Decision Reasons:	<ul style="list-style-type: none"> Alignment with other zone chapters.
Point Number	697.292
Summary of Decision Requested:	Amend Rule 18.4 (1)(a)(iii) Subdivision, as follows: <i>(iii) Rule 18.4.5 – subdivision title boundaries, Maori sites of significance and <u>Maori</u> areas of significance to Maori.</i>
Decision Reasons:	<ul style="list-style-type: none"> Consistency of terms.
Point Number	697.293
Summary of Decision Requested:	Amend Rule 18.4.1 RD1 (a) Subdivision - general, as follows: <i>(a) Subdivision shall must comply with all of the following conditions: (i) Proposed lots The record of title to be subdivided must shall have a minimum size of 225m² net site area, with the exception of access or utility allotments or reserves to vest; (ii) All Proposed lots shall be connected to public-reticulated water supply and wastewater.</i>
Decision Reasons:	<ul style="list-style-type: none"> Consistency of terms with other chapters.
Point Number	697.294
Summary of Decision Requested:	Amend Rule 18.4.2 RD1 (a) Subdivision - Multi-unit subdivision, as follows: <i>Subdivision for multi-unit development shall must..."</i>
Decision Reasons:	<ul style="list-style-type: none"> Alignment with other zone chapters.
Point Number	697.295
Summary of Decision Requested:	Amend Rule 18.4.2 RD1 (a)(ii) Subdivision - Multi-unit subdivision, as follows: <i>Be connected to public wastewater and water reticulation; <u>and</u></i>
Decision Reasons:	<ul style="list-style-type: none"> Alignment with other zone chapters.
Point Number	697.296
Summary of Decision Requested:	Amend Rule 18.4.3 C1 Subdivision – Boundary adjustments, as follows: <i>(a) A boundary adjustments must comply with the following: (i) The conditions specified in either: A. Rule 18.4.1 (Subdivision - General); or B. Rule 18.4.2 (Subdivision- multi-unit development); and (b) Proposed lots must not generate any additional building infringements to those which legally existed prior to the boundary adjustment. (c) The Council's control shall be limited reserved over to the following matters: (i) Purpose of the boundary adjustment; (ii) Effects on existing buildings.; (iii) <u>Shape of title and variation in lot size.</u></i>
Decision Reasons:	<ul style="list-style-type: none"> Consistency of terms with other chapters.
Point Number	697.297
Summary of Decision Requested:	Amend Rule 18.4.4 C1 (a) Subdivision - Amendments and updates to cross lease or flats plans, as follows: <i>(a) An amendment or update to a cross lease or flats plan where: (i) The purpose is to convert a cross lease or flats plan to a fee simple title; and or (ii) The An amendment or update must identify for additions or alterations to buildings, accessory buildings and areas for exclusive use by an owner or owners</i>
Decision Reasons:	<ul style="list-style-type: none"> Increased clarity of the rule.

Point Number	697.298
Summary of Decision Requested:	Amend Rule 18.4.5 Subdivision-Title boundaries-Maori Sites and Areas of significance to Maori heading, as follows: <i>18.4.5 Subdivision - Title boundaries – Maori Sites and Maori Areas of significance to Maori</i>
Decision Reasons:	<ul style="list-style-type: none"> Consistency of terminology.
Point Number	697.299
Summary of Decision Requested:	Amend Rule 18.4.5 Subdivision - Title boundaries – Maori Sites and Areas of significance to Maori, as follows: <i>(a) Subdivision of any lots containing any Significant Natural Areas; Maori sites of significance.....</i>
Decision Reasons:	<ul style="list-style-type: none"> Delete references to significant natural areas in the rule as this is not relevant to the Business Town Centre Zone.
Point Number	697.300
Summary of Decision Requested:	Amend Rule 18.4.5 NCI Subdivision - Title boundaries – Maori Sites and Areas of significance to Maori, to change from Non Complying to Discretionary as follows: NCD
Decision Reasons:	<ul style="list-style-type: none"> Amend the activity status upon non compliance with a standard to be discretionary rather than non-complying. It may be possible to manage the effects of dividing a significant area or item across title boundaries, with no adverse effects on the item.
Point Number	697.301
Summary of Decision Requested:	Amend Rule 18.4 Subdivision (2)(a), as follows: <i>(y) Rule 18.4.6A – subdivision of land within the National Grid Corridor</i> <i>(vi) Rule 18.4.7 – subdivision esplanade reserves and esplanade strips.</i> AND Add new rule, after Rule 18.4.6, as follows: <i>18.4.6A Subdivision of land within the National Grid Corridor</i> <i>RDL</i> <i>(a) The subdivision of land within the National Grid Corridor must comply with all of the following conditions:</i> <i>(i) All allotments intended to contain a sensitive land use must provide a building platform for the likely principal building(s) and any building(s) for a sensitive land use located outside of the National Grid Yard, other than where the allotments are for roads, access ways or infrastructure; and</i> <i>(ii) The layout of allotments and any enabling earthworks must ensure that physical access is maintained to any National Grid support structures located on the allotments, including any balance area.</i> <i>(b) Council's discretion is restricted to the following matters:</i> <i>(i) The subdivision layout and design in regard to how this may impact on the operation, maintenance, upgrading and development of the National Grid;</i> <i>(ii) The ability to provide a complying building platform outside of the National Grid Yard;</i> <i>(iii) The risk of electrical hazards affecting public or individual safety, and the risk of property damage;</i> <i>(iv) The nature and location of any vegetation to be planted in the vicinity of National Grid transmission lines.</i> <i>NCL</i> <i>Any subdivision of land within the National Grid Corridor that does not comply with one or more of the conditions of Rule 18.4.6A RDL.</i>
Decision Reasons:	<ul style="list-style-type: none"> Replicate the subdivision rule within the National Grid Corridor from Chapter 14 into Chapter 18 (where this is relevant to the Business Town Centre Zone) for increased clarity and usability of the Plan.
Point Number	697.302
Summary of Decision Requested:	Amend the numbering structure across the chapters by simplifying to ensure a more user friendly district plan and to ensure a consistent approach is used across all chapters. For example, Rule numbering is very long for some rules (e.g. Rule 22.2.6.1 P2(a)(xi)(A)).
Decision Reasons:	To ensure the District Plan is a more customer friendly document and does not provide a complex numbering system.
Point Number	697.303
Summary of Decision Requested:	Amend rules to ensure the sentence structure of the relevant rule is consistent across all zone chapters, for example: (a) Earthworks ... must meet the following conditions: (b) Council restricts its discretion to... (there are many rules which say "limits" discretion) (c) That does not comply with Rule 25.2.6.2 PI.
Decision Reasons:	To provide consistency with the sentence structures of the rules.
Point Number	697.304
Summary of Decision Requested:	Amend and correct references to zone names.
Decision Reasons:	It is important to ensure all references are correct to avoid confusion to the plan reader.
Point Number	697.305
Summary of Decision Requested:	Amend Rule 17.3.1.2 Buildings, structures and vegetation within an airport obstacle limitation surface, to include a calculation to determine the permitted height with the airport obstacle limitation surface.
Decision Reasons:	

- This rule needs to be able to be clearly interpreted by customers in relation to the Waikato Regional Airport.

Point Number 697.306

Summary of Decision Requested: Amend the numbering across all zone chapters.

Decision Reasons:

- Numbering needs to be corrected across the District Plan.
- This will impact on all rule numbers.
- Some changes have been recorded as clause 16 minor changes.

Point Number 697.307

Summary of Decision Requested: Amend the historic heritage item descriptions in Schedule 30.1 Historic Heritage Items.

Decision Reasons:

- Correct item descriptions are required to be provided to ensure appropriate assessments are undertaken on Historic Heritage items as there are several errors and omissions in this document and it does not presently align with the information that was provided by Council's technical expert.

Point Number 697.308

Summary of Decision Requested: Amend the restricted discretionary activity explanation as follows:
Council's power to decline a consent, or to grant a consent and to impose conditions on the consent, is restricted to the matters of discretion as set out in the following table.
~~Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in the following table.~~

Decision Reasons:

Amend the wording of the overarching restricted discretionary activity explanation.

Point Number 697.309

Summary of Decision Requested: Add a rule that will allow for the trimming of Significant Natural Areas across all of the zone chapters.

Decision Reasons:

- A rule for trimming Significant Natural Areas with appropriate conditions will enable tree trimming as permitted activities.
- Currently there is only a rule for removal.

Point Number 697.310

Summary of Decision Requested: Amend the location of the following rules currently in Chapter 14 into the zone chapters:

- (a) Rules regarding buildings and structures within the National Grid Yard (rule 14.4.1 P1, P2 and 14.4.4 NC3, NC4 and NC9)
- (b) Rules regarding subdivision within the national Grid Corridor (rule 14.4.2 RD4 and 14.4.4 NC10)
- (c) Rules regarding sensitive landuses within the National Grid Yard (rule 14.4.1 P1 and P2, 14.4.4 NC3, NC4, NC5, NC6 and NC7)
- (d) Earthworks within the National Grid yard (rule 14.4.1 P3 and 14.4.2 RD3)
- (e) New hazardous facilities within the National Grid yard (rule 14.4.4 NC8)
- (f) Rules regarding sensitive landuses within close proximity to electricity distribution lines (rule 14.5.1 P5 and 14.5.2 RD2)
- (g) Rules regarding maximum impervious surface (rule 14.1.1.1 P2 and 14.1.1.2 RD2)

Decision Reasons:

Certain rules currently in chapter 14 (Infrastructure) should be located into the zone chapter so they are more easily able to be found. The rules in question are focused on land use rather than infrastructure.

Point Number 697.311

Summary of Decision Requested: Amend all restricted discretionary activities as follows:
 (b) Council's discretion is ~~limited~~ restricted to the following matters:

Decision Reasons:

Correct the reference for restricted discretionary activities to reflect the correct wording of the Resource Management Act.

Point Number 697.312

Summary of Decision Requested: Amend to use defined terms where appropriate throughout all of the zone chapters.

Decision Reasons:

To ensure rules are clear in respect to their interpretation, defined terms should be used.

Point Number 697.313

Summary of Decision Requested: Amend wording throughout the Proposed District Plan to match the defined term.

Decision Reasons:

To ensure rules are clear in respect to where definitions apply. In some cases, highlighting is missing from terms that are in fact defined.

Point Number 697.314

Summary of Decision Requested: Amend to locate the strategic objectives into a standalone chapter.

Decision Reasons:

- Strategic Objectives should have primacy in the plan.
- These are currently contained within individual chapters (i.e. Urban and Rural Environment) and a new chapter specific to those objectives would be beneficial to the user.

Point Number	697.315
Summary of Decision Requested:	Amend rules where applicable to refer to the correct name of the Appendix.
Decision Reasons:	To ensure consistency and to avoid confusion to the plan reader.
Point Number	697.316
Summary of Decision Requested:	Amend the names of appendices in the Plan to correctly reflect the contents of the appendices in Section D Appendices and Schedules.
Decision Reasons:	To ensure consistency and to avoid confusion to the plan reader.
Point Number	697.317
Summary of Decision Requested:	Amend Appendix 1 (Acoustic Insulation) as follows: Appendix 1 - Acoustic Insulation - Section 3 (Te Kowhai Airpark). Te Kowhai Airpark acoustic standards for outer control noise boundary and the noise buffer apply to any building containing a noise sensitive activity.
Decision Reasons:	<ul style="list-style-type: none"> To ensure consistency and to avoid confusion to the plan reader. These provisions need to be broader to ensure all activities are captured.
Point Number	697.318
Summary of Decision Requested:	Amend Appendix 4 (Esplanade Priority Areas) to ensure legal descriptions are correct and accurately reflect the properties they relate to.
Decision Reasons:	To ensure correct references are detailed.
Point Number	697.319
Summary of Decision Requested:	Amend Appendix 5 Ecotoxic Class 9 - High Biological Oxygen Demand (>10,000mg/l) as follows: Line one - <u>High Biological Oxygen Demand (BODs)(≥10,000 mg/l), <30m of a watercourse</u> Line two - <u>High Biological Oxygen Demand (BODs)(≥10,000 mg/l), >30m of a watercourse</u>
Decision Reasons:	To avoid confusion to the plan reader.
Point Number	697.320
Summary of Decision Requested:	Amend Appendix 5 Hazardous substances to include Assessment Criteria for Discretionary Activities as follows: <u>Assessment Criteria</u> <u>When assessing discretionary applications, the assessment shall include (but is not limited to):</u> <u>a. How the hazardous facility is located on the site, taking into account separation from boundaries and other more sensitive land uses;</u> <u>b. How the design and proposed management contributes to the minimisation of adverse effects on the environment;</u> <u>c. The individual risks of the hazardous facility and cumulative risks with other hazardous facilities in the vicinity, as relevant;</u> <u>d. The actual and potential adverse effects associated with the transport of a hazardous substance on road infrastructure or on sensitive land uses along transport routes, if this is a significant aspect of the facility;</u> <u>e. Consideration of the risks posed by the occurrence of identified natural hazard events in the area to the hazardous facility;</u> <u>f. The degree of social, cultural or economic benefits the facility and its associated storage, use or disposal of hazardous substances will have locally;</u> <u>g. Whether an assessment of the risks has been provided which contains a level of detail which corresponds to the scale and nature of the facility, proposed and the hazardous substances involved. An assessment may need to include the following considerations:</u> <u>i. the sensitivity of the receiving environment to any risks;</u> <u>ii. risk identification (inherent risk) and assessment, and risk management response (residual risk);</u> <u>iii. practicable alternative method of management that would present less risk;</u> <u>iv. how the proposal minimises or mitigates cumulative adverse effects with respect to other hazardous facilities in the area;</u> <u>v. proposed emergency management equipment and plans and the adequacy of overall emergency response capability.</u> <u>Note: a risk assessment should correspond to the scale and significance of the activity and its risks. A quantitative risk assessment may be required for major hazardous facilities where the risk contributors may be significant or complex. A risk assessment should be undertaken by a suitably qualified and experienced professional.</u>
Decision Reasons:	Assessment Criteria provide further information for plan users when preparing applications for Discretionary Activity resource consents.
Point Number	697.321
Summary of Decision Requested:	Amend Restricted Discretionary Activity headings throughout the Proposed District Plan as follows: <i>Matters of Discretion</i> AND Delete additional wording at beginning of each rule referring to Restricted Discretionary Activities.
Decision Reasons:	To ensure alignment across the zone chapters, wording needs to be amended.
Point Number	697.322
Summary of Decision Requested:	Amend all controlled activities in Chapter 18 as follows: <i>The Council reserves control is limited to over the following matters:</i>
Decision Reasons:	Correct the reference for controlled activities to reflect the correct wording of the Resource Management Act.

Point Number 697.323

Summary of Decision Requested: **Amend** Appendix numbers referred to in the rules to refer to the correct number of the Appendix.

Decision Reasons:

To ensure consistency and to avoid confusion to the plan reader, all rules that refer to an appendix need to reference the correct appendices. For example Appendix 7 for the Raglan Navigation Beacon is incorrectly referred to as Appendix 8 in the rules.

Point Number 697.324

Summary of Decision Requested: **Amend** the Proposed District Plan to clarify that a building associated with an activity is permitted if it complies with all the relevant land use building conditions for that zone.

Decision Reasons:

Additional clarity of the rules is necessary to ensure that a building with an activity is permitted if it meets the necessary land use building conditions.

Point Number 697.325

Summary of Decision Requested: **Amend** Rule 16.3.9.3 Building setback - Waterbodies, to be consistent in terms of the terminology of structures across all zone chapters.

Decision Reasons:

Consistency with the equivalent rule in other chapters.

Point Number 697.326

Summary of Decision Requested: **Amend** Rule 16.2.6.2 P1(a)(ii) Notable tree - trimming, to consider whether 10% removal of foliage as a permitted activity condition is the most appropriate measure, and replace with the most appropriate percentage.

Decision Reasons:

- Consider whether 10% removal of foliage as a permitted activity is the most appropriate measure.
- The rule stipulates 10%, but this is relatively restrictive and somewhat subjective in terms of how this is measured (i.e. is it a count of all branches and leaves).
- The Operative District Plan: Waikato Section rules allowed for 15%.

Point Number 697.327

Summary of Decision Requested: **Add** new provisions to Chapter 17 Business Zone to include new provisions for new retirement villages to establish;
AND
Add provisions for alterations and additions to existing retirement villages as a Restricted Discretionary Activity;
AND
Add new policies similar to Policies 4.2.13 and 4.2.19 (Residential Zone) to Chapter 4 Urban Environment, to support the proposed provisions.

Decision Reasons:

- Retirement Villages have been provided for in the Residential Zone only.
- Council are seeking to include Retirement Villages into the Business Zone.
- Retirement Villages provide a range of housing options for older persons.

Point Number 697.328

Summary of Decision Requested: **Amend** Rule 16.1.3 Restricted Discretionary Activities, to clarify the number of units that can be built based on the 300m² net site area per residential unit.

Decision Reasons:

To provide additional clarification to the multi-unit development rules where it applies to duplexes, Unit Titles developments and town house developments (standard 1 dwelling per site).

Point Number 697.329

Summary of Decision Requested: **Amend** for consistency of reading, the following rule:
Rule 16.4.6 Subdivision - Amendments and updates to cross lease flats plans and conversion to freehold.

Decision Reasons:

Rules 16.4.6, 17.4.1.3 and 18.4.4 are worded differently from each other and should be worded the same for consistency given that it relates to the same subdivision process.

Point Number 697.330

Summary of Decision Requested: **Amend** Subdivision Rule - Title boundaries relating to Significant Natural Areas, Maaori sites and Maaori areas of Significance, heritage items and notable trees to split it out into separate rules, as already shown in some zone chapters for the subdivision rules.

Decision Reasons:

This provides clarity to the rules and consistency across the zone chapters.

Point Number 697.331

Summary of Decision Requested: **Amend** the Proposed District Plan to include advisory notes for the following:

- Archaeological sites (administered by Heritage New Zealand Pouhere Taonga) and,
- The National Environmental Standards for Plantation Forestry and,
- Assessing and Managing Contaminants in Soil to Protect Human Health.

Decision Reasons:

Inclusion of advisory notes where appropriate would be helpful for the reader.

Point Number

697.332

Summary of Decision Requested:

Amend Business Town Centre zoning for the Pokeno Town Centre after undertaking further work to determine the correct zone based on the types of activities that operate in the area.

Decision Reasons:

- Business Town Centre zone may not be appropriate for all land parcels in Pokeno. Further work is required to address this.
- Some properties in these areas may be more suited to Business Zone than Business Town Centre as for one of the existing activities this zoning is restrictive and not suited to the types of activities.

Point Number

697.333

Summary of Decision Requested:

Amend the District Plan references to ensure the designations listed in Section E (Designation M) are correctly referenced and that correct descriptions and legal property details are provided.

Decision Reasons:

Ensure Waikato District Council designations are correctly referenced in the District Plan.

Point Number

697.334

Summary of Decision Requested:

Amend any walkway, cycleway and bridleway locations on the District Plan Maps to align with Council's strategies.

Decision Reasons:

- Ensuring all Walkways, cycleways and bridleways are in their correct locations and align with Council's strategies.

Point Number

697.335

Summary of Decision Requested:

Amend indicative roads so they are clearly defined on the planning maps to ensure measurements can be relatively accurate when reviewing building conditions.

Decision Reasons:

Ensure indicative roads are clearly able to be identified and that measurements from them are relatively accurate in order to determine setbacks, location etc. This will assist the plan user to determine setbacks, location easily.

Point Number

697.336

Summary of Decision Requested:

Amend notable tree notations on the planning maps to identify correct location on property and make corrections to the corresponding Schedule 30.2;

AND

Update any properties where notable trees are to be removed from the district planning maps.

Decision Reasons:

- Ensure the planning maps accurately reflect the locations of notable trees.

Point Number

697.337

Summary of Decision Requested:

Amend historic heritage item notations on planning maps to identify correct property and location and make corrections to the corresponding Schedule 30.1 Historic Heritage Items.

Decision Reasons:

- Ensure Historic Heritage items are accurately reflected on the correct properties.
- Also see submission point in respect to updating the details of the descriptions of the heritage items in Schedule 30.1.

Point Number

697.338

Summary of Decision Requested:

Amend alignment of Maaori sites and areas of significance on the planning maps.

AND

Where appropriate group and number the sites together to avoid overlapping.

These sites are in relation to Tainui Sites identified through the River Settlement Act. In particular the sites around the lakes.

Decision Reasons:

- Ensure the planning maps accurately reflect the locations of Archaeological Sites of Significance.
- This will help avoid confusion for the plan user.

Point Number

697.339

Summary of Decision Requested:

Amend map legend on all maps to ensure layers are able to be interpreted easily.

Decision Reasons:

Ensure the map legend is easily interpreted and clear for plan users so as to not generate confusion.

Point Number	697.340
Summary of Decision Requested:	Amend labels on planning maps to avoid repetition. For example on some maps, stream names are repeated several times.
Decision Reasons:	Ensure the planning maps do not repeat labels where not necessary.
Point Number	697.341
Summary of Decision Requested:	Amend Planning Maps to create additional spatial extents on planning maps to correspond to certain activities (i.e. landscape rules, specific noise areas etc).
Decision Reasons:	<ul style="list-style-type: none"> • Ensure rules that have specific purposes are spatially mapped making the areas easier to identify on the planning maps. • This would enable Council to group certain activities together and have one spatial extent to be more specifically targeted. • It will also enable better plan usability for the customer.
Point Number	697.342
Summary of Decision Requested:	Amend rules where the rule does not relate to a particular zone or area. For example some landscape areas do not apply across all zones and may need to be removed from the zone chapter. Another example is the battlefield view shaft rule.
Decision Reasons:	To ensure rules do apply in particular zones and those applicable rules are amended where they are not relevant.
Point Number	697.343
Summary of Decision Requested:	Amend zoning of the property at 86 Saubrey Road, Ngaruawahia to reflect the proposed zoning as set out in the Ngaruawahia Structure Plan. Refer to attached map in submission.
Decision Reasons:	This property has been incorrectly re-zoned residential over the whole parcel and needs to be corrected to reflect the proposed zoning identified in the Ngaruawahia Structure Plan in 2014.
Point Number	697.344
Summary of Decision Requested:	Amend zoning of the property at 78 Strawberry Fields Land, Tamahere to change from Road Zone to Rural Zone. Refer to attached map in submission.
Decision Reasons:	This zoning is an error.
Point Number	697.345
Summary of Decision Requested:	Amend zoning of property at 6 Bates Road, Tamahere from Rural Zone to Country Living Zone. Refer to attached map in submission.
Decision Reasons:	This zoning is an error.
Point Number	697.346
Summary of Decision Requested:	Delete I.9.7 – Schedule I Clause 4A Resource Management Act.
Decision Reasons:	This is only relevant to a proposed District Plan prior to notification and is not necessary in a plan.
Point Number	697.347
Summary of Decision Requested:	Amend the purpose and status of the objectives in Chapter I Introduction. AND Add a stand-alone chapter containing all of the strategic objectives.
Decision Reasons:	<ul style="list-style-type: none"> • The Introduction chapter is unclear in its purpose and is unclear in its legal effect. • The Introduction chapter contains strategic objectives but it is not clear whether these are part of the Plan or have more of an advisory role and status. • The Introduction contains strategic objectives but if they are to be Objectives, they would benefit from more visibility in the plan through creation of a new strategic objectives chapter.
Point Number	697.348
Summary of Decision Requested:	Delete unnecessary text from Chapter I Introduction. AND Amend Chapter I Introduction so that it is more focused on performing an introductory role to the District Plan.
Decision Reasons:	<ul style="list-style-type: none"> • There is a lot of detail in Chapter I Introduction which may not be necessary. • There is a risk that references to Council strategies become out of date when Council reviews those strategies.
Point Number	697.349
Summary of Decision Requested:	Amend Rule I.5.2(b) Planning for urban growth and development as follows:

(b) ~~As per the Waikato Regional Policy Statement, the district plan ensures that before land is rezoned for urban development, urban development planning mechanisms such as master plans or structure plans are produced, that will facilitate proactive decisions about the future location of urban development.~~

Decision Reasons:

More accurately reflects the approach in the district plan to new urban areas.

Point Number

697.350

Summary of Decision Requested:

Amend Rule 1.5.6(e) Transport and logistics to remove the reference to international as follows:
... Hamilton Airport, located just outside the district, provides national ~~and international~~ passenger and freight services....

Decision Reasons:

The Hamilton Airport no longer accommodates international flights.

Point Number

697.351

Summary of Decision Requested:

Amend Section 1.7 Settlements Acts / Co-management/ Rivers – Vision and Strategies / Joint Management Agreement by reordering as follows:
1.7.1.2 The River Settlement Act paragraph needs to be first, followed by paragraphs 1.7.1.1 Waikato-Tainui Raupatu Claims Settlement Act 2010,
1.7.1.3 Nga Wai o Maniapoto (Waipa River) Act 2012
1.7.1.4 Ngati Tuwharetoa, Raukawa and Te Arawa River Iwi Waikato River Act 2010.

AND

Amend Paragraph 1.7.1.5 Co-management by including in 1.7.3 Joint Management Agreement (JMA)2012

OR

Delete Paragraph 1.7.1.5 Co-management.

AND

Amend Section 1.7 Settlements Acts/ Co-management/ Rivers- Vision and Strategies/ Joint Management Agreement by moving 1.7.1.8 to after 1.7.1.6 and before 1.7.1.7, Place the paragraphs regarding Memorandums of Understanding together, followed by the Memorandum of Agreement.

Decision Reasons:

Section 1.7 would benefit from reordering so that it flows more logically.

Point Number

697.352

Summary of Decision Requested:

Amend Clause 1.7.1.5 Co-Management as follows:

~~The purpose of these agreements~~ Joint Management Agreements is to provide for an enhanced relationship between parties on areas of common interest.

Decision Reasons:

It is not clear what agreements are referred to and this will provide clarity.

Point Number

697.353

Summary of Decision Requested:

Delete from 1.7.3.3(b) Consultation the words "and the Order" as follows:
... plan change under the RMA (Schedule 1) ~~and the Order~~

Decision Reasons:

Amend an error in drafting.

Point Number

697.354

Summary of Decision Requested:

Amend Rule 1.8 Statutory Acknowledgements to delete (ii) and (vii) as follows:

(i) Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010

~~(ii) Manurewa A and B Blocks Claims Settlement Act 2012~~

(iii) Ngati Koroki Kahukura Claims Settlement Act 2014

(iv) Ngati Hauaa Claims Settlement Act 2014

(v) Raukawa Claims Settlement Act 2014

(vi) Waikato-Maniapoto Maori Claims Settlement Act 1946.

~~(vii) Ngati Tamaoho Claim Settlement Act 2018.~~

Decision Reasons:

There are errors in the acts listed and relevant to Waikato District and these need to be amended.

Point Number

697.355

Summary of Decision Requested:

Amend Clause 1.10.3 The Relationship between district plans and other resource management planning documents as follows:

~~The Relationship between district plans and other resource management planning documents~~

AND

Delete Clause 1.10.3.1 Resource Management Act 1991.

AND

Delete Clause 1.10.3.2 Local Government Act 2002.

Decision Reasons:

- Refocus this section to be address national policy statements and national environmental standards.
- There is no need to repeat the Resource Management Act.

Point Number

697.356

Summary of Decision Requested:

Amend 2.8 (b) Concept Management Plan to read as follows:

(b) *Although the concept plan must be approved by the owners through the Maori Land Court process, it is not set in concrete.*

Decision Reasons:	To ensure clarity.
Point Number	697.357
Summary of Decision Requested:	Amend Policy 2.2(a) Background as follows: There are 41 marae within the Waikato District Council area .
Decision Reasons:	Provides clarity to this policy that it relates to the Waikato District.
Point Number	697.358
Summary of Decision Requested:	Amend Policy 2.2(c) Background as follows: ...have also developed relationships with the <u>Waikato</u> District Council.
Decision Reasons:	Provides clarity to this policy that this relates to the Waikato District Council.
Point Number	697.359
Summary of Decision Requested:	Amend 2.8 Concept Management Plan to replace references to the "concept plan" and "the plan" with the words "Concept Management Plan"
Decision Reasons:	<ul style="list-style-type: none"> • Consistency of terminology. • Concept Management Plan is a defined term.
Point Number	697.360
Summary of Decision Requested:	Delete the word "firewood" from Policy 3.2.6 (b)(vi) Providing for vegetation clearance.
Decision Reasons:	Removing duplication.
Point Number	697.361
Summary of Decision Requested:	Amend in Chapter 4 Urban Environment lists of matters to the following format: 1. Semi colon at the end of each matter; and 2. Inclusion of the word 'and' at the end of the penultimate matter
Decision Reasons:	There is inconsistency in the way lists of matters have been set out.
Point Number	697.362
Summary of Decision Requested:	Delete from Chapter 13 Definitions the definition for "Alterations".
Decision Reasons:	<ul style="list-style-type: none"> • There is duplication with the term "alteration and addition".
Point Number	697.363
Summary of Decision Requested:	Amend the definition of "Ancillary equipment" as follows: ... necessary to install <u>withi</u> n a facility to enable...
Decision Reasons:	<ul style="list-style-type: none"> • Minor amendment to improve clarity.
Point Number	697.364
Summary of Decision Requested:	Amend the definition of "Ancillary rural earthworks" as follows: <i>Means any earthworks or disturbance of soil associated with:</i> (a) <i>cultivation, land preparation (including establishment of sediment and erosion control measures), for planting and growing operations;</i> (b) <i>harvesting of agricultural and horticultural crops (farming) and forests (forestry); and</i> (c) <i>maintenance and construction of facilities typically associated with farming and forestry activities, including, but not limited to, farm forestry tracks, roads and landings, stock races, silage pits, farm drains, farm effluent ponds, feeding pads, fencing and erosion and sediment control measures.</i>
Decision Reasons:	<ul style="list-style-type: none"> • Amendments to improve readability and remove references to forestry as this is covered by the National Environmental Standards for plantation Forestry.
Point Number	697.365
Summary of Decision Requested:	Delete from Chapter 13: Definitions the definition for "Animal feed lot".
Decision Reasons:	<ul style="list-style-type: none"> • This term is only used in the Specific Area - Agriculture Research Centre and a definition is not needed.

Point Number 697.366

Summary of Decision Requested: **Amend** the definition for "Apartment" as follows:
Means three or more attached residential units, ~~The residential units can be directly attached to each other, or~~ connected by one...

Decision Reasons:

- Improve clarity of the definition to recognise that residential units can be directly attached to each other.

Point Number 697.367

Summary of Decision Requested: **Amend** the definition of "Boarding, breeding or animal training establishment" as follows:
*Animal boarding, daycare, breeding or animal training establishment
Means an activity carried out on land or within buildings where board, daycare and lodging, breeding ~~and~~ or training is provided or intended to be provided for more than five domestic animals (excluding...*

Decision Reasons:

- Additional clarity and the inclusion of daycare facilities for animals.

Point Number 697.368

Summary of Decision Requested: **Amend** the definition of "Boundary" as follows:
*Means in relation to:
(a) a Record of Title - the site boundary;
(b) cross-lease titles - the boundary of any restrictive covenant exclusive use area; and
(c) unit titles - the boundary of the accessory unit associated with the principal unit.*

Decision Reasons:

- Increased clarity of the term.

Point Number 697.369

Summary of Decision Requested: **Amend** the definition of "Building" (d) as follows:
(d) a tank with a total capacity of not more than 35,000 litres, provided that ~~no part of~~ the tank protrudes no more than +2 metre above natural ground level; or

Decision Reasons:

- Amended to allow an increased height for tanks to reflect the common dimensions of water tanks.

Point Number 697.370

Summary of Decision Requested: **Amend** the definition of "Building coverage" as follows:
...
*(c) ~~uncovered~~ decks less than 1 m above ground level; and
(d) ~~uncovered~~ swimming pools that do not protrude more than 1 metre above ground level.*

Decision Reasons:

- Increased clarity of the definition with respect to covered swimming pools. Provided addition clarity on the status of swimming pools to match the parameters for decks.

Point Number 697.371

Summary of Decision Requested: **Delete** from Chapter 13: Definitions the definition for "Campus".

Decision Reasons:

- This term is only used in the context of the Specific Area - Agriculture Research Centre and a definition is not needed.

Point Number 697.372

Summary of Decision Requested: **Add** to Chapter 13: Definitions a new definition for "Caretaker accommodation" as follows:
*Caretaker accommodation
Means within the Industrial or Industrial Zone Heavy, one residential unit per site for the purposes of providing on-site security and monitoring.*

Decision Reasons:

- This activity is sought to be included in the industrial Zones, and as a consequential amendment a definition would be helpful to provide clarity as to what the activity is.

Point Number 697.373

Summary of Decision Requested: **Amend** the definition of "Child care facility" as follows:
*Means any land or buildings used for the care or training of predominantly pre-school children and includes a playcentre, kindergarten or daycare.
It excludes...*

Decision Reasons:

- Inclusion of a child daycare activity in the defined term to cover those activities.

Point Number 697.374

Summary of Decision Requested: **Delete** from Chapter 13: Definitions the definition for "Commercial services"

AND

Delete all instances where "commercial services" appears as an activity in the Plan and replace with "commercial activities".

Decision Reasons:

- The term "commercial services" overlaps with the term "commercial activity" and creates confusion. Activities of a commercial nature only need to be covered by a single term.

Point Number

697.375

Summary of Decision Requested:

Amend to rationalise the three terms:
- Community activity,
- Community activity (Te Kauwhata Lakeside Precinct) and
- Community facilities
into a single defined term.

Decision Reasons:

- There is no need for three separate terms when the terms are similar. A more efficient approach would be to rationalise into a single defined term.

Point Number

697.376

Summary of Decision Requested:

Amend the definition of "Community facilities" as follows:
Means ~~in the Business Zone Tamahere,~~ land or building used for community activities...

Decision Reasons:

- Delete the reference to a specific zone so that this term may be used (as appropriate) in other zones.

Point Number

697.377

Summary of Decision Requested:

Amend the definition of "Contiguous" as follows:
Means abutting or touching at ~~some~~ any point, e.g....

Decision Reasons:

- Improve clarity of the term.

Point Number

697.378

Summary of Decision Requested:

Amend the definition of "Continuous landholding" as follows:
Means ~~a series of multiple,~~ adjoining Records of Title in the same ownership, including titles that ~~may are~~ only be separated by a road.

Decision Reasons:

- Improve clarity of the definition.

Point Number

697.379

Summary of Decision Requested:

Add to Chapter 13: Definitions a new definition for "Design Speed" as follows:
Design Speed
Means a speed fixed for the design of those geometric features of a carriageway that influence vehicle operation. Design speed is the 85th percentile speed of traffic through that geometric feature. These can either be measured or estimated (Austroad design guides or similar).

Decision Reasons:

- Include new definition to clarify the rules in Chapter 14.12 Transportation.

Point Number

697.380

Summary of Decision Requested:

Amend the definition of "Duplex" as follows:
*Means two attached residential units, ~~including~~ includes two units connected by an accessory building, such as a garage or a carport.
This does not apply to minor dwellings.*

Decision Reasons:

- Improves clarity of the definition, and clarifies that this definition does not apply to minor dwellings.

Point Number

697.381

Summary of Decision Requested:

Amend the definition of "Dwelling" as follows:
Means the same as a self-contained residential unit for living accommodation.

Decision Reasons:

- Provides additional clarity that the terms "dwelling" and "residential unit" can be used interchangeably in the Plan.

Point Number

697.382

Summary of Decision Requested:

Amend the definition of "Earthworks" as follows:
*... or by cutting or filling operations.
This does not apply to ancillary rural earthworks.*

Decision Reasons:

- Additional clarity that ancillary rural earthworks are a different activity from earthworks for the purposes of this Plan.

Point Number	697.383
Summary of Decision Requested:	<p>Amend the definition of "Education facility" as follows:</p> <p><i>Means premises where groups of people are given tuition and training on a formal basis and includes childcare facilities, schools, tertiary education institutions and specialised training facilities, and their ancillary administrative, cultural and health facilities.</i> <u>This does not include childcare facilities.</u></p>
Decision Reasons:	<ul style="list-style-type: none"> Recognition that childcare facilities are a separate activity from an education facility for the purposes of this Plan.
Point Number	697.384
Summary of Decision Requested:	<p>Amend the definition of "Extractive industries" as follows:</p> <p><i>Means taking, winning or extracting by whatever means, the naturally-occurring minerals (including but not limited to coal, rock, sand, and gravel) and peat from under or on the land surface. <u>This may include one or more of the following:</u></i> <i>(a) <u>blasting, processing (crushing, screening, washing, chemical separation and blending);</u></i> <i>(b) <u>the storage, distribution and sale of aggregates by wholesale to industry or by retail;</u></i> <i>(c) <u>the removal, stockpiling and deposition of overburden;</u></i> <i>(d) <u>treatment of stormwater and wastewater;</u></i> <i>(e) <u>landscaping and rehabilitation works including cleanfilling;</u></i> <i>(f) <u>ancillary buildings and structures;</u></i> <i>(g) <u>a single residential unit for security purposes; and</u></i> <i>(h) <u>internal roads and access tracks.</u></i> The term includes the processing by such means as screening, crushing, or chemical separation of minerals at or near the site, where the minerals have been taken, won or excavated. The term also includes the removal, stockpiling and filling of overburden sourced from the same site. <i>It includes all activities and structures associated with underground coal gasification, including pilot and commercial plants and the distribution of gas. It excludes prospecting and exploration activities.</i> <u>It does not include a farm quarry or ancillary rural earthworks.</u></p> <p>AND</p> <p>Replace "aggregate extraction activities" and "mineral extraction and processing" with the term "Extractive industries" throughout the rules of the Proposed District Plan.</p>
Decision Reasons:	<ul style="list-style-type: none"> This term is covered by three definitions (aggregate extraction activities, extractive industry and mineral extraction and processing) which would be more efficiently rationalised into one.
Point Number	697.385
Summary of Decision Requested:	<p>Amend the definition of "Farming" as follows:</p> <p><i>Means an agricultural, horticultural or apicultural activity having as its primary purpose the production of any livestock or crop using the in-situ soil, water and <u>or</u> air as the medium for production.</i> <i>It includes:</i> (a) <u>Ancillary produce stalls;</u> <i>(b) <u>Processing of farm produce grown on the land, such as cutting, cleaning, grading, chilling, freezing, packaging and storage.</u></i> <i>(c) <u>loading areas for helicopters and airstrips for top dressing and spraying.</u></i> <u>It excludes intensive farming.</u></p>
Decision Reasons:	<ul style="list-style-type: none"> There is significant overlap between the definition of "farming" and "rural industry", with a single activity potentially being covered by both terms with different activity statuses. The processing of produce is retained in the definition of "farming" and recognises that produce may not be grown on the land. The definition is expanded to include loading areas for helicopters and airstrips for top dressing and spraying. For clarity the definition needs to recognise that intensive farming is a separate activity.
Point Number	697.386
Summary of Decision Requested:	<p>Amend the definition of "Farming noise" as follows:</p> <p><i>Means noise generated by agricultural vehicles, any aircraft used for aerial spraying, agricultural machinery or equipment and farm animals, including farm dogs. It does not <u>This includes</u> bird scaring devices and frost fans.</i></p>
Decision Reasons:	<ul style="list-style-type: none"> Recognises that bird scaring devices and frost fans are legitimate parts of farming.
Point Number	697.387
Summary of Decision Requested:	<p>Amend the definition of "Farm quarry" as follows:</p> <p><i>Means the extraction of minerals <u>or aggregate taken for use ancillary to farming and horticulture, and only used within the property of extraction.</u> No extracted material (including any aggregate) shall be exported or removed from the property of origin and there shall be no retail or other sales of such material. For example, farm quarries include the extraction of <u>Common uses of aggregate include material for farm and forestry tracks, access ways and hardstand areas on the property of origin.</u></i> <u>This does not include extractive industry.</u></p>
Decision Reasons:	<ul style="list-style-type: none"> Additional clarity of the definition.
Point Number	697.388
Summary of Decision Requested:	<p>Amend the definition "Functional need" as follows:</p> <p><i>Means for Chapter 14 Infrastructure and Energy, the need for a proposal..</i></p>
Decision Reasons:	<ul style="list-style-type: none"> While this term is most relevant to Chapter 14 Infrastructure and Energy, it is also used in Chapter 5 of the Plan.
Point Number	697.389

Summary of Decision Requested:	Delete from Chapter 13: Definitions the definition for "GFA" , AND Amend the definition of "Gross floor area" as follows: <i>Gross floor area <u>or GFA</u></i>
Decision Reasons:	<ul style="list-style-type: none"> Delete the term GFA as a defined term and include it in the definition of gross floor area.
Point Number	697.390
Summary of Decision Requested:	Amend the definition to "Gross floor area" as follows: <i>Means the sum of the gross area of all floors of a building, measured either from the exterior faces of the exterior walls, or from the centre line of walls separating two tenancies, as circumstances may require.</i> <i>Means the sum of the total area of all floors of all buildings on the site, (including any void area in those floors, such as service shafts or lift or stairwells), measured from the exterior faces of exterior walls or from the centre lines of walls separating 2 buildings and, in the absence of a wall on any side, it shall be measured to the exterior edge of the floor.</i>
Decision Reasons:	<ul style="list-style-type: none"> Additional clarity as to how to measure gross floor area.
Point Number	697.391
Summary of Decision Requested:	Amend the definition of "Gross leasable floor area" as follows: <i>Means the total sum of any floor areas (within the external walls for buildings or, <u>in the absence of a wall on any side, it shall be measured to the exterior edge of the floor boundary for outdoor areas</u>) designed...</i>
Decision Reasons:	<ul style="list-style-type: none"> Amend the definition to provide more clarity.
Point Number	697.392
Summary of Decision Requested:	Amend the definition of "Height control plane" as follows: <i>...drawing height control lines from all points on the boundaries of an <u>allotment site</u>, or in the case of a cross lease it is boundary of the exclusive area and site area. Such lines commence at a specified vertical distance above the natural ground level at the boundary, point into the site at right angles to the boundary, and rise at an angle of 37 degrees <u>the specified angle</u>.</i>
Decision Reasons:	<ul style="list-style-type: none"> Amendments for increased clarity. There are various angles for the height control planes within the rules so it is not appropriate for the definition to contain a specified angle.
Point Number	697.393
Summary of Decision Requested:	Amend the definition of "Horse training centre" as follows: <i>Means facilities for the housing and training of thoroughbred and Standardbred horses, and usually involves some form of <u>includes</u> training tracks <u>and arenas</u> (both indoor and outdoor), but does not...</i>
Decision Reasons:	<ul style="list-style-type: none"> The definition should not be specific to any particular breed and include arenas (both indoor and outdoor).
Point Number	697.394
Summary of Decision Requested:	Amend the definition of "Indicative road" as follows: <i>Means a connective roading route that is identified on the planning maps. <u>It shall not include any area identified on the planning maps as an indicative road where a resource consent has authorised an alternative roading layout, such that the need for the indicative road has become redundant.</u></i>
Decision Reasons:	<ul style="list-style-type: none"> There may be instances where an indicative road has been formed, and there is no value in applying rules to the indicative road when it has been replaced by a formed road.
Point Number	697.395
Summary of Decision Requested:	Amend the definition of "Intensive farming" as follows: <i>Means farming which is not dependent on the fertility of the soils on which it is located and which may be under cover or within an outdoor enclosure, and be <u>is</u> dependent on supplies of food produced on and/or off the land where the operation is located....</i>
Decision Reasons:	<ul style="list-style-type: none"> Additional clarity for the definition.
Point Number	697.396
Summary of Decision Requested:	Amend the definition of "Living court" as follows: <i>Means an area of outdoor space directly related to the living area of a household residential unit, and for the household's residential unit's exclusive use. It does not include parking, manoeuvring areas and buildings, but does include swimming pools, pergolas and similar open-framed structures.</i>
Decision Reasons:	<ul style="list-style-type: none"> Consistent use of terminology.
Point Number	697.397

Summary of Decision Requested:	Amend the definition of "Lot" as follows: <i>Means the same as allotment a parcel of land held, or proposed to be held, under a Record of Title.</i>
Decision Reasons:	<ul style="list-style-type: none"> For clarity, it is more efficient to have "lot" meaning the same as "allotment" so that the terms can be used interchangeably.
Point Number	697.398
Summary of Decision Requested:	Delete from Chapter 13: Definitions the definition for "Lux".
Decision Reasons:	<ul style="list-style-type: none"> Delete the definition of lux as it is a standard unit of measure.
Point Number	697.399
Summary of Decision Requested:	Amend the definition of "Marae complex" as follows: <i>... a papakainga/papakainga building and utility services. <u>These facilities provide for cultural events that take place on a marae.</u></i>
Decision Reasons:	<ul style="list-style-type: none"> More complete definition of marae complex.
Point Number	697.400
Summary of Decision Requested:	Delete from Chapter 13: Definitions the definition for "Mineral extraction and processing" AND Replace the term "Mineral extraction and processing" in all chapters with "Extractive industry" where appropriate.
Decision Reasons:	<ul style="list-style-type: none"> This term is covered by three definitions (aggregate extraction activities, extractive industry and mineral extraction and processing) which would be more efficiently rationalised into one.
Point Number	697.401
Summary of Decision Requested:	Amend the definition of "Minor dwelling" as follows: <i>Means a second dwelling independent of the principal dwelling(s) on the same site. <u>Means a self-contained residential unit that is ancillary to the principal residential unit and is held in common ownership with the principal residential unit on the same site. A minor dwelling can be attached to the principal residential unit, or a detached stand-alone building.</u></i>
Decision Reasons:	<ul style="list-style-type: none"> Additional clarity that a minor dwelling is in the same ownership as the principal residential unit, and that it can be detached from or attached to the principal dwelling.
Point Number	697.402
Summary of Decision Requested:	Amend Rule 25.2.8 Indigenous vegetation clearance in a Significant Natural Area heading, as follows: <i>Indigenous vegetation clearance in <u>within</u> a Significant Natural Area.</i>
Decision Reasons:	<ul style="list-style-type: none"> Amend the title for additional clarity.
Point Number	697.403
Summary of Decision Requested:	Amend Rule 25.2.8 Indigenous vegetation clearance in a Significant Natural Area, as follows: <i>(a) Indigenous vegetation clearance in a Significant Natural Area identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas) for the following purposes: (i) Removing vegetation that endangers human life or existing buildings or structures; (ii) Conservation fencing to exclude stock or pests; (iii) Maintaining existing farm drains; (iv) Maintaining existing tracks and fences; (v) Gathering plants in accordance with Maaori customs and values. (vi) <u>Removing vegetation for conservation activities</u></i>
Decision Reasons:	<ul style="list-style-type: none"> Amend rule for consistency with the equivalent rule in other chapters.
Point Number	697.404
Summary of Decision Requested:	Amend Rule 25.2.8 D1 Indigenous vegetation clearance in a Significant Natural Area, as follows: <i>Indigenous vegetation clearance in a Significant Natural Area identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas) that does not comply with one or more conditions <u>Rule 25.2.8 P1 or P2</u></i>
Decision Reasons:	<ul style="list-style-type: none"> Amending an omission in the rule.
Point Number	697.405
Summary of Decision Requested:	Amend Rule 25.3.5 Land Use - Building, as follows:

(3) Rule 25.3.5.3 Buildings and structures within the National Grid Yard.

AND

Add the following in Rule 25.3.5 Building setbacks:

(3) Rule 25.3.5.3 Buildings and structures within the National Grid Yard.

AND

Add a new rule after Rule 25.3.5.2 as follows:

25.3.5.3 Buildings and structures within the National Grid Yard.

P1.

(a) Within the National Grid yard, building alterations and additions to an existing building or structure must comply with the following conditions:

(i) Not involve an increase in the building height or footprint;

(ii) Comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663 under all National Grid transmission line operating conditions.

P2.

(a) Within the National Grid yard, the maximum height of fences are 2.5m within 5m from the nearest National Grid Pole or 6m from the nearest National Grid tower.

P3.

Within the National Grid yard, new buildings and structures that are not for a sensitive land use must comply with the following conditions:

(i) Comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663 under all National Grid transmission line operating conditions.

(ii) Locate a minimum 12m from the outer visible foundation of any National Grid tower and locate a minimum 12m from any pole and associated stay wire, unless it is:

A. A building or structure where Transpower has given written approval in accordance with clause 2.4.1 of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663.

NCL

Any building alterations or additions within the National Grid Yard that does not comply with Rule 25.3.5.3 P1.

NC2.

Any new buildings or structures within the National Grid Yard that does not comply with Rule 25.3.5.3 P2 or P3.

Decision Reasons:

Replicate the rule regarding buildings and structure within the National Grid from Chapter 14 into Chapter 25 (where this is relevant to the Reserve Zone) for increased clarity and usability of the Plan.

Point Number

697.406

Summary of Decision Requested:

Add to Rule 25.3.5 Building Setbacks, as follows:

(4) Rule 25.3.5.4 Building setback – Sensitive landuses.

AND

Add after new Rule 25.3.5.3:

25.3.5.4 Sensitive land uses.

P1.

(a) Any building for a sensitive land use must be set back a minimum of:

(i) 10m from the centre line of any electrical distribution or transmission lines, not associated with the National Grid, that operate at a voltage of up to 110kV;

(ii) 12m from the centre of line of any electrical distribution or transmission lines, not associated with the National Grid, that operate at a voltage of 110kV or more.

P2.

(a) Within the National Grid yard, alterations or additions to a building used for an existing sensitive land use must comply with all the following conditions:

(i) Not increase the building height or footprint; and

(ii) Comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663 under all National Grid transmission line operating conditions; and

(iii) Locate a minimum 12m from the outer visible foundation of any National Grid tower and locate a minimum 12m from any pole and associated stay wire, unless Transpower has given written approval in accordance with clause 2.4.1 of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663.

D.L.

Any building for a sensitive land use that does not comply with Rule 25.3.5.4 P1.

NCL

Any activity within the National Grid Yard that does not comply with Rule 25.3.5.4 P2.

NC2.

Any new building for a sensitive land use within the National Grid Yard.

NC3.

Any change of use of an existing building to a sensitive land use within the National Grid Yard.

NC4.

The establishment of any new sensitive land use within the National Grid Yard

Decision Reasons:

- Replicate the rule regarding sensitive landuses from Chapter 14 into Chapter 25 (where this is relevant to the Reserve Zone) for increased clarity and usability of the Plan.

Point Number

697.407

Summary of Decision Requested:

Amend Rule 25.3.1.1 P1 (b) Height - Building general, as follows:

(b) Any building must not exceed a maximum height of 5m in any of the following landscape and natural character areas:

Decision Reasons:

- The additional wording provides clarity to the rule.

Point Number

697.408

Summary of Decision Requested:

Amend Rule 25.3.1.1 P2 (b) Height - Building general, as follows:

(b) Any floodlight must not exceed a maximum height of 5m in any of the following landscape and natural character areas:

Decision Reasons:

- The additional wording provides clarity to the rule.

Point Number

697.409

Summary of Decision Requested:

Amend Rule 25.3.1.2 Height - Building, structures, vegetation, and objects within an airport obstacle limitation surface, as follows:

P1

Any building, structure or vegetation must not protrude through ~~any~~ the airport obstacle limitation surface identified on the planning maps and in Appendix 9 – Te Kowhai Airfield, and defined in Section E Designation N Waikato Regional Airport.

NC D1

Any building, structure or vegetation that does not comply with Rule 25.3.1.2 P1.

Decision Reasons:

- Consistency with the equivalent rule in other chapters.

Point Number 697.410

Summary of Decision Requested: Amend Rule 25.3.2 Daylight admission, as follows:

PI
~~Any building must not protrude through a height control plane rising at an angle of 37 degrees commencing at an elevation of 2.5m above ground level at every point of the boundary.~~
RD I
 (a) Any building that does not comply with Rule 25.3.2 *PI*.
 (b) Council's discretion is restricted to the following matters:
 (i) Height of the building;
 (ii) Design and location of the building;
 (iii) ~~Admission of daylight and sunlight to the site and other sites~~
 (iv) ~~Extent Level of shading on adjacent any other sites~~;
 (v) ~~Privacy of on other sites~~;
 (v) Amenity values of the locality.

Decision Reasons:

- Consistency with the equivalent rule in other chapters.

Point Number 697.411

Summary of Decision Requested: Amend Rule 25.3.3 Building coverage, as follows:

PI
~~Total building coverage must not exceed 5% of the site~~
DI
 A building coverage that does not comply with Rule 25.3.3 *PI*

Decision Reasons:

- Increased clarity of the rule.

Point Number 697.412

Summary of Decision Requested: Amend Rule 25.3.5.2 Building setbacks - Waterbodies, as follows:

(a) Any building must be set back a minimum of ~~32-26m~~ from:
 (i) The margin of any lake with a bed area of 8ha or more;
 (ii) The bank of any river where the river bed has an average width of 3m or more;
 (iii) Any wetland with an area greater than 1ha.
 (b) Any building must be set back a minimum of ~~37-31m~~ from the banks of the Waikato River and the Waipa River.
 (c) Any building must be set back a minimum of:
 (i) ~~32-26m~~ from mean high water springs

Decision Reasons:

- Amend the rule so that the setback represents 25m esplanade reserve plus the yard setback for the Waikato and Waipa Rivers, and 20m esplanade plus the yard setback for all other waterbodies.

Point Number 697.413

Summary of Decision Requested: Amend Rule 25.3.6(1) Heritage Items, as follows:

The following rules manage heritage items (buildings and monuments) ~~within the Reserve Zones~~:

Decision Reasons:

- Consistency across zone chapters.

Point Number 697.414

Summary of Decision Requested: Amend Rule 25.3.6.3 *PI* (a) All heritage items - Alterations or addition, as follows:

(a) Alteration or addition to a heritage item listed in Schedule 30.1 (Historic Heritage Items) ~~where must comply with the following conditions:~~
 (i) No significant feature of interest is removed, destroyed or damaged; and
 (ii) Alterations or additions are not visible from a public place.

Decision Reasons:

- Additional words in this rule provide clarity.

Point Number 697.415

Summary of Decision Requested: Amend Rule 25.3.6.3 *RD I* (b) All heritage items - alteration or addition, as follows:

Council's discretion shall be restricted to the following matters:...

Decision Reasons:

- Consistency across zone chapters.

Point Number 697.416

Summary of Decision Requested: Amend Rule 25.3.6.4 All heritage items - maintenance or repair heading, as follows:

All heritage items – maintenance ~~and or~~ repair

Decision Reasons:

- Consistency across zone chapters.

Point Number	697.417
Summary of Decision Requested:	Amend Rule 25.3.6.4 P1 (a) All heritage items - maintenance and repair, as follows: <i>(a) Maintenance or repair of a heritage item listed in Schedule 30.1 (Historic Heritage Items) where must comply with the following conditions:</i> <i>(i) No significant feature of interest is destroyed or damaged; <u>and</u></i> <i>(ii) Replacement materials are the same as, or similar to, the original in terms of form, style and appearance.</i>
Decision Reasons:	<ul style="list-style-type: none"> Additional words in this rule provide clarity.
Point Number	697.418
Summary of Decision Requested:	Amend Rule 25.3.6.4 RD1 (a) All heritage items - maintenance and repair, as follows: Any activity Maintenance or repair that does not comply with a condition of Rule 25.3.6.4 P1.
Decision Reasons:	<ul style="list-style-type: none"> Consistency across zone chapters.
Point Number	697.419
Summary of Decision Requested:	Amend Rule 25.3.6.5 P1 (a) All heritage items - all site development, as follows: <i>(a) Development on a site containing a heritage item listed in Schedule 30.1 (Heritage Items) must <u>comply with the following conditions:</u></i> <i>(i) Be set back at least 10m from the heritage item; <u>and</u></i> <i>(ii) Not locate a building between the front of the heritage item and the road.</i>
Decision Reasons:	<ul style="list-style-type: none"> Additional words in this rule provide clarity.
Point Number	697.420
Summary of Decision Requested:	Amend Rule 25.3.6.5 RD1 (b)(iv) All heritage items - all site development, as follows: <i>(iv) The relationship of the heritage item with the setting <u>including the area between the front of the heritage item and the road.</u></i>
Decision Reasons:	<ul style="list-style-type: none"> Additional words in this rule provide clarity.
Point Number	697.421
Summary of Decision Requested:	Amend Rule 25.4 Subdivision heading, as follows: 25.4 Subdivision <u>Rules</u>
Decision Reasons:	<ul style="list-style-type: none"> Additional words "rules" provide clarity.
Point Number	697.422
Summary of Decision Requested:	Amend Rule 25.5.3.2 P1 Building - Tamahere Village Green, as follows: <i>(a) Any building in the Tamahere Village Green must comply with the following conditions:</i> <i>(i) Total building coverage must not exceed 170m²;</i> <i>(ii) Height must not exceed 6m.</i> <i>(b) Rule 25.2.1.1 (Height Building General) does not apply.</i>
Decision Reasons:	<ul style="list-style-type: none"> Reduce duplication.
Point Number	697.423
Summary of Decision Requested:	Amend Rule 28(4) as follows: <i>The rules that apply to subdivision in the Rangitahi Peninsula Zone are contained in Rule 28.4 <u>and the relevant rules in 14. Infrastructure and Energy; and 15. Natural Hazards and Climate Change (Placeholder).</u></i>
Decision Reasons:	<ul style="list-style-type: none"> To clarify that the rules in Chapter 14: Infrastructure and Energy and Chapter 15: Natural Hazards and Climate Change apply to subdivision as well as to land use activities.
Point Number	697.424
Summary of Decision Requested:	Amend Rule 28.2.8 Indigenous vegetation clearance inside a Significant Natural Area, as follows: <i>Removal of up to 5m³ of manuka and/or kanuka outside of the Coastal Environment per year per property site for domestic firewood purposes or arts and crafts provided the removal will not directly result in the death, destruction or irreparable damage of any other tree, bush or plant</i>
Decision Reasons:	<ul style="list-style-type: none"> Additional clarity that the rule is intended to apply "per site" rather than "per property" which is not a defined term.
Point Number	697.425
Summary of Decision Requested:	Add the following rule after Rule 28.3.5 Land Use - Building:

Rule 28.3.5A Impervious surfaces

PL

The impervious surface of a site must not exceed 70%.

BDL

(a) Impervious surfaces that does not comply with Rule 28.3.5A PL

(b) Council's discretion is restricted to the following matters:

(i) Site design, layout and amenity;

(ii) The risk of flooding, nuisance or damage to the site or other buildings and sites.

Decision Reasons:

- To include the impervious surfaces rule from Rule 14.11.1(P2) and 14.11.2(RD2) to make it easier to find.

Point Number

697.426

Summary of Decision Requested:

Amend Appendix 7 to reflect the increased height of the Raglan navigation beacon, and therefore the elevated height restriction plane which will apply.

Decision Reasons:

- The Raglan navigation beacon will be raised in height shortly which means that the height restriction plane diagram and survey data contained in Appendix 7 will no longer be correct.

Point Number

697.427

Summary of Decision Requested:

Amend Schedule 30.2 Notable Trees, as follows:

Move ID 7 symbol to 19 Helenslee Road, Pokeno

AND

Amend ID 7 to read 19 Helenslee Road, Pokeno.

Decision Reasons:

- The kahikatea are on the boundary between both 19 Helenslee Road and 62 Pokeno Road.

Point Number

697.428

Summary of Decision Requested:

Delete ID 9 Notable tree from the planning maps;

AND

Delete ID9 Notable tree from Schedule 30.2 Notable Trees and undertake consequential renumbering.

Decision Reasons:

- Located in paper road, it would be an impediment to forming the road in the future in an area a residential growth area.

Point Number

697.429

Summary of Decision Requested:

Delete ID 13 Notable tree from the planning maps;

AND

Delete ID 13 Notable tree from Schedule 30.2 Notable Trees and undertake consequential renumbering.

Decision Reasons:

- Tree has been removed.

Point Number

697.430

Summary of Decision Requested:

Delete ID 28 Notable tree from the planning maps;

AND

Delete ID 28 Notable tree from Schedule 30.2 Notable Trees and undertake consequential renumbering.

Decision Reasons:

- Tree duplicated in ID 26, 27 and 28. There are two trees.

Point Number

697.431

Summary of Decision Requested:

Delete ID 41 Notable tree from the planning maps;

AND

Delete ID 41 Notable tree from Schedule 30.2 Notable Trees and undertake consequential renumbering.

Decision Reasons:

- This property has been subdivided and the trees listed on the individual new properties.

Point Number

697.432

Summary of Decision Requested:

Delete ID 46 Notable tree from the planning maps;

AND

Delete ID 46 Notable tree from Schedule 30.2 Notable Trees and undertake consequential renumbering.

Decision Reasons:

- Tree is duplicated with ID 45.

Point Number 697.433

Summary of Decision Requested: Delete ID 47 Notable tree from the planning maps;
AND
Delete ID 47 Notable tree from Schedule 30.2 Notable Trees and undertake consequential renumbering.

Decision Reasons:

- Tree did not meet the criteria to be scheduled.

Point Number 697.434

Summary of Decision Requested: Delete ID 60 Notable tree from the planning maps;
AND
Delete ID 60 Notable tree from Schedule 30.2 Notable Trees and undertake consequential renumbering.

Decision Reasons:

- Tree did not meet the criteria to be scheduled.

Point Number 697.435

Summary of Decision Requested: Delete ID 61 Notable tree from the planning maps.
AND
Delete ID 61 Notable tree from Schedule 30.2 Notable Trees and undertake consequential renumbering.

Decision Reasons:

- Did not meet the criteria to be scheduled.

Point Number 697.436

Summary of Decision Requested: Delete ID 66 Notable tree from the planning maps;
AND
Delete ID 66 Notable tree from Schedule 30.2 Notable Trees and consequential renumbering.

Decision Reasons:

- Tree is not located on the site.

Point Number 697.437

Summary of Decision Requested: Delete ID 80 Notable tree from the planning maps;
AND
Delete ID 80 Notable tree from Schedule 30.2 Notable Trees and undertake consequential renumbering.

Decision Reasons:

- Tree did not meet the criteria to be scheduled.

Point Number 697.438

Summary of Decision Requested: Delete ID 87 Notable tree from the planning maps;
AND
Delete ID 87 Notable tree from Schedule 30.2 Notable Tree and undertake consequential renumbering.

Decision Reasons:

- Tree does not exist.

Point Number 697.439

Summary of Decision Requested: Delete ID 95 Notable tree from the planning maps;
AND
Delete ID 95 Notable tree from Schedule 30.2 Notable Trees and undertake consequential renumbering.

Decision Reasons:

- Tree has been removed.

Point Number 697.440

Summary of Decision Requested: Delete ID 110 Notable tree from the planning maps;
AND
Delete ID 110 Notable tree from Schedule 30.2 Notable Trees and undertake consequential renumbering.

Decision Reasons:

- Tree has died.

Point Number 697.441

Summary of Decision Requested: Delete ID 127 Notable tree from the planning maps;
AND
Delete ID 127 Notable tree from Schedule 30.2 Notable Trees and undertake consequential renumbering.

Decision Reasons:

- Tree has been removed.

Point Number 697.442

Summary of Decision Requested: Delete ID 138 Notable tree from the planning maps;
AND
Delete ID 138 Notable tree from Schedule 30.2 Notable Trees and undertake consequential renumbering.

Decision Reasons:

- Tree did not meet the criteria to be scheduled.

Point Number 697.443

Summary of Decision Requested: Delete ID 139 Notable tree from the planning maps;
AND
Delete ID 139 Notable tree from Schedule 30.2 Notable Trees and undertake consequential renumbering.

Decision Reasons:

- Tree did not meet the criteria to be scheduled.

Point Number 697.444

Summary of Decision Requested: Delete ID 143 Notable tree from the planning maps;
AND
Delete ID 143 Notable tree from Schedule 30.2 Notable Trees and undertake consequential renumbering.

Decision Reasons:

- This tree has been listed twice as ID 143 and 144.

Point Number 697.445

Summary of Decision Requested: Delete ID 149 Notable tree from the planning maps;
AND
Delete ID 149 Notable tree from Schedule 30.2 Notable Tree and undertake consequential renumbering.

Decision Reasons:

- Tree did not meet the criteria to be scheduled.

Point Number 697.446

Summary of Decision Requested: Delete ID 150 Notable tree from the planning maps;
AND
Delete ID 150 Notable tree from Schedule 30.2 Notable Trees and undertake consequential renumbering.

Decision Reasons:

- Tree did not meet the criteria to be scheduled.

Point Number 697.447

Summary of Decision Requested: Delete ID 154 Notable tree from the planning maps;
AND
Delete ID 154 Notable tree from Schedule 30.2 Notable Trees and undertake consequential renumbering.

Decision Reasons:

- Tree did not meet the criteria to be scheduled.

Point Number 697.448

Summary of Decision Requested: Add the following new tree to Schedule 30.2 Notable Trees:
Rhododendron 'Sir Robert Peel', 32 Main Road, Te Kauwhata
AND
Amend the planning maps to include the new tree.

Decision Reasons:

- New tree to be added to Schedule 30.2 Notable Trees.

Point Number 697.449

Summary of Decision Requested: **Add** the following new tree to Schedule 30.2 Notable Trees:

Blue atlas cedar, 202 Matangi Road, Matangi.

AND

Amend the planning maps to include the new tree.

Decision Reasons:

- New tree to be added to Schedule 30.2 Notable Trees.

Point Number 697.450

Summary of Decision Requested: **Add** the following new tree to Schedule 30.2 Notable Trees:

Oak, S Riverglade Drive, Tamahere.

AND

Amend the planning maps to include the new tree.

Decision Reasons:

- New tree to be added to Schedule 30.2 Notable Trees.

Point Number 697.451

Summary of Decision Requested: **Amend** Rule 19.3.2 Buildings, structures and vegetation within an airport obstacle limitation surface, to include a calculation to determine the permitted height with the airport obstacle limitation surface.

Decision Reasons:

- This rule needs to be able to be clearly interpreted by customers in relation to the Waikato Regional Airport.

Point Number 697.452

Summary of Decision Requested: **Amend** Rule 20.3.3 Buildings, structures and vegetation within an airport obstacle limitation surface, to include a calculation to determine the permitted height with the airport obstacle limitation surface

Decision Reasons:

- This rule needs to be able to be clearly interpreted by customers in relation to the Waikato Regional Airport.

Point Number 697.453

Summary of Decision Requested: **Amend** Rule 22.3.4.2 Buildings, structures and vegetation within an airport obstacle limitation surface, to include a calculation to determine the permitted height with the airport obstacle limitation surface.

Decision Reasons:

- This rule needs to be able to be clearly interpreted by customers in relation to the Waikato Regional Airport.

Point Number 697.454

Summary of Decision Requested: **Amend** Rule 23.3.4.2 Buildings, structures and vegetation within an airport obstacle limitation surface, to include a calculation to determine the permitted height with the airport obstacle limitation surface.

Decision Reasons:

- This rule needs to be able to be clearly interpreted by customers in relation to the Waikato Regional Airport.

Point Number 697.455

Summary of Decision Requested: **Amend** Rule 24.3.3.2 Buildings, structures and vegetation within an airport obstacle limitation surface, to include a calculation to determine the permitted height with the airport obstacle limitation surface.

Decision Reasons:

- This rule needs to be able to be clearly interpreted by customers in relation to the Waikato Regional Airport.

Point Number 697.456

Summary of Decision Requested: **Add** new provisions to Chapter 22 (Rural Zone) new provisions for new retirement villages to establish;

AND

Add provisions for alterations and additions to existing retirement villages as a Restricted Discretionary Activity;

AND

Add new policies to Chapter 5 Rural Environment to support the proposed provisions.

Decision Reasons:

- Retirement Villages have been provided for in the Residential Zone only. Council are seeking to include Retirement Villages into the Rural Zone and to enable additions or alterations to existing retirement villages.
- Retirement Villages provide a range of housing options for older persons. New policies are required to support these proposed provisions.

Point Number 697.457

Summary of Decision Requested: **Add** new provisions to Chapter 23 Country Living Zone for alterations and additions to existing retirement villages as a Restrictive Discretionary Activity;

AND

Add new policies in Chapter 5 (Rural Environment) for the Country Living Zone.

Decision Reasons:

- This will enable additions or alterations to existing retirement villages within the Country Living Zones and provide a range of housing options for older persons.

Point Number 697.458

Summary of Decision Requested: **Add** new provisions to Chapter 24 Village Zone allowing for new retirement villages to be established as a permitted activity;

AND

Add provisions for alterations and additions to existing retirement villages as a Permitted Activity;

AND

Add new policies similar to Policies 4.2.19 and 4.2.13 (Residential Zone) to Chapter 4 Urban Environment to support the proposed provisions.

Decision Reasons:

- Retirement Villages have been provided for in the Residential Zone only. Council are seeking to include Retirement Villages into the Village Zone. Retirement Villages provide a range of housing options for older persons.
- New policies are required to support these proposed provisions.

Point Number 697.459

Summary of Decision Requested: **Amend** Rule 18.1.3 Restricted Discretionary Activities, to clarify the number of units that can be built based on the 300m2 net site area per residential unit.

Decision Reasons:

- Council seeks to amend these rules further to clarify the number of units that can be built based on the 300m2 net site area per residential unit.

Point Number 697.460

Summary of Decision Requested: **Amend** Business Town Centre zoning for certain properties for the Ngaruawahia Town Centre, based on the types of activities that operate in these areas.

Decision Reasons:

- Business Town Centre zone may not be appropriate for all land parcels in Ngaruawahia. Further work is required to address this. At this point, Waikato District Council wish to submit that some properties in these areas may be more suited to Business Zone than a Business Town Centre. For some of the existing activities this zoning is restrictive and not suited to the types of activities.

Point Number 697.461

Summary of Decision Requested: **Amend** zoning of property at 46 Jackson Street, Ngaruawahia to reflect the proposed zoning as set out in the Ngaruawahia Structure Plan.

Decision Reasons:

- This property has been incorrectly re-zoned residential over the whole parcel and needs to be corrected to reflect the proposed zone identified in the Ngaruawahia Structure Plan in 2014

Point Number 697.462

Summary of Decision Requested: **Add** to 12.2 Categories of Activities, the following new rule:

12.2.2 Deeming rules for roads.
(a)The following rules apply with respect to roads:
(i)Any land vested in the Council or the Crown, as road pursuant to any enactment or provision, then from the date of vesting, the land shall retain its current zoning, but the provisions of that zoning do not apply to the land;
(ii)Where a road has been lawfully stopped under any enactment, and any relevant designation removed, the land shall be subject to the provisions of the adjoining zoned land (as shown on the planning maps), from the date of the stopping or removal of any relevant designation;
(iii)Where a road is stopped or a designation has been removed and the zoning of the land on one side of the road is different to the zoning on the other side of that road, then the road shall be subject to the provisions of the adjoining zoned land (as shown on the planning maps) up to the centre line of the road.

Decision Reasons:

- Roads are created mainly through subdivision and designations. However, in the case of subdivision, there is no immediate change to the planning maps to remove the zoning. That rezoning can only be carried out by means of a plan change. A 'deeming' rule can be used to cover the situation of new roads being created and roads being stopped. A new rule is proposed to address this matter.

Point Number 697.463

Summary of Decision Requested: **Amend** Rule 17.3.4.2 Building setback - Waterbodies, to be consistent in terms of the terminology of structures across all zone chapters.

Decision Reasons:

- Consistency with the equivalent rule in other chapters.

Point Number 697.464

Summary of Decision Requested: **Amend** Rule 18.3.7 Building setback - Waterbodies, to be consistent in terms of the terminology of structures across all zone chapters.

Decision Reasons:

- Consistency with the equivalent rule in other chapters.

Point Number 697.465

Summary of Decision Requested: Amend Rule 20.3.4.2 Building setback Waterbodies, to be consistent in terms of the terminology of structures across all zone chapters.

Decision Reasons:

- Consistency with the equivalent rule in other chapters.

Point Number 697.466

Summary of Decision Requested: Amend Rule 21.3.4.2 Building setback - Waterbodies, to be consistent in terms of the terminology of structures across all zone chapters.

Decision Reasons:

- Consistency with the equivalent rule in other chapters.

Point Number 697.467

Summary of Decision Requested: Amend Rule 22.3.7.5 Building setback - Waterbodies, to be consistent in terms of the terminology of structures across all zone chapters.

Decision Reasons:

- Consistency with the equivalent rule in other chapters.

Point Number 697.468

Summary of Decision Requested: Amend Rule 23.3.7.5 Building setback - Waterbodies, to be consistent in terms of the terminology of structures across all zone chapters.

Decision Reasons:

- Consistency with the equivalent rule in other chapters.

Point Number 697.469

Summary of Decision Requested: Amend Rule 24.3.6.3 Building setback - Waterbodies, to be consistent in terms of the terminology of structures across all zone chapters.

Decision Reasons:

- Consistency with the equivalent rule in other chapters.

Point Number 697.470

Summary of Decision Requested: Amend Rule 25.3.5.2 Building setback - Waterbodies, to be consistent in terms of the terminology of structures across all zone chapters.

Decision Reasons:

- Consistency with the equivalent rule in other chapters.

Point Number 697.471

Summary of Decision Requested: Amend Rule 17.2.6.2 Pl (a)(ii) Notable tree - trimming, to consider whether 10% removal of foliage as a permitted activity condition is the most appropriate measure, and the most appropriate percentage.

Decision Reasons:

- Consider whether 10% removal of foliage as a permitted activity is the most appropriate measure. The rule stipulates 10%, but this is relatively restrictive and somewhat subjective in terms of how this is measured (i.e. is it a count of all branches and leaves). The Operative District Plan: Waikato Section rules allowed for 15%.

Point Number 697.472

Summary of Decision Requested: Amend Rule 18.2.6.2 Pl (a)(ii) Notable tree - trimming, to consider whether 10% removal of foliage as a permitted activity condition is the most appropriate measure, and the most appropriate percentage.

Decision Reasons:

- Consider whether 10% removal of foliage as a permitted activity is the most appropriate measure. The rule stipulates 10%, but this is relatively restrictive and somewhat subjective in terms of how this is measured (i.e. is it a count of all branches and leaves). The Operative District Plan: Waikato Section rules allowed for 15%.

Point Number 697.473

Summary of Decision Requested: Amend Rule 22.2.5.2 Pl (a)(ii) Notable tree - trimming, to consider whether 10% removal of foliage as a permitted activity condition is the most appropriate measure, and the most appropriate percentage.

Decision Reasons:

- Consider whether 10% removal of foliage as a permitted activity is the most appropriate measure. The rule stipulates 10%, but this is relatively restrictive and somewhat subjective in terms of how this is measured (i.e. is it a count of all branches and leaves). The Operative District Plan: Waikato Section rules allowed for 15%.

Point Number 697.474

Summary of Decision Requested: Amend Rule 23.2.5.2 Pl (a)(ii) Notable tree - trimming, to consider whether 10% removal of foliage as a permitted activity condition is the most

appropriate measure, and the most appropriate percentage.

Decision Reasons:

- Consider whether 10% removal of foliage as a permitted activity is the most appropriate measure. The rule stipulates 10%, but this is relatively restrictive and somewhat subjective in terms of how this is measured (i.e. is it a count of all branches and leaves). The Operative District Plan: Waikato Section rules allowed for 15%.

Point Number

697.475

Summary of Decision Requested:

Amend Rule 24.2.6.2 P1 (a)(ii) Notable tree - trimming, to consider whether 10% removal of foliage as a permitted activity condition is the most appropriate measure, and the most appropriate percentage.

Decision Reasons:

- Consider whether 10% removal of foliage as a permitted activity is the most appropriate measure. The rule stipulates 10%, but this is relatively restrictive and somewhat subjective in terms of how this is measured (i.e. is it a count of all branches and leaves). The Operative District Plan: Waikato Section rules allowed for 15%.

Point Number

697.476

Summary of Decision Requested:

Amend Rule 25.2.6.2 P1 (a)(ii) Notable tree - trimming, to consider whether 10% removal of foliage as a permitted activity condition is the most appropriate measure, and the most appropriate percentage.

Decision Reasons:

- Consider whether 10% removal of foliage as a permitted activity is the most appropriate measure. The rule stipulates 10%, but this is relatively restrictive and somewhat subjective in terms of how this is measured (i.e. is it a count of all branches and leaves). The Operative District Plan: Waikato Section rules allowed for 15%.

Point Number

697.477

Summary of Decision Requested:

Amend for consistency of reading, the following rule:
Rule 17.4.1.3 Subdivision - Amendments and updates to cross lease flats plans.

Decision Reasons:

Rules 16.4.6, 17.4.1.3 and 18.4.4 are worded differently from each other and should be worded the same for consistency given that it relates to the same subdivision process.

Point Number

697.478

Summary of Decision Requested:

Amend for consistency of reading, the following rule:
Rule 18.4.4 Subdivision - Amendments and updates to cross lease or flats plans.

Decision Reasons:

Rules 16.4.6, 17.4.1.3 and 18.4.4 are worded differently from each other and should be worded the same for consistency given that it relates to the same subdivision process.

Point Number

697.479

Summary of Decision Requested:

Amend Rule 12.1(e) Introduction to the rules as follows:
Chapter 14: Infrastructure and Energy and Chapter 15: Natural Hazards and Climate Change (Stage 2 of the district plan review Placeholder) apply to land use and subdivision across the whole district.

Decision Reasons:

- It needs to be clarified throughout the Proposed District Plan that the provisions in Chapter 14: Infrastructure and Energy and Chapter 15: Natural Hazards and Climate Change apply to subdivision. Also, the term "Placeholder" should be used for consistency throughout the plan.

Point Number

697.480

Summary of Decision Requested:

Amend 12.4 Rule Tables as follows:
Land Use – Activities, Land Use – Effects, Land Use – Building and Subdivision rules are in separate tables with a similar format. Rules that set out where the rules within the tables apply are found at the beginning of the tables.

Decision Reasons:

- It needs to be clarified that the introduction to the content of the activity, effects, building and subdivision tables is preceded by a set of rules that set out what rules apply. In some instances the heading does not make it clear that they are rules and changes to the zone headings are also recommended.

Point Number

697.481

Summary of Decision Requested:

Amend Chapter 13: Definitions by adding the following text underneath the heading "Definitions":
For the purposes of the defined terms, the singular term means the same as the plural term.

Decision Reasons:

- It would be helpful if the singular and plural terms could be used interchangeably depending on the context

Point Number

697.482

Summary of Decision Requested:

Add to Chapter 13: Definitions new definitions for "boundaries" as follows:
Front boundary.
Means a site boundary adjoining a public road.
AND

Side boundary.
Means a site boundary that intersects with a front boundary.

AND

Rear boundary.
Means a site boundary that does not intersect with a front boundary or a road.

Decision Reasons:

- It would be helpful to include definitions for boundaries.

Point Number 697.483

Summary of Decision Requested: Amend the definition of "Accessory building" as follows:

~~Means a building, the use of which is incidental to the use of the principal land use or building on that site. A garage that is integrated into and forms part of a dwelling is not an accessory building.~~
Means a building detached from the principal building on the site, the use of which is incidental to the principal building or the land use. Where no principal building has been established, an accessory building means a building that is incidental to a permitted use on the site.

Decision Reasons:

- Additional clarity of the term.

Point Number 697.484

Summary of Decision Requested: Amend the definition of "AEP" as follows:

Annual exceedance probability or AEP

Decision Reasons:

- For clarity, include the abbreviation with the full term.

Point Number 697.485

Summary of Decision Requested: Delete from Chapter 13: Definitions the definition for "Aggregate extraction activities".

Decision Reasons:

- This term is covered by three definitions (aggregate extraction activities, extractive industry and mineral extraction and processing) which would be more efficiently rationalised into one.

Point Number 697.486

Summary of Decision Requested: Amend the definition of "Airfield" as follows:

Means an area of land set aside from other uses for the purposes of enabling aircraft to land and take off.
Does not include airstrips or landing sites used for farming.

Decision Reasons:

- Amended to exclude airstrips or landing sites for farming. Fixed wing aircraft and helicopters are essential for farming including top-dressing, animal recovery and aerial spraying. These are intermittently used whereas the term "airfield" is intended to relate to permanent, formed commercial facilities.

Point Number 697.487

Summary of Decision Requested: Amend the definition of "Alteration or addition" as follows:

~~Means for heritage items listed in Appendix 20.1, an extension to a structure or building which increases its size, height and volume, including the construction of new floors, walls, ceilings and roofs.~~
Means any changes to the fabric or characteristics of a building including:
• external extensions that increase the size, height and volume of the building; or
• removal and replacement of windows, ceilings, floors, roofs or external walls; or
• the attachment of external structures such as canopies, verandahs, pergolas and balustrades.
Does not include maintenance or repairs.

Decision Reasons:

- The term "alteration or addition" does not just relate to Heritage items. The definition would benefit from additional clarity.

Point Number 697.488

Summary of Decision Requested: Add to Chapter 13: Definitions a new definition for "Motorised sport and recreation" as follows:

Motorised sport and recreation

Means any facilities or events associated with motorised vehicles where a fee is charged.
Vehicles may include dirt bikes, motorcycles, off-road 4 wheel drive vehicles, quad bikes, jet sprints, stockcars and race cars.
This includes competitive racing or rallying of motorised vehicles, and includes training connected with that racing or rallying for people who do not reside at the property.
The facilities may include:
(a) race tracks, race pads and associated pit garages and support facilities;
(b) race control, safety, emergency and media facilities;
(c) food and beverage and merchandising retail areas;
(d) administration buildings and facilities;
(e) general ticketing, toilet and ablution facilities;
(f) overnight accommodation;
(g) parking;
(h) driver training school inclusive of a skid pad;
(i) spectator facilities including pedestrian access ways, tunnels, overbridges, spectator viewing platforms and seating areas;
(j) a jet sprint course;
(k) dirt track;
(l) go-kart track and drifting pads;
(m) accessory buildings, facilities and structures such as maintenance and storage sheds, decks, shade cloths and storage containers for all items listed above.

Decision Reasons:

- There are currently no activities other than the Motorsport and Recreation Zone which addresses motorised sport and recreation activities such as motocross tracks or rally events. A definition for this term is an efficient approach and gives clarity as to what activities will be encompassed by this term.

Point Number 697.489
Summary of Decision Requested: Amend the definition of "Multi-unit development" as follows:

...
 It excludes:
 (a) retirement villages;
 (b) papakainga housing development; ~~and~~
 (c) papakainga building; and
 (d) a minor dwelling

Decision Reasons:

- Needs to exclude a minor dwelling for clarity.

Point Number 697.490
Summary of Decision Requested: Amend the definition of "Neighbourhood centre" as follows:

...local community. Neighbourhood centres are identified in structure plans ~~or on the planning maps.~~

Decision Reasons:

- These are not shown on the planning maps so the amendment is needed to correct the error.

Point Number 697.491
Summary of Decision Requested: Amend the definition of "Noise-sensitive activity" as follows:

Means the following:
 (a) buildings used for residential activities, including boarding establishments, ~~rest homes,~~ retirement villages, papakainga housing development, ~~in-house aged care facilities,~~ travellers' accommodation, and other buildings used for residential accommodation but excluding camping grounds;
 (b) ...
 AND
 Any consequential amendments.

Decision Reasons:

- The definition of retirement village and rest home is sought to be rationalised into one term.
- Consequential amendments are needed for definitions that use the terms.

Point Number 697.492
Summary of Decision Requested: Amend the definition of "Notional boundary" as follows:

... site boundary where this is less than 20 metres from ~~closer to~~ the residential unit or sensitive land use.

Decision Reasons:

- Increased clarity of the definition.

Point Number 697.493
Summary of Decision Requested: Amend the definition of "Papakainga housing development" as follows:

Means a comprehensive residential development for a recognised Tangata Whenua group or organisation ~~residing in the Waikato district~~ to support...

Decision Reasons:

- There is no need for the definition to require residing in the Waikato District.

Point Number 697.494
Summary of Decision Requested: Amend the definitions for "Place of assembly and Community activity" to ensure that there is no overlap between the activities that each of the terms encompass.

Decision Reasons:

- The definitions of "place of assembly" and "community activity" encompass common activities which could create confusion as to which term, and therefore activity status applies. Using a single defined term would result in clearer rules.

Point Number 697.495
Summary of Decision Requested: Add to Chapter 13: Definitions a new definition for "Record of title" as follows:

Record of title
 Means a record of title issued pursuant to section 12 of the Land Transfer Act 2017. Where more than one record of title is issued under that section for multiple concurrent interests in the same parcel of land (including for example a lease, or for an undivided share in the land), Record of Title includes, for the purposes of this plan, all records of title issued in respect of the same parcel of land, as if only one record of title had issued.

Where the context requires, Record of Title includes the land comprised in that record of title.

Decision Reasons:

- Including a new definition for record of title will assist in clarity of the Plan.

Point Number 697.496

Summary of Decision Requested:	Delete from Chapter 13: Definitions the definition for "Rear record of title"
Decision Reasons:	<ul style="list-style-type: none"> This term is not used in the Plan and therefore a definition is not required.
Point Number	697.497
Summary of Decision Requested:	Amend the definition of "Residential activity" as follows: <i>...For the purpose of this definition, it includes emergency and refuge accommodation...</i>
Decision Reasons:	<ul style="list-style-type: none"> Minor amendment to improve readability.
Point Number	697.498
Summary of Decision Requested:	Amend the definition of "Residential unit" as follows: <i>Means a building or group of buildings or part of a building or group of buildings that is:</i> <i>(a) used, or intended to be used, only or mainly for residential activities; and</i> <i>(b) occupied, or intended to be occupied, exclusively as the home or residence of not more than one household; and</i> <i>(c) is self-contained for living accommodation.</i>
Decision Reasons:	<ul style="list-style-type: none"> Provides additional clarity that a residential unit is self contained, as different from a sleepout which would be an accessory building.
Point Number	697.499
Summary of Decision Requested:	Delete from Chapter 13: Definitions the definition for "Rest home" AND Delete all references in the Plan to "rest home" and replace with "Retirement village".
Decision Reasons:	<ul style="list-style-type: none"> There is considerable crossover and duplication between the terms "rest home" and "retirement village". It would be more efficient to rationalise these into a single comprehensive defined term which recognised all the different living options and levels of care available in a retirement village.
Point Number	697.500
Summary of Decision Requested:	Delete (c) from the definition for "Retirement village" in Chapter Definitions AND Add (d)(iv) to the definition for "Retirement village" in Chapter 13 Definitions as follows: <i>(iv) independent residential units.</i>
Decision Reasons:	<ul style="list-style-type: none"> Additional clarity to recognise that retirement villages may have independent residential units. The definition needs to recognise that some retirement villages may have higher levels of care and no residential units.
Point Number	697.501
Summary of Decision Requested:	Add to Chapter 13: Definitions a new definition for "Identified area" as follows: <i>In terms of Chapter 14 Infrastructure and Energy, includes the following areas and items identified within this plan:</i> <i>a. Urban Expansion Area</i> <i>b. Significant Natural Area</i> <i>c. Outstanding Natural Feature</i> <i>d. Outstanding Natural Landscape</i> <i>e. Significant Amenity Landscape</i> <i>f. Outstanding Natural Character</i> <i>g. High Natural Character</i> <i>h. Heritage Precinct</i> <i>i. Heritage Items</i> <i>j. Maori Sites of Significance</i> <i>k. Maori Areas of Significance</i> <i>l. Notable Trees</i>
Decision Reasons:	<ul style="list-style-type: none"> Provides additional clarity and usability as this term will bring up a comment box in the web version.
Point Number	697.502
Summary of Decision Requested:	Add to Chapter 13: Definitions a new definition for "Public floor area" as follows: <i>Public floor area</i> <i>Means the undercover floor area usually accessible by the public</i>
Decision Reasons:	<ul style="list-style-type: none"> This term would benefit from being defined for additional clarity.
Point Number	697.503
Summary of Decision Requested:	Add to the definition for "Road network activities" as follows: <i>(p) wastewater and water supply management structures</i>
Decision Reasons:	

- There are manholes and other structures associated with the reticulation of wastewater and water supply and these are often within the road reserve.

Point Number 697.504

Summary of Decision Requested: **Add** to Chapter 13: Definitions a new definition for "Stormwater management plan" as follows:
Stormwater management plan.

Means a tool for managing stormwater quality and quantity to protect ecological, social, cultural and economic values. A stormwater management plan is used as a tool to ensure that decisions in relation to new and existing developments are made with an understanding of the implications of stormwater impacts and to ensure appropriate, cost-effective and integrated mitigation can be effectively implemented.

Decision Reasons:

- The District Plan would benefit from a definition for stormwater management plans.

Point Number 697.505

Summary of Decision Requested: **Delete** from Chapter 13: Definitions the definition for "Rural ancillary earthworks"
AND

Replace all references in the Plan to "Rural ancillary earthworks" to "Ancillary rural earthworks".

Decision Reasons:

- This term is defined twice as "rural ancillary earthworks" and "ancillary rural earthworks" – rationalise into a single defined term.

Point Number 697.506

Summary of Decision Requested: **Amend** the definition for "Rural industry" as follows:

Means an industry that involves the direct handling or processing to the first stage of manufacture of any raw produce harvested from farming, rural contractors' depots, or any other land-related agricultural activity, but excludes waste disposal, extractive industries and electricity generation. Within the Rural Zone, activities that directly support farming through supplying a product or service to farms, such as rural contractors. It excludes transport depots and retail services.

Decision Reasons:

- There is significant overlap between the definition of "farming" and "rural industry", with a single activity potentially being covered by both terms with different activity statuses. The processing of produce is retained in the definition of "farming" and recognises that produce may not be grown on the land. The definition of "rural industry" needs to be re-focused to recognise the rural services and products that service the farming sector. It needs to exclude activities that are more appropriate in a business or industrial zone.

Point Number 697.507

Summary of Decision Requested: **Amend** the definition for "Significant Natural Area" as follows:
Significant Natural Area or SNA

Decision Reasons:

- Amend definition so that Significant Natural Area and significant amenity area are interchangeable.

Point Number 697.508

Summary of Decision Requested: **Amend** the definition for "Significant Amenity Landscape" as follows:
Significant amenity landscape or SAL

Decision Reasons:

- Amend to be consistent with other abbreviated terms.

Point Number 697.509

Summary of Decision Requested: **Amend** the definition for "Site" as follows:

....
(b) in the case of land developed under the Unit Titles Act 2010, the area comprised in a principal unit ~~or~~ and associated accessory unit excluding any common property;
in the case of cross-leases, the flat, and any the area reserved for the exclusive use of the lease of that flat, comprised within the cross-lease, but excluding any common areas property.

Decision Reasons:

- Amendments to improve clarity and accuracy of terms used.

Point Number 697.510

Summary of Decision Requested: **Add** to Chapter 13: Definitions a new definition for "Structure" as follows:
Structure.
Means a man-made object.

Decision Reasons:

- The term structure is used throughout the Plan but it would be helpful to include a definition for it to improve clarity.

Point Number 697.511

Summary of Decision Requested: **Amend** the definition for "Temporary event" as follows:

Means a social, cultural or recreation event ~~that has a duration of less than 72 hours~~, including entertainment...

Decision Reasons:

- The standards associated with duration of a temporary event are already in each of the rules. Therefore duration is not necessary in the definition.

Point Number 697.512

Summary of Decision Requested: **Amend** the definition for "Viable record of title" as follows:

Means in the Rural Zone, a Record of Title that contains at least 5000m2, is not a road severance or stopped road, and can...

Decision Reasons:

- Needs to address the scenario of a stopped road.

Point Number 697.513

Summary of Decision Requested: **Amend** the definition of 'marae' in Chapter 13: Definitions as follows:
See ~~Definitions of marae complex~~

Decision Reasons:

- Correcting an error.

Point Number 697.514

Summary of Decision Requested: **Amend** Chapter 14 Infrastructure and Energy by replacing acronyms with the full terms eg RTS, ROW.

Decision Reasons:

- Increased ease of reading the chapter.

Point Number 697.515

Summary of Decision Requested: **Amend** Chapter 14: Infrastructure and Energy to ensure numbering is logical and clear.

Decision Reasons:

- Inconsistent approach to numbering makes referencing rules difficult.

Point Number 697.516

Summary of Decision Requested: **Amend** Chapter 14: Infrastructure and Energy by amending the numbering so it is sequential.

Decision Reasons:

- Numerical order of numbers.

Point Number 697.517

Summary of Decision Requested: **Amend** Chapter 14: Infrastructure and Energy so the structure of the chapter is consistent with other chapters.

Decision Reasons:

- Inconsistent structure and layout with other chapters.

Point Number 697.518

Summary of Decision Requested: **Amend** in Chapter 14: Infrastructure and Energy, the term "Heavy Industrial Zone" to be "Industrial Zone Heavy".

Decision Reasons:

- Consistency of zone names.

Point Number 697.519

Summary of Decision Requested: **Amend** Chapter 14: Infrastructure and Energy the term "Te Kowhai Airpark" to be "Te Kowhai Airpark Zone" in the following rules:

Permitted Activity Rules

- Rule 14.4.1.2
- Rule 14.10.1.7
- Rule 14.12.1.7

Restricted Discretionary Activity Rule

- Rule 14.12.2 RD7

Decision Reasons:

- Consistency of zone names.

Point Number 697.520

Summary of Decision Requested:	Amend Rule 14.1(3) Introduction as follows: <i>(3) The Identified areas within the activity tables below this chapter covers the following areas and items identified within this plan: ...</i>
Decision Reasons:	<ul style="list-style-type: none"> Refers to activity tables but there are no longer activity tables.
Point Number	697.521
Summary of Decision Requested:	Amend Rule 14.1(4) Introduction as follows: <i>(4) In the activity tables-rules within this chapter, the letters below mean the following: ...</i>
Decision Reasons:	<ul style="list-style-type: none"> Refers to activity tables but there are no longer activity tables.
Point Number	697.522
Summary of Decision Requested:	Amend from 14.1 Introduction by relocating Rules 14.1.5, 14.1.6, 14.1.7 under the heading 14.2 Rules applying to all infrastructure as follows: <i>14.2 Rules applying to all Infrastructure (1) Where relevant, the requirements of the National Code of Practice for Utility Operators' Access to Transport Corridors will apply to the placement, maintenance, improvement and removal of utility structures in roads (or unformed roads). (2) The requirements of the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 ("NESETA") apply directly to the operation, maintenance, upgrading, relocation or removal of transmission line(s) that were operating or able to be operated on or before 14 January 2010 and remain part of the National Grid. In the case of conflict with any other provision of this plan, including any provision in the activity rules in this section, the NESETA provisions shall prevail. (3) The Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016 ("NESTF") provides national consistency in the rules surrounding the deployment of telecommunications infrastructure across New Zealand. This means that many telecommunications facilities may potentially be deployed as a permitted activity. However, telecommunications facilities which do not comply with the conditions within the NESTF, or are not covered by the regulations of the NESTF, will have the activity status specified in this plan. In the case of conflict with any other provision of this plan, the NESTF provisions shall prevail.</i>
Decision Reasons:	<ul style="list-style-type: none"> These are rules, but have no legal effect when they are included in the Introductory section. In order to have legal effect as rules, they need to be moved under the heading 14.2 Rules Applying to all Infrastructure
Point Number	697.523
Summary of Decision Requested:	Amend Rule 14.1(6) Introduction as follows: <i>In the case of conflict with any other provision of this plan, including any provision in the activity table-rules in this section, the NESETA provisions shall prevail.</i>
Decision Reasons:	<ul style="list-style-type: none"> Refers to activity tables but there are no longer activity tables.
Point Number	697.524
Summary of Decision Requested:	Add to Rule 14.1(7) Introduction as follows: <i><u>In the case of conflict with any other provision of this plan, the NESTF provisions shall prevail.</u></i>
Decision Reasons:	<ul style="list-style-type: none"> Clarification that the Proposed District Plan does not override the National Environmental Standards for Telecommunications Facilities.
Point Number	697.525
Summary of Decision Requested:	Add to Rule 14.2 Rules applying to infrastructure as follows: <i>(4) Where compliance with Rule 14.2 or 14.3 would contravene a rule in Rule 14.4, 14.5, 14.6, 14.7, 14.8, 14.9, 14.10, 14.11, or 14.12, then the requirements of Rule 14.4, 14.5, 14.6, 14.7, 14.8, 14.9, 14.10, 14.11, or 14.12 shall prevail.</i>
Decision Reasons:	<ul style="list-style-type: none"> Would benefit from a rule which provides clarity over which rule prevails where there is a general rule and a specific rule which could cover the same structure or activity.
Point Number	697.526
Summary of Decision Requested:	Reconsider the numbering structure in Chapter 14 Infrastructure and Energy.
Decision Reasons:	<ul style="list-style-type: none"> It is difficult to quote a rule given the numbering structure.
Point Number	697.527
Summary of Decision Requested:	Delete Rule 14.2.1(1)(a) New infrastructure AND Delete Rule 14.2.1(1)(b) New infrastructure AND Amend Rule 14.2.1(2)(a) New infrastructure as follows: <i>(a) Activities with specific conditions relating to area, height, location and noise listed elsewhere within Rules 14.3–14.12;</i>
Decision Reasons:	

- A more efficient approach is to insert maximum height and area for those structures that require it rather than a blanket height and area which applies to all structures unless otherwise stated. There are many structures specifically listed in Chapter 14 have their own permitted dimensions.

Point Number 697.528

Summary of Decision Requested: Amend Rule 14.2.3 Non-Complying Activity as follows:
~~14.2.3~~ 14.2.4 Non-Complying Activities

Decision Reasons:

- Rule 14.2.3 is duplicated in the numbering.

Point Number 697.529

Summary of Decision Requested: Add to Rule 14.3.1 P2 Permitted Activity Minor upgrading of existing infrastructure as follows:

(7) The conditions in Rule 14.3.1.1(1) do not apply to road network activities or other linear transport networks.

Decision Reasons:

- The standards are too constraining for roads given the length and width of roads (particularly new roads). They are not the most efficient approach to managing structures and activities associated with the road and transport network.

Point Number 697.530

Summary of Decision Requested: Add to Rule 14.3.1.3 P4 Earthworks activities associated with infrastructure as follows:

(i) Earthworks are not located within any Maaori Sites of Significance or Maaori Areas of Significance identified within Appendix 30.3 or 30.4.

(j) Earthworks are not located within the dripline of a notable tree listed in Appendix 30.2.

Decision Reasons:

- For completeness, insert references to Maaori Sites of Significance, Maaori Areas of Significance, and within the dripline of a notable tree.

Point Number 697.531

Summary of Decision Requested: Amend Rule 14.3.1.3(1)(h) Permitted Activities Earthworks activities associated with infrastructure to hyperlink the references to Appendix 30.1.

Decision Reasons:

- Appendix 30.1 requires highlighting and a hyperlink for clarity and consistency.

Point Number 697.532

Summary of Decision Requested: Add to Rule 14.3.1.8 Permitted Activities Service connections for subdivision a new clause (4) as follows:

(4) Rule 14.3.1.8(1)(b) and (c) do not apply to any Rural or Country Living Zone site.

Decision Reasons:

- Recognition for Rural and Country Living Zoned sites that water supply will be provided on site, and stormwater will be managed on site.

Point Number 697.533

Summary of Decision Requested: Amend Rule 14.3.1.8(3) Permitted Activity Service connections for subdivision to include more specific standards for what constitutes adequate supply for fire fighting purposes.

Decision Reasons:

- More clarity is required as to what standards are required for firefighting water supply.

Point Number 697.534

Summary of Decision Requested: Amend Rule 14.3.1(P12)(1)(e) Permitted Activity Service connections for subdivision to reconsider the District Plan's telecommunications requirements for subdivision are further investigated, with amendments to this rule and policies to address the issue.

Decision Reasons:

- A subdivision consent was issued on the basis of advice from a telecommunications provider that there was capacity for a connection.
- The property was subsequently subdivided and sold but the telecommunications provider can no longer supply an adequate connection due to latent capacity being taken up in the meantime.
- One option is to require a hard wire connection in the Plan, however technology is changing so quickly that this will quickly become obsolete. Another option is that the Plan does not require a telecommunications connection.

Point Number 697.535

Summary of Decision Requested: Amend Rule 14.3.1(P12)(1)(d) Permitted Activity Service connections for subdivision to reconsider the District Plan's electricity requirements for subdivision and are further investigated, with amendments to this rule and policies to address the issue.

Decision Reasons:

- This rule currently requires an electricity supply, but with technology changing so quickly connecting to an electricity distribution network may not be needed.
- Subdivision consent applications require a third party electricity provider to verify that a connection is possible.
- One option is to require a physical electricity connection in the Plan as currently required by Rule 14.3.1(P12)(1)(d), however technology is changing so quickly that this may become obsolete. Another option is that the Plan does not require an electricity connection up to the boundary.

Point Number 697.536

Summary of Decision Requested: **Amend** Rule 14.3.2.1 CI Controlled Activities Subdivision to create a utility allotment for accommodating infrastructure by deleting clauses (2) and (3).

Decision Reasons:

- Remove unnecessary standards as it is irrelevant whether the infrastructure is permitted or consents granted.
- The description of the activity is sufficient.

Point Number 697.537

Summary of Decision Requested: **Amend** Rule 14.3.3 RDI Restricted Discretionary Activities by deleting clause (viii).

Decision Reasons:

- Remove duplication – Clause (ii) duplicates (viii).

Point Number 697.538

Summary of Decision Requested: **Amend** Objective 4.1.7 Character of Towns as follows:
Development in the Residential, Village, Industrial, Industrial Heavy, Business Town Centre and Business zones is attractive...

Decision Reasons:

Provides additional clarification to the policy to ensure all relevant zones are considered.

Point Number 697.539

Summary of Decision Requested: **Amend** Policy 4.1.12(b) Te Kauwhata as follows:
Development of the Lakeside Precincts provides for growth, achieves a compact urban form and creates a high level of amenity and sense of place by...

Decision Reasons:

Provides additional clarification to the policy.

Point Number 697.540

Summary of Decision Requested: **Amend** Policy 4.1.12 (i) – (iii) and (v) & (vi) Te Kauwhata as follows:
~~(i) Provides Providing for...~~
~~(ii) Manages Managing the...~~
~~(iii) Implement Implementing a high...~~
~~(v) Integrates Integrating with...~~
~~(vi) Mitigates Mitigating the potential...~~

Decision Reasons:

Through adding the linking word 'by' requires grammatical changes.

Point Number 697.541

Summary of Decision Requested: **Amend** Policy 4.1.18 Raglan as follows:
There are walkable connections between the town centre, the Papahua Reserve and Raglan Wharf.

Decision Reasons:

- The policy is not clear as to what form the connections sought are.

Point Number 697.542

Summary of Decision Requested: **Amend** Policy 4.2.23 (b) Non-residential activities as follows:
~~Enabling Enable existing...~~

Decision Reasons:

- The grammar is incorrect.

Point Number 697.543

Summary of Decision Requested: **Amend** Policy 4.3.6(a) Front setback character as follows:
Maintain the existing open and unbuilt character of streets through the use of setbacks.

Decision Reasons:

- Provides additional clarification to the policy.

Point Number 697.544

Summary of Decision Requested: **Amend** Policy 4.3.11(a) Maintain residential function as follows:
... a strategic or operational need to locate within the Village Zone, and not compromise the effects of such activities on the character and amenity of the Village Zones are insignificant.

Decision Reasons:

- Re-wording provides additional clarification to the policy.

Point Number 697.545

Summary of Decision Requested: Add to Chapter 4.3 Village Zone Objectives and Policies to add two new policies numbered 4.3.16 and 4.3.17 as follows:

4.3.16 Policy – Outdoor living court – Retirement villages
 (a) Require outdoor living courts or communal outdoor living courts to be usable and accessible.
4.3.17 Policy – Retirement villages
 (a) Provide for the establishment of new retirement villages and care facilities that:
 (i) Offer a diverse range of housing types, including care facilities, for the particular needs and characteristics of older people;
 (ii) Promote visual integration with the street scene, neighbourhoods and adjoining sites;
 (iii) Are comprehensively designed and managed and offer a variety of accommodation and accessory services that meet the needs of residents, including those requiring care or assisted living;
 (iv) Housing and care facilities for older people can require higher densities;
 (v) Provide high quality on-site amenity; and
 (vi) Integrate with local services and facilities, including public transport.
 (b) Enable alterations and additions to existing retirement villages that:
 (i) Promote visual integration with the street scene, neighbourhoods and adjoining sites;
 (ii) Recognise that housing and care facilities for older people can require higher densities;
 (iii) Provide high quality on-site amenity; and
 (iv) Integrate with local services and facilities, including public transport and alternative transport modes.

Decision Reasons:

- To provide consistency with Residential Zone for proposed retirement village provisions in the Village Zone, there is a need to include additional policies.

Point Number 697.546

Summary of Decision Requested: Amend 4.5 Business and Business Town Centre Zones heading as follows:
 Business and Business Town Centre Zones and Neighbourhood Centres

Decision Reasons:

- The heading needs to indicate that the objectives and policies apply to Neighbourhood Centres.

Point Number 697.547

Summary of Decision Requested: Amend Objective 4.5.1 Commercial function and purpose as follows:
 Commercial activity is focused within ~~a differentiation of commercial zones and development~~ (comprising the Business Town Centre Zone, the Business Zone, and the Business Zone Tamahere and neighbourhood centres).

Decision Reasons:

- Re-wording provides additional clarification to the objective.

Point Number 697.548

Summary of Decision Requested: Amend Policy 4.5.6 Commercial purpose: Neighbourhood Centres as follows:
 Policy – Commercial purpose: Neighbourhood ~~Centres~~ Centres

Decision Reasons:

- This grammar is incorrect.

Point Number 697.549

Summary of Decision Requested: Delete Policy 4.5.29 New buildings: Business Zone.

Decision Reasons:

- This policy is not required, as the Urban Design Guidelines apply only to the Business Town.

Point Number 697.550

Summary of Decision Requested: Amend Policy 4.5.41 (a) Earthworks as follows:
~~Ensure that the adverse effects of Manage earthworks in the Business Town Centre Zone and Business Zone on adjoining properties and water bodies, are managed~~ to minimise the adverse effects and sediment of dust and stormwater runoff.

Decision Reasons:

- Provides additional clarification to the policy.

Point Number 697.551

Summary of Decision Requested: Amend Policy 4.6.3 (a) Maintain a sufficient supply of industrial land as follows:
 ... requirements of different industries ~~to avoid the need for industrial activities to locate in non-industrial zones.~~

Decision Reasons:

- Provides additional clarification to the policy.

Point Number 697.552

Summary of Decision Requested: Amend Policy 4.6.8 (a) Specific activities within Nau Mai Business Park as follows:
 Nau Mai Business Park is developed with specific types of activities...

Decision Reasons:

- The grammar is incorrect - there is a missing word.

Point Number 697.553

Summary of Decision Requested:	Amend Policy 4.6.9 (a) Management of adverse effects within Nau Mai Business Park as follows: ... generated by them are managed within <u>the Nau Mai Business Park</u> and ...
Decision Reasons:	<ul style="list-style-type: none"> Provides additional clarification to the policy.
Point Number	697.554
Summary of Decision Requested:	Delete the heading "Layout and Design" that is between Objective 4.7.1 Subdivision and Land Use Integration and Policy 4.7.2 Subdivision location and design.
Decision Reasons:	<ul style="list-style-type: none"> Provides consistency of layout and is superfluous.
Point Number	697.555
Summary of Decision Requested:	Amend Chapter 5 Rural Environment navigation box as follows: <i>The following objectives and policies apply to the Rural Zone. Specific policies apply to Hamilton's Urban Expansion Area (Objective 5.5.1 and Policies 5.5.1 and 5.5.2) and the following Specific Areas:</i> <ul style="list-style-type: none"> Agricultural Research Centres (Policy 5.3.16) Huntly Power Station Coal and Ash Water (Policy 5.3.17) Whaanga Coast Development Areas (Policy 5.3.18); and Hamilton's Urban Expansion Area (Objective 5.5.1 and Policies 5.5.1 and 5.5.2).
Decision Reasons:	<ul style="list-style-type: none"> Would provide clarity to the reader by rearranging the content.
Point Number	697.556
Summary of Decision Requested:	Add to Policy 5.3.4 Density of dwellings and building with the rural environment two new policies as follows: <ul style="list-style-type: none"> <i>(c) <u>Additional dwellings and buildings do not compromise the rural character and amenity of the surrounding locality.</u></i> <i>(d) <u>Provide for a minor dwelling, where it:</u></i> <ul style="list-style-type: none"> <i>(i) <u>is located within proximity to the principal dwelling on a site; and</u></i> <i>(ii) <u>maintains rural character and amenity.</u></i>
Decision Reasons:	<ul style="list-style-type: none"> Additional policy (c) is required in order to make it clear that additional dwellings (i.e. second dwellings) and buildings are supported in the rural environment, provided they do not compromise rural character and amenity. Additional policy (d) is required to provide clear direction on minor dwellings to ensure rule 22.3.2 (minor dwelling) where the rule cannot be met given that it is a Discretionary activity.
Point Number	697.557
Summary of Decision Requested:	Amend Policy 5.3.9 Non-rural activities heading as follows: <i>Policy – Non-rural activities <u>Managing activities in the rural zone</u></i>
Decision Reasons:	<ul style="list-style-type: none"> The policy needs to reflect activities.
Point Number	697.558
Summary of Decision Requested:	Amend Policy 5.3.9(a) Non-rural activities as follows: <i>Manage any non-rural non-farming activities, including: <u>equestrian centres, horse training centres, forestry animal boarding, daycare, breeding and training establishments, and rural industries...</u></i> AND Add to Policy 5.3.9 Non-rural activities a new policy (c) as follows: <i>(c) <u>Provide for and manage facilities associated with recreational and sporting activities, including equestrian centres, and horse training centres.</u></i>
Decision Reasons:	<ul style="list-style-type: none"> This revised policy has been focused to provide specifically for non-farming activities and to provide for recreational and sporting activities.
Point Number	697.559
Summary of Decision Requested:	Add after Policy 5.3.9 Non-rural activities a new policy for retirement villages as follows: <i><u>5.3.9A Policy – Retirement villages.</u></i> <i>(a) <u>Provide restricted opportunities for retirement villages within 800m distance of towns and villages within the rural environment.</u></i>
Decision Reasons:	<ul style="list-style-type: none"> This policy is to support the proposed restricted discretionary activity rule for retirement villages in the rural zone.
Point Number	697.560
Summary of Decision Requested:	Delete from Policy 5.6.3(a)(i) Subdivision within the Country Living Zone as follows: <i>(i) <u>The creation of undersized lots is avoided where character and amenity are compromised.</u></i> AND Add to Policy 5.6.3(a) Subdivision within the Country Living Zone a new policy (vi) as follows: <i>(vi) <u>Character and amenity is not compromised.</u></i>
Decision Reasons:	<ul style="list-style-type: none"> The wording "where character and amenity are compromised" weakens this policy, which supports a non-complying activity where proposed lots are undersized. It is proposed to make 'character and amenity' a separate criteria.

Point Number 697.561

Summary of Decision Requested: Add a new policy 5.6.19 for amendments to existing retirement villages as follows:
5.6.19 Policy – Amendments to existing retirement villages within the Country Living Zone
(a) Enable alterations and additions to existing retirement villages within the Country Living Zone.

Decision Reasons:

- This policy is to support the proposed restricted discretionary activity rule for retirement villages in the rural zone.

Point Number 697.562

Summary of Decision Requested: Amend Policy 6.4.3(a)(i) Infrastructure Location and Services as follows:
(i) Three waters (water, wastewater and stormwater ~~supply~~ management);

Decision Reasons:

- Management is a better term than supply as wastewater and stormwater are not supplied to a site.

Point Number 697.563

Summary of Decision Requested: Amend Policy 6.4.5 Rooding infrastructure by renumbering as 6.5.8 and inserting it after Policy 6.5.7.

Decision Reasons:

- Policy 6.4.5 is under the wrong objective - move under Objective 6.5.1 as it sits there more logically.

Point Number 697.564

Summary of Decision Requested: Delete Policy 6.4.5(a)(iv) Rooding infrastructure
OR
Amend Policy 6.4.5(a)(iv) Rooding infrastructure as follows:
(iv) Contaminants generated during construction are appropriately mitigated

Decision Reasons:

- This is more appropriately covered by the regional plan. The use of the rooding infrastructure and contaminants generated through that such as heavy metals is not a matter that can be effectively controlled through the district plan. Alternatively, refocus the policy on the construction phase.

Point Number 697.565

Summary of Decision Requested: Amend Policy 6.4.7 (a) Stormwater a new matter (viii) as follows:
(viii) Be subported by a stormwater management plan

Decision Reasons:

Inclusion of an additional note to better explain stormwater management plan requirements.

Point Number 697.566

Summary of Decision Requested: Amend Policy 6.5.2(a)(viii) Construction and operation of the land transport network as follows:
*(viii) Discouraging the installation of new at grade road and pedestrian rail level crossings:
~~A-(ix) Controlling the location of buildings and other visual obstructions within the sightline areas of rail level crossings; and~~
~~B-(z) Where a Railway crossing is required, it must be designed in accordance with the requirements of the rail operator.~~*

Decision Reasons:

- Parts A and B do not relate to Clause (viii) and would be clearer as three separate clauses.

Point Number 697.567

Summary of Decision Requested: Amend Policy 7.1.3(f) Heritage items as follows:
Ensure alterations to ~~identified~~ scheduled heritage items and curtilage are...

Decision Reasons:

- Provides clarity to this policy that it applies to scheduled heritage items.

Point Number 697.568

Summary of Decision Requested: Amend Policy 9.2.2.1 (b) Airpark standards as follows:
(b) ~~To~~ Ensure that bulk and location...

Decision Reasons:

- This would provide clarity around the wording of this policy.

Point Number 697.569

Summary of Decision Requested: Add a new introduction in Chapter 10: Hazardous Substances and Contaminated Land as follows:

The provisions of this chapter are designed to prevent or minimise adverse effects of activities at sites that use, store, transport or dispose of hazardous substances. These activities can include industrial operations (for example chemical warehousing, manufacturing plants or bulk storage facilities), workshops, agricultural and horticultural activities, and some occupations that are carried out from home. The sites where such activities take place are defined as hazardous facilities.
Land use activities involving hazardous substances have the potential to result in an increased risk of adverse environmental effects and present a risk to those who use them or may be exposed to them, and the surrounding environment. Risks are influenced by the nature of the hazardous substances, the quantity of the substances, the effects the substance may have, the likelihood of an event occurring and which parts of the environment may be affected. An event may be an accidental release, spill, unintended chemical reaction, fire or explosion.
Risks are influenced by the location of an activity and the surrounding environment. For example, hazardous facilities located in areas subject to natural hazards may be exposed to greater risks of damage or failure resulting in an event involving a hazardous substance. Facilities located in proximity to land uses that are sensitive to the potential effects of a hazardous substance may also result in a greater risk.
These provisions are a land use planning tool under the Resource Management Act and are designed to apply in addition to requirements of other legislation. Such requirements assist in the management of hazardous substances and they are recognised in the design of the provisions in this chapter.

Decision Reasons:

- An introduction to the topic of hazardous substances will assist the reader to understand the intentions and reasons that accompany the rules relating to hazardous substances in the District Plan.

Point Number 697.570

Summary of Decision Requested: Amend Objective 10.1.1(a) Effects of hazardous substances to read as follows:

(a) ~~Residual~~ Risks associated with the storage, use, transport or disposal of hazardous substances ~~is managed~~ are minimised to ensure that the effects on people, property and the environment are acceptable, while recognising the benefits of facilities using hazardous substances.

Decision Reasons:

- Following technical advice on this change, 'Residual' risks are those risks left after risk management is in place. Managing residual risks is not an accurate or useful statement in the context. Transport being omitted from this objective is an error. The term 'minimised' provides clarity to the objective.

Point Number 697.571

Summary of Decision Requested: Amend Policy 10.1.2 Location of new hazardous facilities heading as follows:

Policy - ~~Location of new H1~~ Hazardous facilities

Decision Reasons:

- Provides clarity that this policy applies to all hazardous facilities, not just 'new' facilities.

Point Number 697.572

Summary of Decision Requested: Amend Policy Location of new hazardous facilities 10.1.2(a) as follows:

(a) ~~New H1~~ Hazardous facilities must minimise the risk to the environment (including people and property) to acceptable levels by:

- (i) Siting new hazardous facilities in appropriate locations that are separated from incompatible activities, including infrastructure, and sensitive environments;
- ~~(ii) Avoid locating near to sensitive land use activities and infrastructure~~
- (iii) Designing, constructing and operating hazardous facilities in a manner that ensures the adverse effects of the operation or an accidental event involving hazardous substances can be contained within the site; and
- (iv) Disposing hazardous wastes to authorised disposal or treatment facilities that have appropriate management systems in place and avoiding the storage, processing or disposal of hazardous wastes in sensitive environments.

Decision Reasons:

- Ensures policy applies to all hazardous facilities, not just 'new' facilities. Re-wording provides clarity to the policy.

Point Number 697.573

Summary of Decision Requested: Amend Policy 10.1.3 Residual risks of hazardous substances heading as follows:

Policy - ~~Residual Assessment of risks of hazardous substances~~

Decision Reasons:

- Headings should be precise and this change provides for identification and assessment of risks.

Point Number 697.574

Summary of Decision Requested: Amend Policy 10.1.4 Reverse sensitivity effects as follows:

- (a) Separate as far as practicable sensitive land use activities from lawfully-established hazardous facilities;
- ~~(b) Separate new hazardous facilities from existing sensitive land use activities; and~~
- ~~(c) Avoid the storage, processing or disposal of hazardous waste in sensitive environments.~~

Decision Reasons:

- This would provide clarity to this policy and support the changes requested under other submission points.

Point Number 697.575

Summary of Decision Requested: Amend Chapter 12 How to use and interpret the rules as follows;

- Add a new heading 12.1 Explanation
- AND
- Amend by renumbering existing 12.1 Introduction to rules to 12.1.1
- AND
- Amend 12.2 Categories of Activities to 12.1.2
- AND
- Amend 12.4 Rule Table to 12.1.3
- AND
- Amend 12.5 How to find out if a resource consent is needed to 12.1.4

AND

Add a new heading 12.2 Rules

AND

Amend 12.3 Additional matters... to 12.2.1

AND

Add a new Rule 12.2.2 Deeming rules for roads.

Decision Reasons:

- This chapter contains a mixture of explanations and actual rules and they need to be organised under two separate sections of the chapter to make it clear which is explanation and which are the rules.

Point Number 697.576

Summary of Decision Requested: **Amend** Rule 18.4.7 Esplanade reserves and esplanade strips heading, as follows:

Subdivision – Esplanade reserves and esplanade strips

Decision Reasons:

- Alignment with other zone chapters.

Point Number 697.577

Summary of Decision Requested: **Amend** Rule 18.4.7 RD1 Esplanade reserves and esplanade strips, as follows:

~~(a) Subdivision must create an esplanade reserve or esplanade strip 20m wide (or other width stated in Appendix 4 (Esplanade Priority Areas) is required to be created and vested in Council from every subdivision where the land is being subdivided is proposed for:~~

~~(i) less than 4ha and within 20m of:~~

~~A. mean high water springs;~~

~~B. the bank of any river whose bed has an average width of 3m or more; or~~

~~C. a lake whose bed has an area of 8ha or more; and~~

~~(ii) 4ha or more and located within 20m of any:~~

~~A. mean high water springs or~~

~~B. a water body identified in Appendix 4 (Esplanade Priority Areas).~~

~~(b) The Council's discretion shall be limited/restricted to the following matters:.....~~

Decision Reasons:

- Improving the clarity of the rule.

Point Number 697.578

Summary of Decision Requested: **Delete** from Rule 18.4.7 Esplanade reserves and esplanade strips, as follows:

~~(iv) Costs and benefits of acquiring the land.~~

Decision Reasons:

- Deletion of a matter of discretion that is inappropriate as it is not an effect that should be considered in a resource consent application.

Point Number 697.579

Summary of Decision Requested: **Amend** the heading for Chapter 19 Business Zone Tamahere, as follows:

Business Zone Tamahere Rules

Decision Reasons:

- For increased clarity.

Point Number 697.580

Summary of Decision Requested: **Amend** Chapter 19 Business Zone Tamahere Rule 19(2), as follows:

The rules that apply to subdivision in the Business Zone Tamahere are contained in Rule 19.4 and the relevant rules in 14 Infrastructure and Energy; and 15 Natural Hazards and Climate Change (Placeholder).

Decision Reasons:

- To clarify that the rules in Chapter 14: Infrastructure and Energy and Chapter 15: Natural Hazards and Climate Change apply to subdivision as well as to land use activities.

Point Number 697.581

Summary of Decision Requested: **Amend** Rule 19.1.1 Permitted Activities, as follows:

~~(1) The following activities are permitted activities if they meet all the following:~~

~~(a) Activity-specific conditions; and~~

~~(b) Land Use – Effects rules in Rule 19.2 (unless the activity specific rule and/or activity-specific conditions identify a condition(s) that does not apply); and~~

~~(c) Land Use – Building rules in Rule 19.3 (unless the activity specific rule and/or activity-specific conditions identifies a condition(s) that does not apply);~~

~~and~~

~~(e) Activity-specific conditions.~~

Decision Reasons:

- Additional clarity to make it clear how the activity-specific conditions are to be applied.

Point Number 697.582

Summary of Decision Requested: **Amend** Rule 19.1.3 D1 Discretionary Activities, as follows:

Any permitted activity that does not comply with one or more of the activity-specific conditions in Rule 19.1.1

Decision Reasons:

- Consistency with other chapters and additional clarity of the rule.

Point Number 697.583

Summary of Decision Requested: **Amend** Rule 19.1.3 D2 Discretionary Activities Rule, as follows:
Any restricted discretionary activity that does not comply with Rule 19.1.2 RD1.

Decision Reasons:

- Correcting an incorrect term.

Point Number 697.584

Summary of Decision Requested: **Delete** Rule 19.2.1 Noise (1) and consequentially renumber (2) and (3).

Decision Reasons:

- Reduce duplication – this noise rule is adequately covered by points (2) and (3).

Point Number 697.585

Summary of Decision Requested: **Delete** 19.2.1.1 P3 and P4 Noise – General;
AND
Add to Rule 19.2.1.1 (P2) Noise – General; as follows:
P2
(b) Noise measured at the national boundary within any site in the Country Living Zone, must not exceed:
(i) 50dB (LAeq), 7am to 7pm every day;
(ii) 45dB (LAeq), 7pm to 10pm every day; and
(iii) 40dB (LAeq) and 65dB (LAmax), 10pm to 7am every day.
(c) Noise levels must be measured in accordance with the requirements of NZS 6801:2008 'Acoustics - Measurement of Environmental Sound' and
(d) Noise levels must be assessed in accordance with the requirements of NZS 6802:2008 'Acoustic Environmental noise'.
AND
Amend Rule 19.2.1.1 (D1) Noise – General; as follows:
Noise that does not comply with Rule 19.2.1.1 P2, ~~P3 or P4.~~

Decision Reasons:

- To clarify that the conditions are associated with noise and are not an activity in their own right.

Point Number 697.586

Summary of Decision Requested: **Amend** Rule 19.2.1.2 P1 Construction noise, as follows:
(a) Construction noise must ~~not exceed~~ meet the limits in NZS 6803:1999 (Acoustics – Construction Noise); and...

Decision Reasons:

- Additional clarity of the rule – construction noise should not exceed the limits, rather than meet the limits in the NZ Standard.

Point Number 697.587

Summary of Decision Requested: **Amend** Rule 19.2.4 Earthworks, as follows:
P1
(a) Earthworks within a site must meet all of the following conditions:
(i) Earthworks must be located more than 1.5m from a public sewer, open drain, overland flow path or other service pipe;
(ii) Earthworks must not exceed a volume of more than 5000m3 and an area of more than 1,000m2 within a site;
(iii) The height of the resulting cut, filled areas or fill batter face in stable ground, ~~not including any surcharge,~~ does not exceed 1.5m, with a maximum slope of 1:2 (1 vertical to 2 horizontal);
(iv) Areas exposed by earthworks are revegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks;
(v) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls.
P2
(a) Earthworks for the purpose of creating a building platform within a site using imported fill material.
P3
(a) Earthworks for purposes other than creating a building platform within a site, using imported fill material (excluding cleanfill) must meet all of the following conditions:
(i) Must not exceed a total volume of 500m3 per site and a depth of 1m;
(ii) The slope of the resulting filled area in stable ground must not exceed maximum slope of 1:2 (1m vertical to 2m horizontal);
(iii) Fill material is setback at least 1.5m from all boundaries;
(iv) Areas exposed by earthworks are re-vegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks;
(v) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls;
(vi) Does not divert or change the nature of natural water flows, water bodies or established drainage paths.
RD1
(a) Earthworks that do not comply with Rule 19.2.4.1 P1 or P3.
(b) Council's discretion is restricted to the following matters:
(i) Amenities values and landscape effects;
(ii) Volume, extent and depth of earthworks;
(iii) Nature of fill material;
(iv) Contamination of fill material;
(v) Location of the earthworks to waterways, significant indigenous vegetation and habitat;
(vi) Compaction of the fill material;
(vii) Volume and depth of fill material;
(viii) Protection of the Hauraki Gulf Catchment Area;
(ix) Geotechnical stability;
(x) Flood risk, including natural water flows and established drainage paths.
(xi) Land instability, erosion and sedimentation; and
(xii) Proximity to underground services and service connections.
~~P4~~
~~Earthworks that do not comply with Rule 19.2.4 P4.~~

Decision Reasons:

- Consistency with the equivalent rule in other chapters. Also enabling the importation of fill for a building platform as a permitted activity.

Point Number 697.588

Summary of Decision Requested: **Amend** Rule 19.2.5 (P1) Earthworks, as follows:

~~(i) The aggregate quantity of hazardous substances of any hazard classification on a site is less than the quantity specified for the Business Zone in Table 45.1 contained within Appendix 45 (Hazardous Substances)~~
~~(b) The storage or use of radioactive materials is:~~
~~(i) in approved equipment for medical and diagnostic purposes; or~~
~~(ii) specified as an exempt activity or article in the Radiation Safety Act and Regulations 2017.~~

AND

Add Rule 19.2.5 (P2), as follows:

P2.
(a) The storage or use of radioactive materials is:
(i) in approved equipment for medical and diagnostic purposes; or
(ii) specified as an exempt activity or article in the Radiation Safety Act and Regulations 2017.

AND

Amend Rule 19.2.5 D1 Earthworks, as follows:
 Any activity that does not comply with Rule 19.2.5 P1 or P2

Decision Reasons:

- Alignment with the rules in other chapters.

Point Number 697.589

Summary of Decision Requested: **Add** a new non-complying activity in Rule 19.2.5 Hazardous Substances, as follows:

NCL
The storage of fuel for retail sale within a service station.

Decision Reasons:

- Include a rule regarding service stations as a non-complying activity.

Point Number 697.590

Summary of Decision Requested: **Amend** Rule 19.2.6.1 P3 (a)(i) and (ii) Signs – General, as follows:

~~(a) A real estate 'for sale' or 'for rent' sign relating to the site on which it is located must comply with all of the following conditions:~~
~~(i) It relates to the sale of the site on which it is located;~~
~~(ii) There is no more than +2 signs per agency site;~~

...

Decision Reasons:

- Amend rule for increased clarity.

Point Number 697.591

Summary of Decision Requested: **Delete** Rule 19.2.6.1 P3 (a)(iv) Signs – General.

Decision Reasons:

- Real estate signs often are located within berms.

Point Number 697.592

Summary of Decision Requested: **Amend** Rule 19.2.6.2 P1 Signs - Effects on traffic, as follows:

~~(a) Any sign directed at road users must meet the following conditions:~~

Decision Reasons:

- Amend for additional clarity.

Point Number 697.593

Summary of Decision Requested: **Delete** Rule 19.2.6.2 P1 (a)(vi) Signs - Effects on traffic.

Decision Reasons:

- It is not realistic to require signs to be 130m from the entrance in a Business Town Centre Zone. This would result in clutter and confusion for motorists within the town centre.

Point Number 697.594

Summary of Decision Requested: **Amend** Rule 19.2.7 P1 (a) Outdoor storage, as follows:

~~(a) Outdoor storage of goods or materials must comply with all the following conditions:~~

Decision Reasons:

- Amend for additional clarity.

Point Number 697.595

Summary of Decision Requested:	Amend Rule 18.2.7 P1 Outdoor storage, to include effective screening mechanisms for the outdoor storage of goods, particularly where boundaries are adjoined by Residential, Village or Country Living Zones.
Decision Reasons:	<ul style="list-style-type: none"> Consider whether a close boarded fence or screening planting is the most effective means of ensuring amenity values are retained.
Point Number	697.596
Summary of Decision Requested:	Amend Rule 19.3.1 Height-Building heading, as follows: <i>Height – building <u>general</u></i>
Decision Reasons:	<ul style="list-style-type: none"> Consistency with the equivalent rule in other chapters.
Point Number	697.597
Summary of Decision Requested:	Amend the heading to Rule 19.3.2 Buildings, structures, vegetation and objects within an airport obstacle limitation surface, as follows: <i>Buildings, structures, <u>and</u> vegetation and objects within an airport obstacle limitation surface</i>
Decision Reasons:	<ul style="list-style-type: none"> Amend the title to match the rule.
Point Number	697.598
Summary of Decision Requested:	Amend Rule 19.3.2 P1 Buildings, structures, vegetation and objects within an airport obstacle limitation surface, as follows: <i>Any building, structure or vegetation must not protrude through any airport obstacle limitation surface as shown <u>identified on the planning maps and defined in Section F Designation N Waikato Regional Airport</u></i>
Decision Reasons:	<ul style="list-style-type: none"> Amend rule for additional clarity.
Point Number	697.599
Summary of Decision Requested:	Amend Rule 19.3.3 P1 Daylight admission, as follows: <i>Any building must not protrude through a height control plane rising at an angle of 37 degrees commencing at an elevation of 2.5m above ground level at every point of the boundary of a site within the Business Zone Tamahere</i>
Decision Reasons:	<ul style="list-style-type: none"> Amend to delete unnecessary wording.
Point Number	697.600
Summary of Decision Requested:	Amend Rule 19.3.3 RD1 Daylight admission, as follows: <i>(a) Any building that does not comply with Rule 19.3.3 P1. (b) Council's discretion is limited to the following matters: (i) Height of the building; (ii) Design and location of the building; (iii) Extent Level of shading on <u>any other adjacent sites</u>; (iv) Effects on privacy of an other sites; (v) Effects on amenity values of other sites <u>the locality</u>.</i>
Decision Reasons:	<ul style="list-style-type: none"> Amend for consistency with other chapters.
Point Number	697.601
Summary of Decision Requested:	Amend Rule 19.3.5 P1 Gross Leasable Floor Area, as follows: <i>(a) Any <u>Every</u> individual tenancy...</i>
Decision Reasons:	<ul style="list-style-type: none"> Improved clarity of the rule.
Point Number	697.602
Summary of Decision Requested:	Amend Rule 19.3.6 P1 Building setbacks, as follows: <i>(a) The <u>Any</u> building must be set back <u>a minimum of at least</u>...</i>
Decision Reasons:	<ul style="list-style-type: none"> Consistency with the equivalent rule in other chapters.
Point Number	697.603
Summary of Decision Requested:	Amend Rule 19.3.6 D1 Building setbacks, as follows: <i>Any building that does not comply with Rule 19.3.6.1 <u>PL</u></i>
Decision Reasons:	<ul style="list-style-type: none"> Correct a rule reference.

Point Number	697.604
Summary of Decision Requested:	Amend Rule 19.4.1 RD1 (b)(ii) Subdivision – Restricted Discretionary Activities, as follows: <i>(ii) Matters referred to in Appendix 3.2.3 Tamahere Business Zone—Development Plan Guidelines;</i>
Decision Reasons:	<ul style="list-style-type: none"> • Correct reference to the appendix.
Point Number	697.605
Summary of Decision Requested:	Amend Chapter 20: Industrial Zone heading, as follows: <i>Chapter 20: Industrial Zone – <u>Rules</u></i>
Decision Reasons:	<ul style="list-style-type: none"> • To assist in clarifying that all of the provisions within the chapter are rules.
Point Number	697.606
Summary of Decision Requested:	Amend Rule Chapter 20 (2), as follows: <i>The rules that apply to subdivision in the Industrial Zone are contained in Rule 20.4 and the relevant rules in 14 Infrastructure and Energy and 15 Natural Hazards and Climate Change. (Placeholder).</i>
Decision Reasons:	<ul style="list-style-type: none"> • To clarify that the rules in Chapter 14 Infrastructure and Energy and Chapter 15 Natural Hazards and Climate Change apply to subdivision as well as to land use activities.
Point Number	697.607
Summary of Decision Requested:	Amend Rule 20.1.1 (1) Permitted Activities, as follows: <i>(g) <u>Activity-specific conditions:</u></i> (b) Land Use – Effects rules in Rule 22.2 (unless the activity rule and/or activity-specific conditions identify a condition(s) that does not apply); (c) Land Use – Building rules in Rule 22.3 (unless the activity <u>specific rule</u> and/or <u>activity-specific</u> conditions identify a condition(s) that does not apply); (c) <u>Activity-specific conditions:</u>
Decision Reasons:	<ul style="list-style-type: none"> • The list of rules (a) – (c) should follow the order that they appear.
Point Number	697.608
Summary of Decision Requested:	Delete the word "Nil" from Rule 20.1.1 P1 Industrial activity the activity specific conditions wording; AND Add to Rule 20.1.1 P1 Industrial activity activity specific conditions, as follows: <i>(a) where the industrial activity adjoins a Residential, Village, Reserve or Country Living Zone on the side or rear boundary of the site, a 3m wide landscaped strip must be provided running parallel with the side and/or rear boundary.</i> <i>(b) where the industrial site contains, or is adjacent to a river or a permanent or intermittent stream, an 8m wide landscaped strip must be provided, measured from the top edge of the closest bank and extending across the entire length of the watercourse.</i>
Decision Reasons:	<ul style="list-style-type: none"> • Currently rule 20.2.2 aims to ensure landscape planting is provided as a controlled activity where an industrial site adjoins a residential, village, country living, reserve or business zone or a river or stream. Having the criteria as a permitted activity is more likely to ensure planting is provided with the development.
Point Number	697.609
Summary of Decision Requested:	Amend Rule 20.1.1 P4(a) Office ancillary to an industrial activity, as follows: <i>(a) Less than 100m² <u>gross floor area</u> etc; or</i>
Decision Reasons:	<ul style="list-style-type: none"> • Including the words "gross floor area" provide clarity.
Point Number	697.610
Summary of Decision Requested:	Amend Rule 20.1.1 P5(a) Food outlet, as follows: <i>(a) Less than 200m² <u>gross floor area</u> etc</i>
Decision Reasons:	<ul style="list-style-type: none"> • Including the words "gross floor area" provide clarity.
Point Number	697.611
Summary of Decision Requested:	Amend Rule 20.1.1 P6(a) Ancillary retail, as follows: <i>(a) Does not exceed 10% <u>gross floor area</u> of all buildings on the site.</i>
Decision Reasons:	<ul style="list-style-type: none"> • Including the words "gross floor area" provide clarity.

Point Number 697.612

Summary of Decision Requested: **Add** a new rule numbered 20.1.2A for "caretaker accommodation" as a restricted discretionary activity, as follows:

20.1.2A Restricted Discretionary Activities

RD1 Caretaker accommodation

(a) Council's discretion is restricted to the following matters:

(i) Purpose of the caretaker accommodation;

(ii) Health and safety of the occupants;

(iii) Noise;

(iv) Amenity.

AND

Consequential amendment to Rule 20.1.3 NCI, as follows:

NCI Any activity that is not listed as a permitted, restricted discretionary, or discretionary activity.

Decision Reasons:

- Caretaker accommodation needs to be provided for as a Restricted Discretionary activity to enable activities that require a caretaker to live on site.

Point Number 697.613

Summary of Decision Requested: **Amend** Rule 20.1.2 D1 Discretionary Activities, to read as follows:

Any permitted activity that does not comply with one or more of the ~~an~~ activity specific conditions in Rule 20.1.1.

Decision Reasons:

- Consistency with other chapters and additional clarity of the rule.

Point Number 697.614

Summary of Decision Requested: **Delete** Rule 20.1.2 D2 Discretionary Activities.

Decision Reasons:

- This rule is not needed as it refers to Land Use Effects and Land Use Building rules which are in subsequent parts of the chapter.

Point Number 697.615

Summary of Decision Requested: **Amend** Rule 20.2.1 P1 Servicing and hours of operation, to read as follows:

Servicing and operation of an industrial activity adjoining any Residential, Village or Country Living Zone ~~may~~ **must** load or unload vehicles or receive customers or deliveries between ~~7:30am-6:00am and 6:30pm-8:00pm~~

Decision Reasons:

- The word "must" is more definite than "may". Hours of operation need to reflect more realistic business hours, particularly where sites are close to Auckland.

Point Number 697.616

Summary of Decision Requested: **Delete** Rule 20.2.2 Landscape planting.

Decision Reasons:

- Planting adjoining sensitive zones should be a condition for a permitted activity to occur. Where this is not complied with, a Discretionary Activity consent would be required.

Point Number 697.617

Summary of Decision Requested: **Amend** Rule 20.2.3.1 P2 Noise – General, as follows:

(a) Noise measured within any other site:

(i) In an Industrial Zone must not exceed:

A. 75dB (LAeq) 7am to 10pm; and

B. 55dB (LAeq) and 85dB (LAmax) 10pm to 7am the following day.

(b) Noise measured within any site in any other zone, other than the Industrial Zone and the Heavy Industrial Zone, must meet the permitted noise levels for that zone.

(c) Noise levels must be measured in accordance with the requirements of NZS 6801:2008 "Acoustics Measurement of Environmental Sound".

(d) Noise levels must be assessed in accordance with the requirements of NZS 6802:2008 "Acoustics Environmental noise".

Decision Reasons:

- P3 and P4 need to be conditions of P2 as they are the standards which need to be met.

Point Number 697.618

Summary of Decision Requested: **Delete** Rule 20.2.3.1 P3 Noise – General;

AND

Make consequential amendments to Rule 20.2.3.1 D1 Noise – General to delete reference to P3 and P4, as follows:

D1~~2~~

Noise that does not comply with Rule 20.2.3.1 P2-~~P3 or P4~~.

Decision Reasons:

- P3 and P4 need to be conditions of P2 as they are the standards which need to be met.

Point Number 697.619

Summary of Decision Requested:	Amend Rule 20.2.3.2 P1(a) Noise – Construction , as follows: (a) Construction noise must not exceed <u>meet</u> the limits in NZS 6803:1999 (Acoustics – Construction Noise);
Decision Reasons:	<ul style="list-style-type: none"> Additional clarity of the rule. Construction noise should not exceed the limits, rather than meet the limits in the NZS.
Point Number	697.620
Summary of Decision Requested:	Amend Rule 20.2.4 P1 Glare and Artificial Light Spill , to read as follows: <u>Illumination from glare and artificial light spill must not exceed 10 lux measured horizontally and vertically within any other-site zoned Residential, Village or Country Living.</u>
Decision Reasons:	<ul style="list-style-type: none"> Consistency of wording with other zone chapters. It is more important to control light spill in the Residential, Village or Country Living zones than other zones.
Point Number	697.621
Summary of Decision Requested:	Amend Rule 20.2.5 Earthworks (1) , as follows: (1) Rule 20.2.5 – Earthworks General, provides the permitted rules for earthworks activities for the Industrial Zone. <u>This rule does not apply in those areas specified in Rule 20.2.5.1A, 20.2.5.2 and 20.2.5.3</u>
Decision Reasons:	<ul style="list-style-type: none"> The wording of the rule does not make it clear that the rules specified in 20.2.5(2) apply instead of the general earthworks rule.
Point Number	697.622
Summary of Decision Requested:	Amend Rule 20.2.5.1 P1(a) Earthworks – General , as follows: (a) Earthworks (excluding the importation of fill material) within a site must meet all of the following conditions: (i) be located more than 1.5 m horizontally from any waterway, open drain or overland flow path; (ii) not exceed a volume of more than 250500m3 <u>and an area of more than 10,000m2 over any single consecutive 12 month period;</u> (iii) not exceed an area of more than 1000 + 10,000m2 over any single consecutive 12 month period; (iv) the total depth of any excavation or filling does not exceed 1.5m above or below ground level; (v) the slope of the resulting cut, filled areas or fill batter face in stable ground, does not exceed a maximum of 1:2 (1 vertical to 2 horizontal); (vi) earthworks are set back <u>at least</u> 1.5m from all boundaries; (vii) areas exposed by earthworks are revegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks; (viii) sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls; and (ix) do not divert or change the nature of natural water flows, water bodies or established drainage paths.
Decision Reasons:	<ul style="list-style-type: none"> The volume threshold in (ii) and area threshold in (iii) have been entered in error. They need to be corrected to enable significantly larger volumes of earthworks as permitted activities within the Industrial Zone. The rule needs to apply over a single consecutive 12 month period for both volume and area thresholds. This is also consistent with other zone chapters. The words “single” and “at least” provide clarity to the rule.
Point Number	697.623
Summary of Decision Requested:	Amend Rule 20.2.5.1 P2 Earthworks – General , as follows: (a) Earthworks for the purpose of creating a building platform for residential purposes within a site, using imported fill material. must meet the following conditions: (i) be carried out in accordance with NZS 4431:1989 Code of Practice for Earth Fill for Residential Development
Decision Reasons:	<ul style="list-style-type: none"> The NZS 4431:1989 Code of Practice for Earth Fill for Residential Development does not apply to industrial sites.
Point Number	697.624
Summary of Decision Requested:	Amend Rule 20.2.5.1 P3 Earthworks – General , as follows: (a) Earthworks for purposes other than creating a building platform for residential purposes within a site, using imported fill material (excluding cleanfill) must meet all of the following conditions: (i) not exceed a total volume of 500m3; (ii) not exceed a depth of 1m; (iii) the slope of the resulting filled area in stable ground must not exceed a maximum slope of 1:2 (1 vertical to 2 horizontal); (iv) fill material is setback <u>at least</u> 1.5m from all boundaries; (v) areas exposed by filling are revegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks; (vi) sediment resulting from the filling is retained on the site through implementation and maintenance of erosion and sediment controls; and (iii) do not divert or change the nature of natural water flows, water bodies or established drainage paths.
Decision Reasons:	<ul style="list-style-type: none"> In respect to (a), building platforms in the industrial zone are not for residential purposes. In respect to (a)(iv), the words “at least” provide clarity to the rule.
Point Number	697.625
Summary of Decision Requested:	Amend Rule 20.2.5 Earthworks (2) , as follows: There are specific standards for earthworks within rules: (a) <u>Rule 20.2.5.1A – Earthworks within the National Grid Yard</u> (e) <u>Rule 20.2.5.2 Earthworks – Within Significant Natural Areas;</u> (b) <u>Rule 20.2.5.3 Earthworks – Within Landscape and Natural Character Areas.</u> AND Add new rule after Rule 20.2.5.1 Earthworks-General as follows: <u>20.2.5.1A Earthworks within the National Grid Yard</u> <u>P1</u> (a) <u>The following earthworks within the National Grid Yard:</u> (i) <u>Earthworks undertaken as part of domestic cultivation; or repair, sealing or resealing of a road, footpath or driveway.</u>

(ii) Vertical holes not exceeding 500mm in diameter that are more than 1.5m from the outer edge of the pole support structure or stay wire;
(iii) Earthworks for which a dispensation has been granted by Transpower under New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663.

P2

(a) Earthworks activities within the National Grid Yard near National Grid support poles or any stay wires must comply with the following conditions:
(i) Do not exceed a depth of 300mm within 2.2m of the pole or stay wire; and
(ii) Do not exceed a depth of 750mm between 2.2m and 5m of the pole or stay wire.

P3

(a) Earthworks within the National Grid Yard near National Grid support towers (including any tubular steel tower that replaces a steel lattice tower) must comply with all of the following conditions:
(i) Do not exceed 300m depth within 6m of the outer edge of the visible foundation of the tower;
(ii) Do not exceed 3m between 6m and 12m of the outer edge of the visible foundation of the tower;
(iii) Do not compromise the stability of a National Grid support structure;
(iv) Do not result in the loss of access to any National Grid support structure; and
(v) Must be less than the minimum ground to conductor clearance distances in Table 4 of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663.

RDI

(a) Earthworks within the National Grid Yard that do not comply with one or more of the conditions of Rules 20.2.5.1A P1, P2 or P3.
(b) Discretion is restricted to:
(i) Impacts on the operation, maintenance, upgrading and development of the National Grid;
(ii) The risk to the structural integrity of the affected National Grid support structure(s);
(iii) Any impact on the ability of the National Grid owner (Transpower) to access the National Grid;
(iv) The risk of electrical hazards affecting public or individual safety, and the risk of property damage.

Decision Reasons:

- Replicate the earthworks rule within the National Grid from Chapter 14 into Chapter 20 (where these are relevant to the Industrial Zone) for increased clarity and usability of the Plan.

Point Number

697.626

Summary of Decision Requested:

Amend Rule 20.2.5.2 P1 Earthworks – within Significant Natural Areas, as follows:

- (i) Earthworks are for the maintenance of existing tracks, fences or drains within an identified Significant Natural Area and must meet all of the following conditions:
(ii) Maximum volume of 50m³ in a single consecutive 12 month period;
(iii) Maximum area of 250m² in a single consecutive 12 month period; and
(iv) Not include importing any fill material.
(v) The total depth of any excavation or filling does not exceed 1.5m above or below ground level with a maximum slope of 1:2 (1 vertical to 2 horizontal);
(vi) Earthworks are setback at least 1.5m from all boundaries;
(vii) Areas exposed by earthworks are revegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks;
(viii) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls;
(ix) Do not divert or change the nature of natural water flows, water bodies or established drainage paths.

Decision Reasons:

- Wording provides clarity and consistency with other chapters.

Point Number

697.627

Summary of Decision Requested:

Delete the table in Rule 20.2.5.3 P1 (ii) Earthworks - Landscape and Natural Character Areas;
AND

Amend Rule 20.2.5.3 P1 (a) Earthworks - Landscape and Natural Character Areas, as follows:

- (a) Earthworks are for the maintenance of existing tracks, fences or drains within the following landscapes, natural features and natural character areas:
(i) Significant Amenity Landscape (SAL) – sand dune
(ii) High Natural Character area
(iii) Outstanding Natural Character area of the coastal environment
(iv) Outstanding Natural feature – sand dune
(v) Outstanding Natural feature
(vi) Outstanding Natural landscapes
~~an identified Landscape or Natural Character Area and must meet all of the following conditions;~~
(vii) The earthworks are undertaken within a single consecutive 12 month period;
(viii) The earthworks must not exceed the following areas and volumes: an area of 50m³ and a volume of 250m² within a single consecutive 12 month period.

Decision Reasons:

- The additional wording provides clarification as to which areas are being encompassed by this rule and sets out the volume and area thresholds more clearly.

Point Number

697.628

Summary of Decision Requested:

Amend Rule 20.2.6 C1 (b) Hazardous Substances B, as follows:

B. interaction with natural hazards (flooding, instability), as applicable and proposed emergency management planning (spills, fire and other relevant hazards);

Decision Reasons:

- Wording provides clarity to the rule.

Point Number

697.629

Summary of Decision Requested:

Add a new Rule 20.2.6 NCI Hazardous Substances:

NCI Any new hazardous facility that involves the storage and handling of hazardous substances with explosive or flammable intrinsic properties within 12m of the centre line of a National Grid Transmission Line

Decision Reasons:

- Replicate the hazardous facilities rule within the National Grid from Chapter 14 (where it is relevant to the Industrial Zone) into Chapter 20 for increased clarity and usability of the Plan.

Point Number

697.630

Summary of Decision Requested:

Amend Rule 20.2.7.1 P2 Signs – General, as follows:

- (a) A sign must comply with all of the following conditions:
(i) The sign height does not exceed 10m;
(ii) The sign is wholly contained on the site;

(iii) An illuminated sign must:
 A. not have a light source that flashes or moves; and
 B. not contain moving parts or reflective materials; and
 C. be set back at least 1.5m from a state highway or the Waikato Expressway;
 (b) Where the sign is attached to a building, it must:
 (i) not extend more than 300mm from the building wall; and
 (ii) not exceed the height of the building;
 (c) Where the sign is a freestanding sign, it must:
 (i) not exceed an area of 3m² for one sign per site, and 1 m² for any other freestanding sign on the site; and
 (ii) be set back at least 5m from the boundary of any site within a Residential, Village or Country Living Zone;
 (d) The sign is not attached to a heritage item listed in Schedule 30.1 (Heritage Items), except for the purpose of identification and interpretation;
 (e) The sign is ~~for the purpose of identification and interpretation not attached to~~ of a Maori site of significance listed in Schedule 30.3 (Maori Sites of Significance), ~~except for the purpose of identification and interpretation~~;
 (f) The sign relates to:
 (i) goods or services available on the site; or
 (ii) a property name sign.

Decision Reasons:

- The additional wording provides clarification.

Point Number 697.631

Summary of Decision Requested: Amend Rule 20.2.7.1 P3 Signs – General, as follows:

(a) A real estate 'for sale' or 'for rent' sign relating to the site on which it is located must comply with all of the following conditions:
 (i) ~~The sign relates to the site on which it is located;~~
 (ii) There is no more than +2 signs per site/agency;
 (iii) The sign is not illuminated;
 (iv) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials;
 (v) ~~The sign does not project into or over road reserve.~~

Decision Reasons:

- The additional wording provides clarification. In respect to condition (v), this is not a condition as the Residential Zone provisions do not apply to the road reserve.

Point Number 697.632

Summary of Decision Requested: Amend Rule 20.2.7.2 P1 (a) Permitted Activities, as follows:

(a) Any sign directed at road users must meet the following conditions:

Decision Reasons:

- The additional wording provides clarification.

Point Number 697.633

Summary of Decision Requested: Amend Rule 20.2.8 P1 (a)(vi) Outdoor storage of goods or materials, as follows:

(vi) be screened from any public road, public reserve and adjoining site in another zone, other than the Heavy Industrial Zone, by either of the following:
 A. a landscaped strip consisting of plant species that achieve a minimum height of 1.8m at maturity; or
 B. a close-boarded or solid fence or wall to a height of 1.8m.

AND

Add new condition as P1 (a)(vii) Outdoor storage of goods or materials as follows:
 (vii) complies with rule 20.3.3 (daylight admission).

Decision Reasons:

- The additional wording in (vi) provides clarification. New (vii) provides cross referencing to the daylight admission rule which is also relevant.

Point Number 697.634

Summary of Decision Requested: Amend Rules 20.2.8(a)(vi) Outdoor storage of goods or materials A and B, to ensure the condition is enforceable and satisfies a section 32 evaluation.

Decision Reasons:

- Council has concerns that these rules do not achieve good planning outcomes.
- They are problematic rules that have issues in their practical application on industrial sites.
- These rules need further investigation and refinement to ensure the condition is enforceable and satisfies a section 32 evaluation.

Point Number 697.635

Summary of Decision Requested: Amend Rule 20.2.9 Indigenous vegetation clearance inside a Significant Natural Area heading, as follows:

Indigenous vegetation clearance ~~inside~~ within a Significant Natural Area

Decision Reasons:

- Wording provides clarity.

Point Number 697.636

Summary of Decision Requested: Add to Rule 20.2.9 P1 (a) Indigenous vegetation clearance inside a Significant Natural Area, as follows:

(vi) Removing vegetation for conservation activities.

Decision Reasons:

- This new rule ensures indigenous vegetation can be cleared for conservation activities.

Point Number 697.637

Summary of Decision Requested: **Amend** Rule 20.2.9 (P2) Indigenous vegetation clearance inside a Significant Natural Area, as follows:
Removal of up to 5m3 of manuka and/or kanuka outside of the Coastal Environment per year per ~~property site~~ for domestic firewood purposes or arts and crafts provided the removal will not directly result in the death, destruction or irreparable damage of any other tree, bush or plant.

Decision Reasons:

- Additional clarity that the rule is intended to apply "per site" rather than "per property" which is not a defined term.

Point Number 697.638

Summary of Decision Requested: **Delete** Rule 20.2.9 Rule P5 Indigenous vegetation clearance inside a Significant Natural Area;
AND
Make consequential change to Rule 20.2.9 Discretionary Activities Rule D1 as follows:
... P4, ~~P5~~ or P6.

Decision Reasons:

- Rule P5 duplicates P1 with the only difference being that P5 captures Maaori Freehold land or Maaori Customary land, which is captured by P1 anyway.

Point Number 697.639

Summary of Decision Requested: **Delete** Rule 20.2.9 Rule P6 Indigenous vegetation clearance inside a Significant Natural Area;
AND
Make consequential change to Rule 20.2.9 Discretionary Activities Rule D1 as follows:
"...P4 ~~or P5 or~~ P6."

Decision Reasons:

- The activity is a repeat of P2.

Point Number 697.640

Summary of Decision Requested: **Amend** Rule 20.3.1 Building height heading, as follows:
Height – Building General height

Decision Reasons:

- Consistency with other zone chapters.

Point Number 697.641

Summary of Decision Requested: **Amend** Rule 20.3.1 P1(a) Building height, as follows:
(i) ~~+5~~20m; or

Decision Reasons:

- Council would like consistency in building height between the heavy industrial and the industrial zones.

Point Number 697.642

Summary of Decision Requested: **Amend** Rule 20.3.3 P1 Height - Buildings, structures and vegetation within an airport obstacle limitation surface, as follows:
Any building, structure or vegetation must not protrude through ~~on~~ the airport obstacle limitation surface as ~~shown~~ identified on the planning maps and defined in Section E Designation N - Waikato Regional Airport.

Decision Reasons:

- This rule relates only to the Waikato Regional Airport and needs to specifically identify this. Additional wording provides clarity to the rule.

Point Number 697.643

Summary of Decision Requested: **Amend** Rule 20.3.3 NCI Daylight Admission, to be changed to D1 as follows:
~~NCI-D1~~
Any building, structure or vegetation that does not comply with Rule 20.3.3. P1

Decision Reasons:

- Additional wording provides clarity to the rule. Activity status to be more consistent with other zone chapters.

Point Number 697.644

Summary of Decision Requested: **Amend** Rule 20.3.3 Daylight admission to be Rule 20.3.4;
AND
Undertake consequential renumbering of subsequent rules within the Industrial Zone Chapter.

Decision Reasons:

- Needs to be renumbered to avoid confusion with duplicated numbering.

Point Number 697.645

Summary of Decision Requested: **Amend** Rule 20.3.3 P1(a)(i) Daylight Admission, as follows:

(i) 45 degrees commencing at an elevation of 2.5m above ground level at any boundary of the Industrial Zone with any ~~other Residential, Village, Reserve, Business or Country Living Zone~~;

Decision Reasons:

- Provides clarity that we are referring to these specific zones.

Point Number 697.646

Summary of Decision Requested: Amend Rule 20.3.3 P1(a)(ii) Daylight Admission, as follows:

(ii) 37 degrees commencing at an elevation of 2.5m above ground level at any boundary of the Industrial Zone with any other zone between south-east or south-west of the building or stockpile of goods or materials.

Decision Reasons:

- Provides clarity that this rule includes stockpiles of goods and materials.

Point Number 697.647

Summary of Decision Requested: Add to Rule 20.3.4 Building setbacks by new clause (3), as follows:

(3) Rule 20.3.4.3 Buildings and structures within the National Grid Yard

AND

Add the following rule into Chapter 20, after Rule 20.3.4.2:
20.3.4.3 Buildings and structures within the National Grid Yard

P1

(a) Within the National Grid yard, building alterations and additions to an existing building or structure must comply with the following conditions:

(i) Not involve an increase in the building height or footprint;

(ii) Comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663 under all National Grid transmission line operating conditions;

P2

(a) Within the National Grid yard, the maximum height of fences are 2.5m within 5m from the nearest National Grid Pole or 6m from the nearest National Grid tower.

P3

Within the National Grid yard, new buildings and structures that are not for a sensitive land use must comply with the following conditions:

(i) Comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663 under all National Grid transmission line operating conditions; and

(ii) Locate a minimum 12m from the outer visible foundation of any National Grid tower and locate a minimum 12m from any pole and associated stay wire, unless it is:

A. A building or structure where Transpower has given written approval in accordance with clause 2.4.1 of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663.

NC1

Any building alterations or additions within the National Grid Yard that does not comply with Rule 20.3.4.3 P1.

NC2

Any new buildings or structures within the National Grid Yard that does not comply with Rule 20.3.4.3 P2 or P3.

Decision Reasons:

- Replicate the rule regarding buildings and structure within the National Grid from Chapter 14 into Chapter 20 (where this is relevant to the Industrial Zone) for increased clarity and usability of the Plan.

Point Number 697.648

Summary of Decision Requested: Add to Rule 20.3.4 Building setbacks a new clause (4), as follows:

(4) Rule 20.3.4.4 Building setback – Sensitive land uses

AND

Add the following rule into Chapter 20 after new Rule 20.3.4.4:

20.3.4.4 Building setback - Sensitive land uses

P1

(a) Any building for a sensitive land use must be set back a minimum of:

(i) 10m from the centre line of any electrical distribution or transmission lines, not associated with the National Grid, that operate at a voltage of up to 110kV;

(ii) 12m from the centre of line of any electrical distribution or transmission lines, not associated with the National Grid, that operate at a voltage of 110kV or more.

P2

(a) Within the National Grid yard, alterations or additions to a building used for an existing sensitive land use must comply with all the following conditions:

(i) Not increase the building height or footprint; and

(ii) Comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663 under all National Grid transmission line operating conditions; and

(iii) Locate a minimum 12m from the outer visible foundation of any National Grid tower and locate a minimum 12m from any pole and associated stay wire, unless Transpower has given written approval in accordance with clause 2.4.1 of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663.

D1

Any building for a sensitive land use that does not comply with Rule 20.3.4.4 P1.

NC1

Any activity within the National Grid Yard that does not comply with Rule 20.3.4.4 P2.

NC2

Any new building for a sensitive land use within the National Grid Yard.

NC3

Any change of use of an existing building to a sensitive land use within the National Grid Yard.

NC4

The establishment of any new sensitive land use within the National Grid Yard.

Decision Reasons:

- Replicate the rule regarding sensitive landuses from Chapter 14 into Chapter 20 (where this is relevant to the Industrial Zone) for increased clarity and usability of the Plan.

Point Number 697.649

Summary of Decision Requested: Amend Rule 20.3.4.1 Building setbacks heading, as follows:

(i) Building setbacks – All boundaries

Decision Reasons:

- Consistency with the heavy industrial zone and other zones.

Point Number 697.650

Summary of Decision Requested: Delete Rule 20.3.4.2 P3 Building setback – water bodies.

Decision Reasons:

- This rule is not required. Consistency equivalent rules in other chapters.

Point Number 697.651

Summary of Decision Requested: Amend Rule 20.3.4.2 P4 Building setback – water bodies, to read as follows:

A public amenity of up to 25m², or a pump shed (public or private), within any building setback identified in Rule 20.3.4.2 P1, P2 or P3.

Decision Reasons:

- The words “public or private” clarify that the pump shed is both private and public.

Point Number 697.652

Summary of Decision Requested: Amend Rule 20.3.4.2 Building setback – water bodies, as follows:

P1

(a) A building must be set back a minimum of ~~20-27.5m~~ from:

(i) the margin of any:

A. lake;

B. wetland; and

C. river bank, other than the Waikato River and Waipa River.

P2

A building must be set back at least ~~50-22.5m~~ from a bank of the Waikato River and Waipa River.

Decision Reasons:

- Amend the rule so that the setback represents 25m esplanade reserve plus the yard setback for the Waikato and Waipa Rivers, and 20m esplanade plus the yard setback for all other waterbodies.

Point Number 697.653

Summary of Decision Requested: Amend Rule 20.3.5.3 RD1 (b) All heritage items – alteration or addition, as follows:

(a) Council's discretion ~~is~~ shall be restricted to the following matters:

Decision Reasons:

- Consistency equivalent rules in other chapters.

Point Number 697.654

Summary of Decision Requested: Amend Rule 20.3.5.3 P1 All heritage items – alteration or addition, as follows:

(a) Alteration ~~or~~ addition to a heritage item listed in Schedule 30.1 (Heritage Items) must comply with the following conditions:

Decision Reasons:

- Deletion of a word in this rule to provide clarity and consistency with the defined term.

Point Number 697.655

Summary of Decision Requested: Amend Rule 20.3.5.4 RD1 (a) All heritage items – maintenance or repair, as follows:

(a) ~~Any activity.~~ Maintenance or repair of a heritage item that does not comply with Rule 20.3.5.4 P1.

Decision Reasons:

- Consistency equivalent rules in other chapters.

Point Number 697.656

Summary of Decision Requested: Amend Rule 20.3.5.4 RD1 (b) All heritage items – maintenance or repair, as follows:

(b) Council's discretion ~~is~~ shall be restricted to the following matters:

Decision Reasons:

- Consistency of the rules.

Point Number 697.657

Summary of Decision Requested: Amend Rule 20.4 Subdivision heading, as follows:

20.4 Subdivision Rules

Decision Reasons:

- To provide clarity to the heading.

Point Number 697.658

Summary of Decision Requested: Amend Rule 20.4 Subdivision (1) and (2) as follows:

(1) Rule 20.4.1 – General provides for subdivision density within the Industrial Zone.

(2) Other subdivision provisions are contained in Rule 20.4.1 is also subject to compliance with the following rules:

(a)
...
(e)...

Decision Reasons:

- To provide clarity that the general subdivision rule must also comply with rules 20.4.2 – 20.4.6.

Point Number 697.659

Summary of Decision Requested: **Add** to Rule 20.4 Subdivision (2) clause (f), as follows:

~~(f) Rule 20.4.6 – Subdivision of land containing a Significant Natural Area-Subdivision of land within the National Grid Corridor~~
And consequential renumbering

AND

Add new rule after Rule 20.4.6:
20.4.6 Subdivision - within the National Grid Corridor

RD1

(a) The subdivision of land within the National Grid Corridor must comply with all of the following conditions:
(i) All allotments intended to contain a sensitive land use must provide a building platform for the likely principal building(s) and any building(s) for a sensitive land use located outside of the National Grid Yard, other than where the allotments are for roads, access ways or infrastructure; and
(ii) The layout of allotments and any enabling earthworks must ensure that physical access is maintained to any National Grid support structures located on the allotments, including any balance area.
(b) Council's discretion is restricted to the following matters:
(i) The subdivision layout and design in regard to how this may impact on the operation, maintenance, upgrading and development of the National Grid;
(ii) The ability to provide a complying building platform outside of the National Grid Yard;
(iii) The risk of electrical hazards affecting public or individual safety, and the risk of property damage;
(iv) The nature and location of any vegetation to be planted in the vicinity of National Grid transmission lines.
NCL
Any subdivision of land within the National Grid Corridor that does not comply with one or more of the conditions of Rule 20.4.6 RD1.

Decision Reasons:

- Replicate the subdivision rule within the National Grid Corridor from Chapter 14 into Chapter 20 (where this is relevant to the Industrial Zone) for increased clarity and usability of the Plan.

Point Number 697.660

Summary of Decision Requested: **Amend** Rule 20.4.1 (RD1) Subdivision - General, as follows:

(a) Subdivision must comply with all of the following conditions:
(i) ~~proposed lots-~~The record of title to be subdivided must have a minimum net site area of 1000m²;
(ii) all proposed lots must have an average net site area of at least 2000m²; and
(iii) the number of rear lots created by the subdivision does not exceed ~~no more than 20% rear lots are created.~~
(b) Council's discretion is restricted to the following matters:
(i) the extent to which a range of future industrial activities can be accommodated; and
(ii) amenity values.

Decision Reasons:

- Consistency with equivalent rules in other chapters and additional clarity of the rule.

Point Number 697.661

Summary of Decision Requested: **Add** new Discretionary Activities Rule D1 to 20.4.1 Subdivision - General, as follows:

D1
Subdivision that does not comply with Rule 20.4.1 RD1.

Decision Reasons:

- Lacking a rule cascade upon non compliance with the RD1 rule.

Point Number 697.662

Summary of Decision Requested: **Amend** Rule 20.4.2 Subdivision - Boundaries for Record of Title heading, as follows:

20.4.2 Subdivision – Existing buildings Boundaries for Records of Title

Decision Reasons:

- Boundaries for Records of Title is not the correct term to use for this rule heading. The change makes it clear that the rule is about existing buildings.

Point Number 697.663

Summary of Decision Requested: **Amend** Rule 20.4.2 RD1(a) Subdivision – Boundaries for Records of Title, as follows:

(a) Any boundary of a proposed lot must be located so that:
(i) existing buildings comply with the permitted activity rules relating to setbacks (rule 20.3.4.1) and daylight admission (rule 20.3.3), except to the extent of any non-compliance that existed lawfully prior to the subdivision; and
~~(ii) no contaminated land, heritage item, archaeological site, or wetland is divided between any proposed lot-~~
(b) Council's discretion is restricted to:
(i) Amenity values;
~~(ii) effects on contaminated land;~~
~~(iii) effects on any heritage item;~~
~~(iv) effects on any wetland;~~
~~(v) effects on any archaeological site; and~~
~~(vi) (i) the extent to which a range of future industrial activities can be accommodated.~~

Decision Reasons:

- The rule must relate to existing buildings, not contaminated land which is covered already under the NES. Heritage items, archaeological sites and wetlands are covered under separate rules.

Point Number 697.664

Summary of Decision Requested: **Add** to Rule 20.4.2 Subdivision - Boundaries for Records of Title, as follows:

DI

Subdivision that does not comply with Rule 20.4.2 RDI.

Decision Reasons:

- DI is an omission and needs to be reinstated to enable a complete rule cascade.

Point Number

697.665

Summary of Decision Requested:

Add to Rule 20.4.3 Subdivision - Road Frontage, as follows:

DI

Subdivision that does not comply with Rule 20.4.3 RDI.

Decision Reasons:

- The rule is incomplete without a rule cascade upon non-compliance with a condition of the restricted discretionary rule.

Point Number

697.666

Summary of Decision Requested:

Amend Rule 20.4.3 RDI (a) Subdivision - Road Frontage, as follows:

(a) ~~Any~~ Every proposed lot ~~with a road boundary, other than any access or utility allotment, right of way or access leg, must have a width along the road frontage boundary of at least 15m.~~

(b) ~~Rule 20.4.3 (a) does not apply to any proposed rear lot or to a proposed access allotment. Council's discretion is restricted to the following matters:~~

- (i) ~~traffic effects, safety and efficiency of vehicle access and road network; and~~
- (ii) ~~amenity and streetscape.~~

Decision Reasons:

- Proposed change provides clarity to the rule.

Point Number

697.667

Summary of Decision Requested:

Amend Rule 20.4.4 RDI Subdivision - Esplanade Reserves and Esplanade Strips, as follows:

(a) ~~Subdivision must create an~~ esplanade reserve or ~~esplanade strip~~ 20m wide (or other width stated in Appendix 4 (Esplanade Priority Areas) is required to be created and vested in Council from every subdivision where the land being subdivided is proposed to:

(i) less than 4ha and within 20m of any:

- A. mean high water springs;
- B. bank of any river whose bed has an average width of 3m or more; or
- C. a lake whose bed has an area of 8ha or more; or

(ii) 4ha or more and ~~located~~ within 20m of any:

- A. mean high water springs; or
- B. a water body identified in Appendix 4 (Esplanade Priority Areas).

(b) Council's discretion ~~shall be restricted to the following matters:~~

Decision Reasons:

- Consistency with equivalent rules in other chapters.

Point Number

697.668

Summary of Decision Requested:

Delete Rule 20.4.4(b) (vi) Subdivision - Esplanade Reserves and Esplanade Strips;

AND

Consequential amendment to Rule 20.4.4 RDI (b)(v) Subdivision - Esplanade Reserves and Esplanade Strips as follows:

(v) ~~Works required prior to vesting any reserve in the Council, including pest plant control, boundary fencing and the removal of structures and debris; and~~

Decision Reasons:

- This matter of discretion is not appropriate.

Point Number

697.669

Summary of Decision Requested:

Amend Rule 20.4.5 RDI Subdivision of land containing a heritage item, as follows:

(a) ~~the boundaries of every proposed lot must not divide any of the following;~~

(i) ~~Subdivision of land containing a heritage item listed in Schedule 30.1 (Heritage Items) where the heritage item is wholly contained within one lot;~~

(ii) ~~Maori sites of significance as identified in Schedule 30.3 (Maori sites of significance).~~

(iii) ~~Maori areas of significance as identified in Schedule 30.4 (Maori areas of significance).~~

(b) Council's discretion is restricted to the following matters:

- (i) effects on heritage values;
- (ii) context and setting of the heritage item; and
- (iii) the extent to which the relationship of the heritage item with its setting is maintained.

Decision Reasons:

- Additional wording provides clarity to rule and insert the matters removed from Rule 20.4.2.

Point Number

697.670

Summary of Decision Requested:

Delete Rule 20.4.6 Subdivision - Significant Natural Areas.

Decision Reasons:

- This rule is not required in the Industrial Zone.

Point Number

697.671

Summary of Decision Requested:

Amend Rule 20.5.2 P5 Permitted Activities, as follows:

~~A retail activity that is ancillary to any permitted activity.~~

Decision Reasons:

- The conditions for a retail activity are specified in (a) and (b) of the activity-specific conditions and are therefore not required.

Point Number 697.672

Summary of Decision Requested: **Amend** Rule 20.5.2 P6 One dwelling per lot for a caretaker or security personnel, as follows:
~~Caretaker accommodation One dwelling per lot for a caretaker or security personnel~~

Decision Reasons:

- Definition amended to include one residential unit.

Point Number 697.673

Summary of Decision Requested: **Amend** Rule 20.5.2 Permitted Activities Rule P8, as follows:
Nil
~~(a) contained in a building or outdoor enclosure~~

Decision Reasons:

- This condition is a duplication of the activity and not necessary.

Point Number 697.674

Summary of Decision Requested: **Delete** Rule 20.5.3 D2 Discretionary Activities.

Decision Reasons:

- Non-compliance with an effects or building rule will be managed by those respective rules and there is no need for this rule.

Point Number 697.675

Summary of Decision Requested: **Amend** Rule 20.5.6 P2(a)(i) Noise – General, as follows:
~~(i) 65dB (LA+0.5g)~~ at all times within any other site in the Industrial Zone; and

Decision Reasons:

- The LA10 standard for measuring noise is incorrect and should refer to LAeq.

Point Number 697.676

Summary of Decision Requested: **Delete** Rule 20.5.7 P1 (a) (vii) Signs – General.

Decision Reasons:

- The District Plan cannot control signs within the road reserve.

Point Number 697.677

Summary of Decision Requested: **Delete** from Rule 20.5.7 P1 (a) Signs - General conditions (ii) and (vii).

Decision Reasons:

- Council cannot support conditions (ii) and (vii) due to the impracticality of these rules.

Point Number 697.678

Summary of Decision Requested: **Amend** Chapter 21 Industrial Zone Heavy heading, as follows:
~~Chapter 21: Industrial Zone Heavy – Rules~~

Decision Reasons:

- To assist in clarifying that all of the provisions within the chapter are rules.

Point Number 697.679

Summary of Decision Requested: **Amend** Rule 21 (2) Industrial Zone Heavy, as follows:
~~The rules that apply to subdivision in the Industrial Zone Heavy are contained in Rule 21.4 and the relevant rules in 14 Infrastructure and Energy; and 15 Natural Hazards and Climate Change. (Placeholder).~~

Decision Reasons:

- To clarify that the rules in Chapter 14: Infrastructure and Energy and Chapter 15: Natural Hazards and Climate Change apply to subdivision as well as to land use activities.

Point Number 697.680

Summary of Decision Requested: **Amend** Rule 21.1.1 (1) Permitted Activities, as follows:
~~(a) Activity specific conditions;
(b) Land Use – Effects rules in Rule 21.2 (unless the activity specific rule and/or activity specific conditions identify a condition(s) that does not apply); and
(c) Land Use – Building rules in Rule 21.3 (unless the activity rule and/or activity specific conditions identify a condition(s) that does not apply).~~

Decision Reasons:

- Insert Activity specific conditions into the list, as this was omitted. The list of rules (a) – (c) should follow the order that they appear.

Point Number 697.681

Summary of Decision Requested: **Delete** the words "Nil" from Rule 21.1.1 P1 Industrial Activity;
AND
Amend Rule 21.1.1 P1 Industrial Activity, as follows:
(a) where the industrial activity adjoins a Residential, Village, Reserve or Country Living Zone on the side or rear boundary of the site, a 3m wide landscaped strip must be provided running parallel with the side and/or rear boundary.
(b) where the industrial site contains, or is adjacent to a river or a permanent or intermittent stream, an 8m wide landscaped strip must be provided, measured from the top edge of the closest bank and extending across the entire length of the watercourse.

Decision Reasons:

- Currently rule 21.2.2 aims to ensure landscape planting is provided as a controlled activity where an industrial site adjoins a Residential, Village, Country Living, Reserve Zone or a river or stream. Having the criteria as a permitted activity is more likely to ensure planting is provided with the development.

Point Number 697.682

Summary of Decision Requested: **Amend** Rule 21.1.1 P4 (a) and (b) Office ancillary to an industrial activity, as follows:
(a) Less than 100m2 gross floor area efer, or
(b) Does not exceed 30% of all buildings on the site.

Decision Reasons:

- Including the words "gross floor area" provides clarity.

Point Number 697.683

Summary of Decision Requested: **Amend** Rule 21.1.1 P5 (a) Food outlet, as follows:
(b) Less than 200m2 gross floor area efer-

Decision Reasons:

- Including the words "gross floor area" provide clarity.

Point Number 697.684

Summary of Decision Requested: **Add** a new Restricted Activities Rule after Rule 21.1.1 "Caretaker accommodation", as follows:
21.1.1A Restricted Discretionary Activities
RD1 Caretaker accommodation
(b) Council's discretion is restricted to the following the matters:
(i) Purpose of the caretaker accommodation;
(ii) Health and safety of the occupants;
(iii) Noise;
(iv) Amenity.
AND
Make consequential amendment to Rule 21.1.3 NCI as follows:
Any activity that is not listed as a permitted, restricted discretionary, or discretionary activity.

Decision Reasons:

- Caretaker accommodation needs to be provided for as a Restricted Discretionary activity to enable activities that require a caretaker to live on site.

Point Number 697.685

Summary of Decision Requested: **Delete** the existing wording in Rule 21.1.2 Discretionary Activities D1 and replace with the following wording:
Any permitted activity that does not comply with one or more of the activity specific conditions in Rule 21.1.2

Decision Reasons:

- This rule is not needed as it refers to Land Use Effects and Land Use Building rules which are in subsequent parts of the chapter. Replacement wording provides Consistency with other chapters and additional clarity of the rule.

Point Number 697.686

Summary of Decision Requested: **Amend** Rule 21.2.1 P1 Servicing and hours of operation, as follows:
Servicing and operation of an industrial activity adjoining any Residential, Village or Country Living Zone may must load or unload vehicles and/or receive customers or deliveries between ~~7:30am-6:00am~~ and ~~6:30pm-8:00pm~~.

Decision Reasons:

- The word "must" is more definite than "may". Hours of operation need to reflect more realistic business hours, particularly where sites are close to Auckland.

Point Number 697.687

Summary of Decision Requested: **Delete** Rule 21.2.2 Landscape planting.

Decision Reasons:

- Planting adjoining sensitive zones should be a condition for a permitted activity to occur. Where this is not complied with a Discretionary Activity consent would be required.

Point Number 697.688

Summary of Decision Requested: **Amend** Rule 21.2.3.1 P2 Noise - General, as follows:

(a) Noise measured within any other site...
(viii) In an Industrial Zone must not exceed:
A. 75dB (LAeq) 7am to 10pm; and
B. 55dB (LAeq) and 85dB (LAmax) 10pm to 7am the following day...
(b) Noise measured within any site in any other zone, other than the Industrial Zone and the Heavy Industrial Zone, must meet the permitted noise levels for that zone.
(c) Noise levels must be measured in accordance with the requirements of NZS 6801:2008 "Acoustics Measurement of Environmental Sound".
(d) Noise levels must be assessed in accordance with the requirements of NZS 6802:2008 "Acoustics Environmental noise".

Decision Reasons:

- P3 and P4 need to be conditions of P2 as they are the standards which need to be met.

Point Number 697.689

Summary of Decision Requested: **Delete** Rule 21.2.3.1 P3 Noise - General.

AND

Make consequential amendments to RD1(a) as follows:

Noise that does not comply with Rule 21.2.3.1 P2, ~~P3~~ or P4

Decision Reasons:

- P3 and P4 need to be conditions of P2 as they are the standards which need to be met.

Point Number 697.690

Summary of Decision Requested: **Delete** Rule 21.2.3.1 P4 Noise - General;

AND

Make consequential amendments to RD1(a), as follows:

Noise that does not comply with Rule 21.2.3.1 P2, P3 ~~or P4~~

Decision Reasons:

- P3 and P4 need to be conditions of P2 as they are the standards which need to be met.

Point Number 697.691

Summary of Decision Requested: **Delete** Rule 21.2.3.2 P3 and P4 Noise Huntly Power Station;

AND

Amend Rule 21.2.3.2 P2 Noise – Huntly Power Station, as follows:

(a) Noise measured at the national boundary within any site in the Rural Zone must not exceed:
(i) 55dB (LAeq) 7am to 10pm; and
(ii) 45dB (LAeq) and 75dB (LAmax) 10pm to 7am the following day.
(b) Noise measured within any other site in the Residential Zone must meet the permitted noise levels for that zone.
(c) Noise levels must be measured in accordance with the requirements of NZS 6801:2008 "Acoustics Measurement of Environmental Sound".
(d) Noise levels must be assessed in accordance with the requirements of NZS 6802:2008 "Acoustics Environmental Noise".

AND

Make consequential amendments as follows:

RD1(a) Noise that does not comply with Rule 21.2.3.1 P1 or P2,

Decision Reasons:

- P3 and P4 need to be conditions of P2 as they are the standards which need to be met.

Point Number 697.692

Summary of Decision Requested: **Amend** Rule 21.2.3.3 P1(a) Noise - Construction, as follows:

(a) Construction noise must not exceed, meet the limits in NZS 6803:1999 (Acoustics – Construction Noise).

Decision Reasons:

- Additional clarity that the rule. Construction noise should not exceed the limits, rather than meet the limits in the NZS.

Point Number 697.693

Summary of Decision Requested: **Amend** Rule 21.2.4 P1 Glare and Artificial Light Spill, as follows:

Illumination from glare and artificial light spill must not exceed 10 lux measured horizontally and vertically within any other-site zoned Residential, Village or Country Living Zone.

Decision Reasons:

- Consistency of wording with other zone chapters. It is more important to control light spill in the Residential, Village or Country Living zones than other zones.

Point Number 697.694

Summary of Decision Requested: **Amend** Rule 21.2.5(1) Earthworks, as follows:

(1) Rule 21.2.3.1 – Earthworks General, provides the permitted rules for earthworks activities for the Industrial Zone. This rule does not apply in those areas specified in Rule 25.2.5.1A, 21.2.5.2 and 21.2.5.3.

Decision Reasons:

- The wording of the rule does not make it clear that the rules in 21.2.5(2) apply instead of the general earthworks rule.

Point Number 697.695

Summary of Decision Requested: Amend Rule 21.2.5(2) Earthworks, as follows:

There are specific standards for earthworks within rules:

- (a) Rule 21.2.5.1A Earthworks - within the National Grid Yard
- (~~e~~ b) Rule 21.2.5.2 Earthworks – Significant Natural Areas;
- (~~b~~ ~~g~~) Rule 21.2.5.3 – Landscape and Natural Character Areas.

AND

Add new rule after Rule 21.2.5.1 as follows:

21.2.5.1A Earthworks - within the National Grid Yard

P1

(a) The following earthworks within the National Grid Yard:

(i) Earthworks undertaken as part of domestic cultivation; or repair, sealing or resealing of a road, footpath or driveway;

(ii) Vertical holes not exceeding 500mm in diameter that are more than 1.5m from the outer edge of the pole support structure or stay wire;

(iii) Earthworks for which a dispensation has been granted by Transpower under New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663.

P2

(a) Earthworks activities within the National Grid Yard near National Grid support poles or any stay wires must comply with the following conditions:

(i) Do not exceed a depth of 300mm within 2.2m of the pole or stay wire; and

(ii) Do not exceed a depth of 750mm between 2.2m and 5m of the pole or stay wire.

P3

(a) Earthworks within the National Grid Yard near National Grid support towers (including any tubular steel tower that replaces a steel lattice tower) must comply with all of the following conditions:

(i) Do not exceed 300m depth within 6m of the outer edge of the visible foundation of the tower;

(ii) Do not exceed 3m between 6m and 12m of the outer edge of the visible foundation of the tower;

(iii) Do not compromise the stability of a National Grid support structure;

(iv) Do not result in the loss of access to any National Grid support structure; and

(v) Must be less than the minimum ground to conductor clearance distances in Table 4 of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663.

RD1

(a) Earthworks within the National Grid Yard that do not comply with one or more of the conditions of Rules 21.2.5.1A P1, P2 or P3.

(b) Discretion is restricted to:

(i) Impacts on the operation, maintenance, upgrading and development of the National Grid;

(ii) The risk to the structural integrity of the affected National Grid support structure(s);

(iii) Any impact on the ability of the National Grid owner (Transpower) to access the National Grid;

(iv) The risk of electrical hazards affecting public or individual safety, and the risk of property damage.

Decision Reasons:

- Replicate the earthworks rule within the National Grid from Chapter 14 into Chapter 21 (where this is relevant to Industrial Zone Heavy) for increased clarity and usability of the Plan.

Point Number 697.696

Summary of Decision Requested: Amend Rule 21.2.5.1 P1 Earthworks General, as follows:

(a) Earthworks (excluding the importation of fill material) within a site must meet all of the following conditions:

(i) be located more than 1.5 m horizontally from any waterway, open drain or overland flow path;

(ii) not exceed a volume of more than ~~250~~500m³ and an area of more than ~~10,000~~10,000m² over any single consecutive 12 month period;

(iii) not exceed an area of more than ~~1000~~1000 m² over any single consecutive 12 month period;

(iv) the total depth of any excavation or filling does not exceed 1.5m above or below ground level;

(v) the slope of the resulting cut, filled areas or fill batter face in stable ground, does not exceed a maximum of 1:2 (1 vertical to 2 horizontal);

(vi) earthworks are set back at least 1.5m from all boundaries;

(vii) areas exposed by earthworks are revegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks;

(viii) sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls; and

(ix) do not divert or change the nature of natural water flows, water bodies or established drainage paths.

Decision Reasons:

- The volume threshold in (ii) and area threshold in (iii) have been entered in error. They need to be corrected to enable significantly larger volumes of earthworks as permitted activities within the heavy Industrial Zone. The rule needs to apply over a single consecutive 12 month period for both volume and area thresholds. This is also consistent with other zone chapters. The words "at least" provide clarity to the rule.

Point Number 697.697

Summary of Decision Requested: Amend Rule 21.5.1 P2 Earthworks General, as follows:

(a) Earthworks for the purpose of creating a building platform ~~for residential purposes~~ within a site, using imported fill material, ~~must meet the following condition:~~

(i) be carried out in accordance with NZS 4431:1989 Code of Practice for Earth Fill for Residential Development.

Decision Reasons:

- Rule 21.2.5.1 P2 needs to be amended as The NZS 4431:1989 Code of Practice for Earth Fill for Residential Development does not apply to heavy industrial sites.

Point Number 697.698

Summary of Decision Requested: Amend Rule 21.2.5.1 P3 Earthworks General, as follows:

(a) Earthworks for purposes other than creating a building platform ~~for residential purposes~~ within a site, using imported fill material (excluding cleanfill) must meet all of the following conditions:

(i) ~~Must~~ not exceed a total volume of 500m³;

(ii) ~~Must~~ not exceed a depth of 1m;

(iii) the slope of the resulting filled area in stable ground ~~to~~ ~~must not~~ exceed a maximum slope of 1:2 (1 vertical to 2 horizontal);

(iv) fill material is set back at least 1.5m from all boundaries;

(v) areas exposed by filling are revegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks;

(vi) sediment resulting from the filling is retained on the site through implementation and maintenance of erosion and sediment controls; and

(vii) ~~do~~ ~~not~~ divert or change the nature of natural water flows, water bodies or established drainage paths.

Decision Reasons:

- In respect to (a), building platforms in the industrial zone are not for residential purposes. In respect to (a)(i), (ii) and (iv), the words "must" and "at least" provide clarity to the rule.

Point Number 697.699

Summary of Decision Requested: Amend Rule 21.2.5.2 Earthworks - Significant Natural areas heading, as follows;

Earthworks – within Significant Natural Areas

Decision Reasons:

- Amendment to align with intent of rule.

Point Number 697.700

Summary of Decision Requested: Amend Rule 21.2.5.2 P1 (a) Earthworks - Significant Natural Areas, as follows:

(a) Earthworks are for the maintenance of existing tracks, fences or drains within an identified Significant Natural Area and must meet all of the following conditions:
(i) Maximum volume of 50m³ in a single consecutive 12 month period;
(ii) Maximum area of 250m² in a single consecutive 12 month period; and
(iii) Not include importing any fill material.
(iv) The total depth of any excavation or filling does not exceed 1.5m above or below ground level with a maximum slope of 1:2 (1 vertical to 2 horizontal);
(v) Earthworks are setback at least 1.5m from all boundaries;
(vi) Areas exposed by earthworks are revegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks;
(vii) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls;
(viii) Do not divert or change the nature of natural water flows, water bodies or established drainage paths.

Decision Reasons:

- Wording provides clarity and consistency with other chapters.

Point Number 697.701

Summary of Decision Requested: Delete Rule 21.2.5.2 D1 Earthworks - Significant Natural Areas.

Decision Reasons:

- The activity falls to be a Restricted Discretionary Activity if P1 is not met.

Point Number 697.702

Summary of Decision Requested: Delete the table in Rule 21.2.5.3 P1 (a) Earthworks - Landscape and Natural Character Areas.

AND

Amend Rule 21.2.5.3 P1 (a) Earthworks - Landscape and Natural Character Areas, as follows:

(b) Earthworks are for the maintenance of existing tracks, fences or drains within the following landscape, natural features and natural character areas:
(i) Significant Amenity Landscape (SAL) – sand dune
(ii) High Natural Character area
(iii) Outstanding Natural Character area of the coastal environment
(iv) Outstanding Natural feature – sand dune
(v) Outstanding Natural feature
(vi) Outstanding Natural landscapes

~~an identified Landscape or Natural Character Area~~ and must meet all of the following conditions;

(c) The earthworks are undertaken within a single consecutive 12 month period;
(d) The earthworks must not exceed ~~the following areas and volumes~~ an area of 50m² and a volume of 250m³ within a single consecutive 12 month period.

Decision Reasons:

- The additional wording provides clarification as to which areas are being encompassed by this rule and sets out the volume and area thresholds more clearly.

Point Number 697.703

Summary of Decision Requested: Add new Rule 21.2.6 (NC1) Hazardous substances, as follows:

NC1

Any new hazardous facility that involves the storage and handling of hazardous substances with explosive or flammable intrinsic properties within 12m of the centre line of a National Grid Transmission Line

Decision Reasons:

- Replicate the hazardous facilities rule within the National Grid from Chapter 14 (where it is relevant to the Industrial Zone Heavy Zone) into Chapter 21 for increased clarity and usability of the Plan.

Point Number 697.704

Summary of Decision Requested: Amend Rule 21.2.7.1 P2 Signs - General, as follows:

(a) A sign must comply with all of the following conditions:
(i) The sign height does not exceed 1.5m;
(ii) An illuminated sign must:
A. not have a light source that flashes or moves; and
B. not contain moving parts or reflective materials; and
C. be set back at least 15m from a state highway or the Waikato Expressway;
(iii) Where the sign is attached to a building, it must:
A. not extend more than 300mm from the building wall; and
B. not exceed the height of the building;
(iv) Where the sign is a freestanding sign, it must:
A. not exceed an area of 3m² for one sign per site, and 1m² for any other freestanding sign on the site; and
B. be set back at least 5m from the boundary of any site ~~within any~~ Residential, Village, Country Living Zone or Reserve Zone;
(v) The sign is attached to a heritage item listed in Schedule 30.1 (Heritage Items) except for the purpose of identification and interpretation;
(vi) The sign is for the purpose of identification and interpretation ~~not attached to~~ of a Maaori site of significance listed in Schedule 30.3 (Maaori Sites of Significance) ~~except for the purpose of identification and interpretation~~;
(vii) The sign relates to:
A. goods or services available on the site; or
B. A property name sign.

Decision Reasons:

- The additional wording provides clarification.

Point Number	697.705
Summary of Decision Requested:	<p>Amend Rule 21.2.7.1 P3 Signs - General, as follows:</p> <p><i>(a) A real estate 'for sale' or 'for rent' sign relating to the site on which it is located must comply with all of the following conditions:</i></p> <p>(i) the sign relates to the sale of the site on which it is located;</p> <p>(ii) there is no more than +2 signs per site agency;</p> <p>(iii) the sign is not illuminated;</p> <p>(iv) the sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials,</p>
Decision Reasons:	<ul style="list-style-type: none"> The additional wording provides clarification.
Point Number	697.706
Summary of Decision Requested:	<p>Amend Rule 21.2.7.2 P1 (a) Signs - Effects on traffic, as follows:</p> <p><i>(a) Any sign directed at road users must <u>meet the following conditions:</u></i></p>
Decision Reasons:	<ul style="list-style-type: none"> The additional wording provides clarification.
Point Number	697.707
Summary of Decision Requested:	Delete Rule 21.2.7.2 P1(a)(vi) Signs - effects on traffic.
Decision Reasons:	<ul style="list-style-type: none"> This rule is unnecessary and provides consistency across the zone chapters.
Point Number	697.708
Summary of Decision Requested:	<p>Amend Rule 21.2.6 P1(a)(i) Hazardous substances, as follows:</p> <p><i>(i) the aggregate quantity of hazardous substance of any hazard classification on a site is less than the quantity specified for the Industrial Zone Heavy in Table 5.1 contained within Appendix 5 (Hazardous Substances).</i></p>
Decision Reasons:	<ul style="list-style-type: none"> The removal of the words "contained within" are not necessary.
Point Number	697.709
Summary of Decision Requested:	<p>Amend Rule 21.2.8 P1(a)(vi) Outdoor storage of goods or materials, as follows:</p> <p><i>(vi) be screened from any public road, public reserve and adjoining site in another zone, other than the Industrial Zone, by <u>either of the following:</u></i></p> <p><i>C. a landscaped strip consisting of plant species that achieve a minimum height of 1.8m at maturity; or</i></p> <p><i>D. a close-boarded or solid fence or wall to a height of 1.8m.</i></p> <p>AND</p> <p>Add new condition as P1(a)(vii) Outdoor storage of goods or materials, as follows:</p> <p><i><u>(vii) complies with rule 21.3.3 (daylight admission).</u></i></p>
Decision Reasons:	<ul style="list-style-type: none"> The additional wording in (a)(vi) provides clarification. New (vii) provides cross referencing to the daylight admission rule which is also relevant.
Point Number	697.710
Summary of Decision Requested:	Amend Rules 21.2.8(a)(vi) A and B Outdoor storage of goods or materials, to ensure the practical application at an industrial site.
Decision Reasons:	<ul style="list-style-type: none"> Council has concerns that these rules do not achieve good planning outcomes and further investigation is required in regards to their application and enforceability.
Point Number	697.711
Summary of Decision Requested:	<p>Amend Rule 21.2.9 Indigenous vegetation clearance inside a Significant Natural Area heading, as follows:</p> <p><i>Indigenous vegetation clearance inside within a Significant Natural Area</i></p>
Decision Reasons:	<ul style="list-style-type: none"> Wording provides additional clarity.
Point Number	697.712
Summary of Decision Requested:	<p>Add to Rule 21.2.9 P1 (a) Indigenous vegetation clearance in a Significant Natural Area, as follows:</p> <p><i><u>(vi) Removing vegetation for conservation activities.</u></i></p>
Decision Reasons:	<ul style="list-style-type: none"> This new rule ensures indigenous vegetation can be cleared for conservation activities.
Point Number	697.713
Summary of Decision Requested:	Amend Rule 21.2.9 (P2) Indigenous vegetation clearance inside a Significant Natural Area, as follows:

Removal of up to 5m³ of manuka and/or kanuka outside of the Coastal Environment per year per ~~property site~~ for domestic firewood purposes or arts and crafts provided the removal will not directly result in the death, destruction or irreparable damage of any other tree, bush or plant.

Decision Reasons:

- Additional clarity that the rule is intended to apply "per site" rather than "per property" which is not a defined term.

Point Number 697.714

Summary of Decision Requested: **Delete** Rule 21.2.9 P5 Indigenous vegetation clearance inside a Significant Natural Area;

AND

Make consequential changes to Rule 21.2.9 D1 Indigenous vegetation clearance inside a Significant Natural Area, as follows:

...P4, ~~P5~~ or P6.

Decision Reasons:

- Rule P5 duplicates P1 with the only difference being that P5 captures Maori Freehold land or Maori Customary land, which is captured by P1 anyway.

Point Number 697.715

Summary of Decision Requested: **Delete** Rule 21.2.9 P6 Indigenous vegetation clearance inside a Significant Natural Area;

AND

Make consequential changes to Rule 21.2.9 D1 Indigenous vegetation clearance inside a Significant Natural Area as follows:

...P4; ~~or P5 or~~ P6.

Decision Reasons:

- The activity is a repeat of P2.

Point Number 697.716

Summary of Decision Requested: **Add** new clause (3) into Rule 21.3.4 Land Use - Building, as follows:

(3) Rule 21.3.4.3 provides the permitted setbacks for buildings and structures within the National Grid Yard

AND

Add the following rule into Chapter 21, after Rule 21.3.4.2 Building setback-waterbodies, as follows:

21.3.4.3 Buildings and structures within the National Grid Yard

P1

(a) Within the National Grid yard, building alterations and additions to an existing building or structure must comply with the following conditions:

(i) Not involve an increase in the building height or footprint;

(ii) Comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663 under all National Grid transmission line operating conditions;

P2

(a) Within the National Grid yard, the maximum height of fences are 2.5m within 5m from the nearest National Grid Pole or 6m from the nearest National Grid tower.

P3

Within the National Grid yard, new buildings and structures that are not for a sensitive land use must comply with the following conditions:

(i) Comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663 under all National Grid transmission line operating conditions; and

(ii) Locate a minimum 1.2m from the outer visible foundation of any National Grid tower and locate a minimum 1.2m from any pole and associated stay wire, unless it is:

A. A building or structure where Transpower has given written approval in accordance with clause 2.4.1 of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663.

NCL

Any building alterations or additions within the National Grid Yard that does not comply with Rule 21.3.4.3 P1.

NC2

Any new buildings or structures within the National Grid Yard that does not comply with Rule 21.3.4.3 P2 or P3.

Decision Reasons:

- Replicate the rule regarding buildings and structure within the National Grid from Chapter 14 into Chapter 21 (where this is relevant to the Industrial Zone Heavy) for increased clarity and usability of the Plan.

Point Number 697.717

Summary of Decision Requested: **Amend** Rule 21.3.1 Height General heading, as follows:

21.3.1 Height – Building General

Decision Reasons:

- Alignment with other zone chapters.

Point Number 697.718

Summary of Decision Requested: **Amend** Rule 21.3.1 P1(a) Building height - general, as follows:

(a) The maximum height of any building may be up to **must not exceed**:

Decision Reasons:

- Words "and must not exceed" provide clarity to the rule.

Point Number 697.719

Summary of Decision Requested: **Amend** Rule 21.3.3 P1(a)(i) Daylight Admission, as follows:

(i) 45 degrees commencing at an elevation of 2.5m above ground level at any boundary of the Industrial Zone with any ~~other Residential, Village, Reserve, or Country Living Zone;~~

Decision Reasons:

- Provides clarity that we are referring to these specific zones.

Point Number 697.720

Summary of Decision Requested: **Amend** Rule 21.3.3 P1(a)(ii) Daylight Admission, as follows:

(ii) 37 degrees commencing at an elevation of 2.5m above ground level at any boundary of the Industrial Zone with any other zone between south-east or south-west of the building or stockpile of goods or materials.

Decision Reasons:

- Provides clarity that this rule includes stockpiles of goods and materials.

Point Number 697.721

Summary of Decision Requested: **Add** new clause (4) into Rule 21.3.4 Land use - Building, as follows:

(4) Rule 21.3.4.4 provides the permitted setbacks for sensitive land uses.

AND

Add the following rule into Chapter 21 after new Rule 21.3.4.4:

21.3.4.4 Sensitive land uses

P1

(g) Any building for a sensitive land use must be set back a minimum of:

(i) 10m from the centre line of any electrical distribution or transmission lines, not associated with the National Grid, that operate at a voltage of up to 110kV;

(ii) 12m from the centre of line of any electrical distribution or transmission lines, not associated with the National Grid, that operate at a voltage of 110kV or more.

P2

(g) Within the National Grid yard, alterations or additions to a building used for an existing sensitive land use must comply with all the following conditions:

(i) Not increase the building height or footprint; and

(ii) Comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663 under all National Grid transmission line operating conditions; and

(iii) Locate a minimum 12m from the outer visible foundation of any National Grid tower and locate a minimum 12m from any pole and associated stay wire, unless Transpower has given written approval in accordance with clause 2.4.1 of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663.

D1

Any building for a sensitive land use that does not comply with Rule 21.3.4.4 P1.

NC1

Any activity within the National Grid Yard that does not comply with Rule 21.3.4.4 P2.

NC2

Any new building for a sensitive land use within the National Grid Yard.

NC3

Any change of use of an existing building to a sensitive land use within the National Grid Yard.

NC4

The establishment of any new sensitive land use within the National Grid Yard.

Decision Reasons:

- Replicate the rule regarding sensitive landuses from Chapter 14 into Chapter 21 (where this is relevant to the Industrial Zone Heavy) for increased clarity and usability of the Plan.

Point Number 697.722

Summary of Decision Requested: **Amend** Rule 21.3.4.2 P4 Building setback - water bodies, as follows:

A public amenity of up to 25m², or a pump shed (public or private), within any building setback identified in Rule 21.3.4.2 P1, P2 or P3.

Decision Reasons:

- The words "public or private" clarify that the pump shed is both private and public.

Point Number 697.723

Summary of Decision Requested: **Delete** Rule 21.3.4.2 P3 Building setback - water bodies.

Decision Reasons:

- Rule P3 is not needed, as the setbacks from waterbodies is adequately covered by the other rules.

Point Number 697.724

Summary of Decision Requested: **Amend** Rule 21.3.4.2 P3 Building setback-water bodies, as follows:

P1

(a) Any building must be set back a minimum of ~~30~~ 27.5 m from:

(i) the margin of any:

A. lake;

B. wetland; and

C. river bank, other than the Waikato River and Waipa River.

P2

Any building must be set back at least ~~50-32.5m~~ from the bank of the Waikato River and Waipa River.

Decision Reasons:

- Amend the rule so that the setback represents 25m esplanade reserve plus the yard setback for the Waikato and Waipa Rivers, and 20m esplanade plus the yard setback for all other waterbodies.

Point Number 697.725

Summary of Decision Requested: **Delete** Rule 21.3.4.2 P3 Building setback - water bodies.

Decision Reasons:

- This rule is not required. Consistency with equivalent rules in other chapters.

Point Number	697.726
Summary of Decision Requested:	Amend the position of Rule 21.3.5 Building, structure or vegetation within battlefield viewshafts in the zone chapter so that it follows the height Rule 21.3.1 Height - General.
Decision Reasons:	<ul style="list-style-type: none"> Consistency with other zone chapters.
Point Number	697.727
Summary of Decision Requested:	Amend heading for Rule 21.4 Subdivision, as follows: <u>21.4 Subdivision Rules</u>
Decision Reasons:	<ul style="list-style-type: none"> To provide clarity to the heading.
Point Number	697.728
Summary of Decision Requested:	Amend Rule 21.4(1) and (2) Subdivision, as follows: <i>(1) Rule 21.4.1 – General provides for subdivision density within the Heavy Industrial zone.</i> <i>(2) Other subdivision provisions are contained in Rule 21.4.1 is also subject to compliance with the following rules:</i>
Decision Reasons:	<ul style="list-style-type: none"> To provide clarity that the general subdivision rule must also comply with rules 21.4.2 – 21.4.6.
Point Number	697.729
Summary of Decision Requested:	Amend Rule 21.4(2) Subdivision, as follows: <i>(f) Rule 21.4.6 Subdivision - within the National Grid Corridor</i> AND Add new rule after Rule 21.4.5 Subdivision- Significant Natural Areas: <u>21.4.6 Subdivision of land within the National Grid Corridor RDI</u> <i>(a) The subdivision of land within the National Grid Corridor must comply with all of the following conditions:</i> <i>(i) All allotments intended to contain a sensitive land use must provide a building platform for the likely principal building(s) and any building(s) for a sensitive land use located outside of the National Grid Yard, other than where the allotments are for roads, access ways or infrastructure; and</i> <i>(ii) The layout of allotments and any enabling earthworks must ensure that physical access is maintained to any National Grid support structures located on the allotments, including any balance area.</i> <i>(b) Council's discretion is restricted to the following matters:</i> <i>(i) The subdivision layout and design in regard to how this may impact on the operation, maintenance, upgrading and development of the National Grid;</i> <i>(ii) The ability to provide a complying building platform outside of the National Grid Yard;</i> <i>(iii) The risk of electrical hazards affecting public or individual safety, and the risk of property damage;</i> <i>(iv) The nature and location of any vegetation to be planted in the vicinity of National Grid transmission lines.</i> <u>NCL</u> <u>Any subdivision of land within the National Grid Corridor that does not comply with one or more of the conditions of Rule 21.4.6 RDI.</u>
Decision Reasons:	<ul style="list-style-type: none"> Replicate the subdivision rule within the National Grid Corridor from Chapter 14 into Chapter 20 (where this is relevant to the Industrial Zone Heavy) for increased clarity and usability of the Plan.
Point Number	697.730
Summary of Decision Requested:	Delete Rule 21.4.1 RD2 Subdivision - General. AND Amend Rule 21.4.1 RDI (a) Subdivision - General, as follows: <i>(a) Subdivision must comply with all of the following conditions:</i> <i>(i) proposed lots The record of title to be subdivided must have a minimum net site area of 1000m2;</i> <i>(ii) all proposed lots must have an average net site area of at least 2000m2; and</i> <i>(iii) the number of rear lots created by the subdivision does not exceed no more than 20% rear lots are created.</i> AND Add to Rule 21.4.1 RDI new clause (b) to read as follows: <i>(b) Council's discretion is restricted to the following matters:</i> <i>(i) the extent to which a range of future activities can be accommodated; and</i> <i>(ii) amenity values.</i>
Decision Reasons:	<ul style="list-style-type: none"> Additional wording provides clarity as to the intention of the subdivision rule.
Point Number	697.731
Summary of Decision Requested:	Add to Rule 21.4.1 Subdivision - General, as follows: <u>DI</u> <u>Any subdivision that does not comply with Rule 21.4.1 RDI.</u>
Decision Reasons:	<ul style="list-style-type: none"> DI is an omission and needs to be reinstated to form a complete rule cascade.
Point Number	697.732
Summary of Decision Requested:	Amend heading for Rule 21.4.2 Subdivision - Boundaries for Record of Title, as follows:

Decision Reasons:

- Boundaries for Records of Title is not the correct term to use for this rule heading. Change to focus the rule on existing buildings.

Point Number 697.733

Summary of Decision Requested: Amend Rule 21.4.2 RD1 Subdivision - Boundaries for Record of Title, as follows:

- (a) Any boundary of a proposed lot must be located so that:
 (i) Any existing building complies with the permitted activity rules relating to setbacks (rule 21.3.4.1) and daylight admission (21.3.3), except to the extent of any non-compliance that existed lawfully prior to the subdivision; and
~~(ii) no contaminated land, archaeological site, or wetland is divided between any proposed lots.~~
 (b) Council's discretion is restricted to the following matters:
 (i) Amenity values;
~~(ii) effects on contaminated land;~~
~~(iii) effects on any wetland;~~
~~(iv) effects on any archaeological site; and~~
 (v) the extent to which a range of future activities can be accommodated.

Decision Reasons:

- The rule must relate to existing buildings, not contaminated land which is covered already under the NES. archaeological sites has been incorrectly referenced in this rule and should relate to Maaori sites or areas of Significance. Additionally wetlands are covered under separate rules (rule 21.4.5), which is not necessary in the industrial zone.

Point Number 697.734

Summary of Decision Requested: Add to Rule 21.4.2 Subdivision - Boundaries for Records of Title to insert new Discretionary Activities rule, as follows:

DI
Subdivision that does not comply with Rule 21.4.2 RD1.

Decision Reasons:

- DI is an omission and needs to be reinstated to form a complete rule cascade.

Point Number 697.735

Summary of Decision Requested: Amend Rule 21.4.3 RD1 Subdivision - Road Frontage, as follows:

- (a) ~~Any~~ Every proposed lot with a road boundary, other than any access or utility allotment, right of way or access leg, must have a width along the road frontage boundary of at least 1.5m.
~~(b) Rule RD1(a) does not apply to a proposed rear lot or to a proposed access allotment.~~
 (c) Council's discretion is restricted to the following matters:
 (i) ~~traffic effects~~ safety and efficiency of vehicle access and road network; and
 (ii) amenity and streetscape.

Decision Reasons:

- Proposed change provides clarity to the rule.

Point Number 697.736

Summary of Decision Requested: Add to Rule 21.4.3 Subdivision - Road Frontage, as follows:

DI
Subdivision that does not comply with Rule 21.4.3 RD1.

Decision Reasons:

- DI is an omission and needs to be reinstated to complete the rule cascade.

Point Number 697.737

Summary of Decision Requested: Amend Rule 21.4.4 RD1 Subdivision - Esplanade Reserves and Esplanade Strips, as follows:

- (a) ~~Subdivision must create~~ An esplanade reserve or esplanade strip 20m wide (or other width stated in Appendix 4 (Esplanade Priority Areas)) is required to be created and vested in Council from every subdivision where the land being subdivided is proposed to
 (i) less than 4ha and within 20m of any:
 A. mean high water springs;
 B. bank of any river whose bed has an average width of 3m or more; or
 C. a lake whose bed has an area of 8ha or more; or
 (ii) 4ha or more and located within 20m of any:
 A. mean high water springs; or
 B. a water body identified in Appendix 4 (Esplanade Priority Areas).
 (b) Council's discretion ~~is~~ shall be restricted to the following matters:
 (i) the type of esplanade provided reserve or strip;
 (ii) width of the esplanade reserve or strip;
 (iii) provision of legal access to the esplanade reserve or strip;
 (iv) matters provided for in an instrument creating an esplanade strip or access strip;
 (v) works required prior to vesting any reserve in the Council, including pest plant control, boundary fencing and the removal of structures and debris; ~~and~~
 (vi) ~~costs and benefits of acquiring the land.~~

Decision Reasons:

- Additional wording provides clarity to rule. Deletion of (vi) is because this matter is not related to an environmental effect.

Point Number 697.738

Summary of Decision Requested: Delete Rule 21.4.5 Subdivision-Significant Natural Areas;
 AND
 Make consequential amendment to Rule 21.4 Subdivision by deleting (2)(d).

Decision Reasons:

- This rule is not appropriate in the Industrial Zone Heavy.

Point Number 697.739

Summary of Decision Requested: **Add** new Rule 21.4(2)(e) Subdivision, as follows:

~~(e) 21.4.5A Subdivision of land containing Maaori sites of significance and Maaori areas of significance~~

AND

Add new rule 21.4.5A (after deleted rule 21.4.5) "Subdivision of land containing Maaori sites of significance and Maaori areas of significance", as follows:

RD1

~~(a) The boundaries of every proposed lot must not divide any of the following:~~

~~(i) Maaori sites of significance as identified in Schedule 30.3 (Maaori sites of significance);~~

~~(ii) Maaori areas of significance as identified in Schedule 30.4 (Maaori areas of significance);~~

~~(b) Council's discretion is restricted to the following matters:~~

~~(iv) effects on heritage values;~~

~~(v) context and setting of the heritage item; and~~

~~(vi) the extent to which the relationship of the heritage item with its setting is maintained.~~

D1

Subdivision that does not comply with Rule 21.4.5A RD1.

Decision Reasons:

- This rule is required to accommodate the changes made to rule 21.4.2 which referenced "archaeological sites". To be consistent with other zone chapters, this rule needs to refer to Maaori sites of significance and Maaori areas of significance.

Point Number 697.740

Summary of Decision Requested: **Amend** the heading for Chapter 22, as follows:

Chapter 22: Rural Zone – Rules

Decision Reasons:

- To assist in clarifying that all of the provisions within the chapter are rules.

Point Number 697.741

Summary of Decision Requested: **Amend** Rule 22(2) Rural Zone, as follows:

The rules that apply to subdivision in the Rural Zone are contained in Rule 22.4 and the relevant rules in 14 Infrastructure and Energy and 15 Natural Hazards and Climate Change (Placeholder).

Decision Reasons:

- To clarify that the rules in Chapter 14: Infrastructure and Energy and Chapter 15: Natural Hazards and Climate Change apply to subdivision as well as to land use activities.

Point Number 697.742

Summary of Decision Requested: **Amend** Rule 22.1.2 Permitted Activities, as follows:

~~(g) Activity-specific conditions;~~

~~(b) Land Use – Effects rules in Rule 22.2 (unless the activity rule and/or activity-specific conditions identify a condition(s) that does not apply);~~

~~(c) Land Use – Building rules in Rule 22.3 (unless the activity rule and/or activity-specific conditions identify a condition(s) that does not apply);~~

~~(e) Activity-specific conditions;~~

Decision Reasons:

- The list of rules (a) – (c) should follow the order that they appear.

Point Number 697.743

Summary of Decision Requested: **Amend** Rule 22.1.2 P4 A home occupation, as follows:

...~~(d) Unloading and loading of vehicles and/or the receiving of customers or deliveries only occur after 7:30am and before 7:00pm on any day;~~

~~(e) Machinery may only be operated after 7:30am and up to 9pm on any day.~~

Decision Reasons:

- To align the hours for the activity with the noise rule (22.2.1) for this zone.

Point Number 697.744

Summary of Decision Requested: **Amend** Rule 22.1.2 P6 Afforestation not in an Outstanding Landscape, as follows:

Afforestation not in an Outstanding ~~Landscape Area~~ Natural Landscape

AND

Amend table as follows:

~~##(g) For areas less than 1ha.~~

Decision Reasons:

- Reference to Outstanding Landscape Area is incorrect and should refer to "Outstanding Natural Landscape". In addition the NES for plantation forestry covers Afforestation for areas more than 1ha in area. The amendment to include: "for areas less than 1ha" makes the rule clear that it only captures any areas below 1ha.

Point Number 697.745

Summary of Decision Requested: **Amend** Rule 22.1.2 P8 Forestry, as follows:

~~##(g) For areas less than 1ha.~~

Decision Reasons:

- The NES for plantation forestry covers forestry for areas more than 1ha in area. The amendment to include: "for areas less than 1ha" makes the rule clear that it only captures any areas below 1ha.

Point Number 697.746

Summary of Decision Requested: Amend Rule 22.1.2 P10 Homestay, as follows:

(a) Home stay for up to 4 people

Decision Reasons:

- A homestay activity has been provided for as a Discretionary Activity for more than 5 people. This amendment makes it clear that the activity is permitted for up to 4 people.

Point Number 697.747

Summary of Decision Requested: Add to Rule 22.1.2 P13 Travellers Accommodation as follows:

Travellers Accommodation for up to 5 people
"Nil" Conditions

Decision Reasons:

- Travellers' Accommodation has been provided for as a Discretionary Activity for more than 5 people. This amendment makes it clear that the activity is permitted for up to 4 people.

Point Number 697.748

Summary of Decision Requested: Add to Rule 22.1.2 Permitted Activities P14, as follows:

Residential Activity
Nil (Conditions)

Decision Reasons:

- Residential Activity in the Rural Zone needs to be provided for as a permitted activity.

Point Number 697.749

Summary of Decision Requested: Amend Rule 22.1.3 RD1 Intensive farming, as follows:

(a) Intensive Farming that meets all of the following conditions:
 (i) Land Use – Effects in Rule 22.2
 (ii) Land Use – Building in Rule 22.3
 (iii) Building coverage does not exceed 3% of the site:
 A. Rule 22.3.6 (Building Coverage) does not apply;
 (iv) Building height does not exceed 15m;
 A. Rule 22.3.4 (Building Height) does not apply;
 (b) Intensive farming is not located in:
 (i) An Outstanding Natural Feature;
 (ii) An Outstanding Natural Landscape;
 (iii) A Significant Amenity Landscape;
 (iv) An Outstanding Natural Character Area; or
 (v) A High Natural Character Area
 (c) For pig farming (excluding free-range pig farming), buildings and adjacent yard areas outdoor enclosures are set back at least:
 (i) 300 metres from any site boundary;
 (ii) From any boundary of a Residential, Village or Country Living Zone:
 A. 1200 metres (500 or less fewer pigs); or
 B. 2000 metres (more than 500 pigs);
 (d) For freerange poultry farming, buildings and outdoor enclosures are set back at least:
 (i) 100 metres from any site boundary; and
 (ii) 500 metres from any boundary of a Residential, Village and Country Living Zone;
 (e) For housed poultry and all other intensive farming, buildings and adjacent yard areas outdoor enclosures are set back at least:
 (i) 300 metres from any site boundary; and
 (ii) 500 metres from any boundary of a Residential, Village and Country Living Zone.

Decision Reasons:

- This rule requires amendment to provide further clarification, particularly with respect to the term "adjacent yard areas", which is proposed to be amended to "outdoor enclosures".

Point Number 697.750

Summary of Decision Requested: Amend Rule 22.1.3 RD2 Rural Industry, as follows:

Rural Industry not in an Urban Expansion Area

Decision Reasons:

- It is a Non-complying activity to undertake certain activities within the Urban Expansion Area. Rural Industry is to be included in the list of non-complying activities, hence the need to provide clarity in this rule.

Point Number 697.751

Summary of Decision Requested: Add new Rule 22.1.3 RD3 as follows:

RD3
A new retirement village or alterations to an existing retirement village that meets all of the following conditions:
 (a) The site or combination of sites where the retirement village is proposed to be located has a minimum net site area of 3ha;
 (b) The site is either serviced by or within 400m walking distance of public transport;
 (c) The site is either:
 (i) connected to public water and wastewater infrastructure; or
 (ii) serviced with on-site water and wastewater infrastructure;
 (d) Minimum living court or balcony area and dimensions:
 (i) Apartment – 10m² area with minimum dimension horizontal and vertical of 2.5m;
 (ii) Studio unit or 1 bedroom unit – 12.5m² area with minimum dimension horizontal and vertical of 2.5m; or
 (iii) 2 or more bedrooomed unit – 15m² area with minimum dimension horizontal and vertical of 2.5m;
 (e) Minimum service court is either:
 (i) Apartment – Communal outdoor space (ie no individual service courts required) of at least 5m² with a minimum dimension of 1.5 metres for each apartment; or
 (ii) All other units – 10m² with a minimum dimension of 1.5 metres for each unit;

- (f) Building height does not exceed 8m, except for 15% of the total building coverage, where buildings may be up to 10m high;
 (g) The following Land Use – Effects rule in Rule 22.2 does not apply;
 (i) Rule 22.2.7 (Signs);
 (h) The following Land Use – Building rules in Rule 22.3 do not apply;
 (i) Rule 22.3.1 (Dwelling);
 (ii) Rule 22.3.3 (Building Height);
 (j) The following Infrastructure and Energy rule in Chapter 14 does not apply;
 (i) Rule 14.12.1 Pd(1)(g) (Traffic generation);
- (g) Council's discretion is restricted to:
 (i) Integration of the retirement village into the rural landscape;
 (ii) Adverse effects on rural character and amenity;
 (iii) Connectivity to existing towns and villages, including connections to existing walkways, roading infrastructure and public transportation;
 (iv) Connectivity to public reticulated public water supply and wastewater, or provision of services on site;
 (v) Bulk and scale of the retirement village development;
 (vi) Reverse sensitivity effects;
 (vii) Effects on the roading network.

Decision Reasons:

- Retirement villages in the Rural Zone should be provided for on the boundaries of towns and villages provided they can be serviced by infrastructure in the future. Retirement villages provide opportunities for residential development (aged care) that is not only confined to the residential zone.

Point Number 697.752

Summary of Decision Requested: **Amend** Rule 22.1.5 D1 Discretionary Activities, as follows:
 Any permitted activity that does not comply with one or more of the ~~an~~-activity specific conditions in Rule 22.1.2

Decision Reasons:

- Consistency with other chapters and additional clarity of the rule.

Point Number 697.753

Summary of Decision Requested: **Delete** Rule 22.1.5 D2 Discretionary Activities;
 AND
Amend consequential renumbering of subsequent activities.

Decision Reasons:

- This rule is not needed as it refers to Land Use Effects and Land Use Building rules which are in subsequent parts of the chapter.

Point Number 697.754

Summary of Decision Requested: **Amend** Rule 22.15 D12 Discretionary Activities, as follows:
 Motorised sport and recreation activity

Decision Reasons:

- A new definition has been added for the term "motorised sport and recreation".

Point Number 697.755

Summary of Decision Requested: **Amend** Rule 22.1.5 D16 Discretionary Activities, as follows:
 Animal boarding, daycare, breeding or ~~animal~~-training establishment.

Decision Reasons:

- Animal daycare activities have not been provided for in the Rural Zone, except as by default as a Non-Complying Activity. Including "daycare" into D16 makes it clear that this type of activity is included as a Discretionary Activity.

Point Number 697.756

Summary of Decision Requested: **Add** to Rule 22.1.5 new D17 Discretionary Activities, as follows:
Homestay for 4 or more people.

Decision Reasons:

- A homestay activity has been provided for as a permitted activity, which has also been proposed to be amended to include provision for up to 4 people. However for clarity, homestay for 5 or more people needs to be provided as a Discretionary activity.

Point Number 697.757

Summary of Decision Requested: **Amend** Rule 22.1.5 Non-complying activities, by renumbering as Rule 22.1.6.

Decision Reasons:

- To correct a numbering error.

Point Number 697.758

Summary of Decision Requested: **Amend** Rule 22.1.5 NC2 Non-Complying Activities, as follows:
 (a) An extractive industry located within all or part of any of the following landscape and natural character areas:
 (i) Outstanding Natural Feature;
 (ii) Outstanding Natural Landscape;
 (iii) High natural character area;
 (iv) Outstanding Natural Character area.

Decision Reasons:

- Including the wording “landscape and natural character areas” provides clarity to the rule.

Point Number 697.759

Summary of Decision Requested: Amend Rule 22.1.5 NC3 Non-Complying Activities, as follows:

- (a) A waste management facility located within all or part of any of the following landscape and natural character areas:
- (i) Outstanding Natural Feature;
 - (ii) Outstanding Natural Landscape;
 - (iii) High Natural Character area; or
 - (iv) Outstanding Natural Character Area.

Decision Reasons:

- Including the wording “landscape and natural character areas” provides clarity to the rule.

Point Number 697.760

Summary of Decision Requested: Amend Rule 22.1.5 NC4 Non-Complying Activities, as follows:

- (ii) ~~The following activities located within the Urban Expansion Area, the following activities:~~
- (i) intensive farming;
 - (ii) storage, processing or disposal of hazardous waste;
 - (iii) correctional facility;
 - (iv) extractive industry;
 - (v) industrial activity;
 - (vi) motorised recreation activity;
 - (vii) transport depot;
 - (viii) rural industry.

Decision Reasons:

- The introductory wording to the rule provides clarity to the rule and listing rural industry ensures activities are controlled within the Urban Expansion Area.

Point Number 697.761

Summary of Decision Requested: Delete Rule 22.2.1(1) Noise.

Decision Reasons:

- Reduces duplication – this noise rule is adequately covered by points (2) and (3).

Point Number 697.762

Summary of Decision Requested: Delete Rule 22.2.1.1 P3 and P4 Noise - General.

AND

Make consequential amendments as follows:

RD1 (a) Noise that does not comply with Rule 22.2.1.1 ~~P1 or P2, P3 or P4.~~

AND

Amend Rule 22.2.1.1 P2 Noise - General, as follows:

- (a) Noise measured at the notional boundary on any other site in the Rural Zone must not exceed:
- (i) 50dB (LAeq), 7am to 7pm every day;
 - (ii) 45dB (LAeq), 7pm to 10pm every day;
 - (iii) 40dB (LAeq) and 65dB (LAmax), 10pm to 7am the following day.
- (b) Noise measured within any site in any other zone, other than the Rural Zone, must meet the permitted noise levels for that other zone.
- (c) Noise levels must be measured in accordance with the requirements of New Zealand Standard NZS 6801:2008 Acoustics - Measurement of Environmental Sound.
- (d) Noise levels must be assessed in accordance with the requirements of New Zealand Standard NZS 6802:2008 Acoustic Environmental noise.

Decision Reasons:

- P3 and P4 need to be conditions of P2 as they are the standards which need to be met.

Point Number 697.763

Summary of Decision Requested: Amend Rule 22.2.1.3 P1 (a) Noise - Construction, as follows:

- (a) Construction noise generated from a construction site must ~~meet not exceed~~ the limits in New Zealand Standard NZS 6803:1999 (Acoustics – Construction Noise).

Decision Reasons:

- Additional clarity that the rule. Construction noise should not exceed the limits, rather than meet the limits in the NZS.

Point Number 697.764

Summary of Decision Requested: Amend Rule 22.2.3(1) Earthworks, as follows:

- (1) Rule 22.2.3.1 – Earthworks General, provides the permitted rules for earthworks activities for the Rural Zone. This rule does not apply in those areas specified in Rules 22.2.3.1A, 22.2.3.2, 22.2.3.3 and 22.2.3.4.

Decision Reasons:

- The wording of the rule does not make it clear that the rules specified in 22.2.3(2) apply instead of the general earthworks rule.

Point Number 697.765

Summary of Decision Requested: Amend Rule 22.2.3(2) Earthworks, as follows:

- There are specific standards for earthworks within rules:
- (g) Rule 22.2.3.1A – Earthworks - within the National Grid Yard.

- (e b) Rule 22.2.3.2 – Maaori Sites and Maaori Areas of Significance;
- (b c) Rule 22.2.3.3 – Significant Natural Areas;
- (e d) Rule 22.2.3.4 – Landscape and Natural Character Areas.

AND

Add new rule after Rule 22.2.3.1 Earthworks - General, as follows:
22.2.3.1A Earthworks within the National Grid Yard.

P1.

(a) The following earthworks within the National Grid Yard:

(i) Earthworks undertaken as part of domestic cultivation; or repair, sealing or resealing of a road, footpath or driveway;

(ii) Vertical holes not exceeding 500mm in diameter that are more than 1.5m from the outer edge of the pole support structure or stay wire;

(iii) Earthworks for which a dispensation has been granted by Transpower under New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663.

P2.

(a) Earthworks activities within the National Grid Yard near National Grid support poles or any stay wires must comply with the following conditions:

(i) Do not exceed a depth of 300mm within 2.2m of the pole or stay wire; and

(ii) Do not exceed a depth of 750mm between 2.2m and 5m of the pole or stay wire.

P3.

(a) Earthworks within the National Grid Yard near National Grid support towers (including any tubular steel tower that replaces a steel lattice tower) must comply with all of the following conditions:

(i) Do not exceed 300m depth within 6m of the outer edge of the visible foundation of the tower;

(ii) Do not exceed 3m between 6m and 12m of the outer edge of the visible foundation of the tower;

(iii) Do not compromise the stability of a National Grid support structure;

(iv) Do not result in the loss of access to any National Grid support structure; and

(v) Must be less than the minimum ground to conductor clearance distances in Table 4 of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663.

RD1

(a) Earthworks within the National Grid Yard that do not comply with one or more of the conditions of Rules 22.2.3.1A P1, P2 or P3.

(b) Discretion is restricted to:

(i) Impacts on the operation, maintenance, upgrading and development of the National Grid;

(ii) The risk to the structural integrity of the affected National Grid support structure(s);

(iii) Any impact on the ability of the National Grid owner (Transpower) to access the National Grid;

(iv) The risk of electrical hazards affecting public or individual safety, and the risk of property damage.

Decision Reasons:

- It must replicate the earthworks rule within the National Grid from Chapter 14 into Chapter 22 for increased clarity and usability of the Plan.

Point Number 697.766

Summary of Decision Requested: Delete Rule 22.2.3.1 P1(a)(iii) Earthworks - General.

Decision Reasons:

- The content of this rule is already contained within the meaning of ancillary rural earthworks.

Point Number 697.767

Summary of Decision Requested: Amend Rule 22.2.3.1 P1(a)(iv) Earthworks - General, as follows:

(i) A building platform for a residential activity, including accessory buildings: carried out in accordance with NZS 4431:1989 Code of Practice for Earth Fill for Residential Development.

Decision Reasons:

- For clarity of the rule, it makes sense that the NZS 4431:1989 Code of Practice for Earth Fill for Residential Development is applied within this rule instead of P3.

Point Number 697.768

Summary of Decision Requested: Amend Rule 22.2.3.1 P2(a)(iii) Earthworks - General, as follows:

(iii) Earthworks are setback at least 1.5m from all boundaries;

Decision Reasons:

- The words "at least" provide clarity to this rule.

Point Number 697.769

Summary of Decision Requested: Delete Rule 22.2.3.1 P3 Earthworks - General;

AND

Amend Rule 22.2.3.1 RD1(a) Earthworks - General, as follows:

(a) Earthworks that do not comply with Rule 22.2.3.1 P1, P2, ~~P3~~ or P4.

Decision Reasons:

- P3 has been included in rule 22.2.3.1 P1(a)(iv).
- As a consequential amendment.

Point Number 697.770

Summary of Decision Requested: Amend Rule 22.2.3.1 P4(a)(iv) Earthworks - General, as follows:

(iv) Fill material is setback at least 1.5m from all boundaries;

Decision Reasons:

- The words "at least" provide clarity to this rule.

Point Number 697.771

Summary of Decision Requested: Amend Rule 22.2.3.2 P1(a) Earthworks - Maaori Sites and Maaori Areas of Significance, as follows:

(a) Earthworks within a Maaori site of significance as identified in Schedule 30.3 (Maaori sites of Significance) and as shown on the planning maps.

AND

Amend Rule 22.2.3.2 P1 (b) Earthworks - Maaori Sites and Maaori Areas of Significance as follows:

(b) Council's discretion is restricted to the following matters:
~~(i) location of activity in relation to the site, effects on heritage and cultural values;~~

Decision Reasons:

- Wording provides additional clarity to the rule.

Point Number 697.772

Summary of Decision Requested: **Delete** matter of discretion from Rule 22.2.3.2 RD2 (b) Earthworks-Maaori Sites and Maaori Areas of Significance, as follows:

~~(i) location of activity in relation to the site, effects on heritage and cultural values;~~

Decision Reasons:

- The entire site is identified as a Maaori area of significance, therefore the matter of discretion is unnecessary.

Point Number 697.773

Summary of Decision Requested: **Amend** Rule 22.2.3.3 P1 (a) Earthworks - Significant Natural Areas, as follows:

(a) Earthworks are for the maintenance of existing tracks, fences or drains within an identified Significant Natural Area must meet all of the following conditions:

- (i) ~~The earthworks must not~~ exceed a volume of 50m³ in a single consecutive 12 month period; and
(ii) ~~The earthworks must not~~ exceed an area of 250m² in a single consecutive 12 month period;

Decision Reasons:

- The word "are" provides clarity to the rule.

Point Number 697.774

Summary of Decision Requested: **Amend** Rule 22.2.3.3 P1 (a)(iv) Earthworks - Significant Natural Areas, as follows:

(iv) Earthworks are setback at least 1.5m from all boundaries;

Decision Reasons:

- The words "at least" provide clarity to the rule.

Point Number 697.775

Summary of Decision Requested: **Amend** Rule 22.2.3.3 P2 Earthworks - Significant Natural Areas, as follows:

Filling within a significant natural area using imported fill must not exceed a volume of 20m³ and a depth of 1.5m.

Decision Reasons:

- The words "within a significant natural area" provide clarity to the rule.

Point Number 697.776

Summary of Decision Requested: **Amend** Rule 22.2.3.4 P1 (a) Earthworks - within Landscape and Natural Character Areas, as follows:

(a) Earthworks are for the maintenance of existing tracks, fences or drains within the following landscapes, natural features and natural character areas:

- (i) Hill Country Significant Amenity Landscape;
(ii) Significant Amenity Landscape (SAL) – Waikato river and margins and lakes;
(iii) Significant Amenity Landscape (SAL) – sand dune;
(iv) High or Outstanding Natural Character area of the coastal environment;
(v) Outstanding Natural Feature sand dune;
(vi) Outstanding Natural Feature (ONF);
(vii) Outstanding Natural Landscapes (ONLs);
~~an identified Landscape or Natural Character Area and must meet all of the following conditions:~~

Decision Reasons:

- The additional wording provides clarification as to which areas are being encompassed by this rule.

Point Number 697.777

Summary of Decision Requested: **Amend** Rule 22.2.4 P1 (a)(i) Hazardous substances, as follows:

(a) The use, storage or disposal of any hazardous substances must meet the following conditions where:
(i) ~~The aggregate quantity of hazardous substances of any hazard classification on a site is less than the quantity specified for the Rural Zone in Table 45.1 contained within Appendix 6.1 (Hazardous Substances).~~

Decision Reasons:

- The removal of the words "contained within" are not necessary.
- Reference to appendix 6 is incorrect as is a minor error.

Point Number 697.778

Summary of Decision Requested: **Add** a new non-complying activity (NC1) to Rule 22.2.4 Hazardous substances ,as follows:

NC1
Any new hazardous facility that involves the storage and handling of hazardous substances with explosive or flammable intrinsic properties within 12m of the centre line of a National Grid Transmission Line.

Decision Reasons:

- This is to replicate the hazardous facilities rule within the National Grid from Chapter 14 into Chapter 22 for increased clarity and usability of the Plan.

Point Number	697.779
Summary of Decision Requested:	Amend Rule 22.2.5.2 RD1 (b)(i) Notable tree - trimming, as follows: <i>(i) timing and manner in which the activity is carried out and by whom and.</i>
Decision Reasons:	<ul style="list-style-type: none"> This matter of discretion does not make sense. Rule clearly points out that a works arborist is required to assess the tree.
Point Number	697.780
Summary of Decision Requested:	Delete Rule 22.2.5.2 RD1 (b)(ii) Notable tree - trimming.
Decision Reasons:	<ul style="list-style-type: none"> This matter of discretion does not make sense. Rule clearly points out that a works arborist is required to assess the tree.
Point Number	697.781
Summary of Decision Requested:	Amend Rule 22.2.5.3 P1 (i) Notable tree - activities within the dripline, as follows: <i>(i) Involve excavation, compaction, sealing or soil disturbance and placement of fill material, <u>or cleanfill</u>, except for sealing of an existing road or footpath; and</i>
Decision Reasons:	<ul style="list-style-type: none"> This rule also needs to include "cleanfill" in addition to "fill material".
Point Number	697.782
Summary of Decision Requested:	Amend Rule 22.2.5.3 RD1 (a) Notable tree - activities within the dripline, as follows: <i>(a) Any activity <u>within the dripline of the notable tree</u> that does not comply with Rule 22.2.5.3 P1</i>
Decision Reasons:	<ul style="list-style-type: none"> The words "within the dripline of the notable tree" provide clarity to the rule.
Point Number	697.783
Summary of Decision Requested:	Amend Rule 22.2.6.1 P2(a)(x) Signs - General, as follows: <i>(x) The sign is <u>for the purpose of identification and interpretation</u> not attached to of a Maaori site of significance listed in Schedule 30.3 (Maaori Sites of Significance) except for the purpose of identification and interpretation;</i>
Decision Reasons:	<ul style="list-style-type: none"> The re-wording of this rule provides clarity.
Point Number	697.784
Summary of Decision Requested:	Amend Rule 22.2.6.1 P3 Signs - General, as follows: <i>(a) A real estate 'for sale' or 'for rent' sign relating to the site on which it is located must <u>comply with all of the following conditions</u> not- (i) Not have. There is no more than + 3 signs per site agency; (ii) Be. The sign is not illuminated; (iii) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials; (iv) Project into or over road reserve.</i>
Decision Reasons:	<ul style="list-style-type: none"> This rule excluded signs for rental properties and requires additional words to ensure consistency with rule 22.2.6.1. P3(a)(iv) is not required as the rural zone provisions do not apply within the road reserve.
Point Number	697.785
Summary of Decision Requested:	Amend Rule 22.2.6.2 P1 (a) Signs - effects on traffic, as follows: <i>(a) Any sign directed at road users must <u>meet the following conditions</u>: (i) Not imitate the content, colour or appearance of any traffic control sign; (ii) Be located at least 60m from controlled intersections, pedestrian crossings and any other sign; (iii) Not obstruct sight lines of drivers turning into or out of a site entrance and intersections; (iv) Contain no more than 40 characters and no more than 6 symbols; (v) Have lettering that is at least 200mm high; and (vi) Where the sign directs traffic to a site entrance, the sign must be at least: A. 1.75m from the entrance on roads with a speed limit of 80 km/hr or less; or B. 250m from the entrance on roads with a speed limit of more than 80km/hr.</i>
Decision Reasons:	<ul style="list-style-type: none"> The amended wording provides clarity for the rule and consistency with other rules.
Point Number	697.786
Summary of Decision Requested:	Amend Rule 22.2.7 Indigenous vegetation heading, as follows: <i>Indigenous vegetation clearance <u>inside</u> within a Significant Natural Area</i>
Decision Reasons:	<ul style="list-style-type: none"> This wording provides additional clarity.

Point Number	697.787
Summary of Decision Requested:	<p>Amend Rule 22.2.7 Indigenous vegetation inside an Significant Natural Area, as follows:</p> <p>P1 (a) Indigenous vegetation clearance in a Significant Natural Area identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas) for the following purposes...</p> <p>P3 (a) Indigenous vegetation clearance for building, access, parking and manoeuvring areas in a Significant Natural Area identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas) must comply with all of the following conditions....</p> <p>P4 (a) On Maaori Freehold Land or Maaori Customary Land, indigenous vegetation clearance in a Significant Natural Area identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas) where...</p> <p>P5 (a) On Maaori Freehold Land or Maaori Customary Land, indigenous vegetation clearance in a Significant Natural Area identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas) for the following purposes:</p> <p>D1 Indigenous vegetation clearance in a Significant Natural Area identified on the planning maps or in Schedule 5 (Urban Allotment Significant Natural Areas) that does not comply with one or more conditions in Rule 22.2.7 P1, P2, P3, P4, P5 or P6.</p>
Decision Reasons:	<ul style="list-style-type: none"> The definition of "urban allotment" is not likely to apply to any sites zoned as Rural Zone.
Point Number	697.788
Summary of Decision Requested:	<p>Add a new condition (vii) to Rule 22.2.7(a) Indigenous vegetation clearance inside a Significant Natural Area, as follows:</p> <p>(vii) <u>Removing vegetation for conservation activities.</u></p>
Decision Reasons:	<ul style="list-style-type: none"> This new rule enables the clearance of indigenous vegetation within significant natural areas for conservation activities.
Point Number	697.789
Summary of Decision Requested:	<p>Amend Rule 22.2.7 P2 Indigenous vegetation clearance inside a Significant Natural Area, as follows:</p> <p>Removal of up to 5m3 of manuka and/or kanuka outside of the Coastal Environment per year per property <u>site</u> for domestic firewood purposes or arts and crafts provided the removal will not directly result in the death, destruction or irreparable damage of any other tree, bush or plant.</p>
Decision Reasons:	<ul style="list-style-type: none"> This is to provide additional clarity that the rule is intended to apply "per site" rather than "per property", which is not a defined term.
Point Number	697.790
Summary of Decision Requested:	<p>Delete Rule 22.2.7 P5 Indigenous vegetation clearance inside a Significant Natural Area.</p> <p>AND</p> <p>Amend Rule 22.2.7 D1 Indigenous vegetation clearance inside a Significant Natural Area, as follows:</p> <p>...P4, P5 or P6.</p>
Decision Reasons:	<ul style="list-style-type: none"> Rule P5 duplicates P1 with the only difference being that P5 captures Maaori Freehold land or Maaori Customary land, which is captured by P1 anyway. As a consequential amendment to the text.
Point Number	697.791
Summary of Decision Requested:	<p>Delete Rule 22.2.7 P6 Indigenous vegetation clearance inside a Significant Natural Area;</p> <p>AND</p> <p>Amend Rule 22.2.7 D1 Indigenous vegetation clearance inside a Significant Natural Area as follows:</p> <p>...P4, or P5 or P6</p>
Decision Reasons:	<ul style="list-style-type: none"> The activity is a repeat of P2. As a consequential amendment.
Point Number	697.792
Summary of Decision Requested:	<p>Amend Rule 22.2.8 Indigenous vegetation clearance outside a Significant Natural Area heading, as follows:</p> <p>Indigenous vegetation clearance outside a Significant Natural Area-General</p>
Decision Reasons:	<ul style="list-style-type: none"> The heading "outside a Significant Natural Area" is confusing, as the provision relates to all areas of the rural zone that is not covered by a Significant Natural Area.
Point Number	697.793
Summary of Decision Requested:	<p>Amend Rule 22.2.8 P1 (a)(ii) Indigenous vegetation clearance outside a Significant Natural Area, as follows:</p> <p>(ii) Maintaining productive pasture through the removal of up to 1000m² per single consecutive 12 month period of manuka and/or kanuka that is <u>at least</u> more than 10m from a waterbody, and <u>is less</u> than 4m in height;</p>
Decision Reasons:	<ul style="list-style-type: none"> Additional words in this rule provide clarity.
Point Number	697.794

Summary of Decision Requested: Amend Rule 22.2.8 P1(a)(vii) Indigenous vegetation clearance outside a Significant Natural Area, as follows:
(vii) A building platform and associated access, parking and manoeuvring up to a total of 500m² clearance of indigenous vegetation except on Maori Freehold or Maori Customary Land.

Decision Reasons:

- Including an exemption for Maori Freehold or Maori Customary land into this rule means that P2 can be deleted, as P2 essentially repeats P1.

Point Number 697.795

Summary of Decision Requested: Delete Rule 22.2.8 P2 Indigenous vegetation clearance outside a Significant Natural Area.

Decision Reasons:

- P2 is not required, given the change made to rule 22.2.8 P1 (a)(vii).

Point Number 697.796

Summary of Decision Requested: Amend Rule 22.2.8 RD1 Indigenous vegetation clearance outside a Significant Natural Area, as follows:

- (a) Indigenous Vegetation clearance outside a Significant Natural Area identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas) that does not comply with one or more conditions of Rule 22.2.8 P1, ~~or P2 or P3.~~*
(b) Council's discretion is restricted to the following matters:
(i) the extent to which the clearance will result in the fragmentation and isolation of indigenous ecosystems and habitats, ~~including the loss of corridors or connections that link indigenous ecosystems and habitat and the loss of buffering of indigenous ecosystems;~~
(ii) the extent to which the clearance will result in loss, damage or disruption to ecological processes, functions and ecological integrity, including ecosystem services;
(iii) ~~the extent to which cumulative effects of the vegetation clearance have been considered and addressed;~~
(iv) the extent to which the clearance affects Tangata Whenua relationships with indigenous biodiversity on the site;
(v) the extent to which the indigenous biodiversity contributes to natural character and landscape values, including: ~~A,~~
A, areas of outstanding natural character,
B, outstanding natural features,
C, outstanding natural landscapes; and
D, significant amenity landscapes.

Decision Reasons:

- Amendments required to wording to ensure intent of the rule is correct and formatting changed in (v) to be clear.

Point Number 697.797

Summary of Decision Requested: Amend Rule 22.3.1 P1 Number of dwellings within a lot, as follows:

- (a) One dwelling within a ~~lot record of title containing an area less than 40ha;~~*
(b) No more than two dwellings within a ~~lot record of title containing an area 40ha or more;~~
(c) Any dwelling(s) under Rule 22.3.1 P1 (a) and (b) must not be located within any of the following landscape and natural character areas:
(i) Outstanding Natural Feature;
(ii) Outstanding Natural Landscape;
(iii) Outstanding Natural Character Area;
(iv) High Natural Character Area.

Decision Reasons:

- The definition "record of title" has been included for correction and other words for clarity of the rule.

Point Number 697.798

Summary of Decision Requested: Amend Rule 22.3.2 P1 Minor dwelling, as follows:

- (a) One minor dwelling ~~not exceeding 70m² gross floor area~~ within a lot record of title must comply with the following conditions:*
(i) ~~Where there is an existing dwelling located within a lot not exceed 70m² gross floor area;~~
(ii) ~~The minor dwelling must be located within 20m of the principal residential unit dwelling;~~
(iii) ~~The minor dwelling must share a single driveway access with the principal residential unit existing dwelling.~~

Decision Reasons:

- Amendments provide clarity of rule and aligns the terminology with the definition for minor dwelling.

Point Number 697.799

Summary of Decision Requested: Amend Rule 22.3.3 D1 (a) Buildings and structures in Landscape and Natural Character Areas, as follows:

- (a) Building or structure located within any of the following landscape and natural character areas:*

...

Decision Reasons:

- Additional words in this rule provide clarity.

Point Number 697.800

Summary of Decision Requested: Amend Rule 22.3.4(1) Height, as follows:

- (1) Rule 22.3.4.1 – Height - Building general provides permitted height levels across the entire Rural Zone for buildings, structures or vegetation. This rule does not apply in those areas specified in Rules 22.3.4.2 – 22.3.4.4.*
(i) ...

Decision Reasons:

- The wording of the rule does not make it clear that the rules in 22.3.4.2 – 22.3.4.4 apply to the areas or activities specified in those rules instead of the height building general rule.

Point Number 697.801

Summary of Decision Requested:	Amend Rule 22.3.4.2 P1 (b) Height Frost Fans, as follows: <i>(b) The fan blades must not rotate higher than 13.5m <u>above ground level</u>.</i>
Decision Reasons:	<ul style="list-style-type: none"> Inserting the words "above ground level" clarify where the measurement for the frost fan blades must be taken from.
Point Number	697.802
Summary of Decision Requested:	Amend Rule 22.3.4.3 P1 Height - Buildings structures and vegetation within an airport obstacle limitation surface, as follows: <i>Any building, structure or vegetation must not protrude through any the Airport Obstacle Limitation Surface as shown <u>identified on the planning maps and defined in Section E Designation N – Waikato Regional Airport</u>.</i>
Decision Reasons:	<ul style="list-style-type: none"> This rule relates only to the Waikato Regional Airport and needs to specifically identify this. Additional wording provides clarity to the rule.
Point Number	697.803
Summary of Decision Requested:	Amend Rule 22.3.4.3 NC1 Height-Buildings structures and vegetation within an airport obstacle limitation surface to be a Discretionary Activity as follows: NC-D1 <i>Any building, structure or vegetation that does not comply with Rule 22.3.4.3 P1</i>
Decision Reasons:	<ul style="list-style-type: none"> Additional wording provides clarity to the rule. Activity status to be more consistent with other zone chapters.
Point Number	697.804
Summary of Decision Requested:	Amend Rule 22.3.5 RD1 (b) Daylight admission, as follows: <i>(b) Council's discretion is restricted to the following matters: (i) Height of <u>the building</u>; (ii) Design and location of the building; (iii) Admission of daylight and sunlight to the site and other site; (iv) Privacy on <u>any</u> other site; (v) Amenity values of the locality.</i>
Decision Reasons:	<ul style="list-style-type: none"> Additional words in this rule provide clarity.
Point Number	697.805
Summary of Decision Requested:	Amend Rule 22.3.6 P1 (a) Building coverage, as follows: <i>(a) The total building coverage must not exceed the larger of: (i) ...</i>
Decision Reasons:	<ul style="list-style-type: none"> Word 'total' not necessary. Also need consistency of wording across zone chapters.
Point Number	697.806
Summary of Decision Requested:	Amend Rule 22.3.6 D1 Building coverage, as follows: <i>A building <u>coverage</u> that does not comply with Rule 22.3.6 P1</i>
Decision Reasons:	<ul style="list-style-type: none"> This is to keep consistency of wording across zone chapters.
Point Number	697.807
Summary of Decision Requested:	Add a new clause (f) into Rule 22.3.7 Land use - Building, as follows: <i>(f) <u>Rule 22.3.7.7 Building setback – National Grid Yard</u></i> AND Add a new rule into Chapter 22, after Rule 22.3.7.7, as follows: <i><u>22.3.7.7 Buildings and structures within the National Grid Yard</u></i> <i><u>P1</u></i> <i><u>(a) Within the National Grid yard, building alterations and additions to an existing building or structure must comply with the following conditions:</u></i> <i><u>(i) Not involve an increase in the building height or footprint; and</u></i> <i><u>(ii) Comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663 under all National Grid transmission line operating conditions.</u></i> <i><u>P2</u></i> <i><u>(a) Within the National Grid yard, the maximum height of fences are 2.5m within 5m from the nearest National Grid Pole or 6m from the nearest National Grid tower.</u></i> <i><u>P3</u></i> <i><u>Within the National Grid yard, new buildings and structures that are not for a sensitive land use must comply with the following conditions:</u></i> <i><u>(i) Comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663 under all National Grid transmission line operating conditions; and</u></i> <i><u>(ii) Locate a minimum 12m from the outer visible foundation of any National Grid tower and locate a minimum 12m from any pole and associated stay wire, unless it is:</u></i> <i><u>A. A building or structure where Transpower has given written approval in accordance with clause 2.4.1 of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663.</u></i> <i><u>P4</u></i> <i><u>Within the National Grid yard, non-habitable buildings or structures for farming activities must comply with the following conditions:</u></i> <i><u>(i) Not include buildings for intensive farming buildings, commercial greenhouses or milking / dairy sheds;</u></i> <i><u>(ii) Comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663 under all National Grid transmission</u></i>

line operating conditions; and
 (i) Locate a minimum 12m from the outer visible foundation of any National Grid tower and locate a minimum 12m from any pole and associated stay wire, unless it is:
 A. A building or structure where Transpower has given written approval in accordance with clause 2.4.1 of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663.
 P5
Within the National Grid yard, yards for milking / dairy sheds must comply with the following conditions:
 (i) Comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663 under all National Grid transmission line operating conditions; and
 (ii) Locate a minimum 12m from the outer visible foundation of any National Grid tower and locate a minimum 12m from any pole and associated stay wire, unless it is:
 A. A building or structure where Transpower has given written approval in accordance with clause 2.4.1 of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663.
 P6
Within the National Grid yard, artificial crop protection and support structures must comply with the following conditions:
 (i) Comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663 under all National Grid transmission line operating conditions; and
 (ii) Locate a minimum 12m from the outer visible foundation of any National Grid tower and locate a minimum 12m from any pole and associated stay wire, unless it is:
 A. A building or structure where Transpower has given written approval in accordance with clause 2.4.1 of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663.
 (iii) Artificial crop protection and support structures between 8m and 12m from a single pole support structure and any associated guy wire (but not tower) must also:
 A. Be maximum 2.5m high;
 B. Be removable or temporary, to allow a clear working space of at least 12 metres from the pole when necessary for maintenance and emergency repair purposes;
 C. Allow all-weather access to the pole and a sufficient area for maintenance equipment, including a crane.
 NCL
Any building alterations or additions within the National Grid Yard that does not comply with Rule 22.3.7.7 P1.
 NC2
Any new buildings or structures within the National Grid Yard that does not comply with Rule 22.3.7.7 P2, P3, P4, P5, or P6.
 NC3
Intensive farming buildings within the National Grid Yard.
 NC4
Commercial greenhouses within the National Grid Yard.
 NC5
Milking and dairy sheds within the National Grid Yard.

Decision Reasons:

- This is to replicate the rule regarding buildings and structure within the National Grid from Chapter 14 into Chapter 22 for increased clarity and usability of the Plan.

Point Number 697.808

Summary of Decision Requested: Amend Rule 22.3.7 Building setbacks to include Rules 22.3.7.3 and 22.3.7.4, as follows:

- (a) Rules 22.3.7.1 to 22.3.7.4 provide the permitted building setback distances for buildings from site boundaries, specific land use activities and environmental features.
 (b) Rule 22.3.7.1 Building setbacks – all boundaries provides permitted building setback distances from all boundaries on any site within the Rural Zone. Different setback distances are applied based on the type of building and the site area.
 (c) Rule 22.3.7.2 Building setback – sensitive land use provides permitted setback distances for any building containing a sensitive land use from specified land use activities.
 (d) Rule 22.3.7.3 – Building Te Kowhai Noise Buffer provides for permitted setbacks within the Te Kowhai Noise Buffer.
 (e) Rule 22.3.7.4 – Building – Noise Sensitive Activities provides setbacks for Noise Sensitive Activities
~~(f) Rule 22.3.7.3 Building setback – water bodies provides permitted setback distances from lakes, wetlands, rivers and the coast.~~
~~(g) Rule 22.3.7.4 Building setback – Environmental Protection Area provide specific setback distances from specified environmental features.~~

Decision Reasons:

- Rules 22.3.7.3 and 22.3.7.4 are missing from the list of building setbacks and need to be included.

Point Number 697.809

Summary of Decision Requested: Amend Rule 22.3.7.1 P1 (a) Building Setbacks - all boundaries, as follows:

- (a) A habitable building located on a ~~site~~ Record of Title less than 1.6ha must be set back a minimum of:...

Decision Reasons:

- The definition "record of title" has been included for correction.

Point Number 697.810

Summary of Decision Requested: Add a new clause (iii) to Rule 22.3.7.1 RD1 (b) Building Setbacks - all boundaries, as follows:

- (iii) reverse sensitivity.

Decision Reasons:

- This additional matter of discretion is required to be included in the planner's assessment of effects of this activity.

Point Number 697.811

Summary of Decision Requested: Add new rules to Rule 22.3.7.2 Building setback - sensitive land use, as follows:

- 22.3.7.2 Building setback – Sensitive land use.
 P2
 (a) Any building for a sensitive land use must be set back a minimum of:
 (i) 10m from the centre line of any electrical distribution or transmission lines, not associated with the National Grid, that operate at a voltage of up to 110kV;
 (ii) 12m from the centre of line of any electrical distribution or transmission lines, not associated with the National Grid, that operate at a voltage of 110kV or more.
 P3
 (a) Within the National Grid yard, alterations or additions to a building used for an existing sensitive land use must comply with all the following conditions:
 (i) Not increase the building height or footprint; and
 (ii) Comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663 under all National Grid transmission line operating conditions; and
 (iii) Locate a minimum 12m from the outer visible foundation of any National Grid tower and locate a minimum 12m from any pole and associated stay wire, unless Transpower has given written approval in accordance with clause 2.4.1 of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663.
 D1
 Any building for a sensitive land use that does not comply with Rule 22.3.7.2 P1 or P2.
 NCL
 Any activity within the National Grid Yard that does not comply with Rule 22.3.7.2 P3.
 NC2

Any new building for a sensitive land use within the National Grid Yard
NC3
Any change of use of an existing building to a sensitive land use within the National Grid Yard
NC4
The establishment of any new sensitive land use within the National Grid Yard

Decision Reasons:

- This is to replicate the rule regarding sensitive land uses from Chapter 14 into Chapter 22 for increased clarity and usability of the Plan.

Point Number 697.812

Summary of Decision Requested: **Amend** Rule 22.3.7.5 P2 Building setback - waterbodies, as follows:

A public amenity of up to 25m², ~~and~~ or a pump shed (public or private), within any building setback identified in Rule 22.3.7.5 P1.

Decision Reasons:

- Additional word "or" in this rule provides clarity.
- The words "public or private" to clarify that the pump shed is both private and public.

Point Number 697.813

Summary of Decision Requested: **Amend** Rule 22.3.7.5 Building setback - waterbodies, as follows:

PI
(a) Any building must be set back a minimum of:
(i) 32m from the margin of any;
A. Lake; and
B. Wetland;
(ii) ~~22-32~~m from the bank of any river (other than the Waikato River and Waipa River);
(iii) ~~28-32~~m from the banks of the Waikato River and Waipa River; and
(iv) ~~22-32~~m from mean high water springs.

Decision Reasons:

- Amend the rule so that the setback represents 25m esplanade reserve plus the yard setback for the Waikato and Waipa Rivers, and 20m esplanade plus the yard setback for all other waterbodies.

Point Number 697.814

Summary of Decision Requested: **Amend** Rule 22.3.8.3 P1 (a) All heritage items - alterations or additions, as follows:

(a) Alteration or addition to a heritage item listed in Schedule 30.1 (Historic Heritage Items) ~~where must comply with the following conditions:~~
(i) No significant feature of interest is removed, destroyed or damaged; and
(ii) Alterations or additions are not visible from a public place.

Decision Reasons:

- Additional words in this rule provide clarity.

Point Number 697.815

Summary of Decision Requested: **Amend** Rule 22.3.8.4 P1 (a) All heritage items - maintenance or repair, as follows:

(a) Maintenance or repair of a heritage item listed in Schedule 30.1 (Historic Heritage Items) ~~where must comply with the following conditions:~~
(i) No significant feature of interest is destroyed or damaged; and
(ii) Replacement materials are the same as, or similar to, the original in terms of form, style and appearance.

Decision Reasons:

- Additional words in this rule provide clarity.

Point Number 697.816

Summary of Decision Requested: **Amend** Rule 22.3.8.4 RD1 (a) All heritage items - maintenance or repair, as follows:

(a) ~~Any activity~~ Maintenance or repair of a heritage item that does not comply with Rule 22.3.8.4 P1

Decision Reasons:

- This will provide consistency of wording across zone chapters.

Point Number 697.817

Summary of Decision Requested: **Amend** Rule 22.3.8.5 P1 (a) All heritage items - all site development, as follows:

Development on a site containing a heritage item listed in Schedule 30.1 (Historic Heritage Items) must comply with the following conditions:

Decision Reasons:

- This will provide consistency of wording across zone chapters.

Point Number 697.818

Summary of Decision Requested: **Amend** Rule 22.3.8.5 RD1 (b) All heritage items - all site development, as follows:

Council's discretion ~~is~~ shall be restricted to the following matters:

Decision Reasons:

- This will provide consistency across zone chapters.

Point Number 697.819

Summary of Decision Requested: **Amend** Rule 22.3.8.5 RD1 (b)(iv) All heritage items - all site development, as follows:

(iv) The relationship of the heritage item with the setting, including the area between the front of the heritage item and the road.

Decision Reasons:

- Additional words in this rule provide clarity.

Point Number 697.820

Summary of Decision Requested: Amend Rule 22.4 Subdivision, as follows:
22.4 Subdivision - Rules

Decision Reasons:

- Additional words in this rule provide clarity.

Point Number 697.821

Summary of Decision Requested: Add a new clause (h) to Rule 22.4.1(3) Subdivision, as follows:

(b) Rule 22.4.8A – subdivision within the National Grid Corridor.

AND

Amend consequential renumbering

AND

Add a new rule after Rule 22.4.8 as follows:

22.4.8A Subdivision within the National Grid Corridor.

RDL

(a) The subdivision of land within the National Grid Corridor must comply with all of the following conditions:

(i) All allotments intended to contain a sensitive land use must provide a building platform for the likely principal building(s) and any building(s) for a sensitive land use located outside of the National Grid Yard, other than where the allotments are for roads, access ways or infrastructure; and

(ii) The layout of allotments and any enabling earthworks must ensure that physical access is maintained to any National Grid support structures located on the allotments, including any balance area.

(b) Council's discretion is restricted to the following matters:

(i) The subdivision layout and design in regard to how this may impact on the operation, maintenance, upgrading and development of the National Grid;

(ii) The ability to provide a complying building platform outside of the National Grid Yard;

(iii) The risk of electrical hazards affecting public or individual safety, and the risk of property damage;

(iv) The nature and location of any vegetation to be planted in the vicinity of National Grid transmission lines.

NCL

Any subdivision of land within the National Grid Corridor that does not comply with one or more of the conditions of Rule 22.4.8A RDL.

Decision Reasons:

- This is to replicate the subdivision rule within the National Grid Corridor from Chapter 14 into Chapter 22 for increased clarity and usability of the Plan.

Point Number 697.822

Summary of Decision Requested: Amend Rule 22.4.1.1 Prohibited subdivision, as follows:

Any subdivision within the Urban Expansion Area involving the creation of any additional ~~lot~~ record of title.

Decision Reasons:

- The definition "record of title" has been included for correction.

Point Number 697.823

Summary of Decision Requested: Amend Rule 22.4.1.1 PR2 Prohibited subdivision, as follows:

(a) Subdivision of a Record of Title issued prior to 6 December 1997, which results in more than one additional ~~lot~~ record of title being located on any high class soil.

(b) Exceptions to PR2(a) are where an additional ~~lot~~ record of title is created by any of the following rules:

(i) ...

Decision Reasons:

- The definition "record of title" has been included for correction.

Point Number 697.824

Summary of Decision Requested: Amend Rule 22.4.1.1 PR3 Prohibited subdivision, as follows:

(a) Subdivision of a Record of Title issued on or after 6 December 1997, which results in any additional ~~lot~~ record of title being located on any high class soil.

(b) Exceptions to PR3(a) are where an additional ~~lot~~ record of title is created by any of the following:

(i) Conservation lot subdivision (Rule 22.4.1.6);

(ii) Reserve lot subdivision (Rule 22.4.1.7);

(iii) Access allotment or utility allotment using Rule 14.12 (Transportation);

(iv) Subdivision of Maori Freehold land (Rule 22.4.1.3);

(v) A boundary relocation (Rule 22.4.1.4).

(c) Rule PR3(a) does not apply to any records of title that were created by the following:

(i) a boundary relocation or adjustment between Records of Title that existed prior to 6 December 1997; (refer to Rule 22.4.1.4); or

(ii) a process other than subdivision under the Resource Management Act 1991.

Decision Reasons:

- The definition "record of title" has been included for correction.
- Rule PR3(b)(v) expressly exempts boundary relocations from this rule.

Point Number 697.825

Summary of Decision Requested: Amend Rule 22.4.1.1 PR4 Prohibited subdivision, as follows:

(a) Notwithstanding rule PR3(c)(ii), any proposed subdivision where of any record of title that has been used as a donor lot has been created for the purpose of a transferable rural lot right subdivision under the provisions of the previous Operative Waikato District Plan – Franklin Section, irrespective of how the donor record of title was created, by either:

(i) Amalgamation; or

(ii) Re-survey

Decision Reasons:

- Rule clarifies donor properties used for transferable rural subdivision.

Point Number 697.826

Summary of Decision Requested: Amend Rule 22.4.1.2 General subdivision as follows:

- (a) Subdivision must comply with all of the following conditions:
(i) The Record of Title to be subdivided must have issued prior to 6 December 1997;
(ii) The Record of Title to be subdivided must be at least 20 hectares in area;
(iii) The proposed subdivision must create no more than one additional lot, excluding an access allotment or utility allotment.
(iv) The additional lot must have a proposed area of between 8,000m² and 1.6 ha;
(v) Where there is land containing high class soil (as determined by a Land Use Capability Assessment prepared by a suitably qualified person) must be contained within the boundaries of only two lots as follows:
~~A - one the larger lot must contain a minimum of 80% of the high class soil; and~~
~~B - the other lot may contain up to 20% of high class soil.~~
(b) ...

Decision Reasons:

- Words included to provide clarity to the rule.

Point Number 697.827

Summary of Decision Requested: Amend Rule 22.4.1.4 Boundary relocation, as follows:

- (a) The boundary relocation must:
(i) Relocate a common boundary or boundaries between two existing viable Records of Title. ~~that existed prior to 18 July 2019.~~
(ii) The Records of Title must form a continuous landholding;
(iii) Not result in any additional lot;
(iv) ~~Create one lot of~~ All lots created by the subdivision must be at least 8,000m² in area.
(b) Council's discretion is restricted to the following matters:
(i) subdivision layout and design including dimension, shape and orientation of the proposed lots;
(ii) effects on rural character and amenity values;
(iii) effects on landscape values; ~~and~~
(iv) potential for reverse sensitivity effects; and
(v) Fragmentation and usability of land for rural purposes.

Decision Reasons:

- Rule 22.4.1.4 requires qualifying records of title to be "viable". A definition has been proposed for this. In respect to condition (a)(iv) it requires re-worded to ensure that all lots created by the subdivision are at least 8,000m².
- Matter of discretion (v) has been added to ensure that applications assess the fragmentation and usability of land for rural purposes as part of their applications.

Point Number 697.828

Summary of Decision Requested: Amend Rule 22.4.1.5 RD1 (a) Rural Hamlet Subdivision, as follows:

- (a) Subdivision to create a Rural Hamlet must comply with all of the following conditions:
(i) It results in a single cluster of 3 to 5 proposed lots being clustered together;
(ii) All existing Records of Title form one continuous landholding;
(iii) Each proposed lot has a minimum area of 8,000m².
(iv) Each proposed lot has a maximum area of 1.6ha;
(v) The proposed balance lot has a minimum area of 20ha; and
(vi) It does not create any additional lots beyond the number of existing viable Records of Title.

Decision Reasons:

- Providing the wording "a single cluster of" makes it clear to the applicant that proposed lots must be clustered together.

Point Number 697.829

Summary of Decision Requested: Amend Rule 22.4.1.7 Subdivision to create a reserve heading, as follows:

Subdivision to create a reserve and incentive lot

Decision Reasons:

- This is to provide clarity to this rule.

Point Number 697.830

Summary of Decision Requested: Amend Rule 22.4.1.7 RD1 (a)(iii) Subdivision to create a reserve, as follows:

(iii) No more than one additional lot in addition to the balance lot is created, excluding any land vested in Council.

Decision Reasons:

- This is to provide clarity to this rule.

Point Number 697.831

Summary of Decision Requested: Amend Rule 22.4.2 Title boundaries-natural hazard area, contaminated land, Significant Amenity Landscape, notable trees, intensive farming activities, aggregate extraction areas heading, as follows:

~~Title boundaries - Existing Buildings, natural hazard area, contaminated land, Significant Amenity Landscape, notable trees, intensive farming activities, aggregate extraction areas~~

Decision Reasons:

- This rule heading needs amending to reflect the changes being made to RD1.

Point Number 697.832

Summary of Decision Requested: Amend Rule 22.4.2 Title boundaries - natural hazard area, contaminated land, Significant Amenity Landscape, notable trees, intensive farming activities, aggregate extraction areas, as follows:

~~(a) Subdivision of land containing any natural hazard area, contaminated land, Significant Amenity Landscape, notable trees, intensive farming activities or Aggregate Extraction Areas must comply with all of the following conditions:~~
~~(i) The boundaries of every proposed lot containing existing buildings must demonstrate that existing buildings comply with the Land Use-Building rules in Rule 22.3 relating to:~~
~~A-(i) Rule 22.3.1 (Number of Dwellings within a Record of Title);~~
~~B-(ii) Rule 22.3.5 (Daylight admission);~~
~~C-(iii) Rule 22.3.6 (Building coverage);~~
~~D-(iv) Rule 22.3.7 (Building setbacks);~~
~~E-(v) Rule 22.3.7.2 (Building setback sensitive land use).~~
~~(ii) Rule 22.4.2 RD1 (a)(i) does not apply to any noncompliance with the Land Use-Building rules in Rule 22.3 that existed lawfully prior to the subdivision.~~
~~(iii) The boundaries of every proposed lot must not divide any of the following:~~
~~A- A natural hazard area;~~
~~B- Contaminated land;~~
~~C- Significant Amenity Landscape;~~
~~D- Notable trees.~~
 (b) Council's discretion is restricted to the following matters:
 (i) landscape values;
 (ii) amenity values and character;
 (iii) reverse sensitivity effects;
 (iv) effects on existing buildings;
~~(v) effects on natural hazard areas;~~
~~(vi) effects on contaminated land;~~
~~(vii) effects on any notable trees;~~
~~(viii) effects on an intensive farming activity;~~
~~(ix) effects on any Aggregate Extraction Area.~~

Decision Reasons:

- Rule needs amending to provide clarity that its purpose relates to existing buildings, not land and other features.
- Consequential changes to be made in other rules.
- Reference to Rule 22.3.7.2 has been inserted to ensure compliance with this rule is also required for subdivision where sensitive land use activities exist.

Point Number

697.833

Summary of Decision Requested:

Amend Rule 22.4.3 Title boundaries - Significant Natural Areas, heritage items, Maaori sites of significance and Maaori areas of significance heading, as follows:

Title boundaries – Significant Natural Areas, heritage items, Maaori sites of significance and Maaori areas of significance, notable trees

Decision Reasons:

- In response to the changes made to Rule 22.4.2 and in respect to notable trees, it is logical to add it to this rule.

Point Number

697.834

Summary of Decision Requested:

Add a new rule to Rule 22.4.3 RD1(a) Title boundaries - Significant Natural Areas, heritage items, Maaori sites of significance and Maaori areas of significance as follows:

(v) Notable trees.

Decision Reasons:

- This is as a consequential amendment of the removal of notable tree from Rule 22.4.2 RD1.

Point Number

697.835

Summary of Decision Requested:

Add a new matter of discretion to Rule 22.4.3 RD1(b) Title boundaries - Significant Natural Areas, heritage items, Maaori sites of significance and Maaori areas of significance, as follows:

(v) Effects on notable trees.

Decision Reasons:

- This is as a consequential amendment to the removal of notable tree from Rule 22.4.2 RD1.

Point Number

697.836

Summary of Decision Requested:

Add a new rule to Rule 22.4.5 D1(a) Subdivision within identified areas, as follows:

(ix) A natural hazard area

Decision Reasons:

- This is as a consequential amendment of the removal of natural hazard area from Rule 22.4.2 RD1.

Point Number

697.837

Summary of Decision Requested:

Add a new matter of discretion to Rule 22.4.6 D1(b) Subdivision of land containing all or part of an Environmental Protection Area, as follows:

(vi) Legal protection if appropriate.

Decision Reasons:

- An additional matter of discretion is required to enable the assessment as to whether legal protection is required.

Point Number

697.838

Summary of Decision Requested:

Amend Rule 22.4.8 Subdivision of land containing heritage items heading, as follows:

Subdivision of land containing a heritage items

Decision Reasons:

- This is to provide clarity to this rule.

Point Number

697.839

Summary of Decision Requested: Amend Rule 22.4.9 RDI(a) Building platform, as follows:
*(a) Subdivision, other than an access or utility allotment, must provide a building platform on ~~the every proposed lot that~~ meets all of the following conditions:
(i) Has an area of 1,000m² exclusive of boundary setbacks;
(ii) Has an average gradient not steeper than 1:8;
(iii) Is certified by a geotechnical engineer as geotechnically stable and suitable for a building platform;
(iv) Has vehicular access in accordance with Rule 14.12.1 P1 (Transportation)
(v) Is not subject to inundation in a 2% AEP storm or flood event;
(vi) a dwelling could be built ~~as~~ as a permitted activity in accordance with Land Use - Building Rules in Rule 22.3.*

Decision Reasons:

- This is to provide clarity to this rule.

Point Number 697.840

Summary of Decision Requested: Amend Rule 22.4.9(b)(iii) Building platform, as follows:
(iii) Likely location of future buildings ~~and their potential effects on the environment~~

Decision Reasons:

- This is to revise the matter of discretion so that it is meaningful.

Point Number 697.841

Summary of Decision Requested: Amend Rule 22.4.1.6 Conservation lot subdivision, to provide further clarity in the table between areas inside and outside of the Hamilton Basin Ecological Management Area.
Refer to Page 510 of the submission for details.

Decision Reasons:

- The amendments to this rule provides further clarity in the table between areas inside the Hamilton Basin Ecological Management Area and outside makes it easier for the plan users to interpret the rule.

Point Number 697.842

Summary of Decision Requested: Amend Rule 22.5.2 Specific Area - Agricultural Research Centre heading, as follows:
Permitted activities ~~Agricultural and horticultural research activities~~

Decision Reasons:

- This is to provide consistency with across the zones.

Point Number 697.843

Summary of Decision Requested: Amend the heading of Rule 22.7 Specific Area - Whaanga Coast Development Areas, as follows:
Whaanga Coast
AND
Amend to make consequential changes where relevant.

Decision Reasons:

- This is to provide consistency with the name for the Whaanga Coast Specific Area.

Point Number 697.844

Summary of Decision Requested: Amend Chapter 23 Country Living Zone heading, as follows:
Chapter 23: Country Living Zone ~~Rules~~

Decision Reasons:

- This is to assist in clarifying that all of the provisions within the chapter are rules.

Point Number 697.845

Summary of Decision Requested: Amend Rule 23(2) Country Living Zone, as follows:
The rules that apply to subdivision in the Country Living Zone are contained in Rule 23.4 and the relevant rules in 14 Infrastructure and Energy; and 15 Natural Hazards and Climate Change (Placeholder).

Decision Reasons:

- This is to clarify that the rules in Chapter 14: Infrastructure and Energy and Chapter 15: Natural Hazards and Climate Change apply to subdivision as well as to land use activities.

Point Number 697.846

Summary of Decision Requested: Amend Rule 23.1.1 P1 Permitted Activities, as follows:
*(a) ~~Activity-specific conditions~~;
(b) Land Use – Effects rules in Rule 22.2 (unless the activity rule and/or ~~activity-specific~~ conditions identify a condition(s) that does not apply);
(c) Land Use – Building rules in Rule 22.3 (unless the activity rule and/or ~~activity-specific~~ conditions identify a condition(s) that does not apply);
(d) ~~Activity-specific conditions~~.*

Decision Reasons:

- The list of rules (a) – (c) should follow the order that they appear.

Point Number	697.847
Summary of Decision Requested:	Amend Rule 23.1.1 P2 Permitted Activities, as follows: <i>Home stay <u>for up to 4 people</u></i>
Decision Reasons:	<ul style="list-style-type: none"> This amendment makes it clear that the activity is permitted for up to 4 people.
Point Number	697.848
Summary of Decision Requested:	Amend Rule 23.1.1 P4(d) and (e) Permitted Activities, as follows: <i>(d) Unloading and loading of vehicles and/or the receiving of customers at and deliveries <u>can only occur after 7:30am and before 7:00pm on any day;</u> (e) Machinery may only be operated after 7:30am and up to 4pm on any day.</i>
Decision Reasons:	<ul style="list-style-type: none"> To align the hours for the activity with the noise rule (23.2.1) for this zone.
Point Number	697.849
Summary of Decision Requested:	Add a new permitted activity (P5) to Rule 23.1.1 P5 Permitted Activities, as follows: <u>P5</u> <u>Travellers' Accommodation</u> <i>(a) <u>For up to 5 people.</u></i>
Decision Reasons:	<ul style="list-style-type: none"> Travellers' accommodation has been provided for as a Discretionary Activity, but not a permitted activity. This needs to be consistent with other zone chapters.
Point Number	697.850
Summary of Decision Requested:	Add a new permitted activity (P6) to Rule 23.1.1 Permitted Activities, as follows: <u>Amendment or alteration to an existing retirement village</u> <u>Specific activity conditions:</u> <i>(a) <u>The site is already serviced with water, wastewater and stormwater infrastructure;</u> (b) <u>Total building coverage of the site or combination of sites does not exceed 65% including all impervious surfaces areas; and</u> (c) <u>Building height does not exceed 8m, except for 10m on 30% of the total site coverage.</u></i>
Decision Reasons:	<ul style="list-style-type: none"> A new rule is required to accommodate Tamahere Eventide.
Point Number	697.851
Summary of Decision Requested:	Amend Rule 23.1.2 D1 Discretionary Activities, as follows: <i>Any permitted activity that does not comply with <u>one or more of the the 'Activity Specific Conditions'</u> in Rule 23.1.1</i>
Decision Reasons:	<ul style="list-style-type: none"> This is to provide consistency with other chapters and additional clarity of the rule.
Point Number	697.852
Summary of Decision Requested:	Delete Rule 23.1.2 D2 Discretionary Activities.
Decision Reasons:	<ul style="list-style-type: none"> This rule is not needed as it refers to Land Use Effects and Land Use Building rules, which are in subsequent parts of the chapter.
Point Number	697.853
Summary of Decision Requested:	Amend Rule 23.1.2 D9 Discretionary Activities, as follows: <i>Travellers' accommodation <u>for more than 5 people</u></i>
Decision Reasons:	<ul style="list-style-type: none"> This amendment makes it clear that the activity is for more than 5 people, which is consistent with other zone chapters.
Point Number	697.854
Summary of Decision Requested:	Add a new discretionary activity (D12) to Rule 23.1.2 Discretionary Activities, as follows: <u>A home stay for more than 4 people.</u>
Decision Reasons:	<ul style="list-style-type: none"> A homestay activity has been provided for as a permitted activity (Rule 23.1.1 P2), which has also been proposed to be amended to include provision for up to 4 people. However for clarity; homestay for more than 4 people needs to be provided as a Discretionary activity.
Point Number	697.855
Summary of Decision Requested:	Add a new non-complying activity (NC13) to Rule 23.1.3 Non-Complying Activities, as follows:

(g) The following activities located within the Urban Expansion Area:

- (i) intensive farming;
- (ii) storage, processing or disposal of hazardous waste;
- (iii) correctional facility;
- (iv) extractive industry;
- (v) industrial activity;
- (vi) motorised recreation activity;
- (vii) transport depot;
- (viii) rural industry;

Decision Reasons:

- A new rule is required to provide consistency with the rural zone for activities situated within the Urban Expansion Area.

Point Number 697.856

Summary of Decision Requested: Delete Rule 23.2.1.1 P3 Noise - General;

AND

Amend Rule 23.2.1.1 P2 Noise - General, as follows:

(a) Noise measured at the notional boundary within any site in the Rural Zone and within any other site in the Country Living Zone must not exceed:

- (i) 50dB (LAeq), 7am to 7pm every day;
- (ii) 45dB (LAeq), 7pm to 10pm every day;
- (iii) 40dB (LAeq) and 65dB (LAmax), 10pm to 7am the following day.

(b) Noise measured within any site in any other zone, other than the Rural Zone, must meet the permitted noise levels for that other zone.

(i) Noise levels must be measured in accordance with the requirements of New Zealand Standard NZS 6801:2008 "Acoustics Measurement of Environmental Sound".

(ii) Noise levels must be assessed in accordance with the requirements of New Zealand Standard NZS 6802:2008 "Acoustic Environmental noise".

AND

Amend Rule 23.2.1.1 DI, as follows:

Noise that does not comply with Rule 23.2.1.1 P1, P2, ~~P3~~, P4 or P5.

Decision Reasons:

- Including the standards referred to in P5 ensure that they are complied with in conjunction with the rule.

Point Number 697.857

Summary of Decision Requested: Delete Rule 23.2.1.1 P5 Noise - General;

AND

Add to Rule 23.2.1.1 P4(a) Noise - General, as follows:

(c) Noise levels shall be measured in accordance with the requirements of Standard NZS 6801:2008 "Acoustics Measurement of Environmental Sound".

(d) Noise levels shall be assessed in accordance with the requirements of Standard NZS 6802:2008 "Acoustic Environmental noise".

AND

Amend Rule 23.2.1.1 DI, as follows:

Noise that does not comply with Rule 23.2.1.1 P1, P2, P3, or P4 ~~or P5~~

Decision Reasons:

- The word "noise" provides clarity to this rule.
- Including the standards referred to in P5 ensure that they are complied with in conjunction with the rule.
- As a consequential amendments.

Point Number 697.858

Summary of Decision Requested: **Amend** Rule 23.2.1.2 P1(a) Noise - Construction, as follows:

Noise generated from the construction site must ~~not exceed~~ meet the limits in NZS 6803:1999 (Acoustics – Construction Noise);

Decision Reasons:

- Additional clarity to the rule. Construction noise should not exceed the limits, rather than meet the limits in the New Zealand Standards.

Point Number 697.859

Summary of Decision Requested: **Amend** Rule 23.2.3(2) Earthworks, as follows:

There are specific standards for earthworks within rules:

- (a) Rule 23.2.3.1A – Earthworks within the National Grid Yard
- ~~(a-b)~~ Rule 23.2.3.2 – Maaori Sites and Maaori Areas of Significance;
- ~~(b-c)~~ Rule 23.2.3.3 – Significant Natural Areas;
- ~~(c-d)~~ Rule 23.2.3.4 – Landscape and Natural Character Areas.

AND

Add a new rule to Rule 23.2.3 Earthworks as follows:

23.2.3.1A Earthworks within the National Grid Yard

P1

(a) The following earthworks within the National Grid Yard:

(i) Earthworks undertaken as part of domestic cultivation; or repair, sealing or resealing of a road, footpath or driveway;

(ii) Vertical holes not exceeding 500mm in diameter that are more than 1.5m from the outer edge of the pole support structure or stay wire;

(iii) Earthworks for which a dispensation has been granted by Transpower under New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663;

P2

(a) Earthworks activities within the National Grid Yard near National Grid support poles or any stay wires must comply with the following conditions:

(i) Do not exceed a depth of 300mm within 2.2m of the pole or stay wire; and

(ii) Do not exceed a depth of 750mm between 2.2m and 5m of the pole or stay wire.

P3

(a) Earthworks within the National Grid Yard near National Grid support towers (including any tubular steel tower that replaces a steel lattice tower) must comply with all of the following conditions:

(i) Do not exceed 300m depth within 6m of the outer edge of the visible foundation of the tower;

(ii) Do not exceed 3m between 6m and 12m of the outer edge of the visible foundation of the tower;

(iii) Do not compromise the stability of a National Grid support structure;

(iv) Do not result in the loss of access to any National Grid support structure; and

(v) Must be less than the minimum ground to conductor clearance distances in Table 4 of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663.

RD1
(a) Earthworks within the National Grid Yard that do not comply with one or more of the conditions of Rules 23.2.3.1A P1, P2 or P3.
(b) Discretion is restricted to:
(i) Impacts on the operation, maintenance, upgrading and development of the National Grid;
(ii) The risk to the structural integrity of the affected National Grid support structure(s);
(iii) Any impact on the ability of the National Grid owner (Transpower) to access the National Grid;
(iv) The risk of electrical hazards affecting public or individual safety, and the risk of property damage.

Decision Reasons:

- This is to replicate the earthworks rule within the National Grid from Chapter 14 into Chapter 23 for increased clarity and usability of the Plan.

Point Number 697.860

Summary of Decision Requested: Amend Rule 23.2.3(1) Earthworks, as follows:

(1) Rule 23.2.3.1 – Earthworks General, provides the permitted rules for earthworks activities for the Rural Zone. This rule does not apply in those areas specified in Rule 23.2.3.1A, 23.2.3.2, 23.2.3.3 and 23.2.3.4.

Decision Reasons:

- The wording of the rule does not make it clear that the rules in 23.2.3(2) apply to the areas specified in that rule instead of the general earthworks rule.

Point Number 697.861

Summary of Decision Requested: Delete Rule 23.2.3.1 P1(a)(ii) Earthworks - General.

Decision Reasons:

- The content of this rule is already contained within the definition of ancillary rural earthworks.

Point Number 697.862

Summary of Decision Requested: Amend Rule 22.2.3.1 P1(a)(iii) Earthworks - General, as follows:

(iii) A building platform for a residential activity, including an accessory building, carried out in accordance with NZS 4431:1989 Code of Practice for Earth Fill for Residential Development.

Decision Reasons:

- For clarity of the rule, it makes sense that the NZS 4431:1989 Code of Practice for Earth Fill for Residential Development is applied to this rule instead of P3.

Point Number 697.863

Summary of Decision Requested: Amend Rule 23.2.3.1 P2(a) Earthworks - General, as follows:

(i) Do not exceed a volume of more than 250m³ and an area of more than 1000m² within a site over any single consecutive 12 month period;

...

(iii) Earthworks are setback at least 1.5m from any boundary;

Decision Reasons:

- The words "consecutive" and "at least" provide clarity to this rule.

Point Number 697.864

Summary of Decision Requested: Delete Rule 23.2.3.1 P3 Earthworks - General;

AND

Amend Rule 23.2.3.1 RD1(a), as follows:

(a) Earthworks that do not comply with Rule 23.2.3.1 P1, P2, ~~P3~~ or P4.

Decision Reasons:

- P3 has been included in Rule 23.2.3.1 P1(a)(iii) for efficiency and clarity.
- As a consequential amendment.

Point Number 697.865

Summary of Decision Requested: Amend Rule 23.2.3.1 P4(a)(iv) Earthworks - General, as follows:

(iv) Fill material is setback at least 1.5m from all boundaries;

Decision Reasons:

- The words "at least" provide clarity to this rule.

Point Number 697.866

Summary of Decision Requested: Delete Rule 23.2.3.2 RD2(b)(i) Earthworks - Maori Sites and Maori Areas of Significance.

Decision Reasons:

- This matter of discretion does not assist the planner or applicant in any way as Maori areas of significance relate to the whole site.

Point Number 697.867

Summary of Decision Requested: Amend Rule 22.2.3.3 P1(a) Earthworks - Significant Natural Areas, as follows:

- (a) Earthworks are for the maintenance of existing tracks, fences or drains within an identified Significant Natural Area that meet all of the following conditions:
- (i) Maximum volume of 50m³ in any single consecutive 12 month period;
 - (ii) Maximum area of 250m² in any single consecutive 12 month period; ~~and~~
 - (iii) Not include imparting any fill material; and
 - (iv) The total depth of any excavation or filling does not exceed 1.5m above or below ground level with a maximum slope of 1:2 (1 vertical to 2 horizontal);
 - (v) Earthworks are setback at least 1.5m from all boundaries;
 - (vi) Areas exposed by earthworks are revegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks;
 - (vii) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls;
 - (viii) Do not divert or change the nature of natural water flows, water bodies or established drainage paths.

Decision Reasons:

- Wording provides clarity and consistency with other chapters.

Point Number 697.868

Summary of Decision Requested: Delete Rule 23.2.3.3 D1 Earthworks - Significant Natural Areas.

Decision Reasons:

- D1 is not necessary as activity becomes restricted discretionary upon non-compliance of a permitted activity condition.

Point Number 697.869

Summary of Decision Requested: Amend Rule 23.2.3.4 P1 (a) Earthworks - within Landscape and Natural Character Areas, as follows:

- (a) Earthworks are for the maintenance of existing tracks, fences or drains within the following landscapes, natural features and natural character areas:
- (i) Hill Country Significant Amenity Landscape;
 - (ii) Significant Amenity Landscape (SAL) – Waikato river and margins and lakes;
 - (iii) Significant Amenity Landscape (SAL) – sand dune
 - (iv) High or Outstanding Natural Character area of the coastal environment
 - (v) Outstanding Natural Feature sand dune
 - (vi) Outstanding Natural Feature (ONF)
 - (vii) Outstanding Natural Landscapes (ONLs)
- ~~an identified Landscape or Natural Character Area~~ and must meet all of the following conditions:
- (i) The earthworks are undertaken within any single consecutive 12 month period;
 - (ii) The earthworks must not exceed the following areas and volumes within any single consecutive 12 month period:

Decision Reasons:

- The additional wording provides clarification as to which areas are being encompassed by this rule.
- The words "any single consecutive" provides clarity to the rule.

Point Number 697.870

Summary of Decision Requested: Amend Rule 23.2.4 P1(a)(i) Hazardous substances, as follows:

- (i) The aggregate quantity of any hazardous substance of any hazard classification on a site is less than the quantity specified for the Country Living Zone in Table 6.1 contained within Appendix 5 (Hazardous Substances); and

Decision Reasons:

- The words "contained within" are not required.

Point Number 697.871

Summary of Decision Requested: Delete Rule 23.2.4 C1 Hazardous substances.

AND
Amend Rule 23.3.4 D1 Hazardous substances, as follows:
 Rule 23.2.4 P1, ~~or P2 or C1.~~

Decision Reasons:

- C1 is not appropriate within the Country Living Zone and is to be replaced with a Non-Complying Activity.

Point Number 697.872

Summary of Decision Requested: Amend Rule 23.2.4 to insert NCI Hazardous substances, as follows:

NCI
The storage of fuel for retail sale within service station in the Country Living Zone.

Decision Reasons:

- This new rule provides a more restrictive approach than current C1, as this is a sensitive environment.

Point Number 697.873

Summary of Decision Requested: Add a new non-complying activity (NC2) to Rule 23.2.4 Hazardous substances, as follows:

NC2
Any new hazardous facility that involves the storage and handling of hazardous substances with explosive or flammable intrinsic properties within 12m of the centre line of a National Grid Transmission Line

Decision Reasons:

- This is to replicate the hazardous facilities rule within the National Grid from Chapter 14 into Chapter 23 for increased clarity and usability of the Plan.

Point Number 697.874

Summary of Decision Requested: Amend Rule 23.2.5.1 RD1(b)(i) Notable tree - removal or destruction, as follows:

- (i) timing and manner in which the activity is carried out; and

Decision Reasons:

- The word "and" provides clarity to the rule.

Point Number 697.875

Summary of Decision Requested: **Amend** Rule 23.2.5.2 RD1(b)(i) Notable tree - trimming, as follows:
(i) Timing and manner in which the activity is carried out; and

Decision Reasons:

- The word "and" provides clarity to the rule.

Point Number 697.876

Summary of Decision Requested: **Amend** Rule 23.2.5.3 P1 (a) Notable tree - activities within the dripline, as follows:
(a) Any activity within the dripline of a notable tree identified in Schedule 30.2 (Notable Trees) must not involve:
(i) Involves excavation, compaction, sealing or soil disturbance ~~and~~ or placement of fill material, or cleanfill, except for sealing of an existing road or footpath;
(ii) Involves parking or storage of materials, vehicles or machinery;
(iii) discharge of an eco-toxic substance; and
(iv) Involves construction of any structure.

Decision Reasons:

- This is to provide clarity to the rule and consistency across all zone chapters.

Point Number 697.877

Summary of Decision Requested: **Amend** Rule 23.2.5.3 RD1(a) Notable tree - activities within the dripline, as follows:
(b) Any activity within the dripline of the notable tree that does not comply with Rule 23.2.5.3 P1

Decision Reasons:

- The words "within the dripline of the notable tree" provide clarity to the rule.

Point Number 697.878

Summary of Decision Requested: **Delete** Rule 23.2.6.1 P2(a)(viii) Signs - General;
AND
Amend Rule 23.2.6.1 P2(a)(xi) Signs - General, as follows:
(xi) The sign is for the purpose of identification and interpretation not attached to a Maaori site of significance listed in Schedule 30.3 (Maaori Sites of Significance) ~~except for the purpose of identification and interpretation.~~

Decision Reasons:

- Re-wording this rule provides clarity.
- P2(a)(viii) is not required because the Country Living Zone provisions do not apply within the road reserve.

Point Number 697.879

Summary of Decision Requested: **Amend** Rule 23.2.6.1 P3 Signs – General as follows:
(a) A real estate 'for sale' or 'for rent' sign relating to the site on which it is located must comply with all of the following conditions:
(i) There is no more than ~~3~~ signs per site agency;
(ii) The sign is not illuminated;
(iii) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials;
(iv) ~~The sign does not project into or over road reserve.~~

Decision Reasons:

- This rule excluded signs for rental properties and provided for only 1 sign per agency, as opposed to the site.
- This proposed wording provides clarification.
- P3(a)(iv) is not required as the Country Living zone provisions do not apply within the road reserve.

Point Number 697.880

Summary of Decision Requested: **Amend** Rule 23.2.6.2 P1 (a) Signs - effects on Traffic, as follows:
(a) Any sign directed at road users must meet the following conditions:
(i) Not imitate the content, colour or appearance of any traffic control sign; and
(ii) Be located at least 60m from controlled intersections, pedestrian crossings and any other sign; and
(iii) Not obstruct sight lines of drivers turning into or out of a site entrance and intersections; and
~~Be able to be viewed by drivers for at least 250m; and~~
(v) Contain no more than 40 characters and no more than 6 symbols; and
(vi) Have lettering that is at least 200mm high; and
(vii) Comply with the following Where the sign directs traffic to a site entrance the sign must be at least:
A. 1.75m from the site entrance on any road with a speed limit of 80 km/hr or less; or
B. 250m from the site entrance on any road with a speed limit of more than 80km/hr.

Decision Reasons:

- The amended wording provides clarity for the rule and consistency with other rules.
- This rule is unachievable and not appropriate for the purpose of the Country Living Zone.

Point Number 697.881

Summary of Decision Requested: **Delete** Rule 23.2.7 Outdoor Storage.

Decision Reasons:

- This rule needs to be deleted, as this is difficult to enforce in the Country Living Zone.
- There are no rules included in the plan for Residential, Village or Rural zones.

Point Number 697.882

Summary of Decision Requested: **Amend** Rule 23.2.8 Indigenous vegetation clearance inside a Significant Natural Area heading, as follows:
Indigenous vegetation clearance ~~inside~~ within a Significant Natural Area

Decision Reasons:

- This wording provides clarity.

Point Number 697.883

Summary of Decision Requested: **Add** a new clause (vi) to Rule 23.2.8 P1 (a) Indigenous vegetation clearance inside a Significant Natural Area, as follows:
(vi) Removing vegetation for conservation activities.

Decision Reasons:

- This new rule ensures indigenous vegetation can be cleared for conservation activities.

Point Number 697.884

Summary of Decision Requested: **Amend** Rule 23.2.8 P2 Indigenous vegetation clearance inside a Significant Natural Area, as follows:
Removal of up to 5m3 of manuka and/or kanuka outside of the Coastal Environment per year per ~~property site~~ for domestic firewood purposes or arts and crafts provided the removal will not directly result in the death, destruction or irreparable damage of any other tree, bush or plant.

Decision Reasons:

- This will provide additional clarity that the rule is intended to apply “per site” rather than “per property” which is not a defined term.

Point Number 697.885

Summary of Decision Requested: **Delete** Rule 23.2.8 P5 Indigenous vegetation clearance inside a Significant Natural Area;
AND
Amend Rule 23.2.8 D1 Indigenous vegetation clearance inside a Significant Natural Area, as follows:
...P4, ~~P5~~ or P6.

Decision Reasons:

- Rule P5 duplicates P1 with the only difference being that P5 captures Maaori Freehold land or Maaori Customary land, which is already captured by P1.
- As a consequential amendment.

Point Number 697.886

Summary of Decision Requested: **Delete** Rule 23.2.8 P6 Indigenous vegetation - outside a Significant Natural Area;
AND
Amend Rule 23.2.8 D1 Indigenous vegetation clearance - outside a Significant Natural Area, as follows:
...P4, or P5 ~~or P6~~.

Decision Reasons:

- The activity in P6 is a repeat of P2.
- As a consequential amendment.

Point Number 697.887

Summary of Decision Requested: **Amend** Rule 23.2.9 Indigenous vegetation clearance - outside a Significant Natural Area heading, as follows:
Indigenous vegetation clearance – ~~outside a Significant Natural Area-general~~

Decision Reasons:

- The heading “outside a Significant Natural Area” is confusing, as the provision relates to all areas of the Country Living Zone that is not covered by a Significant Natural Area.

Point Number 697.888

Summary of Decision Requested: **Amend** Rule 23.2.9 P1 (a)(ii) Indigenous vegetation clearance - outside a Significant Natural Area, as follows:
(ii) maintaining productive pasture through the removal of up to 1000m² per single consecutive 12 month period year of manuka and/or kanuka that is at least more than 10m from a waterbody, and less than 4m in height; or

Decision Reasons:

- The additional wording in this rule provides clarity.

Point Number 697.889

Summary of Decision Requested: **Amend** Rule 23.2.9 RD1 (b) (iii) Indigenous vegetation clearance - outside a Significant Natural Area, as follows:
(iii) The ~~extent to which~~ cumulative effects of the vegetation clearance have been considered and addressed.

Decision Reasons:

- Amendments required to wording to ensure that the intent of the rule is correct and formatting changed in (b)(iii) to be clear.

Point Number 697.890

Summary of Decision Requested: Amend Rule 23.3.1 P1 Dwelling, as follows:

~~(a) One dwelling within a site record of title;~~
~~(b) The dwelling must not be located within any of the following landscape and natural character areas;~~
~~(i) ...~~

Decision Reasons:

- The reference to "record of title" has been included for correction and other words for clarity of the rule.

Point Number 697.891

Summary of Decision Requested: Amend Rule 23.3.2 P1 Minor dwelling as follows:

~~(a) One minor dwelling within a site record of title must comply with all of the following conditions: not exceed 70m² gfa;~~
~~(i) Where there is an existing dwelling located within a site not exceed 70m² gross floor area;~~
~~(ii) The minor dwelling must be located within 20m of the principal residential unit dwelling;~~
~~(iii) The minor dwelling must share a single driveway access with the existing principal residential unit dwelling;~~

Decision Reasons:

- These amendments provide clarity of rule and alignment with the definition for minor dwelling.

Point Number 697.892

Summary of Decision Requested: Amend Rule 23.3.3 D1 (a) Buildings and structures in Landscape and Natural Character Areas, as follows:

~~(a) Any building or structure that is located within any of the following landscape and natural character areas;~~
~~(i) ...~~

Decision Reasons:

- The additional words in this rule provide clarity.

Point Number 697.893

Summary of Decision Requested: Amend Rule 23.3.4(2) Height, as follows:

~~(2) Rule 23.3.4.1 – Height - Building general provides permitted height levels across the entire Rural Zone for buildings, structures or vegetation. This rule does not apply in those areas specified in Rule 23.3.4.2.~~

Decision Reasons:

- The wording of the rule does not make it clear that Rule 23.3.4.2 applies to the areas specified in that rule instead of the height building general rule.

Point Number 697.894

Summary of Decision Requested: Amend Rule 23.3.4.2 P1 Height - Buildings, structures and vegetation within an airport obstacle limitation surface, as follows:

~~Any building, structure or vegetation that does not protrude through ~~any~~ the airport obstacle limitation surface as ~~shown~~ identified on the planning maps in Appendix 9 – Te Kowhai Airfield, and defined in Section E, Designation N – Waikato Regional Airport.~~

Decision Reasons:

- This rule applies to both the Te Kowhai Airfield and the Waikato Regional Airport so needs to be specified.
- The additional wording provides clarity to the rule.

Point Number 697.895

Summary of Decision Requested: Amend Rule 23.3.4.2 NCI Height - Buildings, structures and vegetation within an airport obstacle limitation surface to be a Discretionary activity rather than a non complying activity as follows:

~~NCI-D1~~
~~Any building, structure or vegetation that does not comply with Rule 23.3.4.2 P1.~~

Decision Reasons:

- This additional wording provides clarity to the rule.
- Non-compliance with the permitted activity standards is more appropriate as a discretionary activity.

Point Number 697.896

Summary of Decision Requested: Add a new rule to Rule 23.3 Land Use - Building after Rule 23.3.6 Building coverage, as follows:

~~Rule 23.3.6A Impervious surfaces~~
~~PI~~
~~The impervious surface of a site must not exceed 70%.~~
~~RDI~~
~~(a) Impervious surfaces that does not comply with Rule 23.3.4A P1~~
~~(b) Council's discretion is restricted to the following matters:~~
~~(i) Site design, layout and amenity;~~
~~(ii) The risk of flooding, nuisance or damage to the site or other buildings and sites.~~

Decision Reasons:

- This is to include the impervious surfaces rule from Rule 14.1.1.(P2) and 14.1.2.(RD2) into Chapter 23 to make it easier to find.

Point Number 697.897

Summary of Decision Requested:

Amend Rule 23.3.5 RD1 (b) Daylight admission, as follows:

- (b) Council's discretion is restricted to the following matters:
- (i) Height of ~~the building~~;
 - (ii) Design and location of the building;
 - (iii) Admission of daylight and sunlight to the site and other site;
 - (iv) Privacy on ~~any other~~ site;
 - (v) ~~Effects on amenity values of the locality.~~

Decision Reasons:

- This additional wording provides clarity to the rule in respect to shading and other sites.
- This provides consistency with other zone chapters.

Point Number

697.898

Summary of Decision Requested:

Amend Rule 23.3.6 P1 Building coverage, as follows:

~~The total~~ building coverage must not exceed 10% or 300m², whichever is the larger.

Decision Reasons:

- The word "total" is not required.
- This is to provide consistency across zone chapters.

Point Number

697.899

Summary of Decision Requested:

Amend Rule 23.3.6 D1 Building coverage, as follows:

~~Total~~ building coverage that does not comply with Rule 23.3.6 P1.

Decision Reasons:

- This is to provide consistency across zone chapters.

Point Number

697.900

Summary of Decision Requested:

Add a new clause (B) to Rule 23.3.7 Building setbacks, as follows:

(B) Rule 23.3.7.7 Building setback – National Grid Yard

AND

Add a new rule to Chapter 23 Country Living Zone, after Rule 23.3.7.6, as follows:

23.3.7.7 Buildings and structures within the National Grid Yard.

P1.

(a) Within the National Grid yard, building alterations and additions to an existing building or structure must comply with the following conditions:

(i) Not involve an increase in the building height or footprint; and

(ii) Comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663 under all National Grid transmission line operating conditions.

P2.

(a) Within the National Grid yard, the maximum height of fences are 2.5m within 5m from the nearest National Grid Pole or 6m from the nearest National Grid tower.

P3.

Within the National Grid yard, new buildings and structures that are not for a sensitive land use must comply with the following conditions:

(i) Comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663 under all National Grid transmission line operating conditions; and

(ii) Locate a minimum 12m from the outer visible foundation of any National Grid tower and locate a minimum 12m from any pole and associated stay wire, unless it is:

A. A building or structure where Transpower has given written approval in accordance with clause 2.4.1 of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663.

P4.

Within the National Grid yard, non-habitable buildings or structures for farming activities must following conditions:

(i) Not include buildings for intensive farming buildings, commercial greenhouses or milking / dairy sheds;

(ii) Comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663 under all National Grid transmission line operating conditions; and

(iii) Locate a minimum 12m from the outer visible foundation of any National Grid tower and locate a minimum 12m from any pole and associated stay wire, unless it is:

A. A building or structure where Transpower has given written approval in accordance with clause 2.4.1 of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663.

P5.

Within the National Grid yard, yards for milking / dairy sheds must comply with the following conditions:

(i) Comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663 under all National Grid transmission line operating conditions; and

(ii) Locate a minimum 12m from the outer visible foundation of any National Grid tower and locate a minimum 12m from any pole and associated stay wire, unless it is:

A. A building or structure where Transpower has given written approval in accordance with clause 2.4.1 of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663.

P6.

Within the National Grid yard, artificial crop protection and support structures must comply with the following conditions:

(i) Comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663 under all National Grid transmission line operating conditions; and

(ii) Locate a minimum 12m from the outer visible foundation of any National Grid tower and locate a minimum 12m from any pole and associated stay wire, unless it is:

A. A building or structure where Transpower has given written approval in accordance with clause 2.4.1 of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663;

(iii) Artificial crop protection and support structures between 8m and 12m from a single pole support structure and any associated guy wire (but not tower) must also:

A. Be maximum 2.5m high;

B. Be removable or temporary, to allow a clear working space of at least 12 metres from the pole when necessary for maintenance and emergency repair purposes;

C. Allow all-weather access to the pole and a sufficient area for maintenance equipment, including a crane.

NCL

Any building alterations or additions within the National Grid Yard that does not comply with Rule 23.3.7.7 P1.

NC2

Any new buildings or structures within the National Grid Yard that does not comply with Rule 23.3.7.7 P2, P3, P4, P5, or P6.

NC3

Intensive farming buildings within the National Grid Yard.

NC4

Commercial greenhouses within the National Grid Yard.

NC5

Milking and dairy sheds within the National Grid Yard.

Decision Reasons:

- This is to replicate the rule regarding buildings and structure within the National Grid from Chapter 14 into Chapter 23 for increased clarity and usability of the Plan.

Point Number	697.901
Summary of Decision Requested:	Amend Rule 23.3.7.1 P1 (a) Building Setbacks - All boundaries, as follows: <i>(b) A building located on a site-Record of Title containing more than 1000m2 must be set back a minimum of:</i>
Decision Reasons:	<ul style="list-style-type: none"> The reference to "record of title" has been included for correction.
Point Number	697.902
Summary of Decision Requested:	Add a new clause (v) to Rule 23.3.7.1 RD1 (b) Building setbacks - All boundaries, as follows: <i>(v) <u>reverse sensitivity</u>.</i>
Decision Reasons:	<ul style="list-style-type: none"> This additional matter of discretion is required to be included in the planner's assessment of effects of this activity.
Point Number	697.903
Summary of Decision Requested:	Add new clauses to Rule 23.3.7.2 Building Setback - sensitive land use, as follows: <u>P2</u> <i>(g) Any building for a sensitive land use must be set back a minimum of:</i> <i>(i) 10m from the centre line of any electrical distribution or transmission lines, not associated with the National Grid, that operate at a voltage of up to 110kV;</i> <i>(ii) 12m from the centre of line of any electrical distribution or transmission lines, not associated with the National Grid, that operate at a voltage of 110kV or more.</i> <u>P3</u> <i>(g) Within the National Grid yard, alterations or additions to a building used for an existing sensitive land Yard must comply with all the following conditions:</i> <i>(i) Not increase the building height or footprint; and</i> <i>(ii) Comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663 under all National Grid transmission line operating conditions; and</i> <i>(iii) Locate a minimum 12m from the outer visible foundation of any National Grid tower and locate a minimum 12m from any pole and associated stay wire, unless Transpower has given written approval in accordance with clause 2.4.1 of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663.</i> <u>D1</u> <i>Any building for a sensitive land use that does not comply with Rule 23.3.7.2 P1 or P2.</i> <u>NC1</u> <i>Any activity within the National Grid Yard that does not comply with Rule 23.3.7.2 P3.</i> <u>NC2</u> <i>Any new building for a sensitive land use within the National Grid Yard</i> <u>NC3</u> <i>Any change of use of an existing building to a sensitive land use within the National Grid Yard</i> <u>NC4</u> <i>The establishment of any new sensitive land use within the National Grid Yard</i>
Decision Reasons:	<ul style="list-style-type: none"> This is to replicate the rule regarding sensitive landuses from Chapter 14 into Chapter 23 for increased clarity and usability of the Plan.
Point Number	697.904
Summary of Decision Requested:	Amend location of Rule 23.3.7.4 Building - Airport Noise Outer Control Boundary to follow rule 23.3.8 Building – Horotiu Noise Acoustic Area.
Decision Reasons:	<ul style="list-style-type: none"> This rule is a noise rule, not a setback requirement and needs to be relocated.
Point Number	697.905
Summary of Decision Requested:	Delete Rule 23.3.7.5 P1 (b) Building setback - waterbodies; AND Add a new permitted activity P2 to Rule 23.3.7 Building setbacks as follows: <u>P2</u> <i>A public amenity of up to 25m², or a pump shed (public or private) within any building setback identified in rule 23.3.7.5 P1.</i> AND Amend Rule 23.3.7.5 D1 Building setbacks, as follows: <i>Any building that does not comply with Rule 23.3.7.5 P1 or P2</i>
Decision Reasons:	<ul style="list-style-type: none"> This is to provide consistency with other zone chapters. As a consequential amendment.
Point Number	697.906
Summary of Decision Requested:	Amend Rule 23.3.7.5 Building setback - waterbodies, as follows: <u>P1</u> <i>(a) Any building must be set back a minimum of:</i> <i>(i) 23-32m from the margin of any;</i> <i>A. lake; and</i> <i>B. wetland;</i> <i>(ii) 23-32m from the bank of any river (other than the Waikato River and Waipa River);</i> <i>(iii) 37m from the banks of the Waikato River and the Waipa River; and</i> <i>(iv) 27-5-32m from mean high water springs.</i>
Decision Reasons:	<ul style="list-style-type: none"> This is so that the setback represents 25m esplanade reserve plus the yard setback for the Waikato and Waipa Rivers, and 20m esplanade plus the yard setback for all other waterbodies.

Point Number 697.907

Summary of Decision Requested: **Add** a new rule to Chapter 23 Country Living Zone after Rule 23.3.8 Horotiu Noise Acoustic Area, as follows:

23.3.8B Building – Te Kowhai Noise Buffer
PI Construction of, or addition, or alteration to, a dwelling within the Te Kowhai Noise Buffer that is designed and constructed to achieve the internal design sound levels specified in Section 3.2 of Appendix L (Acoustic Insulation).

RD1 (g) Construction of, or addition, or alteration to, a dwelling that does not comply with Rule 23.3.8B PI
(b) Council's discretion shall be restricted to the following matters:
(i) on-site amenity values;
(ii) noise levels received at the notional boundary of the dwelling;
(iii) timing and duration of noise received at the notional boundary of the dwelling;
(iv) potential for reverse sensitivity effects.

Decision Reasons:

- An area of Country Living Zone lies in close proximity to the Te Kowhai Airpark. In order to manage internal noise levels, the rule regarding noise buffers needs to be inserted in Chapter 23.

Point Number 697.908

Summary of Decision Requested: **Amend** Rule 23.3.9 Historic Heritage heading, as follows:

Historic Heritage Items

Decision Reasons:

- This is to provide consistency with other zone chapters.

Point Number 697.909

Summary of Decision Requested: **Amend** Rule 23.3.9.3 PI (a) All heritage items - alteration or addition, as follows:

(a) Alteration ~~or~~ addition to, a heritage item listed in Schedule 30.1 (Heritage Items) must comply with the following conditions:
(i) No significant feature of interest is removed, destroyed or damaged; and
(ii) Alterations or additions are not visible from a public place.

Decision Reasons:

- These additional words in this rule provide clarity.

Point Number 697.910

Summary of Decision Requested: **Amend** Rule 23.3.9.3 RD1 (b) All heritage items - alteration or addition, as follows:

Council's discretion ~~shall be~~ restricted to the following matters:

Decision Reasons:

- This is to provide consistency with other zone chapters.

Point Number 697.911

Summary of Decision Requested: **Amend** Rule 23.3.9.4 PI (a) All heritage items - maintenance or repair:

(a) Maintenance or repair of a heritage item listed in Schedule 30.1 (Heritage Items) must comply with the following conditions:

Decision Reasons:

- These additional words in this rule provide clarity.

Point Number 697.912

Summary of Decision Requested: **Amend** Rule 23.3.9.4 RD1 All heritage items - maintenance or repair, as follows:

~~Any activity~~ Maintenance or repair of a heritage that does not comply with Rule 23.3.9.4 PI.

Decision Reasons:

- This is to provide consistency with other zone chapters.

Point Number 697.913

Summary of Decision Requested: **Amend** Rule 23.3.9.4 RD1 (b) All heritage items - maintenance or repair, as follows:

Council's discretion ~~is~~ shall be restricted to the following matters:

Decision Reasons:

- This is to provide consistency with other zone chapters.

Point Number 697.914

Summary of Decision Requested: **Amend** Rule 23.3.9.5 RD1 (b) All heritage items - site development, as follows:

Council's discretion ~~is~~ shall be restricted to the following matters:

Decision Reasons:

- This is to provide consistency with other zone chapters.

Point Number 697.915

Summary of Decision Requested: Amend Rule 23.3.9.5 All heritage items - site development heading, as follows:

All heritage items – all site development

Decision Reasons:

- These additional words in this rule provide clarity.

Point Number 697.916

Summary of Decision Requested: Amend Rule 23.3.9.5 RD1(b)(iv) All heritage items - site development:

(iv) The relationship of the heritage item with the setting, including the area between the front of the heritage item and the road.

Decision Reasons:

- These additional words in this rule provide clarity.

Point Number 697.917

Summary of Decision Requested: Amend Rule 23.4 Subdivision heading, as follows:

23.4 Subdivision Rules

Decision Reasons:

- These additional words in this rule provide clarity.

Point Number 697.918

Summary of Decision Requested: Add a new clause (xi) to Rule 23.4(2) Subdivision, as follows:

(xi) Rule 23.4.6B – subdivision of land within the National Grid Corridor.

AND

Amend consequential renumbering;

AND

Add a new rule to Rule 23.4 Subdivision after Rule 23.4.6, as follows:
23.4.6B Subdivision of land within the National Grid Corridor.

RD1

(a) The subdivision of land within the National Grid Corridor must comply with all of the following conditions:

(i) All allotments intended to contain a sensitive land use must provide a building platform for the likely principal building(s) and any building(s) for a sensitive land use located outside of the National Grid Yard, other than where the allotments are for roads, access ways or infrastructure; and

(ii) The layout of allotments and any enabling earthworks must ensure that physical access is maintained to any National Grid support structures located on the allotments, including any balance area.

(b) Council's discretion is restricted to the following matters:

(i) The subdivision layout and design in regard to how this may impact on the operation, maintenance, upgrading and development of the National Grid;

(ii) The ability to provide a complying building platform outside of the National Grid Yard;

(iii) The risk of electrical hazards affecting public or individual safety, and the risk of property damage;

(iv) The nature and location of any vegetation to be planted in the vicinity of National Grid transmission lines.

NCL

Any subdivision of land within the National Grid Corridor that does not comply with one or more of the conditions of Rule 23.4.6B RD1.

Decision Reasons:

- This is to replicate the subdivision rule within the National Grid Corridor from Chapter 14 into Chapter 23 for increased clarity and usability of the Plan.

Point Number 697.919

Summary of Decision Requested: Amend Rule 23.4.1 PRI Prohibited Activities, as follows:

Any subdivision within Hamilton's Urban Expansion Area as identified on the planning maps involving the creation of any additional ~~lot~~ record of title.

Decision Reasons:

- This provides additional clarity.

Point Number 697.920

Summary of Decision Requested: Amend Rule 23.4.2 RD1 General Subdivision, as follows:

(a) Subdivision must comply with ~~all~~ of the following conditions, where applicable:

(i) All proposed lots must have a net site area of at least 5000m².

(ii) Where the land being subdivided is wholly inside the Airport Subdivision Control Boundary or wholly or partly inside the SEL 95 Boundary identified on the planning maps, the average net site area of all proposed lots must be at least 1.1ha;

(iii) Where the land being subdivided straddles the Airport Subdivision Control Boundary, the maximum number of proposed titles must be the smallest nearest whole number calculated by the following formula:

Proposed ~~Record of Titles~~ lots = $\frac{\text{area (ha) outside}^}{0.5} + \frac{\text{area (ha) inside}^*}{1.1}$*

** outside and inside Airport Subdivision Control Boundary*

(b) Council's discretion is restricted to the following matters:

(i) Adverse effects on amenity values;

(v) Effects on the ~~operation of the airport~~ Airport Subdivision Control Boundary or the SEL 95 Boundary;

Decision Reasons:

- This provides additional clarity.

Point Number 697.921

Summary of Decision Requested: Add a new rule (ix) to Rule 23.4.3 D1 Subdivision within identified areas, as follows:

(ix) A natural hazard area.

Decision Reasons:

- This is to accommodate the consequential changes as a result of changes to 23.4.4 Title boundaries rule.

Point Number

697.922

Summary of Decision Requested:

Amend Rule 23.4.4 Title boundaries - natural hazard area, contaminated land, Significant Amenity Landscape, notable trees, intensive farming activities, aggregate extraction areas heading, as follows:

~~Title boundaries – Existing Buildings, natural hazard area, contaminated land, Significant Amenity Landscape, notable trees, intensive farming activities, aggregate extraction areas~~

Decision Reasons:

- This rule heading needs amending to reflect the changes being made to RD1.

Point Number

697.923

Summary of Decision Requested:

Amend Rule 23.4.4 RD1 Title boundaries - natural hazard area, contaminated land, Significant Amenity Landscape, notable trees, intensive farming activities, aggregate extraction areas, as follows:

~~(a) Subdivision of land containing any natural hazard area, contaminated land, Significant Amenity Landscape, notable tree, intensive farming activity or Aggregate Extraction Area must comply with all of the following conditions:~~

~~(i) (a) The boundaries of every proposed lot containing an existing building must demonstrate compliance with the Land Use - Building rules in Rule 23.3 relating to:~~

~~(i) Rule 23.3.5 (Daylight admission);~~

~~(ii) Rule 23.3.6 (Building coverage);~~

~~(iii) Rule 23.3.7 (Building Setbacks);~~

~~(iii) (b) Rule 23.4.4 RD1 (a)(i) does not apply to any noncompliance with the Land Use – Building rules in Rule 23.3 that existed lawfully prior to the subdivision.~~

~~(iii) (c) Any boundary of a proposed lot must not divide the following:~~

~~A. a natural hazard area;~~

~~B. contaminated land;~~

~~C. Significant Amenity Landscape;~~

~~D. Notable tree;~~

~~(iv) Any boundary of a proposed lot must provide the following setbacks:~~

~~A. 300m from any intensive farming activity;~~

~~B. 200m from an Aggregate Extraction Area for sand extraction;~~

~~C. 500m from an Aggregate Extraction Area for rock extraction;~~

~~(c) Council's discretion is restricted to the following matters:~~

~~(i) Landscape values;~~

~~(ii) Amenity values and character;~~

~~(iii) Reverse sensitivity effects;~~

~~(iv) Effects on any existing building;~~

~~(v) Effects on a natural hazard area;~~

~~(vi) Effects on contaminated land;~~

~~(vii) Effects on a notable tree;~~

~~(viii) Effects on an intensive farming activity;~~

~~E. Effects on an Aggregate Extraction Area.~~

Decision Reasons:

- Rule needs amending to provide clarity as to its purpose.
- Consequential changes to be made in other rules.

Point Number

697.924

Summary of Decision Requested:

Amend Rule 23.4.4 NCI Title boundaries - natural hazard area, contaminated land, Significant Amenity Landscape, notable trees, intensive farming activities, aggregate extraction areas to change to DI a discretionary activity rather than a non complying activity, as follows:

~~NCI, DI Discretionary activities~~ Title boundaries - natural hazard area, contaminated land, Significant Amenity Landscape, notable trees, intensive farming activities, aggregate extraction areas

Decision Reasons:

- This activity status is too onerous for this rule.

Point Number

697.925

Summary of Decision Requested:

Amend Rule 23.4.5 Site boundaries - Significant Natural Areas, heritage items, archaeological sites, sites of significance to Maaori heading, as follows:

Site boundaries – Significant Natural Areas, ~~heritage items, archaeological sites, sites of significance to Maaori~~, notable trees

Decision Reasons:

- This rule needs to apply only to significant natural areas and notable trees, as Rule 23.4.6 (heritage items) and new Rule 23.4.6A for archaeological sites and sites and areas of significance to Maaori will accommodate these rules.

Point Number

697.926

Summary of Decision Requested:

Amend Rule 23.4.5 RD1 (a) Site boundaries - Significant Natural Areas, heritage items, archaeological sites, sites of significance to Maaori, as follows:

~~(a) Any boundary of a proposed lot must not divide any of the following:~~

~~(i) A Significant Natural Area;~~

~~(ii) A heritage item as identified in Schedule 20.1 (Heritage Items);~~

~~(iii) A Maaori site of significance as identified in Schedule 20.3 (Maaori Sites of Significance); or~~

~~(iv) A Maaori area of significance as identified in Schedule 20.4 (Maaori Areas of Significance);~~

~~(iii) notable tree~~

Decision Reasons:

- The removal of clause (ii) is because it is already covered in Rule 23.4.6.
- The removal of clauses (iii) and (iv) are to set these rules apart and create a new rule entirely (proposed Rule 23.4.6A).

Point Number

697.927

Summary of Decision Requested:

Add new matter of discretion (vi) to Rule 22.4.5 RD1 (b) Site boundaries - Significant Natural Areas, heritage items, archaeological sites, sites of significance to Maaori, as follows:

(vi) effects on notable trees.

Decision Reasons:

- This is as a consequential amendment arising from the removal of notable trees from Rule 23.4.5 RD1.

Point Number

697.928

Summary of Decision Requested:

Add new rule to Rule 23.4 Subdivision after Rule 23.4.5 Site boundaries - Significant Natural Areas, heritage items, archaeological sites, sites of significance to Maori, as follows:

23.4.6A Subdivision of land containing archaeological sites, Maori sites of significance and Maori areas of significance

RD1

- (a) The boundaries of every proposed lot must not divide any of the following:
- (i) Maori sites of significance as identified in Schedule 30.3 (Maori sites of significance);
 - (ii) Maori areas of significance as identified in Schedule 30.4 (Maori areas of significance);
- (b) Council's discretion is restricted to the following matters:
- (i) effects on heritage values;
 - (ii) context and setting of the heritage item; and
 - (iii) the extent to which the relationship of the heritage item with its setting is maintained.

D1

Subdivision that does not comply with Rule 23.4.6A RD1

Decision Reasons:

- Amendment arising from splitting out archaeological sites and Maori sites and areas of significance in Rule 23.4.5.

Point Number

697.929

Summary of Decision Requested:

Amend Rule 23.4.7 RD1 (a) Subdivision - Road frontage, as follows:

(a) Every proposed lot as part of the subdivision having with a road boundary, other than one designed as any access allotment or utility allotment or lot accessed via an access leg containing a road access leg, must have a width along the road boundary of at least 1.5m.

Decision Reasons:

- This is to provide clarity to this rule.

Point Number

697.930

Summary of Decision Requested:

Amend Rule 23.4.8 RD1 (a) Subdivision - Building platform, as follows:

(a) Subdivision, other than an access allotment or utility allotment, must provide a building platform on every the proposed lot. The building platform must meet all of the following conditions:

- (i) has an area of 1000m² exclusive of boundary setbacks;
- (ii) has an average gradient no steeper than 1:8;
- (iii) has vehicular access in accordance with Rule 14.12.1 P1;
- (iv) is certified by a geotechnical engineer as geotechnically stable and suitable for a building platform;
- (v) is not subject to inundation in a 2% AEP storm or flood event;
- (vi) a dwelling could be built on as a permitted activity in accordance with Rule 23.3.

Decision Reasons:

- Wording to provide clarity to this rule.

Point Number

697.931

Summary of Decision Requested:

Amend Rule 23.4.10 Subdivision of land containing mapped off-road walkways heading, as follows:

Subdivision of land containing mapped off-road walkways, cycleways, bridleways

Decision Reasons:

- Heading to include cycleways and bridleways.

Point Number

697.932

Summary of Decision Requested:

Amend Rule 23.4.10 RD1 Subdivision on land containing mapped off-road walkways, as follows:

(a) Subdivision of land where containing walkways shown on the planning maps must provide those walkways, cycleways and bridleways and are to be provided as part of the subdivision must comply with all of the following conditions:

- (i) The walkway, cycleway or bridleway is at least 3 metres wide and
- (ii) the walkway, cycleway or bridleway is designed and constructed for shared pedestrian and cycle use, as per Rule 14.12.1 P8 (Access and road performance standards);
- (iii) the walkway, cycleway or bridleway is generally in accordance with the walkway route shown on the planning maps;
- (iv) the walkway, cycleway or bridleway is shown on the plan of subdivision and vested in the Council.

(b) Council's discretion is restricted to the following matters:

- (i) alignment of the walkway, cycleway or bridleway;
- (ii) drainage in relation to the walkway, cycleway or bridleway;
- (iii) standard of design and construction of the walkway, cycleway or bridleway;
- (iv) land stability;
- (v) amenity matters including batter slopes;
- (vi) connection to reserves.

Decision Reasons:

- Wording to provide clarity to this rule.

Point Number

697.933

Summary of Decision Requested:

Add to Rule 23.4.11 C1(b) Subdivision of land containing all or part of an Environmental Protection Area, a new clause (iii) as follows:

(iii) Legal protection if appropriate.

Decision Reasons:

- Adding legal protection as a matter of discretion enables Council to protect areas of planting in perpetuity.

Point Number 697.934

Summary of Decision Requested: **Amend** Rule 23.4.12 RD1(a) Esplanade reserves and esplanade strips, as follows:

(a) Subdivision of an esplanade reserve or strip 20m wide (or other width stated in Appendix 5.4 Esplanade Priority Areas) is required to be created from every proposed lot and shall vest in Council where the following situations apply:

Decision Reasons:

- This is to correct a referencing error.

Point Number 697.935

Summary of Decision Requested: **Amend** Chapter 24 Village Zone heading, as follows:

Chapter 24: Village Zone – Rules

Decision Reasons:

- This is to assist in clarifying that all of the provisions within the chapter are rules.

Point Number 697.936

Summary of Decision Requested: **Amend** Rule 24(2) Village Zone, as follows:

The rules that apply to subdivision in the Village Zone are contained in Rule 24.4 and the relevant rules in 1.4 Infrastructure and Energy, and 1.5 Natural Hazards and Climate Change (Placeholder).

Decision Reasons:

- This is to clarify that the rules in Chapter 14: Infrastructure and Energy and Chapter 15: Natural Hazards and Climate Change apply to subdivision as well as to land use activities.

Point Number 697.937

Summary of Decision Requested: **Amend** Rule 24.1.1 Permitted Activities, as follows:

(1) The following activities are permitted activities if they meet all the following:

~~(a) Activity-specific conditions;~~
~~(b) Land Use – Effects rules in Rule 24.2 (unless the activity rule and/or activity-specific conditions identify a condition(s) that does not apply);~~
~~(c) Land Use – Building rules in Rule 24.3 (unless the activity rule and/or activity-specific conditions identify a condition(s) that does not apply);~~
~~(c) Activity-specific conditions.~~

Decision Reasons:

- The list of rules (a) – (c) should follow the order that they appear.

Point Number 697.938

Summary of Decision Requested: **Delete** Rule 24.1.1 P2(a) Activity Specific Conditions (A Marae Complex or Papakainga Housing Development on Maaori Freehold Land or on Maaori Customary Land)

Decision Reasons:

- Condition (a) was not intended to be included.
- The rule needs to enable development of the site without building coverage.

Point Number 697.939

Summary of Decision Requested: **Amend** Rule 24.1.1(P2)(b)(i) Permitted Activities (A Marae Complex or Papakainga Housing Development on Maaori Freehold Land or on Maaori Customary Land), as follows:

(i) A Concept Management Plan ~~approved~~ endorsed by the Maori Land Court

AND

Amend Rule 24.1.1(P1)(c)(i) as follows:

(i) A Concept Management Plan ~~approved~~ endorsed by the Maori Land Court;

Decision Reasons:

- The correct term is “endorsed” rather than “approved”.

Point Number 697.940

Summary of Decision Requested: **Amend** Activity Rule 24.1.1 P3(d) and (e) Permitted Activities (Home occupation), as follows:

(d) Unloading and loading of vehicles and/or the receiving of customers or deliveries only occur after 7:30am and before 7:00pm on any day;
(e) Machinery ~~may~~ can only be operated after 7:30am and up to 9pm on any day.

Decision Reasons:

- To align the hours for the activity with the noise rule (24.2.1) for this zone.

Point Number 697.941

Summary of Decision Requested: **Delete** Rule 24.1.1 P7(b) Homestay.

Decision Reasons:

- Condition (b) is unnecessary for a home occupation activity.

Point Number	697.942
Summary of Decision Requested:	<p>Add a new activity to Rule 24.1.1 after P8 for retirement villages, as follows:</p> <p><u>A new retirement village or alterations to an existing retirement village:</u></p> <p>Activity Specific Conditions:</p> <p>(a) <u>The site or combination of sites where the retirement village is proposed to be located has a minimum net site area of 3ha;</u> (b) <u>The site is either serviced by or within 400m walking distance of public transport;</u> (c) <u>The site is connected to public water and wastewater infrastructure;</u> (d) <u>Minimum living court or balcony area and dimensions:</u> (i) <u>Apartment – 10m² area with minimum dimension horizontal and vertical of 2.5m;</u> (ii) <u>Studio unit or 1 bedroom unit – 12.5m² area with minimum dimension horizontal and vertical of 2.5m; or</u> (iii) <u>2 or more bedrooms unit – 15m² area with minimum dimension horizontal and vertical of 2.5m;</u> (e) <u>Minimum service court is either:</u> (i) <u>Apartment – Communal outdoor space (ie no individual service courts required) of at least 5m² with a minimum dimension of 1.5 metres for each apartment; or</u> (ii) <u>All other units – 10m² with a minimum dimension of 1.5 metres for each unit;</u> (f) <u>Building height does not exceed 8m, except for 15% of the total building coverage, where buildings may be up to 10m high;</u> (g) <u>The following Land Use – Effects rule in Rule 24.2 does not apply:</u> (i) <u>Rule 24.2.7 (Signs);</u> (h) <u>The following Land Use – Building rules in Rule 24.3 do not apply:</u> (i) <u>Rule 24.3.1 (Dwelling);</u> (ii) <u>Rule 24.3.3 (Building Height);</u> (i) <u>The following Infrastructure and Energy rule in Chapter 14 does not apply;</u> (ii) <u>Rule 14.12.1 P4(1)(g) (Traffic generation).</u></p>
Decision Reasons:	<ul style="list-style-type: none"> Retirement villages in the Village Zone should be provided for on the boundaries of towns and villages provided they can be serviced by infrastructure. Retirement villages provide opportunities for residential development (aged care) that is not only confined to the residential zone.
Point Number	697.943
Summary of Decision Requested:	<p>Amend Rule 24.1.2 D1 Discretionary Activities as follows:</p> <p>Any permitted activity that does not comply with <u>one or more of the an Activity-Specific Conditions</u> in Rule 24.1.1.</p>
Decision Reasons:	<ul style="list-style-type: none"> Consistency with other chapters and additional clarity of the rule.
Point Number	697.944
Summary of Decision Requested:	Delete Rule 24.1.2 D2 Discretionary Activities.
Decision Reasons:	<ul style="list-style-type: none"> This rule is not needed as it refers to Land Use Effects and Land Use Building rules which are in subsequent parts of the chapter.
Point Number	697.945
Summary of Decision Requested:	<p>Add new heading for Rule 24.2 noise rules, as follows:</p> <p><u>24.2.1 Noise</u></p> <p>AND</p> <p>Make consequential changes to numbering.</p>
Decision Reasons:	<ul style="list-style-type: none"> New heading required for noise rules to be consistent with other zone chapters.
Point Number	697.946
Summary of Decision Requested:	Delete Rule 24.2(1) Land Use -Effects.
Decision Reasons:	<ul style="list-style-type: none"> Reduces duplication – this noise rule is adequately covered by points (2) and (3).
Point Number	697.947
Summary of Decision Requested:	<p>Delete Rule 24.2.1 P3 and P4 Noise - General;</p> <p>AND</p> <p>Amend Rule 24.2.1 P2 Noise-General, as follows:</p> <p>(a) <u>Noise measured within any other site in the Village Zone must not exceed:</u> (i) <u>50dB (LAeq), 7am to 7pm every day;</u> (ii) <u>45dB (LAeq), 7pm to 10pm every day; and</u> (iii) <u>40dB (LAeq) and 65dB (LAm_{ax}), 10pm to 7am the following day.</u> (b) <u>Noise levels must be measured in accordance with the requirements of New Zealand Standard NZS 6801:2008 "Acoustics Measurement of Environmental Sound", and</u> (c) <u>Noise levels must be assessed in accordance with the requirements of New Zealand Standard NZS 6802:2008 "Acoustic Environmental noise."</u></p> <p>AND</p> <p>Make consequential amendments to Rule 24.2.1 D1 as follows:</p> <p>Noise that does not comply with Rule 24.2.1 P4, P2 or P3.</p>
Decision Reasons:	<ul style="list-style-type: none"> P3 need to be conditions of P2 as they are the standards which need to be met.
Point Number	697.948

Summary of Decision Requested:	Amend Rule 24.2.2 P1 (a) Noise - construction, as follows: (a) Construction noise must not exceed meet the limits in NZS 6803:1999 (Acoustics – Construction Noise); and
Decision Reasons:	<ul style="list-style-type: none"> Amend the rule for additional clarity.
Point Number	697.949
Summary of Decision Requested:	Delete Rule 24.2.3 P1 (b) Glare and artificial light spill.
Decision Reasons:	<ul style="list-style-type: none"> This rule is not required as the matters are not typical of the Village Zone. Consistency with the Residential Zone.
Point Number	697.950
Summary of Decision Requested:	Amend Rule 24.2.4(1) Earthworks, as follows: (1) Rule 24.2.4.1 – Earthworks General, provides the permitted rules for earthworks activities for the Rural Zone. <u>This rule does not apply in those areas specified in rules 24.2.4.1A, 24.2.4.2, 24.2.4.3 and 24.2.4.4.</u>
Decision Reasons:	<ul style="list-style-type: none"> The wording of the rule does not make it clear that the rules specified in 24.2.4(2) apply instead of the general earthworks rule.
Point Number	697.951
Summary of Decision Requested:	Amend Rule 24.2.4(2) Earthworks, as follows: There are specific standards for earthworks within rules: (a) <u>Rule 24.2.4.1A – Earthworks within the National Grid Yard</u> (a b) Rule 24.2.4.2 – Maaori Sites and Maaori Areas of Significance; (b c) Rule 24.2.4.3 – Significant Natural Areas; (c d) Rule 24.2.4.4 – Landscape and Natural Character Areas. AND Add new rule after Rule 24.2.4.1 Earthworks General, as follows: <u>24.2.4.1A Earthworks within the National Grid Yard</u> P1 (a) <u>The following earthworks within the National Grid Yard:</u> (i) <u>Earthworks undertaken as part of domestic cultivation; or repair, sealing or resealing of a road, footpath or driveway;</u> (ii) <u>Vertical holes not exceeding 500mm in diameter that are more than 1.5m from the outer edge of the pole support structure or stay wire;</u> and (iii) <u>Earthworks for which a dispensation has been granted by Transpower under New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663.</u> P2 (a) <u>Earthworks activities within the National Grid Yard near National Grid support poles or any stay wires must comply with the following conditions:</u> (i) <u>Do not exceed a depth of 300mm within 2.2m of the pole or stay wire;</u> and (ii) <u>Do not exceed a depth of 750mm between 2.2m and 5m of the pole or stay wire.</u> P3 (a) <u>Earthworks within the National Grid Yard near National Grid support towers (including any tubular steel tower that replaces a steel lattice tower) must comply with all of the following conditions:</u> (i) <u>Do not exceed 300m depth within 6m of the outer edge of the visible foundation of the tower;</u> (ii) <u>Do not exceed 3m between 6m and 12m of the outer edge of the visible foundation of the tower;</u> (iii) <u>Do not compromise the stability of a National Grid support structure;</u> (iv) <u>Do not result in the loss of access to any National Grid support structure; and</u> (v) <u>Must be less than the minimum ground to conductor clearance distances in Table 4 of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663.</u> RD 1 (a) <u>Earthworks within the National Grid Yard that do not comply with one or more of the conditions of Rules 24.2.4.1A P1, P2 or P3.</u> (b) <u>Discretion is restricted to:</u> (i) <u>Impacts on the operation, maintenance, upgrading and development of the National Grid;</u> (ii) <u>The risk to the structural integrity of the affected National Grid support structure(s);</u> (iii) <u>Any impact on the ability of the National Grid owner (Transpower) to access the National Grid;</u> (iv) <u>The risk of electrical hazards affecting public or individual safety and the risk of property damage.</u>
Decision Reasons:	<ul style="list-style-type: none"> Replicate the earthworks rule within the National Grid from Chapter 14 into Chapter 24 (where this is relevant to the Village Zone) for increased clarity and usability of the Plan.
Point Number	697.952
Summary of Decision Requested:	Amend Rule 24.2.4.1 P1(a) Earthworks - General, as follows: (a) Earthworks (excluding the impartation of fill material) within a site must meet all of the following conditions: (i) Be located more than 1.5 m horizontally from any waterway, open drain or overland flow path; (ii) Not exceed a volume of more than 250m ³ and an area of more than 1,000m ² over any single consecutive 12 month period; (iii) Not exceed an area of more than 1,000m² over any single consecutive 12 month period; (iv) The total depth of any excavation or filling does not exceed 1.5m above or below ground level; (v) The slope of the resulting cut, filled areas or fill batter face in stable ground, does not exceed a maximum of 1:2 (1 vertical to 2 horizontal); (vi) Earthworks are set back <u>at least</u> 1.5m from all boundaries; (vii) Areas exposed by earthworks are revegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks; (viii) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls; (ix) Do not divert or change the nature of natural water flows, water bodies or established drainage paths.
Decision Reasons:	<ul style="list-style-type: none"> The rule needs to apply over a single consecutive 12 month period for both volume and area thresholds. This is also consistent with other zone chapters.
Point Number	697.953
Summary of Decision Requested:	Amend Rule 24.2.4.1 P3(a)(iv) Earthworks - General, as follows: (iv) Fill material is setback <u>at least</u> 1.5m from all boundaries;
Decision Reasons:	<ul style="list-style-type: none"> The words “at least” provide clarity to this rule.

Point Number 697.954

Summary of Decision Requested: Amend Rule 24.2.4.2 PI Earthworks-Maori Sites and Maori Areas of Significance, as follows:

~~RD1 #1~~

~~(a) Earthworks within 100m of a Maori site of significance as identified in Schedule 30.23 (Maori sites of Significance) must submit to Council as shown on the planning maps;~~

~~(b) A cultural assessment from the appropriate mana whenua representatives that demonstrates that there will be no adverse effects on cultural values;~~

~~(c) Earthworks within a Maori area of significance as identified in Schedule 30.4 (Maori area of Significance) must submit to Council;~~

~~(iii) A cultural assessment from the appropriate mana whenua representatives that demonstrates that there will be no adverse effects on cultural values;~~

~~(b) Council's discretion is restricted to the following matters:~~

~~(i) location of activity in relation to the site;~~

~~(ii) effects on heritage and cultural values.~~

Decision Reasons:

- Wording provides clarity to the rule. Also consistent approach across all zone chapters.

Point Number 697.955

Summary of Decision Requested: Amend Rule 24.2.4.2 RD1 Earthworks-Maori Sites and Maori Areas of Significance, as follows:

~~RD+2~~

~~(a) Earthworks that do not comply with a condition of Rule 24.2.4.2 PI Earthworks within a Maori area of significance as identified in Schedule 30.4 (Maori Areas of Significance) and shown on the planning maps;~~

~~(b) Council's discretion is restricted to the following matters:~~

~~(i) Location of activity in relation to the site;~~

~~(ii) Effects on heritage and cultural values.~~

Decision Reasons:

- Wording provides clarity to the rule. Also consistent approach across all zone chapters.

Point Number 697.956

Summary of Decision Requested: Amend Rule 24.2.4.3 PI Earthworks-within Significant Natural Areas, as follows:

~~(a) Earthworks are for the maintenance of existing tracks, fences or drains within an identified Significant Natural Area must not:~~

~~(i) Exceed a volume of 50m³ in a single calendar year consecutive 12 month period;~~

~~(ii) Exceed an area of 250m² in a single calendar year consecutive 12 month period; and~~

~~(iii) Import any fill material.~~

~~(iv) The total depth of any excavation or filling does not exceed 1.5m above or below ground level with a maximum slope of 1:2 (1 vertical to 2 horizontal);~~

~~(v) Earthworks are setback at least 1.5m from all boundaries;~~

~~(vi) Areas exposed by earthworks are revegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks;~~

~~(vii) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls;~~

~~(viii) Do not divert or change the nature of natural water flows, water bodies or established drainage paths.~~

Decision Reasons:

- Additional clarity of the rule and consistency with the equivalent rule in other chapters

Point Number 697.957

Summary of Decision Requested: Amend Rule 24.2.4.3 DI Earthworks-within Significant Natural Areas to be Restricted Discretionary rather than Discretionary.

Decision Reasons:

- The activity status becomes a restricted discretionary activity, not a Discretionary activity.

Point Number 697.958

Summary of Decision Requested: Amend Rule 24.2.4.4 PI (a) Earthworks - landscape and natural character areas, as follows:

~~(e) Earthworks are for the maintenance of existing tracks, fences or drains within the following landscapes, natural features and natural character areas:~~

~~(i) Significant Amenity Landscape (SAL) – sand dune;~~

~~(ii) Natural Character area;~~

~~(iii) Outstanding Natural Character area of the coastal environment;~~

~~an identified Landscape or Natural Character Area and must meet all of the following conditions;~~

Decision Reasons:

- The additional wording provides clarification as to which areas are being encompassed by this rule.

Point Number 697.959

Summary of Decision Requested: Delete the table under Rule 24.2.4.4 PI (a)(iii) Earthworks - Landscape and Natural Character Areas;

AND

Amend Rule 24.2.4.4 PI (c) Earthworks - Landscape and Natural Character Areas:

~~(c) The earthworks must not exceed the following areas and volumes an area of 50m² and a volume of 250m³ within a single consecutive 12 month period.~~

Decision Reasons:

- This change removes the table and makes the volumes and thresholds clearer.

Point Number 697.960

Summary of Decision Requested: Amend Rule 24.2.5 PI(a) Hazardous Substances, as follows:

~~(b) The use, storage or disposal of any hazardous substances must meet the following conditions where:~~

~~(i) The aggregate quantity of hazardous substances of any hazard classification on a site is less than the quantity specified for the Residential-Village zone in Table 5.1 contained within Appendix 5 (Hazardous Substances).~~

Decision Reasons:

- Correction required. Residential Zone referred to in error.

Point Number 697.961

Summary of Decision Requested: **Add** Rule 24.2.5 Hazardous substances, as follows:
NC1 The storage of fuel for retail sale within service station in the Village Zone.

Decision Reasons:

- This new rule provides a more restrictive approach than D1, as this is a sensitive environment.
-

Point Number 697.962

Summary of Decision Requested: **Add** new Rule 24.2.5 NC2 Hazardous substances, as follows:
NC2 Any new hazardous facility that involves the storage and handling of hazardous substances with explosive or flammable intrinsic properties within 12m of the centre line of a National Grid Transmission Line

Decision Reasons:

- Replicate the hazardous facilities rule within the National Grid from Chapter 14 (where it is relevant to the Village Zone) into Chapter 24 for increased clarity and usability of the Plan.
-

Point Number 697.963

Summary of Decision Requested: **Amend** Rule 24.2.6.1 C1 Notable tree-removal or destruction, as follows:
~~← RDI~~
(a) Removal or destruction of a tree identified in Schedule 30.2 (Notable Trees) that does not comply with Rule 24.2.6.1 P1.
(b) Council shall ~~reserve its control over~~ restrict its discretion to the following matters:
(i) Timing and manner in which the activity is carried out;
(ii) Effects on amenity values; and
(iii) Effects on heritage values.

Decision Reasons:

- Restricted discretionary activity is more appropriate to reflect the importance of notable trees.
-

Point Number 697.964

Summary of Decision Requested: **Amend** Rule 24.2.6.2 RD1 (b)(i) Notable tree - trimming, as follows:
(i) timing and manner in which the activity is carried out; and

Decision Reasons:

- All matters of discretions need to be included.
-

Point Number 697.965

Summary of Decision Requested: **Amend** Rule 24.2.6.3 P1 (a)(i) Notable tree - activities within the dripline, to read as follows:
(i) Involve excavation, compaction, sealing or soil disturbance ~~and~~ or placement of fill material, or cleanfill except for sealing of an existing road or footpath;

Decision Reasons:

- Provides clarity to the rule and alignment with other zone chapters.
-

Point Number 697.966

Summary of Decision Requested: **Amend** Rule 24.2.6.3 RD1 (a) Notable tree-activities within the dripline, as follows:
(a) Any activity within the dripline of the notable tree that does not comply with Rule 24.2.6.3 P1

Decision Reasons:

- The words "within the dripline of the notable tree" provide clarity to the rule.
-

Point Number 697.967

Summary of Decision Requested: **Delete** Rule 24.2.7.1 P2(a) (viii) Signs - general.

Decision Reasons:

- 24.2.7.1 P2 (a) (viii) is not required as the village zone provisions do not apply within the road reserve.
-

Point Number 697.968

Summary of Decision Requested: **Amend** Rule 24.2.7.1 P2(a)(xi) Signs - general, as follows:
(xi) The sign is for the purpose of identification and interpretation not attached to a Maaori site of significance listed in Schedule 30.3 (Maaori Sites of Significance) ~~except for the purpose of identification and interpretation.~~

Decision Reasons:

- Re-wording this rule provides clarity.
-

Point Number 697.969

Summary of Decision Requested: **Amend** Rule 24.2.7.1 P3 Signs - general, as follows:

(b) A real estate 'for sale' or 'for rent' sign relating to the site on which it is located must comply with all of the following conditions:

(i) There is no more than ~~4~~ 3 signs per site agency;

(ii) The sign is not illuminated;

(iii) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials;

~~(iv) Project into or over road reserve.~~

Decision Reasons:

- This rule excluded signs for rental properties and requires additional words to ensure consistency with rule 24.2.7.1. Additionally, P3(a) (i) is not required as the village zone provisions do not apply within the road reserve.

Point Number 697.970

Summary of Decision Requested: **Amend** Rule 24.2.7.2 P1 (a) Signs - effects on traffic, as follows:

(a) Any sign directed at road users must meet the following conditions:

(i) Not imitate the content, colour or appearance of any traffic control sign;

(ii) Be located at least 60m from controlled intersections, pedestrian crossings and any other sign;

(iii) Not obstruct sight lines of drivers turning into or out of a site entrance and intersections;

~~(iv) Be able to be viewed by drivers for at least 130m;~~

(v) Contain a no more than 40 characters and no more than 6 symbols;

(vi) Have lettering that is at least 150mm high;

(vii) Be located at least 130m from a site entrance, where the sign directs traffic to the entrance.

Decision Reasons:

- The amended wording provides clarity for the rule and consistency with other rules.

Point Number 697.971

Summary of Decision Requested: **Amend** Rule 24.2.8 Indigenous vegetation clearance inside a Significant Natural Area heading, as follows:

Indigenous vegetation clearance ~~inside~~ within a Significant Natural Area

Decision Reasons:

- Wording provides clarity.

Point Number 697.972

Summary of Decision Requested: **Add** to Rule 24.2.8 P1 (a) Indigenous vegetation clearance inside a Significant Natural Area a new clause (vi), as follows:

(vi) Removing vegetation for conservation activities.

Decision Reasons:

- This new rule ensures indigenous vegetation can be cleared for conservation activities.

Point Number 697.973

Summary of Decision Requested: **Amend** Rule 24.2.8 P2 Indigenous vegetation clearance inside a Significant Natural Area, as follows:

Removal of up to 5m³ of manuka and/or kanuka outside of the Coastal Environment per year per ~~property site~~ for domestic firewood purposes or arts and crafts provided the removal will not directly result in the death, destruction or irreparable damage of any other tree, bush or plant.

Decision Reasons:

- Additional clarity that the rule is intended to apply "per site" rather than "per property" which is not a defined term.

Point Number 697.974

Summary of Decision Requested: **Delete** Rule 24.2.8 P5 Indigenous vegetation clearance inside a Significant Natural Area;

AND

Make consequential change to Rule 24.2.8 D1, as follows:

...P4, ~~P5~~ or P6.

Decision Reasons:

- Rule P5 duplicates P1 with the only difference being that P5 captures Maaori Freehold land or Maaori Customary land, which is captured by P1 anyway.

Point Number 697.975

Summary of Decision Requested: **Delete** Rule 24.2.8 P6 Indigenous vegetation clearance inside a Significant Natural Area;

AND

Make consequential change to Rule 24.2.8 D1 as follows:

...P4; ~~or P5 or P6.~~

Decision Reasons:

- The activity is a repeat of P2.

Point Number 697.976

Summary of Decision Requested: **Amend** Rule 24.3.1 P1 to read as follows:

One dwelling within a ~~site~~ record of title.

Decision Reasons:

- The definition "record of title" has been included for correction.

Point Number	697.977
Summary of Decision Requested:	Amend Rule 24.3.2 P1 Minor dwelling, to read as follows: <i>(a) One minor dwelling up to 70m² gross floor area contained within the site a record of title must comply with all of the following conditions;</i> <i>(i) The net site area is 1000m² or more;</i> <i>(ii) The gross floor area shall not exceed 70m².</i>
Decision Reasons:	<ul style="list-style-type: none"> • Rewording of this rule required to align with the residential zone rule to make the 70m² requirement a condition of the rule.
Point Number	697.978
Summary of Decision Requested:	Amend Rule 24.3.3 (2) Height, as follows: <i>(2) Rule 24.3.3.1 Height – Building general provides permitted height limits across the entire Village Zone. <u>This rule does not apply in those areas specified in Rule 24.3.3(3).</u></i>
Decision Reasons:	<ul style="list-style-type: none"> • The wording of the rule does not make it clear that rule 24.3.3(2) does not apply in those areas specified in rule 24.3.3(3)
Point Number	697.979
Summary of Decision Requested:	Amend Rule 24.3.3.2 P1 Height-Buildings structures or vegetation within an airport obstacle limitation surface, as follows: <i>Any building, structure or vegetation must not protrude through the airport obstacle limitation surface as identified on the planning maps and defined in Appendix 9 - Te Kowhai Airpark and as shown on the planning maps.</i>
Decision Reasons:	<ul style="list-style-type: none"> • This rule relates only to the Te Kowhai Airpark and needs to specifically identify this. Additional wording provides clarity to the rule.
Point Number	697.980
Summary of Decision Requested:	Amend Rule 24.3.3.2 D1 Height - Buildings structures or vegetation within an airport obstacle limitation surface, as follows: <i>Any building, structure or vegetation that does not comply with Rule 24.3.3.2 P1.</i>
Decision Reasons:	<ul style="list-style-type: none"> • Additional wording provides clarity to the rule.
Point Number	697.981
Summary of Decision Requested:	Add the following rule after Rule 24.3.5 Building coverage: <u>Rule 24.3.5A Impervious surfaces</u> <u>PL</u> <u>The impervious surface of a site must not exceed 70%.</u> <u>RDL</u> <u>(a) Impervious surfaces that does not comply with Rule 24.3.5A P1</u> <u>(b) Council's discretion is restricted to the following matters:</u> <u>(i) Site design, layout and amenity;</u> <u>(ii) The risk of flooding, nuisance or damage to the site or other buildings and sites.</u>
Decision Reasons:	<ul style="list-style-type: none"> • Include the impervious surfaces rule from Rule 14.11.1 P2 and 14.11.2 (RD2) to make it easier to find.
Point Number	697.982
Summary of Decision Requested:	Amend Rule 24.3.4 RD1 (b) Daylight admission, as follows: <i>(b) Council's discretion is restricted to the following matters:</i> <i>(i) Height of the building;</i> <i>(ii) Design and location of the building;</i> <i>(iii) Extent of shading on adjacent sites; Level of shading on any other sites;</i> <i>(iv) Privacy on other sites; and</i> <i>(v) Effects on a amenity values and residential character of the locality.</i>
Decision Reasons:	<ul style="list-style-type: none"> • Additional wording provides clarity to the rule in respect to shading and other sites. Also provides consistency with other zone chapter.
Point Number	697.983
Summary of Decision Requested:	Amend Rule 24.3.5 P1 Building coverage, as follows: <i>On a lot connected to public wastewater and a water supply, the total building coverage must not exceed 40%.</i>
Decision Reasons:	<ul style="list-style-type: none"> • Word "total" is not required. Consistency across zone chapters.
Point Number	697.984
Summary of Decision Requested:	Amend Rule 24.3.5 P2 Building coverage, as follows: <i>On a lot not connected to public wastewater and a water supply, the total building coverage must not exceed 20%.</i>
Decision Reasons:	

- Word "total" is not required. Consistency across zone chapters.

Point Number 697.985

Summary of Decision Requested: **Amend** Rule 24.3.5 D1 Building coverage, as follows:
~~A building coverage that does not comply with Rules 24.3.5 P1 or P2.~~

Decision Reasons:

- Consistency across zone chapters.

Point Number 697.986

Summary of Decision Requested: **Add** new clause (5) into Rule 24.3.6 Building setbacks, as follows:
(5) Rule 24.3.6.4 Buildings and structures within the National Grid Yard.
 AND
Add the following rule into Chapter 24, after Rule 24.3.6.4:
24.3.6.4 Buildings and structures within the National Grid Yard.
P1.
(a) Within the National Grid yard, building alterations and additions to an existing building or structure must comply with the following conditions:
(i) Not involve an increase in the building height or footprint; and
(ii) Comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663 under all National Grid transmission line operating conditions.
P2.
(a) Within the National Grid yard, the maximum height of fences are 2.5m within 5m from the nearest National Grid Pole or 6m from the nearest National Grid tower.
P3.
Within the National Grid yard, new buildings and structures that are not for a sensitive land use must comply with the following conditions:
(i) Comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663 under all National Grid transmission line operating conditions; and
(ii) Locate a minimum 12m from the outer visible foundation of any National Grid tower and locate a minimum 12m from any pole and associated stay wire, unless it is:
A. A building or structure where Transpower has given written approval in accordance with clause 2.4.1 of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663.
NCL
Any building alterations or additions within the National Grid Yard that does not comply with Rule 24.3.6.4 P1, P2 or P3.

Decision Reasons:

- Replicate the rule regarding buildings and structure within the National Grid from Chapter 14 into Chapter 24 (as relevant to the Village Zone) for increased clarity and usability of the Plan.

Point Number 697.987

Summary of Decision Requested: **Add** to Rule 24.3.6.2 P1 Building setbacks - sensitive land new clause (vi), as follows:
(vi) 300m from the boundary of another site containing an intensive farming activity.

Decision Reasons:

Include new condition to protect against reverse sensitivity in this zone.

Point Number 697.988

Summary of Decision Requested: **Add** to Rule 24.3.6.2 Building setbacks - sensitive land use, as follows:
P2.
(a) Any building for a sensitive land use must be set back a minimum of:
(i) 10m from the centre line of any electrical distribution or transmission lines, not associated with the National Grid, that operate at a voltage of up to 110kV;.
(ii) 12m from the centre of line of any electrical distribution or transmission lines, not associated with the National Grid, that operate at a voltage of 110kV or more.
P3.
(a) Within the National Grid yard, alterations or additions to a building used for an existing sensitive land use must comply with all the following conditions:
(i) Not increase the building height or footprint; and
(ii) Comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663 under all National Grid transmission line operating conditions; and
(iii) Locate a minimum 12m from the outer visible foundation of any National Grid tower and locate a minimum 12m from any pole and associated stay wire, unless Transpower has given written approval in accordance with clause 2.4.1 of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663.
D1
Any building for a sensitive land use that does not comply with ~~in Rule conditions in~~ Rule 24.3.6.2 P1 or P2.
NCL
Any activity within the National Grid Yard that does not comply with Rule 24.3.6.2 P3.
NC2.
Any new building for a sensitive land use within the National Grid Yard.
NC3.
Any change of use of an existing building to a sensitive land use within the National Grid Yard.
NC4.
The establishment of any new sensitive land use within the National Grid Yard

Decision Reasons:

- Replicate the rule regarding sensitive landuses from Chapter 14 into Chapter 24 (as relevant to the Village Zone) for increased clarity and usability of the Plan.

Point Number 697.989

Summary of Decision Requested: **Amend** Rule 24.3.6.2 Building setbacks-sensitive land use to add "1" to D1;
 AND
Amend Rule D1 to read as follows:
~~Any building for a sensitive land use that does not comply with ~~in Rule conditions in~~ Rule 24.3.6.2 P1.~~

Decision Reasons:

- Additional words in this rule provide clarity.

Point Number	697.990
Summary of Decision Requested:	Amend 24.3.6.3 P4 Building setbacks-waterbodies, as follows: A public amenity of up to 25m ² , or a pump shed (<u>public or private</u>) within any building setback identified in Rule 24.3.6.3 P1, P2 or P3.
Decision Reasons:	<ul style="list-style-type: none"> Insert the words "public or private" to clarify that the pump shed is both private and public.
Point Number	697.991
Summary of Decision Requested:	Delete Rule 24.3.6.3 P3 Building setbacks - waterbodies; AND Consequential amendment to Rule 24.3.6.3 D1 as follows: A building that does not comply with Rules 24.3.6.3 P1, P2, P3 or P4.
Decision Reasons:	<ul style="list-style-type: none"> There is no need for this rule as it is adequately covered by the other setback requirements from water bodies.
Point Number	697.992
Summary of Decision Requested:	Amend Rule 24.3.6.3 Building setbacks - waterbodies, as follows: <i>P1</i> (a) A building must be set back a minimum of 30-23m from: (i) the margin of any: A. Lake; B. Wetland; and C. River bank, other than the Waikato River and Waipa River. <i>P2</i> A building must be set back at least 50-28m from a bank of the Waikato River and Waipa River.
Decision Reasons:	<ul style="list-style-type: none"> Amend the rule so that the setback represents 25m esplanade reserve plus the yard setback for the Waikato and Waipa Rivers, and 20m esplanade plus the yard setback for all other waterbodies.
Point Number	697.993
Summary of Decision Requested:	Amend Rule 24.3.8 Historic Heritage heading to read as follows: Historic Heritage Items
Decision Reasons:	<ul style="list-style-type: none"> Consistency across zone chapters.
Point Number	697.994
Summary of Decision Requested:	Amend Rule 24.3.8.3 P1 (a) All heritage items - Alteration or addition, as follows: (a) Alteration or addition to a heritage item listed in Schedule 30.1 (<u>Historic Heritage Items</u>) where must comply with the following conditions: (i) No significant feature of interest is removed, destroyed or damaged; <u>and</u> (ii) Alterations or additions are not visible from a public place.
Decision Reasons:	<ul style="list-style-type: none"> Additional words in this rule provide clarity.
Point Number	697.995
Summary of Decision Requested:	Amend Rule 24.3.8.4 P1 (a) All heritage items - maintenance or repair, as follows: (a) Maintenance or repair of a heritage item listed in Schedule 30.1 (<u>Heritage Items</u>) where must comply with the following conditions: (i) No significant feature of interest is destroyed or damaged; <u>and</u> (ii) Replacement materials are the same as, or similar to, the original in terms of form, style and appearance.
Decision Reasons:	<ul style="list-style-type: none"> Additional words in this rule provide clarity.
Point Number	697.996
Summary of Decision Requested:	Amend Rule 24.3.8.4 RD1 (a) All heritage items - maintenance or repair, as follows: (a) Any activity Maintenance or repair of a heritage item that does not comply with Rule 24.3.8.4 P1.
Decision Reasons:	<ul style="list-style-type: none"> Consistency across zone chapters.
Point Number	697.997
Summary of Decision Requested:	Amend Rule 24.3.8.5 P1 (a) All heritage items - all site development, as follows: (a) Development on a heritage item listed in Schedule 30.1 (<u>Heritage Items</u>) must <u>comply with the following conditions:</u>
Decision Reasons:	<ul style="list-style-type: none"> Consistency across zone chapters.

Point Number	697.998
Summary of Decision Requested:	Amend Rule 24.3.8.5 RD1(b)(iv) All heritage items - all site development, as follows: <i>(iv) The relationship of the heritage item with the setting, including the area between the front of the heritage item and the road.</i>
Decision Reasons:	<ul style="list-style-type: none"> Additional words in this rule provide clarity.
Point Number	697.999
Summary of Decision Requested:	Amend Rule 24.4 Subdivision, as follows: 24.4 Subdivision <u>Rules</u>
Decision Reasons:	<ul style="list-style-type: none"> Additional words in this rule provide clarity.
Point Number	697.1000
Summary of Decision Requested:	Amend Rule 24.4 Subdivision, as follows: <i>(1) Rule 24.4.1 provides for subdivision density and applies across in the Village Zone outside of the Te Kowhai and Tuakau area. (2) The following rules apply to specific areas and/or activities: (a) Rule 24.4.2 – Subdivision in Te Kowhai and Tuakau, applies to the Village Zone in these two areas. (b) Rules 24.4.1 and 24.4.2 are also subject to compliance with the following subdivision controls...</i>
Decision Reasons:	<ul style="list-style-type: none"> Additional words in this rule provide clarity as to where these rules apply.
Point Number	697.1001
Summary of Decision Requested:	Add to Rule 24.4(2) Subdivision a new clause, as follows: <i>(vii) Rule 24.4.8A – subdivision within the National Grid Corridor</i> AND Undertake consequential renumbering; AND Add new rule after Rule 24.4.8A: <u>24.4.8A Subdivision of land within the National Grid Corridor RD1</u> <i>(a) The subdivision of land within the National Grid Corridor must comply with all of the following conditions: (i) All allotments intended to contain a sensitive land use must provide a building platform for the likely principal building(s) and any building(s) for a sensitive land use located outside of the National Grid Yard, other than where the allotments are for roads, access ways or infrastructure; and (ii) The layout of allotments and any enabling earthworks must ensure that physical access is maintained to any National Grid support structures located on the allotments, including any balance area. (b) Council's discretion is restricted to the following matters: (i) The subdivision layout and design in regard to how this may impact on the operation, maintenance, upgrading and development of the National Grid; (ii) The ability to provide a complying building platform outside of the National Grid Yard; (iii) The risk of electrical hazards affecting public or individual safety, and the risk of property damage; (iv) The nature and location of any vegetation to be planted in the vicinity of National Grid transmission lines. NCL Any subdivision of land within the National Grid Corridor that does not comply with one or more of the conditions of Rule 24.4.8A RD1.</i>
Decision Reasons:	Replicate the subdivision rule within the National Grid Corridor from Chapter 14 into Chapter 24 (where this is relevant to the Village Zone) for increased clarity and usability of the Plan.
Point Number	697.1002
Summary of Decision Requested:	Amend title of 24.4.1 Subdivision – General, as follows: 24.4.1 Subdivision – General <u>(outside Te Kowhai and Tuakau)</u> AND Amend Rule 24.4.1 RD1(a) Subdivision - General as follows: <i>(a) Proposed lots outside of Te Kowhai and Tuakau must have a minimum net site area of 3000m², except where the proposed lot is an access allotment, utility allotment or reserve to vest.</i>
Decision Reasons:	<ul style="list-style-type: none"> Words included to provide clarity to the rule.
Point Number	697.1003
Summary of Decision Requested:	Amend rule 24.4.4 CI(b) Subdivision - Amendments to cross lease and flats plans and conversions, as follows: <i>(b) Council's control is reserved to over the following matters: (i) Effect on existing buildings; (ii) Site layout and design; (iii) Compliance with building rules.</i>
Decision Reasons:	<ul style="list-style-type: none"> Words included to provide clarity to the rule.
Point Number	697.1004
Summary of Decision Requested:	Amend Rule 24.4.4 C2(b) Subdivision - Amendments to cross lease and flats plans and conversions, as follows:

- (b) The Council's control shall be ~~reserved over~~ ~~limited to~~ the following matters:
- (i) Purpose of the boundary adjustment;
 - (ii) Effect on existing buildings;
 - (iii) Site layout and design of a cross lease or flats plan;
 - (iv) Compliance with permitted building rules.

Decision Reasons:

- Words included to provide clarity to the rule.

Point Number 697.1005

Summary of Decision Requested: Delete Rule 24.4.4 D1 Subdivision - Amendments to cross lease and flats plans and conversions.

Decision Reasons:

- These should all be controlled activities, and there is no instance where a boundary adjustment would cascade beyond a controlled activity,

Point Number 697.1006

Summary of Decision Requested: Amend Rule 24.4.5 Titles boundaries - Natural hazard area, contaminated land, Significant Amenity Landscape - Dune, notable trees, and intensive farming activities heading, as follows:

~~Title boundaries – Existing Buildings, natural hazard area, contaminated land, Significant Amenity Landscape, notable trees, intensive farming activities, aggregate extraction areas~~

Decision Reasons:

- This rule heading needs amending to reflect the changes being made to RDI.

Point Number 697.1007

Summary of Decision Requested: Amend Rule 24.4.5 RDI Natural hazard area, contaminated land, Significant Amenity Landscape - Dune, notable trees, and intensive farming activities, as follows:

~~(a) Subdivision of land containing contaminated land, notable trees and intensive farming activities and aggregate extraction areas must comply with all of the following conditions:~~

~~(i) The boundaries of every proposed lot with existing buildings must demonstrate compliance with the following building rules (other than where any non-compliance existed lawfully prior to the subdivision) relating to:~~

~~A-(i) Daylight admission (Rule 24.3.4);~~

~~B-(ii) Building coverage (Rule 24.3.5);~~

~~C-(iii) Building setbacks (Rule 24.3.6);~~

~~(ii) The boundaries of every proposed lot must not divide the following:~~

~~A- A natural hazard area;~~

~~B- Contaminated land;~~

~~C- Significant Amenity Landscape; or~~

~~D- Notable tree;~~

~~(iii) The boundaries of every proposed lot must be setback by 300m from any area operating an intensive farming activity;~~

(b) Council's discretion is restricted to the following matters:

(i) Landscape values;

(ii) Amenity values and character;

(iii) Reverse sensitivity;

(iv) Effects on existing buildings;

~~(v) Effects on natural hazard areas;~~

~~(vi) Effects on contaminated land;~~

~~(vii) Effects on any notable tree;~~

~~(viii) Effects on an intensive farming activity.~~

Decision Reasons:

- Rule needs amending to provide clarity as to its purpose. Consequential changes to be made in other rules as set out in this table below.

Point Number 697.1008

Summary of Decision Requested: Amend the heading of 24.4.6 Significant Natural Areas, heritage items, archaeological sites, sites of significance to Maaori, as follows:

Title boundaries – Significant Natural Areas, heritage items, archaeological sites, sites of significance to Maaori, notable trees

Decision Reasons:

- Amend the title of rule 24.4.6 to protect notable trees.

Point Number 697.1009

Summary of Decision Requested: Amend Rule 24.4.6 RDI (b) Title boundaries - Significant Natural Areas, heritage items, archaeological sites, sites of significance to Maaori, as follows:

(b) Council's discretion is restricted to the following matters:

(i) Effects on Significant Natural Areas ~~and~~

(iii) Effects on any Maaori Sites of Significance; and

(iv) Effects on notable trees.

Decision Reasons:

- Amend to protect notable trees. Matter of discretion required to work with rule.

Point Number 697.1010

Summary of Decision Requested: Amend Rule 24.4.6 NC1 Title boundaries - Significant Natural Areas, heritage items, archaeological sites, sites of significance to Maaori, to be a Discretionary Activity rather than a non-complying activity.

Decision Reasons:

- Non-complying activity status too restrictive for the effects of this rule.

Point Number 697.1011

Summary of Decision Requested: Amend Rule 24.4.7 NCI Title boundaries - Maaori sites and Maaori areas of significance to Maaori to be a Discretionary Activity rather than a Non Complying activity.

Decision Reasons:

- Non-complying activity status is too restrictive for the effects of this rule.

Point Number 697.1012

Summary of Decision Requested: Amend Rule 24.4.9 Road frontage, as follows:

- (a) Every proposed lot ~~as part of the subdivision with a road boundary, other than a proposed lot containing~~ other than any access allotment, utility allotment, right of way or access leg, must have a width along the road boundary of at least 20m.
- (b) Council's discretion is restricted to the following matters:
- (i) Safety and efficiency of vehicle access and road network; and
 - (ii) Amenity values ~~and rural character~~.

Decision Reasons:

- Rule needs amending to provide clarity. In respect to (b)(ii) rural character is not relevant in the village zone.

Point Number 697.1013

Summary of Decision Requested: Amend Rule 24.4.13 Subdivision of land containing mapped off-road walkways, as follows:

24.4.13 Subdivision of land containing mapped off-road walkways, cycleways, bridleways.

AND

Amend Rule 24.4.13 D1 Subdivision of land containing mapped off-road walkways as follows:

- (a) Subdivision where walkways shown on the planning maps are to be provided as part of the subdivision must comply with all of the following conditions:
- (i) The walkway, cycleway or bridleway is at least 3 metres wide and is designed and constructed for shared pedestrian, ~~or~~ cycle use or riding, as per Rule 14.12.1 P8 (Transportation);
 - (ii) The walkway, cycleway or bridleway is generally in accordance with the walkway, cycleway or bridleway route shown on the planning maps;
 - (iii) The walkway, cycleway or bridleway is shown on the plan of subdivision and vested in Council.
- (b) Council's discretion is restricted to the following matters:
- (i) Alignment of the walkway, cycleway or bridleway;
 - (ii) Drainage in relation to the walkway, cycleway or bridleway;
 - (iii) Standard of design and construction of the walkway, cycleway or bridleway;
 - (iv) Land stability;
 - (v) Amenity matters including batter slopes;
 - (vi) Connection to reserves.

Decision Reasons:

- Rule needs amending to provide clarity.

Point Number 697.1014

Summary of Decision Requested: Add new title as follows:

24.4.14 Subdivision within identified areas

AND

Add new rule as follows:

24.4.14 D1

- (a) Subdivision of any land containing any of the following areas:
- (i) Significant Amenity Landscapes;
 - (ii) A natural hazard area

Decision Reasons:

- Introduce a new rule to address subdivision within identified areas and provide consistency between zones.

Point Number 697.1015

Summary of Decision Requested: Amend Chapter 25 Reserve Zone heading, as follows:

Chapter 25: Reserve Zone -Rules

Decision Reasons:

- To assist in clarifying that all of the provisions within the chapter are rules.

Point Number 697.1016

Summary of Decision Requested: Amend Rule 25(2) Reserve Zone, as follows:

The rules that apply to subdivision in the Reserve Zone are contained in Rule 25.4 and the relevant rules in 14 Infrastructure and Energy; and 15 Natural Hazards and Climate Change (Placeholder).

Decision Reasons:

- To clarify that the rules in Chapter 14 Infrastructure and Energy and Chapter 15 Natural Hazards and Climate Change apply to subdivision as well as to land use activities.

Point Number 697.1017

Summary of Decision Requested: Amend Rule 25.1.1 PR1 Prohibited activities, as follows:

Any building, structure, objects or vegetation that obscures the sight lines of the Raglan navigation beacons for vessels entering Whaingaroa (Raglan Harbour) (refer to as identified in Appendix 7) (Raglan Navigation Beacon) for vessels entering Raglan Harbour (Whaingaroa).

Decision Reasons:

- Additional clarity with the rule.

Point Number	697.1018
Summary of Decision Requested:	<p>Amend Rule 25.1.2(1) Permitted Activities, as follows:</p> <p><i>(1) The activities listed below are permitted activities if they meet all the following:</i></p> <p>(a) Activity-specific conditions; (b) Land Use – Effects rules in Rule 25.2 (unless the activity-specific rule and/or conditions identify a condition(s) that does not apply); (c) Land Use – Building rules in Rule 25.3 (unless the activity-specific rule and/or conditions identify a condition(s) that does not apply); (d) Activity-specific conditions.</p>
Decision Reasons:	<ul style="list-style-type: none"> The list of rules (a) – (c) should follow the order that they appear.
Point Number	697.1019
Summary of Decision Requested:	<p>Amend Rule 25.1.2 P4 Temporary event, as follows:</p> <p><i>(a) The event occurs no more than 15 times per calendar year <u>consecutive 12 month period</u>;</i></p> <p><i>(d) The site is returned to its original <u>previous</u> condition no more than 3 days after the end of the event...</i></p>
Decision Reasons:	<ul style="list-style-type: none"> Consistency with other chapters.
Point Number	697.1020
Summary of Decision Requested:	<p>Amend Rule 25.1.3 Discretionary activities, as follows:</p> <p><i>Any permitted activity that does not comply with <u>one or more</u> any activity-specific conditions in Rule 25.1.2</i></p>
Decision Reasons:	<ul style="list-style-type: none"> Consistency with other chapters and additional clarity of the rule.
Point Number	697.1021
Summary of Decision Requested:	Delete Rule 25.1.3(D2), Discretionary Activities.
Decision Reasons:	<ul style="list-style-type: none"> Creates confusion as it mixes activity rules with Land Use – Effects and Land Use – Building rules.
Point Number	697.1022
Summary of Decision Requested:	<p>Delete Rule 25.2.1.1 P3 and P4 Noise - General;</p> <p>AND</p> <p>Amend Rule 25.2.1.1 P2, to read as follows:</p> <p><i>(a) Noise measured within the notional boundary on any site in the Residential Zone, Village Zone, Country Living Zone and Rural Zone must not exceed:</i></p> <p><i>(i) 55dB (LAeq), 7am to 7pm every day;</i></p> <p><i>(ii) 45dB (LAeq), 7pm to 10pm every day; and</i></p> <p><i>(iii) 40dB (LAeq) and 65dB (LMax), 10pm to 7am the following day.</i></p> <p><i>(b) Noise measured within any site in any zone other than the Reserve Zone, Residential Zone, Village Zone, Country Living Zone and Rural Zone must meet the noise levels permitted for that zone.</i></p> <p><i>(c) Noise levels must be measured in accordance with the requirements of NZS 6801:2008 "Acoustics Measurement of Environmental Sound".</i></p> <p><i>(d) Noise levels must be assessed in accordance with the requirements of NZS 6802:2008 "Acoustic Environmental noise".</i></p> <p>AND</p> <p>Make consequential amendment to Rule 25.2.1.1 D1, as follows:</p> <p><i>Noise that does not comply with Rule 25.2.1.1 P1, P2, P3 or P4.</i></p>
Decision Reasons:	<ul style="list-style-type: none"> P3 and P4 need to be conditions of P2 as they are the standards which need to be met.
Point Number	697.1023
Summary of Decision Requested:	<p>Amend Rule 25.2.1.2 P1 Noise - Construction, as follows:</p> <p><i>(a) Construction noise must <u>not exceed</u> meet the limits in NZS 6803:1999 (Acoustics – Construction Noise); and...</i></p>
Decision Reasons:	<ul style="list-style-type: none"> Additional clarity of the rule – construction noise should not exceed the limits, rather than meet the limits in the NZ Standard.
Point Number	697.1024
Summary of Decision Requested:	<p>Amend Rule 25.2.3 P1 Glare and artificial light spill, as follows:</p> <p><i>(a) Illumination from glare and artificial light spill must not exceed 10 lux measured horizontally and vertically at any other site zoned Residential, Village or Country Living Zone.</i></p>
Decision Reasons:	<ul style="list-style-type: none"> Consistency of wording with other chapters. The focus of the rule in the Reserve Zone should be to control light spill outside the Reserve Zone into the residential zones.
Point Number	697.1025
Summary of Decision Requested:	Amend Rule 25.2.4(1) Earthworks, as follows:

(1) Rule 25.2.4.1 – Earthworks General provides the permitted rules for earthwork activities in the Reserves Zone. This rule does not apply in those areas specified in rules 25.2.4.1A, 25.2.4.2, 25.2.4.3 and 25.2.4.4.

Decision Reasons:

- The wording of the rule does not make it clear that the rules in 25.2.4(2) apply instead of the general earthworks rule.

Point Number 697.1026

Summary of Decision Requested: **Add** to Rule 25.2.4(2) Earthworks, as follows:

There are specific standards for earthworks within rules:
(g) Rule 25.2.4.1A – Earthworks within the National Grid Yard
(a) Rule 25.2.4.2 – Maori Sites and Maori Areas of Significance;
(b) Rule 25.2.4.3 – Significant Natural Areas;
(c) Rule 25.2.4.4 – Landscape and Natural Character Areas.

AND

Add new rule after Rule 25.2.4.1, as follows:

25.2.4.1A Earthworks - within the National Grid Yard.

P1

(g) The following earthworks within the National Grid Yard:

(i) Earthworks undertaken as part of domestic cultivation; or repair, sealing or resealing of a road, footpath or driveway;

(ii) Vertical holes not exceeding 500mm in diameter that are more than 1.5m from the outer edge of the pole support structure or stay wire;

(iii) Earthworks for which a dispensation has been granted by Transpower under New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663.

P2

(g) Earthworks activities within the National Grid Yard near National Grid support poles or any stay wires must comply with the following conditions:

(i) Do not exceed a depth of 300mm within 2.2m of the pole or stay wire; and

(ii) Do not exceed a depth of 750mm between 2.2m and 5m of the pole or stay wire.

P3

(g) Earthworks within the National Grid Yard near National Grid support towers (including any tubular steel tower that replaces a steel lattice tower) must comply with all of the following conditions:

(i) Do not exceed 300mm depth within 6m of the outer edge of the visible foundation of the tower;

(ii) Do not exceed 3m between 6m and 12m of the outer edge of the visible foundation of the tower;

(iii) Do not compromise the stability of a National Grid support structure;

(iv) Do not result in the loss of access to any National Grid support structure; and

(v) Must be less than the minimum ground to conductor clearance distances in Table 4 of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663.

RD1

(g) Earthworks within the National Grid Yard that do not comply with one or more of the conditions of Rules 25.2.4.1A P1, P2 or P3.

(b) Discretion is restricted to:

(i) Impacts on the operation, maintenance, upgrading and development of the National Grid;

(ii) The risk to the structural integrity of the affected National Grid support structure(s);

(iii) Any impact on the ability of the National Grid owner (Transpower) to access the National Grid;

(iv) The risk of electrical hazards affecting public or individual safety, and the risk of property damage.

Decision Reasons:

- Replicate the earthworks rule within the National Grid from Chapter 14 into Chapter 25 for increased clarity and usability of the Plan.

Point Number 697.1027

Summary of Decision Requested: **Amend** Rule 25.2.4.1 Earthworks - general, as follows:

(a) Earthworks (excluding the importation of fill material), within a site must meet all of the following conditions:

(i) Be located more than 1.5m from a public sewer, open drain, overland flow path or other service pipe;

(ii) Not exceed a volume of more than 250m³ ~~and~~

(iii) Not exceed an area of more than 1,000m² ~~over any single consecutive 12 month period within a site;~~

(iv) The height of the resulting cut, filled areas or fill batter face in stable ground, ~~not including any surcharge,~~ does not exceed 1.5m, with a maximum slope of 1:2 (1 vertical to 2 horizontal);

(v) ~~Earthworks are set back at least 1.5m from all boundaries;~~

(vi) Areas exposed by earthworks are revegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks;

(vii) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls;

(viii) ~~Does not divert or change the nature of natural water flows, water bodies or established drainage paths; and~~

(ix) ~~Do not result in the site being unable to be serviced by gravity sewers;~~

P2

Earthworks for the purpose of creating a building platform within a site using imported fill material.

P2.3

(a) Earthworks for purposes other than creating a building platform within a site, using imported fill material (excluding cleanfill) must meet all of the following conditions. ~~The importation of fill material to a site must meet all of the following conditions; in addition to the conditions in P1.~~

(i) Must ~~Does not~~ exceed a total volume of 500m³ per site and a depth of 1m;

~~is fit for compaction;~~

(ii) The ~~slope height~~ height of the resulting ~~batter face~~ filled area in stable ground ~~does not~~ ~~must not~~ exceed 4.5m with a maximum slope of 1:2 (1m vertical to 2m horizontal);

(iv) ~~Fill material is setback at least 1.5m from all boundaries;~~

~~(v) Does not restrict the ability for land to drain;~~

~~(vi) Is not located within 3m of a property boundary, with the exception of the following:~~

~~A. Landscaping bunds;~~

~~(b) Where a retaining wall exists, the fill is placed to the same level as the retaining wall.~~

(v) Areas exposed by filling are revegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks;

(vi) Sediment resulting from the filling is retained on the site through implementation and maintenance of erosion and sediment controls;

(vii) ~~Do not divert or change the nature of natural water flows, water bodies or established drainage paths.~~

RD1

(a) Earthworks that do not comply with Rule 25.2.4.1 P1 or P2.3.

(b) Council's discretion is restricted to the following matters:

(i) Amenity values and landscape effects;

(ii) Volume, extent and depth of earthworks;

(iii) Nature of fill material;

(iv) Contamination of fill material;

(v) Location of the earthworks to waterways, significant indigenous vegetation and habitat;

(vi) Compaction of the fill material;

(vii) Volume and depth of fill material;

(viii) Protection of the Hauraki Gulf Catchment Area;

(ix) Geotechnical stability;

(x) Flood risk, including natural water flows and established drainage paths

(xi) Land instability, erosion and sedimentation;

(xii) Proximity to underground services and service connections.

NCL

Importation of cleanfill to a site

Decision Reasons:

- This rule appears to be different from other zone chapter rules. The additional words are required to provide clarity and consistency with the other zones, reflecting activities that occur in the reserves zone. Also enabling the importation of fill for a building platform as a permitted activity.

Point Number	697.1028
Summary of Decision Requested:	<p>Amend Rule 25.2.4.2 RD2 Earthworks - Maori Sites and Maori Areas of Significance, as follows:</p> <p>(b) The Council's discretion shall be limited restricted to the following matters:</p> <p>(i) Location of earthworks in relation to the site;</p> <p>(ii) Effects on heritage and cultural values.</p>
Decision Reasons:	<ul style="list-style-type: none"> The matter of discretion is not relevant because the whole property boundary is included as a scheduled area.
Point Number	697.1029
Summary of Decision Requested:	<p>Amend Rule 25.2.4.3 Earthworks - within Significant Natural Areas, as follows:</p> <p>P1</p> <p>(a) Earthworks <u>are for the maintenance of existing tracks, fences or drains within an identified Significant Natural Area and must not meet all of the following conditions:</u></p> <p>(i) Do not exceed a volume of 50m3 in a single consecutive 12 month period;</p> <p>(ii) Do not exceed an area of 250m2 in a single consecutive 12 month period;</p> <p>(iii) Do not include the importation of any fill material;</p> <p>(iv) The total depth of any excavation or filling does not exceed 1.5m above or below ground level, with a maximum slope of 1:2 (1 vertical to 2 horizontal);</p> <p>(v) Earthworks are set back at least 1.5m from all boundaries;</p> <p>(vi) Area exposed by earthworks are revegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks;</p> <p>(vii) Sediment resulting from the earthworks is retained onsite through implementation and maintenance of erosion and sediment controls</p> <p>(viii) Do not divert or change the nature of natural water flows, water bodies or established drainage paths.</p>
Decision Reasons:	<ul style="list-style-type: none"> Align with other chapters for consistency and additional controls on earthworks within significant natural areas.
Point Number	697.1030
Summary of Decision Requested:	<p>Amend Rule 25.2.4.4 P1 Earthworks - within Landscapes and Natural Character Areas, as follows:</p> <p>(a) Earthworks <u>are for the maintenance of existing tracks, fences or drains within the following landscapes, natural character areas:</u></p> <p>(i) Significant Amenity Landscape</p> <p>(ii) High Natural Character area</p> <p>(i) Outstanding Natural Character area of the coastal environment</p> <p>(ii) Outstanding Natural Landscapes</p> <p>(iii) Outstanding Natural Features</p> <p><u>and must comply with all of the following conditions:</u></p> <p>##A The earthworks are undertaken within a single consecutive 12 month period;</p> <p>##B The earthworks do not exceed the following areas and volumes;</p>
Decision Reasons:	<ul style="list-style-type: none"> Amend for consistency with the equivalent rule in other chapters.
Point Number	697.1031
Summary of Decision Requested:	<p>Amend Rule 25.2.5 Hazardous substances, as follows:</p> <p>P1</p> <p>(a) The use, storage or disposal of any hazardous substance where must meet the following condition:</p> <p>(i) The aggregate quantity of hazardous substances of any hazard classification on a site is less than the quantity specified for the Business Zone in Table 5.1 contained within Appendix 5 (Hazardous Substances)</p> <p>(b) The storage or use of radioactive materials is:</p> <p>(i) in approved equipment for medical and diagnostic purposes; or</p> <p>(ii) specified as an exempt activity or article in the Radiation Safety Act and Regulations 2017.</p> <p>P2</p> <p>(a) The storage or use of radioactive materials is:</p> <p>(i) in approved equipment for medical and diagnostic purposes; or</p> <p>(ii) specified as an exempt activity or article in the Radiation Safety Act and Regulations 2017.</p> <p>D1</p> <p>Any activity that does not comply with Rule 25.2.5 P1 <u>or P2</u></p>
Decision Reasons:	<ul style="list-style-type: none"> Alignment with the hazardous substances rules in other zones.
Point Number	697.1032
Summary of Decision Requested:	<p>Add new Rule 25.2.5 NC1 Hazardous substances, as follows:</p> <p><u>NC1</u></p> <p><u>The storage of fuel for retail sale within a service station.</u></p>
Decision Reasons:	<ul style="list-style-type: none"> Include a non-complying rule for service stations to align with other chapters.
Point Number	697.1033
Summary of Decision Requested:	<p>Add new Rule 25.2.5 NC2 Hazardous substances, as follows:</p> <p><u>NC2 Any new hazardous facility that involves the storage and handling of hazardous substances with explosive or flammable intrinsic properties within 12m of the centre line of a National Grid Transmission Line</u></p>
Decision Reasons:	

- Replicate the hazardous facilities rule within the National Grid from Chapter 14 (where it is relevant to the Reserve Zone) into Chapter 25 for increased clarity and usability of the Plan.

Point Number 697.1034

Summary of Decision Requested: Amend Rule 25.2.6.1 Notable Trees, as follows:

PI
 Removal or destruction of a notable tree identified in Schedule 30.2 (Notable Trees) where certification is provided to Council by a works arborist that states that the tree is dead, dying, diseased or is unsafe in accordance with Appendix J I Tree Removal Certificate.
~~PI-RD I~~
 (a) Removal or destruction of a notable tree identified in Schedule 30.2 (Notable Trees) that does not comply with Rule 25.2.6.1 PI.
 (b) The Council's discretion is restricted to the following matters:
 (i) Timing and manner in which the activity is carried out;
 (ii) Effects on amenity values;
 (iii) Effects on heritage values.

Decision Reasons:

- Amend to be consistent with the equivalent rule in other chapters.

Point Number 697.1035

Summary of Decision Requested: Amend Rule 25.2.6.2 RD1 Notable Tree - trimming, as follows:

(a) The trimming of a notable tree that does not comply with ~~a condition in~~ Rule 25.2.6.2 PI.
 (b) The Council's discretion is limited to the following matters:
 (i) Timing and manner in which the activity is carried out ~~and by whom;~~

Decision Reasons:

- Amend to be consistent with the equivalent rules in other chapters.

Point Number 697.1036

Summary of Decision Requested: Amend Rule 25.2.6.3 PI Notable tree-activities within the dripline as follows:

(a) Any activity within the dripline of a notable tree identified in Schedule 30.2 (Notable Trees) must not:
 (i) Involve excavation, compaction, sealing or soil disturbance ~~and/or~~ placement of fill material or cleanfill, except for the sealing of an existing road or footpath;
 RD I
 (a) Any activity within the dripline of a notable tree that does not comply with ~~one or more conditions in~~ Rule 25.2.6.3 PI.

Decision Reasons:

Amend to be consistent with the equivalent rules in other chapters.

Point Number 697.1037

Summary of Decision Requested: Amend Rule 25.2.7.1 P2(a)(viii) Signs - general, as follows:

(viii) The sign is ~~for the purpose of identification and interpretation not attached to~~ a Maaori site of significance listed in Schedule 30.3 (Maaori Sites of Significance) ~~except for the purpose of identification and interpretation;~~

Decision Reasons:

- Re-wording this rule provides clarity.

Submitter Number: 698 **Submitter:** Simon Dromgool

On behalf of: Christine Dromgool John and Caroline Vincent Mark Dromgool

Point Number 698.1

Summary of Decision Requested: Amend Rule 14.1.1.4(a) NC2 Non-Complying Activities, to be a controlled activity so that any acceptable wastewater system should be a requirement.

Decision Reasons:

- This negates the ability to have a septic tank servicing a dwelling on an existing 1/4 acre section even though this practice has been acceptable since the township was formed.
- Technologies in wastewater treatment systems have progressed significantly in recent decades with more efficiency gained and less land area required.
- These legal titles, rated separately, should have the right to a building consent without restriction.

Point Number 698.2

Summary of Decision Requested: Delete Rule 16.3.2 PI (a)(iii) Minor Dwelling, to remove the 70m2 limitation.

Decision Reasons:

- The floor area maximum of 70m2 for a minor dwelling is too restrictive, and if a section size of 900m2 plus is required then the only restriction should be a maximum total footprint size as a percentage of the total site area.
- The objective of any modern residential development should be to maximise the usage of available land.

Point Number 698.3

Summary of Decision Requested: Amend Rule 16.3.5 PI Daylight Admission, to 45 degrees at 2.7 metre boundary height.

Decision Reasons:

- The proposed plan specifying a 37 degree angle off a 2.5 metre boundary height is too restrictive and not in line with the more common 45 degree angle off a 2.7 boundary height.
- When a low angle is specified by some Councils it is usually only on the southern boundary and is in conjunction with a higher 55 degree angle on the northern boundary.

- A 37 degree angle negates the ability to effectively build a 2 storey dwelling and the submitter struggles to see Council's reasoning for this.
- The ability to build 2 storey dwelling is more effective use of any given land area.

Point Number 698.4

Summary of Decision Requested: Delete Rule 16.4.1 RD1 (a)(iv) Subdivision General, requiring the number of rear lots being no more than 15%.

Decision Reasons:

- The 15% requirement has no place in the existing layout of the Tuakau township with existing roads in a grid pattern of 5 chain (or 100 mtrs) spacing meaning that rear lots are inevitable to utilise the land area effectively.
- As long as rear sites are over 450m² and accessible by an appropriate ROW they should be allowable.
- The 15% requirement is illogical and unworkable.

Submitter Number: 699

Submitter: Eastside Heights Ltd

Point Number 699.1

Summary of Decision Requested: Retain the proposed zoning of the properties on Riverview Road, Huntly (Lot 2 DP 25266 and Part Lot 1 DP 25266 (CFR SA52A/554)) as Residential Zone.

Decision Reasons:

- The rezoning of this land and the provision of infrastructure will assist in accommodating additional population growth within Huntly.
- Due to the proximity to current Huntly Living Zone, the current use of the sites is an inefficient use of urban land resource.
- The site is adjacent to existing residential use properties and provides an obvious growth area.
- It will remove the split zoning.
- It achieves the purpose of section 7 of the RMA as it is a efficient use of resources, maintains and enhances amenity values, and mains and enhances the quality of the environment.
- There is wastewater, water supply and stormwater in close proximity to the site for servicing.
- The Residential Zoning is logical and appropriate given the location and size of the site.
- It will assist in accommodating the growing community.

Point Number 699.2

Summary of Decision Requested: Amend Rule 16.4.1 RD1 (a)(iii) Subdivision - General, to replace the word "must" with "should" which requires roads to be a grid layout;
AND
Any consequential changes.

Decision Reasons:

- This is restrictive.
- It may not always be possible given topography that may require curvilinear layout - a grid is described in the Proposed District Plan as predominantly rectilinear.
- The subject site does not have a flat topography.
- Use of the word "must" will result in a forced performance failure and that subdivision will fall to a full Discretionary Activity.

Point Number 699.3

Summary of Decision Requested: Retain the rules in Chapter 16 Residential Zone, in particular Rule 16.4 Subdivision and any subsequential amendments.

Decision Reasons:

- No reasons provided.

Submitter Number: 700

Submitter: Girish Kale

Organisation: Waikato Aviation

Point Number 700.1

Summary of Decision Requested: Retain Chapter 9.2 Te Kowhai Airpark Zone, as notified.

Decision Reasons:

- The continued use of this airfield will keep people's interest in aviation, as well as promoting aviation for the next generation.

Point Number 700.2

Summary of Decision Requested: Retain Chapter 27 Te Kowhai Airpark Zone, as notified.

Decision Reasons:

- The continued use of this airfield will keep people's interest in aviation , as well as promoting aviation for the next generation.

Submitter Number: 701

Submitter: Steven & Theresa Stark

Point Number 701.1

Summary of Decision Requested: Delete all Significant Natural Areas from 747 Rutherford Road, Ohinewai.

Decision Reasons:

- This policy encourages the public to regard working productive landscapes on private property as desirable for the community but at the landowner's cost.
- The submitter states they may wish to use this land in a different manner in the future.
- Unnecessarily restricting farming activities, especially without giving something in return, does not incentivise one to protect their own property for someone else's enjoyment. This is unreasonable. If permanent protection of a part of private property is deemed of value to the public, the landowner must be compensated either under the Public Works Act or incentivised in some other manner.
- Many of the areas included in the Significant Natural Area have already been cleared under resource consent.
- The submitter wishes to retain the right to choose which areas are best to leave in a natural stated based on animal welfare, ease of stock flow and personal preference.

Point Number 701.2

Summary of Decision Requested: Delete all Outstanding Natural Features from 747 Rutherford Road, Ohinewai.

Decision Reasons:

- There were no rural representatives who had input into the production of the "Waikato District Landscape Study" report, or were engaged with, yet over 18000 property owners were affected.
- This policy encourages the public to regard working productive landscapes on private property as desirable for the community but at the landowner's cost.
- Local authorities need to realise that "scenic" parts of private land are not conservatories and that public land through the Department of Conservation (DOC) who manages about one-third of New Zealand's land area.
- It is inappropriate to try and freeze-frame rural farmland. These are working environments and depending on finances, cyclic nature of farming, market signals, etc.
- The submitter states they may wish to use this land in a different manner in the future.
- Unnecessarily restricting farming activities especially without giving something in return, does not incentivise one to protect their own property for someone else's enjoyment. This is unreasonable. If permanent protection of a part of private property is deemed of value to the public, the landowner must be compensated either under the Public Works Act or incentivised in some other manner.
- Boffa Miskell (Waikato District Landscape Study report producer) are trying to use the term 'significant landscape' to assess other second tier landscapes or features. This is not a valid criteria against which to assess outstanding natural features and landscapes under s6(b) of the RMA. Using farmland for farming purposes is an appropriate use of land under the RMA.
- The policy is similar to the now defunct Ridgeline Policy that WDC had placed on many properties for approximately 20 years without valid criteria to underpin it. The 2 ONF areas on the submitter's property are merely vegetation, well represented in the district and not outstanding at all.

Point Number 701.3

Summary of Decision Requested: Amend Rule 22.2.3.1 P1 Earthworks - General, as follows:

P1 (a) Earthworks for:

(iii) (A) Farm quarry where the volume of aggregate does not exceed 1000m³ per single consecutive 12 month period on a property <40ha'

(B) Farm quarry where the volume of aggregate does not exceed 3000m³ per single consecutive 12 month period on a property ≥40ha.

AND

Amend Rule 22.2.3.1 P2 Earthworks - General, as follows:

P2 (a) Earthworks within a site must meet all of the following conditions:

(i) (A) Do not exceed a volume of more than 1000m³ and an area of more than 2000m² over any single consecutive 12 month period on a property < 40 ha.

(B) Do not exceed a volume of more than 3000m³ and an area of more than 6000m² over any single consecutive 12 month period on a property ≥40ha.

Decision Reasons:

- These rules are overly restrictive, especially for larger properties as regards the constraints on volume and area in a 12-month period.
- Due to finances, weather, maintenance requiring earthworks for maintaining/upgrading tracks, stock races, fencing etc. may be delayed for several years. When circumstances then allow, a larger than average volume and/or area may need be shifted in a year to bring infrastructure up to an acceptable standard. Other years no earthworks at all may get done. The proposed restrictions are too onerous, especially for larger farming properties.
- Many tracks were put in decades ago when tractors were smaller. With larger and wider modern tractors, many races and tracks may need to be upgraded for health and safety reasons.

Point Number 701.4

Summary of Decision Requested: Amend Rule 22.2.3.3 Earthworks – Significant Natural Areas, as follows:

P1 (a) Earthworks for the maintenance or upgrade of existing tracks, fences or drains within an

identified Significant Natural Area ~~must meet all of the following conditions~~ are permitted.

AND

Delete Rule 22.2.3.3 P1 (a) (i)-(vii) Earthworks - Significant Natural Areas:

AND

Delete Rule 22.2.3.3 P2 Earthworks - Significant Natural Areas, and replace with the following:

P2 (a) Earthworks within a site must meet all of the following conditions:

(i) Do not exceed a volume of more than 1000m³ and an area of more than 2000m² over any single consecutive 12-month period on a property < 40ha

(ii) Do not exceed a volume of more than 3000m³ and an area of more than 6000m² over any single consecutive 12-month period on a property ≥40ha.

AND

Delete Rule 22.2.3.3 RD1 Earthworks- Significant Natural Areas.

Decision Reasons:

- These rules are overly restrictive, especially for larger properties as regards the constraints on volume and area in a 12-month period.
- Due to finances, weather, maintenance requiring earthworks for maintaining/upgrading tracks, stock races, fencing etc. may be delayed for several years. When circumstances then allow, a larger than average volume and/or area may need be shifted in a year to bring infrastructure up to an acceptable standard. Other years no earthworks at all may get done. The proposed restrictions are too onerous, especially for larger farming properties.
- Many tracks were put in decades ago when tractors were smaller. With larger and wider modern tractors, many races and tracks may need to be upgraded for health and safety reasons.

Point Number 701.5

Summary of Decision Requested: Delete Rule 22.2.8 Indigenous vegetation clearance outside a Significant Natural Area and replace with the following:

PI Indigenous Vegetation and Habitats- Permitted activity

(g) Any activity involving disturbance, removal, damage or destruction (modification) of kanuka and/or manuka and/or totara.

(b) The removal of up to 50m³ of timber per 1-year period per Certificate of Title for personal use

(c) The harvesting of indigenous timber undertaken in accordance with an approval under Part IIIA of the Forests Act 1949

(d) The disturbance, removal, damage or destruction of naturally occurring indigenous vegetation that has grown under the canopy of a plantation forest

(e) The clearance or modification of indigenous vegetation that has been planted and managed specifically for commercial production forestry horticulture or agriculture purposes.

(f) The disturbance or damage, but not destruction of naturally occurring indigenous vegetation as a consequence of harvesting of plantation forest, including where the harvesting involves:

(i) The lifting and/or dragging of logs.

(ii) The construction and maintenance of forestry roads and stream crossings.

(g) The disturbance, removal, damage or destruction ("modification") of naturally occurring indigenous vegetation by any network utility operator to ensure the safety and integrity of any network utility or to maintain access to the network utility.

b) The disturbance, removal, damage or destruction ("modification") of naturally occurring indigenous vegetation associated with the maintenance of existing access tracks, fence-lines and firebreaks and the construction of new fence-lines and firebreaks.

(i) Any activity involving disturbance, removal, damage or destruction ("modification") of indigenous vegetation and habitats necessary for the avoidance of imminent danger to human life or property.

(j) Activities are carried out subject to and in accordance with any specific covenants or other legal agreements entered into with the District Council, or Waikato Regional Council, or Department of Conservation, or QEII Trust.

Decision Reasons:

- The proposed rule is overly restrictive.
- It is mainly sheep and beef farms that would most likely wish to clear scrub as many years of lower financial returns have impeded their ability to keep their pastures clear. Much scrub they wish to clear is regenerated vegetation. They become captured by the height and age restrictions in clearing kanuka and manuka.

Point Number 701.6

Summary of Decision Requested: Delete all objectives, policies, methods and rules relating to Natural Character.

Decision Reasons:

- No Significant Natural Area, Outstanding Natural Area, Outstanding Natural Feature or Outstanding Natural Landscape can be accurately placed upon a property without ground-truthing and the consent of the affected landowner.
- Natural character designations have no standing or requirement to be protected under section 6 (b) of the RMA.

Point Number 701.7

Summary of Decision Requested: Amend Rule 22.2.3.4 Earthworks – Within Landscape and Natural Character Areas, as follows:

22.2.3.4 Earthworks- Within landscape ~~and Natural Character Areas~~

PI (a) Earthworks are for the maintenance or upgrade of existing tracks, fences or drains within an identified ~~outstanding Natural Landscape Landscape or Natural Character Area and must meet all of the following conditions are permitted.~~

AND

Delete Rule 22.2.3.4 PI (a)(i)-(vii) Earthworks within a Landscape and Natural Character Area;

AND

Add a new P2 to Rule 22.2.3.4 Earthworks within a Landscape and Natural Character Area, as follows:

P2 (a) Earthworks within a site must meet all of the following conditions:

(i) Does not exceed a volume of more than 1000m³ and an area of more than 2000m² over any single consecutive 12-month period on a property < 40ha

(ii) Does not exceed a volume of more than 3000m³ and an area of more than 6000m² over any single consecutive 12-month period on a property ≥40ha

AND

Delete Rule 22.2.3.4 D1 Earthworks - within Landscape and Natural Character Areas.

Decision Reasons:

- The rules are overly restrictive for larger properties.
- Due to finances or weather, maintenance requiring earthworks may be delayed.
- Larger quantities may need to be moved.

Point Number 701.8

Summary of Decision Requested: Delete all objectives, policies, methods and rules relating to Significant Amenity Landscape.

Decision Reasons:

- No Significant Natural Area, Outstanding Natural Feature or Outstanding Natural Landscape designation should be placed on a property without it being ground truthed and without the consent of the affected landowner.
- Significant Amenity Landscapes are subjective designations that have no standing or requirement to be protected under section 6 (b) of the RMA.

Point Number 701.9

Summary of Decision Requested: Add provisions for transferable development rights for landowners who've unwelcome designations placed on their properties which placed restrictions on them, 'on a measure by measure basis.' For example, if a property has a Significant Natural Area or Outstanding Natural Landscape etc. over 10ha of their land, they could be granted transferable development rights enabling them to develop lots equal to a total of 10ha, be it in one lot of 10ha, 10 lots of 1 ha, etc.

Decision Reasons:

- The decision requested would be partial compensation for the loss of property rights and restrictions on the land.

Point Number 701.10

Summary of Decision Requested:**Amend** Rule 22.2.7 Indigenous vegetation clearance inside a Significant Natural Area, as follows:

P2 Removal of up to ~~5m²~~ 1ha of manuka and/or kanuka and/or totara outside of the Coastal Environment per single consecutive 12 month period per property for domestic firewood purposes and arts or crafts provided the removal will not directly result in the death, destruction or irreparable damage of any other tree, bush or plant.

AND

Amend Rule 22.2.7 P3 Indigenous vegetation clearance inside a Significant Natural Area, as follows:

P3 (a) Indigenous vegetation clearance for building, access, parking and manoeuvring areas in a Significant Natural Area identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas) must comply with all of the following conditions:

- (i) There is no alternative development area on the site outside the Significant Natural Area; and*
- (ii) The total indigenous vegetation clearance does not exceed ~~250m²~~ 1500m².*

Decision Reasons:

- This rule is overly prescriptive, especially given most sites have not been ground-truthed.

Submitter Number:	702	Submitter:	Anton Meier
Organisation:	Aerosport Aviation Ltd		
Point Number	702.1		
Summary of Decision Requested:	Retain Chapter 9.2 Te Kowhai Airpark, as notified.		
Decision Reasons:	<ul style="list-style-type: none"> • Te Kowhai Airpark is a great asset to the aviation community, it creates a community feel. • It is a positive place where people who are interested in aviation can continually learn, update their flying skills and enjoy flying in the surrounding environment. • It is a social, positive environment run by a group of caring, astute, like-minded individuals. 		
Point Number	702.2		
Summary of Decision Requested:	Retain Chapter 27 Te Kowhai Airpark Zone, as notified.		
Decision Reasons:	<ul style="list-style-type: none"> • Te Kowhai Airpark is a great asset to the aviation community. • It creates a community feel. • It is a positive place where people who are interested in aviation can continually learn, update their flying skills and enjoy flying in the surrounding environment. • It is a social, positive environment run by a group of caring, astute, like-minded individuals. 		

Submitter Number:	703	Submitter:	Sara Brown
On behalf of:	S & J Brown		
Point Number	703.1		
Summary of Decision Requested:	Amend the extent of the Significant Natural Area on the property at 538 Te Papatapu Road, Te Mata, to remove area 4364 and add area 4279 (see maps included in the submission for more details).		
Decision Reasons:	<ul style="list-style-type: none"> • The following points apply to area 4364: <ul style="list-style-type: none"> - Contains exotic vegetation (mainly Barbury) and weeds. - Not considered to contain significant Indigenous vegetation. - Not considered a SNA in submitters ecological assessment. • The following points apply to area 4279: <ul style="list-style-type: none"> - Submitter's ecological assessment, conducted by Kessels Ecology Ltd, conclude Area 4279 is a good, diverse and contains mostly healthy examples of under-represented. See assessment report attached to the submission for details. - Is fenced off from stock and also contains an internal fence line. - Understorey and groundcover are healthy in majority of the stands and their regeneration is profuse. - Considered ecologically significant natural features in terms of Section 6 (c) of the Resource Management Act in accordance with WRC RPS Criteria. - Formal protection of the forest and wetland remnants at this site would be a significant positive addition to the Protected Natural Area Network in the Kawhia Ecological District. 		

Submitter Number:	704	Submitter:	Margaret Millard
Organisation:	The C. Alma Baker Trust		
Point Number	704.1		
Summary of Decision Requested:	Delete the 'Walkway/Cycleway/Bridleway' overlay from the Limestone Downs property located at 1340 Port Waikato-Waikaretu Road, Port Waikato.		
Decision Reasons:	<ul style="list-style-type: none"> • The details of access, timing and cost need to be discussed first with landowners before imposing this map annotation. 		

Point Number 704.2

Summary of Decision Requested: Retain Policy 3.5.3 (a) (viii) Protecting the natural character qualities of the natural environment, recognising historic farming operations that continue today.

Decision Reasons:

- Limestone Downs has a history of being farmed for over 100 years and does so in an environmentally sustainable manner but does have challenging environmental issues being on the coast and having a dairy farm in a flood plain.

Point Number 704.3

Summary of Decision Requested: No specific decision sought, but the submission opposes the volume limit and time limit in Rule 22.2.3.3 Earthworks - Significant Natural Areas.

Decision Reasons:

- This limit is not practical on a working farm which has a considerable percentage of land identified as Coastal Environment, Natural Character, Significant Amenity Landscapes and/or Significant Natural Area. During extreme weather events or when normal repair and maintenance tasks occur, the cost of obtaining resource consents would be onerous. The requirements of this rule need to be achievable and able to be monitored.

Point Number 704.4

Summary of Decision Requested: No specific decision sought, but the submission opposes the volume limits and time period in Rule 22.2.3.4 Earthworks - within Landscape and Natural Character Areas.

Decision Reasons:

- These limits are not practical on a working farm which has a considerable percentage of land identified as Coastal Environment, Natural Character, Significant Amenity Landscapes and/or Significant Natural Area. During extreme weather events or when normal repair and maintenance tasks occur, the cost of obtaining resource consents would be onerous. The requirements of this rule need to be achievable and monitored.

Point Number 704.5

Summary of Decision Requested: No specific decision sought, but the submission opposes the volume limit of 5m³ of manuka and/or kanuka per property within a 12 month period for use as domestic firewood in Rule 22.2.7 P2 Indigenous vegetation clearance inside a Significant Natural Area

Decision Reasons:

- The Limestone Downs property contains 10 homesteads and the extent of land identified as Coastal Environment, Natural Character, Significant Amenity Landscape and/or Significant Natural Area would make it impossible to provide for the health and wellbeing of its staff and add costs if all houses were to be heated solely by electricity.
- This rule is contrary to Part 2 of the Resource Management Act regarding social and economic wellbeing of the working farm employees. The rule will burden landowners with unreasonable costs and will be difficult to monitor.

Point Number 704.6

Summary of Decision Requested: Amend Rule 22.3.3 Buildings and structures in Landscape and Natural Character Areas, by changing the activity status from discretionary to either restricted discretionary or controlled activity.

Decision Reasons:

- It is impractical to run a large farm of approximately 3000ha with a considerable percentage of land identified as Coastal Environment, Natural Character, Significant Amenity Landscape and/or Significant Natural Area.

Submitter Number: 705 **Submitter:** Jean Hamilton

Point Number 705.1

Summary of Decision Requested: Delete the definition of "intensive farming" from Chapter 13 Definitions.

Decision Reasons:

- The definition is contradictory. The definition states that intensive farming is not dependent on the fertility of soil, but also states feed can be produced on the land.
- Soil fertility is an important part of producing food for any farming and if the farming type is reliant on it, it can not be deemed to be intensive. Intensive farming is usually reliant on food being brought in to the site and not the productive capacity of the soil of the site. Therefore, farming dependent on the soil capacity should not be termed 'intensive'.
- The housing of animals are buildings are normal for farms.

Submitter Number: 706 **Submitter:** Francis and Susan Turton

Point Number 706.1

Summary of Decision Requested: No specific decision sought, but the submission opposes Significant Natural Areas and Significant Amenity Landscapes being identified on private land.

Decision Reasons:

- No consultation and data on the identified areas.
- This has the potential to have far reaching implications on private property rights, farm profitability and farm values.
- Unclear and inaccurate provisions mean that it is impossible to make informed decisions.

Point Number 706.2

Summary of Decision Requested:	No specific decision sought, but the submission questions the definition of "intensive farming" in Chapter 13 Definitions.
Decision Reasons:	<ul style="list-style-type: none"> It is unclear whether the term "intensive farming" relates to soil fertility, cropping and/or feed being brought in.
Point Number	706.3
Summary of Decision Requested:	No specific decision sought, but the submission opposes Rule 22.2.3.3 P1(a) Earthworks - Significant Natural Areas, in respect to the proposed limits, including 50m3 volume and the 1.5m boundary setback and limits on imported fill.
Decision Reasons:	<ul style="list-style-type: none"> The limits will not maintain of existing farm infrastructure and will create potential health and safety issues if repairs are not completed properly. Limiting earthworks will create health and safety issues for the future running of the farm. They hinder safe farming practices when establishing boundary fences. Infill limits reduce options to safely repair fences and tracks.
Point Number	706.4
Summary of Decision Requested:	No specific decision sought, but the submission opposes Rule 22.2.3.4 P1(a) Earthworks - within Landscape and Natural Character Areas, with respect to the volume, area and cut limits.
Decision Reasons:	<ul style="list-style-type: none"> These limits will hinder maintenance of existing and new farm infrastructure such as drainage, fencing and tracks.
Point Number	706.5
Summary of Decision Requested:	No specific decision sought, but the submission opposes Rule 22.4.3 RDI(a) Title boundaries - Significant Natural Areas, heritage items, Maori sites of significance and Maori areas of significance.
Decision Reasons:	<ul style="list-style-type: none"> The restrictions are opposed because some Significant Natural Areas are already divided by existing title boundaries.
Point Number	706.6
Summary of Decision Requested:	No specific decision sought, but the submission opposes Rule 22.1.3 RDI(a) and (b) Restricted Discretionary Activities and questions the use of the term "intensive farming" and whether this provision is concerned with soil fertility, cropping and or feed.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	706.7
Summary of Decision Requested:	No specific decision is sought, but submission opposes Rule 22.2.7 P3(a) Indigenous vegetation clearance inside a Significant Natural Area, particularly the 250m2 limit.
Decision Reasons:	<ul style="list-style-type: none"> The limit of 250m2 cleared area will not provide a suitable area in some locations because of slope and access requirements. Building areas are dependent on location, position and access.
Point Number	706.8
Summary of Decision Requested:	No specific decision sought, but submission opposes Rule 22.2.8 P1(a) Indigenous vegetation clearance - outside a Significant Natural Area and questions what is the definition of "outside a Significant Natural Area."
Decision Reasons:	<ul style="list-style-type: none"> It is unclear what area this rule applies to and what the definition of "outside a Significant Natural Area" means. Indigenous vegetation often needs to be cleared for maintenance of farming infrastructure and maintaining productive pasture.
Point Number	706.9
Summary of Decision Requested:	No specific decision sought, but submission opposes Rule 22.4.1.6 RDI(a) Conservation lot subdivision.
Decision Reasons:	<ul style="list-style-type: none"> Significant Natural Areas have a value and belong to the property owner Financial compensation needs to be offered on all Significant Natural Area sites and sizes. Terms and conditions should be negotiated by the property owner.
Point Number	706.10
Summary of Decision Requested:	No specific decision sought, but submitter opposes Rule 22.4.2 RDI(a) Title boundaries - natural hazard area, contaminated land, Significant Amenity Landscape, notable trees, intensive farming activities, aggregate extraction areas.
Decision Reasons:	<ul style="list-style-type: none"> The restrictions are opposed because some Significant Amenity Landscapes are already divided by existing title boundaries.

Submitter Number:	707	Submitter:	Soil & Health Association of New Zealand (S&H)
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Point Number

707.1

Summary of Decision Requested:

Add a new provision, 1.5.7.X Genetically modified organisms (GMO), as follows:

1.5.1.7.X Genetically Modified Organisms (GMO)

(g) The Hazardous Substances and New Organism Act 1996 (HSNO) requires that before any GMO can be imported into the country, developed in containment, tested in the field or released into the environment, approval must be obtained from the Environmental Protection Authority (EPA).

(b) The RMA provides the scope for District Plans to place additional controls on the use of GMOs, if that control can be justified under section 32 of the RMA. It is considered that the prohibited status for the release of all GMO land use activities and strict controls on the field trialling of GMO land use activities is necessary to reflect social and cultural expectations that Waikato will be protected from accidental contamination of the environment by GMOs. Providing for the wellbeing of the community by giving certainty through the use of a prohibited activity status and strict discretionary controls, including the use of bonds, is therefore appropriate.

(c) Prohibited status for the release of GMOs and for field trial activities that cannot meet discretionary activity standards means that the Waikato District is taking a precautionary approach to managing the potentially significant long term and irreversible effects of GMOs. In addition to the environmental risks associated with the release of GMOs, there are economic risks caused by the sensitivity of export markets for high value produce to potential GMO contamination.

(d) Discretionary activity status has been applied to specific viable GMO activities, namely the use of viable GMOs in veterinary vaccines where permitted standards cannot be met, and in field trials, provided discretionary standards can be met. By applying standards to the outdoor use of GMOs in only a select number of circumstances, the risks associated with their use, storage, cultivation, harvesting, processing or transportation can be reduced.

(e) As the Council has adopted a prohibited status for the release of all GMOs and the field testing of all GMOs (unless specifically provided for), while approval could be sought and obtained from the EPA their use would be unable to be carried out within the Waikato District.

(f) The necessity and relevance of the prohibited activity status for field trialling of GMOs that fail to meet discretionary standards, and the release of GMOs will be reconsidered at the next plan review. If in the meantime GMO use is proven to be safe and advantageous and the community then accepts that a precautionary approach is no longer warranted, then their prohibited activity status may be overturned by a plan change. This could either be in relation to GMOs in general, or to a specific GMO for which there is a demand for in the community and which poses a low risk with regard to adverse effects and to the economic viability of the production and marketing of GE free produce.

AND

Any consequential amendments or additional relief as necessary to address the concerns raised in the submission.

Decision Reasons:

- Inclusion of new provisions are required to provide an explanation in regards to why the prohibited activity status has been attributed to the release of and specified trials of GMOs.
- Provides further commentary on the importance of the GMO issue to Waikato District.
- This is the most appropriate place to provide an overarching explanation of the rationale in terms of GMOs and context for such objectives, policies and rules.

Point Number

707.2

Summary of Decision Requested:

Amend Chapter 10 Heading as follows:

Chapter 10: Hazardous Substances and Contaminated Land and Genetically Modified Organisms

AND

Add section 10.3 Genetically Modified Organisms, as follows:

10.3 Genetically Modified Organisms

10.3.1 Objective- Adverse effects of Genetically Modified Organisms

(g) To protect the community and their social, economic and cultural wellbeing and environment from the adverse effects associated with the outdoor release or field trials of Genetically Modified Organisms through the adoption of a precautionary approach.

10.3.2 Policy- Precautionary approach to managing Genetically Modified Organisms

(g) To adopt a precautionary approach to the management of Genetically Modified Organisms by prohibiting the release of a Genetically Modified Organism and the field trials of a Genetically Modified Organism, except as specifically provided for as a permitted activity or discretionary activity.

10.3.3 Policy-District specific approach to managing Genetically Modified Organisms

(g) To adopt a resource management framework for the management of Genetically Modified Organisms (GMOs) that is District specific taking into account environmental, economic, cultural and social well-being considerations.

10.3.4 Policy-Consent applications for selected outdoor use of Genetically Modified Organisms (GMOs)

(g) To allow consent applications to be made for the use of a viable Genetically Modified Veterinary Vaccine that does not meet permitted standards as a discretionary activity.

(b) To allow consent applications to be made for a field trial of a Genetically Modified Organism as a discretionary activity, provided specific standards are met.

(c) To require the holder of a resource consent granted for the field trialling of a Genetically Modified Organism to be financially accountable (to the extent possible) for any adverse effects associated with the activity, including clean-up costs, remediation and monitoring.

(d) Require that the field trialling of a Genetically Modified Organism does not result in migration of Genetically Modified Organisms beyond the area designated by the consent.

10.3.5 Policy- Future review of Genetically Modified Organism provisions

(g) To review the Plan provisions relating to Genetically Modified Organisms, particularly if there is new information on benefits and/or adverse effects of a Genetically Modified Organism Activity and/or there is a general community acceptance of the use of Genetically Modified Organisms that have proven to be safe and economically beneficial without adversely affecting the environment and the general social and economic wellbeing of the community.

AND

Any consequential amendments or additional relief as necessary to address the concerns raised in the submission.

Decision Reasons:

- Inclusion of objectives and policies relating to GMOs reflect the precautionary approach of prohibiting release of GMOs and field trials of GMOs until such time as they have been proven to be safe and economically beneficial without adverse effects on the environment and general social, cultural and economic wellbeing of the community.
- Specific objectives and policies will give guidance to planners in regards to consent applications and processing for discretionary GMO activities.
- Objectives and policies will address the cultural impact of GMOs on mana whenua and the environment (appropriate wording to be determined by iwi and council).

Point Number

707.3

Summary of Decision Requested:

Add five new definitions to Chapter 13- Definitions, in relation to Genetically Modified Organisms, as follows:

- **FIELD TRIALS-** Means, in relation to a Genetically Modified Organism, the carrying on of outdoor trials on the effects of the organism under conditions similar to those of the environment into which the organism is likely to be release but from which the organism, or any heritable material arising from it, could be retrieved or destroyed at the end of trials.
- **GENETICALLY MODIFIED ORGANISM-** Means any organism in which any of the genes or other genetic material: a.) have been modified by in vitro techniques; or b.) are inherited or otherwise derived, through any number of replications, from any genes or other genetic material which has been modified by in vitro techniques. For the absence of doubt, this does not apply to Genetically Modified (GM) products that are not viable (and are thus no longer GM organisms), or products that are dominantly non-GM but contain non-viable GM ingredients (such as processed foods).

- **GENETICALLY MODIFIED VETERINARY VACCINE-** Means a veterinary vaccine that is a genetically modified organism as defined in this Plan.
- **GENETICALLY MODIFIED MEDICAL APPLICATIONS-** Means the manufacture, trialling or use of viable and/or non-viable genetically modified organisms for medical purposes recognised as medicines under the Medicines Act 1981 and approved as safe to use by the Ministry of Health, including EPA approved releases, except for the outdoor cultivation of pharmaceutical producing organisms.
- **RELEASE-** Means, in relation to a Genetically Modified Organism, to allow the organism to move within New Zealand free of any restrictions other than those imposed in accordance with the Biosecurity Act 1993 or the Conservation Act 1987. For the avoidance of doubt this definition covers releases that are subject to conditions set out in Section 38A of the Hazardous Substances and New Organisms Act 1996 as well as any release not subject to conditions.

Decision Reasons:

- Definitions are requested in support of other requested provisions relating to GMOs.

Point Number

707.4

Summary of Decision Requested:

Amend the definition of Agricultural and Horticulture Research Facilities, in Chapter 13-Definitions, to include the following:

...Commercial application of such activities

For the avoidance of doubt, this definition does not include veterinary vaccines that use Genetically Modified Organisms, or any activities that involve Field Trials, or Release of Genetically Modified Organisms.

Decision Reasons:

- Definitions are requested in support of other requested provisions relating to GMOs.

Point Number

707.5

Summary of Decision Requested:

Add the following provisions to Chapter 22: Rural Zone to address Genetically Modified Organisms as follows:

22.1.1 Prohibited Activities

(1) The following activities is are a prohibited activities

...

PR2	<u>The Release of a Genetically Modified Organism</u>
PR3	<u>The Field Trialing of a Genetically Modified Organism that does not meet the discretionary standards in Rule 22.2.9.D1</u>

Rule 22.1.2 Permitted Activities

Activity

Activity Specific Conditions

...

...

...

P13

Activities involving Genetically Modified Organisms that are not classified as Veterinary Vaccines, Field Trials or Releases. This includes (but is not limited to) research within contained Laboratories, Medical Applications and Food containing non-viable Genetically Modified Products.

Nil.

P14

The use of a viable Genetically Modified Veterinary Vaccine.

(A) A specific dose of vaccine must be supervised by a veterinarian

Rule 22.1.5 Discretionary Activities

...

...

D17

The use of a viable Genetically Modified Veterinary Vaccine that does not comply with the permitted activity standard in Rule 22.1.2 P14 but meets the discretionary activity standards in Rule 22.2.9 D1.

D18

D1

(1) All discretionary Genetically Modified Organism activities must:

(a) Have the relevant approval from the Environmental Protection Authority;

(b) Be undertaken in accordance with Environmental Protection Authority approval conditions for the activity; and

(c) Provide evidence of the Environmental Protection Authority approval to Council.

(2) The consent holder must provide a bond to guarantee the performance of one or more consent conditions if required by the Council. This bond will be available to pay or reimburse any costs incurred by, or on behalf of, the Council to avoid, remedy or mitigate any adverse environmental effects and any other adverse effects to, or on, third parties (including economic effects), that become apparent during the exercise or after the expiry of consent.

(3) The consent holder must provide all of the following information when submitting a consent application:

(a) Details of the proposed containment measures for the commencement, duration and completion of the proposed activity;

(b) Details of the species, its characteristics, and lifecycle, to which the Genetically Modified Organism activities will relate;

(c) Research on adverse effects to the environment and economy associated with the activity should, genetically modified organisms escape from the activity area, and measures that will be taken to avoid, remedy or mitigate such effects.

(d) Evidence of research undertaken that characterises and tests the Genetically Modified Organisms, and the certainty associated with the accuracy of that information;

(e) A management plan outlining on-going research and how monitoring will be undertaken during, and potentially beyond, the duration of consent.

(f) Details of areas in which the activity is to be confined; and

(g) A description of contingency and risk management plans and measures.

AND

Add similar provisions to every zone chapter.

OR

Add a new district wide chapter addressing Genetically Modified Organisms.

AND

Any consequential amendments or additional relief as necessary to address the concerns raised in the submission.

Decision Reasons:

- Chapter 22 Rural Zone is shown as an example of the framework for application of GMO provisions.
- Prohibition of release of GMO is the cornerstone of the precautionary approach rule regime.
- The approach is justified until such time as GMOs can be proven to be used safely and contained in an outdoor context.
- Chapter 22 Rural Zone chosen as an example framework for application of GMO provisions.
- Uses of viable veterinary vaccines are provided for as a permitted activity so long they are administered under the supervision of a veterinarian at a specific dosage.
- Established through drafting of Auckland Unitary Plan provisions-conditions not complied with then such use is discretionary.
- Chapter 22 Rural Zone chosen as an example framework for application of GMO provisions.
- Field Trials meeting discretionary activity standards, with relevant EPA approvals allows full scope of effects to be understood and an opportunity to include appropriate conditions.
- Requirement for management plans and clear containment and risk management protocols.
- If viable veterinary vaccines are not applied according to the appropriate conditions then such use goes from permitted (under Rule 22.1.2 Permitted Activities P13) to discretionary.
- Viable genetically modified veterinary vaccines can have higher risks if not administered correctly. An example of such risk is a GM veterinary vaccine distributed by way of edible food/plants, which cannot be supervised by a veterinarian, and may present high risks to the environment and health and safety of people. In this circumstance, council holds discretion by requiring controls or declining an application.

Point Number

707.6

Summary of Decision Requested:

Add objectives and policies to address the cultural impact of Genetically Modified Organisms on mana Whenua and the environment.

Decision Reasons:

- It may be appropriate to require a cultural values assessment from applicants applying for resource consents.
- Council may need to engage with relevant iwi to determine the most fit-for-purpose wording.

Submitter Number:

708

Submitter:

Neil McHugh

Point Number

708.1

Summary of Decision Requested:

Retain Chapter 9.2 Te Kowhai Airpark, as notified.

Decision Reasons:

- No reasons provided.

Point Number

708.2

Summary of Decision Requested:

Retain Chapter 27 Te Kowhai Airpark, as notified.

Decision Reasons:

- No reasons provided.

Submitter Number:

709

Submitter:

Vicki Lee Wihongi

Point Number

709.1

Summary of Decision Requested:

Retain Chapter 2: Tangata whenua.

Decision Reasons:

- The provisions will support more effectively the occupation and development of Maori land, allowing mana whenua to use, manage and enjoy traditional resources in accordance with tikanga Maori.
- This will strengthen connections to the area for generations to come.
- The barriers in the Operative District Plan prevent tangata whenua from maintaining relationships with ancestral land.

Submitter Number:

710

Submitter:

Strantz Ian Wihongi

Point Number

710.1

Summary of Decision Requested:

Retain Chapter 2 Tangata Whenua.

Decision Reasons:

- While the District Council have expressed an obligation to upholding the Rangatiratanga Principle inherent in Te Tiriti o Waitangi in respect to Tangata Whenua, the existing District Plan created barriers to the actualisation of iwi controlling their resources as their own.
- The Proposed District Plan will significantly reduce the barriers and will allow Ngati Koata to sustainably develop its land blocks in sustainable ways in accordance with their values.

Submitter Number:

711

Submitter:

Romana Graham

Point Number

711.1

Summary of Decision Requested:

Retain Chapter 2 Tangata Whenua.

Decision Reasons:

- The content in the Proposed District Plan supports the social, cultural and economic aspirations of mana whenua on the Whaanga coast.
- Through the development of sustainable practices on Ngati Koata lands in Whaingaroa they will be able to reinvigorate their connections with the area, local iwi and the wider community.

Submitter Number:

712

Submitter:

Bettley-Stamef Partnership

Point Number

712.1

Summary of Decision Requested:

Amend the zoning of 125, 131 145, 158, 165A, 165B, 165C, 167A, 168, 171 (aka 167), 174 Matangi Road and 21A, 21B, 26, 29, 51, 54, 58, 59, 60, 61A, 61B, 61C, 62A and 62B Yumelody Lane from Rural Zone to Country Living Zone (see submission for map of properties).

Decision Reasons:

- Land in the immediate surrounding area (to the west and south) is zoned Country Living Zone.
- Country Living Zone is more appropriate as land is no longer suitable for feasible farming operations due to existing subdivisions.
- Country Living Zone would be more compatible with the zoning of the immediate surrounding area.
- Extension of Country Living Zone is more appropriate given existing residential development and urban form.
- The Waikato Expressway immediately to the east would provide a strong visual demarcation between the Country Living Zone and Rural Zoned land beyond.
- Extension of Country Living Zone to the east aligns with the Waikato Expressway designation boundary, which is a practical and logical expansion of the existing Country Living Zone boundary.
- Waikato Expressway forms a suitable zone boundary between the Country Living and Rural Zones.

Point Number

712.2

Summary of Decision Requested:

Add a walkway/cycle way/bridleway notation along the western side of the Waikato Expressway all 25 lots comprising the subject site on Matangi Road and Yumelody Lane from Matangi Road through to the walkway/cycle way/ bridleway in the Gully of the Mangaonua Stream.

Decision Reasons:

- This is an opportunity to extend 'walkway/cycle way/bridleway' along the western side of the expressway and/or over a portion of the subject land.

Point Number

712.3

Summary of Decision Requested:

Delete all references to Designation (NI) from the 25 sites on Matangi Road and Yumelody Lane (25, 131 145, 158, 165A, 165B, 165C, 167A, 168, 171 (aka 167), 174 Matangi Road and 21A, 21B, 26, 29, 51, 54, 58, 59, 60, 61A, 61B, 61C, 62A and 62B Yumelody Lane).

Decision Reasons:

- The submission opposes the identification of an airport related Designation (NI) on the subject site.
- The designation is not relevant to the subject properties and their activities.
- Properties are utilised as private residential dwellings and lifestyle blocks and do not form part of the main runway for Hamilton Airport.
- Properties have not been designated for any other purpose.

Submitter Number:

713

Submitter:

Matangi Farms Land Ltd

Point Number

713.1

Summary of Decision Requested:

Amend the zoning of Lot 24 DP 500745 (CFR 745666) , Lot 2 DPS 17858 (CFR SA16A/1340) and Lot 3 DPS 14674 (CFR SA12D/955) on Taplin and Tauwhare Roads, Matangi from Rural Zone to Country Living Zone, or Residential Zone or Village zone in the alternative.

Decision Reasons:

- The land is predominantly used for growing of lawn turf, i.e. not used for productive rural activities.
- The proximity of the site to the central village area is considered that the current use of the land represents an inefficient use of an urban land resource and seeks rezoning to realize its potential.
- The subject site is located near the center of Matangi village and is adjacent to lifestyle allotments along its boundaries, defining the overall village style character and sets the desired amenity for the area.
- Frontage to Tauwhare (230m) and Taplin Road (500m) provides good connection and integration with existing transportation network.
- Good pedestrian connection to village centre.
- The Long term plan and Matangi Community Plan identify future growth of village is anticipated and expected to be one of the highest rates of growth in villages and communities (39% by 2045).
- Wastewater Activity Management Plan (WAMP) states the existing Matangi scheme is at capacity and is inefficient, therefore Country Living Zone is sought which manages wastewater on site.
- Site has been included within the Waikato District Council Urban Limits with Proposed District Plan Zoning.
- Majority of site within urban limits and consistent with Future Proof's direction for urban development.
- Consistent with objectives and policies of Country Living Zone.
- Allowing the amended zoning will not compromise the purpose of the RMA.
- No change in zoning does not allow the township to grow.
- Not contrary to section 6, 7 and 8 of the RMA.
- Lifestyle sized allotments would be a suitable use.

Submitter Number:

714

Submitter:

Samuel Frew

Point Number

714.1

Summary of Decision Requested:

Retain Chapter 2 Tangata Whenua.

Decision Reasons:

- The content in Chapter 2: Tangata Whenua helps to address the barriers that have prevented owners from engaging and using the land for social, cultural and economic wellbeing.
- A masterplan for the development of Ngati Koata land blocks in Whaingaroa will encourage more frequent visits by this iwi.
- The provisions may enable Whaingaroa to become a turangawaewae stronghold again for Ngati Koata.

Submitter Number:	715	Submitter:	Khushwin Limited
Point Number	715.1		
Summary of Decision Requested:	Amend the zoning of the property at 135 Hull Road, Waiuku from Rural Zone to Living Zone or Country Living Zone.		
Decision Reasons:	<ul style="list-style-type: none"> • Rules within the Living Zone could apply to this site. • Site could be subdivided for residential development, all of which will have to comply with the relevant rules/standards. • Allowed sections to be larger so all services can be contained on site. Is in accordance with Rule 21.63 Living Zone- Allotment size. • Site adjoins Residential Zoned land, with smaller allotments not connected to reticulated waste water and fall under Auckland Council jurisdiction. • Zoning the 135 Hull Road to the Living Zone contains sections with waste water and storm water provided for, therefore not impacting on the reticulated infrastructure of Waiuku. • Proposal will allow more residential development, with minimal effects on public reticulation or other public services. • Provide housing to fulfil gap in housing industry. • Develop in area already with school amenities in place. • The land is reasonably flat with some main overload flowpaths dissecting the site. 		

Submitter Number:	716	Submitter:	Sarah Whyte
Point Number	716.1		
Summary of Decision Requested:	No specific decision sought, but the submission opposes the proposed Industrial zoning for those properties on River Road, Tuakau which are zoned Business in the Franklin Section of the Operative Waikato District Plan (see map attached to the submission).		
Decision Reasons:	<ul style="list-style-type: none"> • The Proposed District Plan already proposes a large industrial area which is where all industry should eventually relocate to the spattering zoning for industry will detrimentally affect Tuakau's future. • River Road is the only way that the public can gain access to the Waikato River and therefore industry (particularly odorous industry) should not compromise Tuakau's major attraction. • Industry should be discouraged to enable development of safe walkways and/or cycleways to the river. • Waikato Regional Council has proven to be ineffective in controlling the effects of some existing industries meaning a possible repeat of this situation with future industries locating in these River Road locations. • The area outside the boundaries is important for local amenity. • Industry omitting odour is a long term problem along River Road. 		

Submitter Number:	717	Submitter:	Kim Willetts
Point Number	717.1		
Summary of Decision Requested:	Retain Rule 20.2.3.1 P3 Noise - General.		
Decision Reasons:	<ul style="list-style-type: none"> • Provides existing residences with a safeguard against excessive noise from nearby industrial zones. • Existing houses at Horotiu near the industrial zone do not have noise insulation and therefore need to have their amenity protected. 		

Submitter Number:	718	Submitter:	Helen Gray
On behalf of:	Selwyn Leonard Taylor & Helen Stewart Gray		
Point Number	718.1		
Summary of Decision Requested:	Delete the Significant Natural Area from the property at 69 Morrison Road, Pukekawa (Property No. 305956) .		
Decision Reasons:	<ul style="list-style-type: none"> • The area nominated as a significant natural area there is a summer drain. This is dry in the summer and flows when excessive rain flows in winter. • There is no native vegetation, only overgrown blackberry, row of bamboo on southern boundary and some gorse. • The kiwifruit orchard on one side and cropping land on the other makes spraying weeds difficult. • On the eastern side, the gardeners (Balle Bros) on the adjoining property have many silt traps and needed on several occasions to enter the submitter's side of the boundary and clear the drain. If silt is not removed it will flood the property. • Western side of drain is good for grazing submitter's horses and therefore does not warrant Significant Natural Area classification. • Submitter met with the WDC at a meeting on 28th October 2015 about potential Significant Natural Areas and was agreed that the property was <u>not</u> a significant area. Submission has an attached copy of 2015 decision to not designate as Significant Natural Area . 		

Submitter Number:	719	Submitter:	Rob Waddell
On behalf of:	Riverdale Group Ltd		
Point Number	719.1		
Summary of Decision Requested:	Amend the extent of Maaori Site of Significance S15/25 shown on the Planning Map, to be consistent with the registered covenant as shown on the Scheme Plan of subdivision at Lot 1 DP 324809 (102 Hooker Road) and Lot 2 DP 324809 (124 Hooker Road) Tamahere (see maps attached to submission);		

AND

Amend Schedule 30.3 Maaori Sites of Significance so that S15/25 is located on 102 Hooker Road, Tamahere rather than 124 Hooker Road, Tamahere.

Decision Reasons:

- Extent of archaeological site S15/25 is inaccurately shown on the Planning map and must be corrected.
- Incorrectly displays archaeological site S15/25 extending into Lot 2 DP 324809/124 Hooker Road, whereas its only located on Lot 1 DP 324809/102 Hooker Road.
- Site is covered by covenant, located as Area B on submitters subdivision plan.
- Schedule 30.3 incorrectly states the location of site S15/25.

Point Number

719.2

Summary of Decision Requested:

Delete the Maaori Area of Significance SS65 from 124 Hooker Road, Tamahere;

OR

Amend Rule 22.2.3.2 Earthworks - Maaori Sites and Maaori Areas of Significance, to allow earthworks associated with the construction of permitted activities within the Rural Zone (e.g. dwellings, sheds etc.).

Decision Reasons:

- The Planning Map identifies 124 Hooker Road as a 'Maori Area of Significance,' notated as SS65.
- The extent of a property containing an archaeological site is already protected under the Heritage New Zealand Pouhere Taonga Act 2014 and does not need protection under the District Plan.
- Rule 22.2.3.2 requires a resource consent application for any earthworks regardless of scale and whether there is a recorded archaeological site on the property.
- Earthworks for otherwise permitted activities within the rural zone will require a consent for no apparent or justifiable reason.
- Digging a hole for a tree would even require a resource consent.

Point Number

719.3

Summary of Decision Requested:

Amend the extent of the Significant Natural Area on the property at 102 Hooker Road, Tamahere, to match the esplanade strip shown on the Scheme Plan of subdivision (see map attached to the submission).

Decision Reasons:

- The Proposed District Plan identifies a strip of the submitter's property along the margin on the Waikato River as a Significant Natural Area and Significant Amenity Landscape.
- Classification of the property is contrary to a conclusion reached by Waikato District Council in relation to a subdivision consent where it was determined the area was not a Significant Natural Area.
- Extent of classification should be amended to not include areas of exotic vegetation and not arbitrarily extend to the top of the bank.

Submitter Number:

720

Submitter:

Spencer and Isabelle Wheeler

Point Number

720.1

Summary of Decision Requested:

Amend Rule 16.1.1 PR1 to change the Prohibited activity status for any building, structure, objects or vegetation to Non-complying activity status.

Decision Reasons:

- Supported by Raglan Coastguard, Raglan Fishing Club and the Waikato Regional Harbormaster (support letters attached to submission) that the Navigational beacon be lifted.
- Lifting of beacon would allow current height restriction which runs right through submitters 1920s bach at 12 Long Street, Raglan to be lifted and prohibited activity status for anything over 1.5m must reflect such change.
- Non-complying status will still give WDC planners scope to ensure any new building on the site does not interfere with the beacon's raised height.
- Submitter referred to previous submission made in 2005 relating to the same issue.
- In 2005 submission submitter opposed imposition of height restriction on two grounds- a.) Unduly restricted their ability to build on their property, b.) Height restriction plan wouldn't solve visibility issues surrounding navigation beacon. Previous submission also stated there were problems with the visibility of the navigational beacons.
- Submitter does not want to be placed in the same impossible position they were back in 2005 regarding height restrictions and needing to replace the existing old building.

Point Number

720.2

Summary of Decision Requested:

Amend Appendix J Raglan Navigation Beacon Height Restriction, to lift the navigation light in accordance with the design plans provided to Council on 13th July 2018.

Decision Reasons:

- Opposes to the imposition of a height restriction plane as this unduly restricts the ability to build on the property at 12 Long Street, Raglan and does not solve the visibility issues of the navigation beacons.

Submitter Number:

721

Submitter:

Jennifer Berczely

Point Number

721.1

Summary of Decision Requested:

Add strong precautionary and prohibitive policies and rules relating to the management of genetically modified organisms that are the same or similar to those in the Far North District Plan, Whangarei District Plan and Auckland Unitary Plan.

Decision Reasons:

- Provisions allowed under the Resource Management Act 1991 and pursuant to the ruling in Federated Farmers of New Zealand v Northland Regional Council [2015] NZEnC 89.
- Concerns about the potential risks posed by the release of GMOs into the environment and the potential to adversely affect ecological, economic and resource management values, social, cultural wellbeing and tangata whenua.
- Release of GMOs has a potential to cause significant adverse effects on the environment, including the following:
 1. Biological or ecosystem harm
 2. Harm to tangata whenua cultural values such as mauri and tikanga
 3. Harm to the cultural values and lifestyle decisions of people and communities at a local level concerning what constitutes their wellbeing

- 4. Harm from GMO contamination to existing or potential forms of land use including farming, forestry and other primary production activities dependant on an uncontaminated environmental brand.
 - 5. Adverse effects to these land uses could include: loss of organic and GMO-free certification, reputational damage, loss of markets and premiums paid for GMO free produce and loss of livelihood.
- Conditions of consent may be breached by poor management, human error, natural events and sabotage of projects.
 - Once GMOs have been released they would be very difficult, if not impossible to eradicate.
 - Application of integrated management and precautionary approach to GMOs under the RMA is the best technique for managing potential adverse effects.
 - It is consistent with the sustainable management purpose and Part II of the RMA to establish district plan provisions that manage the release, location and management of GMOs where they have the potential to adversely affect the environment.

Point Number 721.2

Summary of Decision Requested: **Add** a resource management framework for the management of genetically modified organisms to the Proposed District Plan that is region specific, taking into account environmental, economic and social well-being considerations.

Decision Reasons:

- Provisions allowed under the Resource Management Act 1991 and pursuant to the ruling in Federated Farmers of New Zealand v Northland Regional Council [2015] NZEnC 89.
- Concerns about the potential risks posed by the release of GMOs into the environment and the potential to adversely affect ecological, economic and resource management values, social, cultural wellbeing and tangata Whenua.
- Release of GMOs has a potential to cause significant adverse effects on the environment, including the following:
 1. Biological or ecosystem harm
 2. Harm to tangata whenua cultural values such as mauri and tikanga
 3. Harm to the cultural values and lifestyle decisions of people and communities at a local level concerning what constitutes their wellbeing
 4. Harm from GMO contamination to existing or potential forms of land use including farming, forestry and other primary production activities dependant on an uncontaminated environmental brand.
 5. Adverse effects to these land uses could include: loss of organic and GMO-free certification, reputational damage, loss of markets and premiums paid for GMO free produce and loss of livelihood.
- Conditions of consent may be breached by poor management, human error, natural events and sabotage of projects.
- Once GMOs have been released they would be very difficult, if not impossible to eradicate.
- Application of integrated management and precautionary approach to GMOs under the RMA is the best technique for managing potential adverse effects.
- It is consistent with the sustainable management purpose and Part II of the RMA to establish district plan provisions that manage the release, location and management of GMOs where they have the potential to adversely affect the environment.

Submitter Number: 722

Submitter: Will Phelps

Point Number 722.1

Summary of Decision Requested: **Amend** the zoning of the properties located at 5,9,11,15 and 17 Mangatea Road, Te Hoe so that they retain the Operative District Plan zoning (i.e. Living Zone) rather than the proposed Village Zone.

Decision Reasons:

- Existing population and land uses do not reflect a 'village.'
- No reticulation or comprehensive community services.
- Rezoning is expected to result in a rates increase.
- Does not meet the description of a Village Zone.

Point Number 722.2

Summary of Decision Requested: No specific decision sought, but submission opposes any rates increases based on climate change.

Decision Reasons:

- Council needs to justify any rates increase based on climate change rather than deferring to government policy.

Submitter Number: 723

Submitter: Tyler Sharratt

On behalf of: Winstone Aggregates

Point Number 723.1

Summary of Decision Requested: **Amend** Aggregate Resource Area on the Meremere Quarry to extend to the full property boundary (see Appendix 2 of the submission);
AND
Amend the Aggregate Resource Area on the Pukekawa Quarry to extend to the full property boundary (See Appendix 1 of the submission).

Decision Reasons:

- The full extent of the land owned by Fletcher Concrete and Infrastructure Ltd is not shown by the Aggregate Resource Area overlay.
- The intention of the overlay is to protect existing quarries from reverse sensitivity effects and safeguard areas where the quarries are likely to expand. Therefore the overlay needs to be applied to the entire site.

Point Number 723.2

Summary of Decision Requested: **Delete** the two Significant Natural Areas from the Meremere Quarry (see Appendix 2 of the submission for their locations).

Decision Reasons:

- Meremere Quarry has two areas of Significant Natural Area partially overlain on the identified Aggregate Extraction Area, and also an area consented to accept clean fill.

- The two Significant Natural Areas need to be removed from map overlays.

Point Number 723.3

Summary of Decision Requested: Retain Policy 5.3.5: Earthworks Activities, as notified.

Decision Reasons:

- Reasons not provided.

Point Number 723.4

Summary of Decision Requested: Retain Policy 5.3.7 Reverse Sensitivity Effects.

Decision Reasons:

- Reasons not provided.

Point Number 723.5

Summary of Decision Requested: Amend Objective 5.4.1: Minerals and Extractive Industries, as follows:
(a) Mineral resource use and extractive industries provides economic, social and environmental benefits to the district.

Decision Reasons:

- Proposed objective doesn't read properly.
- It states "Mineral use provides," whereas it makes sense to say "Minerals and Extractive Industries provide..."

Point Number 723.6

Summary of Decision Requested: Amend Policy 5.4.2 (d) Access to minerals and extractive industries, as follows:
(d) Avoid the location of any sensitive land use within the specified buffer areas which otherwise risks the effective operation of a lawfully established extractive industry or a site identified as an Aggregate Resource Area.

Decision Reasons:

- Wording of (d) does not protect any identified Aggregate Resource Area.
- Clause (d) needs to include both the established extractive industry and Aggregate Resource Area to prevent the identified resource from being sterilised or subject to development constraints due to reverse sensitivity issues.
- There is no point having an overlay if there is no policy that adequately protects them.

Point Number 723.7

Summary of Decision Requested: Amend the definition of "Extractive Industry" in Chapter 13 Definitions, as follows:
Means taking, winning or extracting by whatever means, the naturally-occurring minerals (including but not limited to coal, rock, sand, and gravel) and peat from under or on the land surface. The term includes the processing by such means as minerals at or near the site, where the minerals have been taken, won or excavated. The term also includes the removal, stockpiling and filling of overburden sourced from the same site and the following activities:

- Blasting;
- Storing, distributing and selling mineral products;
- Accessory earthworks;
- Treating stormwater and waste water;
- Landscaping and rehabilitation of quarries;
- Clean fills and managed fills;
- Recycling or reusing aggregate from demolition waste such as concrete, masonry, or asphalt;
- Accessory activities and accessory buildings and structures such as weighbridges, laboratories and site offices.

It includes all activities and structures associated with underground coal gasification, including pilot and commercial plants and distribution of gas. It excludes prospecting and exploration activities.

AND

Amend the definition of "Aggregate Extraction Activities" and "Mineral Extraction and Processing" in Chapter 13 Definitions to mean the same as "Extractive Industry."

Decision Reasons:

- Activities associated with extractive industry are defined separately three times, all with different wording (Aggregate extraction, Extractive Industry and Mineral Extraction and Processing).
- Term "extractive industry" needs defining, and then the terms "Aggregate extraction activities" and "Mineral Extraction and processing" means the same.

Point Number 723.8

Summary of Decision Requested: Retain the definition of "Clean fill" in Chapter 13 Definitions.

Decision Reasons:

- No reasons provided.

Point Number 723.9

Summary of Decision Requested: Amend Rule 14.12.1.4 (1) (d) Permitted Activities relating to P4 Traffic Generation, as follows:
(d) Within the Rural Zone:

- (i) There is maximum 200 vehicle movements per day and no more than 15% of these vehicle movements are heavy vehicle movements; or*
- (ii) Within the Agricultural Research Centres identified on the planning maps as a Specific Area there is maximum 3000 vehicle movements per day; or*
- (iii) All traffic movements generated from sites identified on the planning maps as Aggregate Extraction Areas, there is a maximum of 400 vehicle movements per day; or*

Decision Reasons:

- There is no provision in the permitted traffic generation rule for lawfully established extractive industry and their associated truck movements.
- Most extractive industry sites are located appropriately in the Rural Zone. Rule P4 has a maximum of 200 vehicle movements, of which 15% can be heavy vehicles.
- An estimated 90% of vehicle movements from quarries are heavy vehicle movements.
- It is unlikely that it is Council's intention to make all quarries in the district non-compliant with regard to this rule or is it expected quarries all seek consent for a lawfully established activity.

Point Number 723.10

Summary of Decision Requested: Amend Chapter 22: Rural Zone for the Extractive Industry by adopting the Operative Waikato District Plan: Franklin Section rules for Aggregate Extraction.

Decision Reasons:

- There are no rules in the Rural Zone that enable extractive industries.
- This approach is contrary to Objective 5.4.1 and Policy 5.4.2 and does not give effect to Waikato Regional Policy Statement Policy 6.8- Access to Minerals.
- The Section 32 report (Rural) stated adopting the Franklin section rules is not appropriate because it results in duplication and inefficiencies from administering multiple zones. This is not an acceptable explanation.
- No reason to contravene the above objective, policy and intention of the Waikato Regional Policy Statement.
- Having all extractive industry activities as discretionary or non-complying activities, even within identified Aggregate Extraction Areas, is not acceptable.
- Franklin Section rules have been widely accepted by the industry.
- Council should rethink its stance on the proposed Rural Zone provisions and look to neighbouring councils, such as the Auckland Unitary Plan or Waipa District Plan.

Point Number 723.11

Summary of Decision Requested: Retain Policy 5.3.13 Waste Management Activities.

Decision Reasons:

- Reasons not provided.

Point Number 723.12

Summary of Decision Requested: Retain Policy 5.3.15 Noise and Vibration.

Decision Reasons:

- Reasons not provided.

Submitter Number: 724 **Submitter:** Sue Robertson
Organisation: Tamahere Community Committee

Point Number 724.1

Summary of Decision Requested: Retain the rules permitting a Minor Dwelling, particularly the following aspects:

- Permitted activity status
- Absence of standards restricting the accommodation to a dependent relative
- Absence of the limitation on the number of kitchens on a property (and the definition of a kitchen)
- Enabling a minor dwelling to be either attached or detached as the primary dwelling.

Decision Reasons:

- Supports the occupation of a minor dwelling by any person and therefore "levels the playing field" by not limiting it to a dependent relative.
- Allows the dwelling to be used by anyone when dependent relatives die or move, or if the property is sold.
- The removal of the limitations on kitchens and the ability to have an attached or detached minor dwelling removes confusion.

Point Number 724.2

Summary of Decision Requested: Delete Rule 23.3.2 (b)(i) Minor Dwelling which requires this building to be located within 20 metres of the primary dwelling.

Decision Reasons:

- The condition to locate the minor dwelling within 20 metres of the primary dwelling is not necessary if it will not be occupied by a dependent relative.
- The site setback requirements and sharing a single driveway access with the existing dwelling are sufficient.

Point Number 724.3

Summary of Decision Requested: Amend Rule 23.1.1 P4 Permitted Activities - home occupations, by replacing the notified conditions with the conditions for home occupations in this zone as set out in the Waikato Section of the Operative Waikato District Plan.

Decision Reasons:

- The notified conditions will result in the amenity of the Countryside Living Zone being degraded. This is because these conditions:
 - defer to the infrastructure requirements in Chapter 14 Infrastructure;
 - allow home occupations to operate up to 9pm;
 - set no limit on daily vehicle movements or heavy vehicle movements; and
 - do not manage interference with neighbours' televisions, radios, telephones or electronic equipment.
- The aspects of Rule 23.1.1 P4 that are supported:
 - The removal of the 40m2 gross floor area limit.
 - The requirement for the activity to be wholly contained in the dwelling or ancillary building.

Point Number 724.4

Summary of Decision Requested:	Retain Rule 23.3.6 Building coverage, which permits up to 10% building coverage or 300m2, whichever is the larger.
Decision Reasons:	<ul style="list-style-type: none"> The alternative limit of 300m2 provides flexibility for development on smaller land holdings (eg: 2500m2), rather than the previous 10%. Recognises that building coverage is subject also to the impervious surface rules and building setback rules.
Point Number	724.5
Summary of Decision Requested:	No specific decision sought, but submission opposes the activity specific conditions for stormwater management in Rule 14.1.1.1 Permitted Activities unless clarification is provided on the workings of this rule and confirmation is given that there will be no requirement to obtain resource consent.
Decision Reasons:	<ul style="list-style-type: none"> In terms of the operative rule, resource consent is required if building coverage exceeds 700m2 on a site in the Countryside Living Zone. The new rule 14.1.1.1 is not supported if that also involves resource consents which can be time consuming and costly. The provisions in Chapter 14 seem to be much more relevant to urban development.
Point Number	724.6
Summary of Decision Requested:	Retain Rule 23.4.2 RD1 (a)(i) General Subdivision, which specifies a minimum net site area of 5000m2.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	724.7
Summary of Decision Requested:	Delete Rule 23.4.2 (a)(ii) General Subdivision, which is the requirement for an average site area of 1.1ha where the land to be subdivided is located within the Airport Subdivision Control Boundary.
Decision Reasons:	<ul style="list-style-type: none"> This requirement seems redundant given the amount of intensification that has occurred in the Countryside Living Zone. It only affects a very small area within this zone, there has been no opposition from the many landowners who already reside on existing 5000m2 sites within the Airport Subdivision Control Boundary, a lot size of 1.1ha is difficult to maintain and consistency is required with the 5000m2 lot size required outside of this restricted area.
Point Number	724.8
Summary of Decision Requested:	Amend Table 14.12.5.15 Access and road conditions (Rural and Country Living Zones) in Chapter 14, by reducing the minimum road reserve width from 20m to 12m for the Country Living Zone where pavement and drainage and services can be accommodated.
Decision Reasons:	<ul style="list-style-type: none"> There are a few properties in the Country Living Zone that are isolated by 12-15m wide rights-of-way which may not be able to be subdivided. A 12m road reserve width could be favourably considered where a pavement, drainage and services can still be accommodated.
Point Number	724.9
Summary of Decision Requested:	Retain the mapping of Significant Natural Areas provided that there is further investigative work to ensure consistency across the district (involving landowner consultation and site visits by an ecologist) and confirmation that the mapping of these areas will not be recorded on affected titles.
Decision Reasons:	<ul style="list-style-type: none"> The process of identifying Significant Natural Areas and communicating that to landowners has not been ideal. There seems to be inconsistencies in the consideration of these features between some neighbouring properties.
Point Number	724.10
Summary of Decision Requested:	Amend the building setbacks from Tamahere Commercial Areas A and B, by reinstating the requirements of the Operative District Plan rule that enables an accessory building or non-habitable building to be built within the 100m setbacks from these areas.
Decision Reasons:	<ul style="list-style-type: none"> A non-habitable building should be able to be built within this setback area.
Point Number	724.11
Summary of Decision Requested:	Retain Rule 22.4.1.6 Conservation lot subdivision as notified, particularly the requirement to put conservation covenants in place on the gully or bush area.
Decision Reasons:	<ul style="list-style-type: none"> The requirement to covenant gullies or bush areas encourages the preservation, on-going care and restoration of these areas and the proposed lot size reduces the area that the landowner is responsible for.
Point Number	724.12
Summary of Decision Requested:	Add provisions into the District Plan to address cost responsibilities when the harvesting of forests results in damage to the local roading network.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	724.13

Summary of Decision Requested: Amend the Proposed District Plan to enable targeted rates to be charged when benefits are only accrued to a specific area (user pays).

Decision Reasons:

- Where infrastructure costs are specific to a ward, that ward should pay if it is not something other wards will use.

Point Number 724.14

Summary of Decision Requested: Retain Chapter 5: Rural Environment provisions which address the protection of quality soils so they remain for production of food.

Decision Reasons:

- Quality soils need to remain available for food production.

Point Number 724.15

Summary of Decision Requested: Amend the various rules for subdivision in the Rural Zone to reduce the specified minimum lot size from 8000m2 to 5000.

Decision Reasons:

- A lot area of 8000m2 is too large for most people who wish to live rurally and it is not large enough to support grazed animals.
- 8000m2 is a very big lawn to mow.

Point Number 724.16

Summary of Decision Requested: No specific decision sought, but submission wants to confirm that that Proposed District Plan protects the significant stands of Kahikatea in the District

AND

Further investigative work regarding the stands of kahikatea on the Montgomerie property at 70 Duncan Road and the Hatrill property on Pencarrow Road.

Decision Reasons:

- No reasons provided.

Point Number 724.17

Summary of Decision Requested: Amend the Proposed District Plan so that when resource consent applications are lodged for forestry and its future harvesting, Council considers the effects on district roads, traffic, amenity and landscape and payments, such as bonds.

Decision Reasons:

- No reasons provided.

Point Number 724.18

Summary of Decision Requested: Retain the rules regarding Indigenous vegetation clearance inside a Significant Natural Area, which applies to gullies identified as Significant Natural Areas.

Decision Reasons:

- No reasons provided.

Point Number 724.19

Summary of Decision Requested: Retain the walkways and trails identified on the planning maps.

Decision Reasons:

- No reasons provided.

Point Number 724.20

Summary of Decision Requested: Retain subdivision rules requiring identified off-road walkways be vested and that land is proactively sought while required.

Decision Reasons:

- No reasons provided.

Point Number 724.21

Summary of Decision Requested: Retain the removal of indicative roads that are no longer required in the Country Living Zone.

Decision Reasons:

- No reasons provided.

Point Number 724.22

Summary of Decision Requested: Retain the provisions in Chapter 19 containing the provisions for the Business Zone at Tamahere which are altered to be consistent with the approved resource consent for the new development.

Decision Reasons:

- No reasons provided.

Submitter Number:	725	Submitter:	Laurence Harris
Point Number	725.1		
Summary of Decision Requested:	Retain Chapter 9.2 Te Kowhai Airpark, as notified.		
Decision Reasons:	<ul style="list-style-type: none"> We need to keep as many airfields as possible. 		
Point Number	725.2		
Summary of Decision Requested:	Retain Chapter 27 Te Kowhai Airpark Zone, as notified.		
Decision Reasons:	<ul style="list-style-type: none"> We need to keep as many airfields as possible. 		
Submitter Number:	726	Submitter:	Waikato Aggregates Ltd
Point Number	726.1		
Summary of Decision Requested:	<p>Amend the extent of the Aggregate Extraction Area shown on Planning Map 27.3 for the site Lot 2 DP 391449 (34A Tauwhare Road) to show the full extent of the Aggregate Extraction Area for the site;</p> <p>AND</p> <p>Any further amendments or relief necessary to support the submission.</p>		
Decision Reasons:	<ul style="list-style-type: none"> Resource consent was granted to the owner of the property (Titoki Sand Ltd) to establish and operate a sand extraction, sales and clean-filling operation (sand quarry) which enabled extraction across the majority of the site, subject to a number of conditions as set out in the consent decision LUC0214/10. Waikato Aggregates Ltd has been set up as the entity to operate the sand quarry. Extraction activities commenced in April 2013 after completion of the entrance improvements. Extraction activities are occurring within Stage 6 at the southern end of the site, with rehabilitation activities occurring in previous stages (Stages 4 and 5). The site has an extensive processing and stockpiling area that is located on the northern end of the site and within Stage 1. Currently the site is not subject to any overlays relating to extractive industries. Planning Map 27.3 proposes to impose an Aggregate Extraction Area overlay over the northern part of the site and does not fully reflect the extent of the site. This should be amended to reflect the extent of extraction that is enabled by the land use consent. This would be consistent with Policy 5.4.2, which seeks to ensure the protection of mineral resources by identifying lawfully established extractive industries in Aggregate Extraction Area on the planning maps. It is estimated that there is a further 5-10 years of resource available within the site depending on market demand. 		
Submitter Number:	727	Submitter:	James Schmidt
Point Number	727.1		
Summary of Decision Requested:	Retain Chapter 9.2 for the Te Kowhai Airpark, as notified.		
Decision Reasons:	<ul style="list-style-type: none"> To help protect an important aviation asset for the community. 		
Submitter Number:	728	Submitter:	Seumas MacDonald
Point Number	728.1		
Summary of Decision Requested:	Delete the walkway/cycleway/bridleway from the property located at 658 Te Akau South Road, Te Akau.		
Decision Reasons:	<ul style="list-style-type: none"> Concerned about loss of privacy and health and safety risks on the property. Concerned about people wanting to camp on the land and the ongoing nuisance and other issues arising from general public accessing the area. Value of the land may be affected. 		
Point Number	728.2		
Summary of Decision Requested:	Amend the Significant Natural Area located on the property at 658 Te Akau South Road, Te Akau by removing the south-east portion of the Significant Natural Area. (Refer to map provided in submission).		
Decision Reasons:	<ul style="list-style-type: none"> Area to be removed from the Significant Natural Area map comprises only re-growth gorse, woolly nightshade with no native vegetation present. It is unnecessary to map this as Significant Natural Area. Significant Natural Area would unreasonably limit the future development options. 		

Submitter Number:	729	Submitter:	Naomi and Glen Syred
Organisation:	Maioro Property Limited		
Point Number	729.1		
Summary of Decision Requested:	Amend the proposed zoning for the property at 77 Maioro Road, Otatau from the Business Zone to the Village Zone.		
Decision Reasons:	<ul style="list-style-type: none"> • A Business Zone is not appropriate as it reflects the historic occupation of this property by the Otatau Tavern which ceased to operate 10-15 years ago and no business use has since been established. • The Property Economics report provided in support of the resource consent issued in May 2018 (that enables nine lots to be developed with ground level dwellings) concluded that the effects from the loss of business land in Otatau would be inconsequential to the market for business land in the Franklin/Waikato area. • Given this resource consent, a Village Zone would provide surety of use and development to future owners and residents in this subdivision. • The Village zoning also applies to adjacent residential properties in Otatau village. 		

Submitter Number:	730	Submitter:	Fraser Graafhuis
Organisation:	Mercury NZ Limited ("Mercury")		
Point Number	730.1		
Summary of Decision Requested:	<p>Withdraw all Stage 1 of the Proposed Waikato District Plan and re-notify Stage 1 together with Stage 2 once a thorough flood analysis has been undertaken and consulted on.</p> <p>OR</p> <p>Review all of the Stage 1 provisions for urban growth and land use intensification (objectives, policies, methods and rules) in order to manage flood hazard risk at Stage 2 and hear submissions for both stages together.</p>		
Decision Reasons:	<p>Until a thorough flood hazard assessment has been undertaken and included within the First Schedule process, Mercury opposes the entire Proposed District Plan Stage 1. Mercury reserves its right to comment on any part of the RMA framework, including section 32 analysis, and issues, objectives, policies and methods within any part of the Proposed District Plan during further or later stages.</p> <p>Mercury considers that it is necessary to analyse the results of a flood assessment, which shows areas affected by a 1:100 event prior to designing a policy framework, which includes management controls that avoid, remedy and mitigate significant flood risk in an appropriate manner to ensure there is a tolerable level of risk exposure for all land use and development.</p> <p>Mercury also requires time to peer review any flood assessment information including the assessment of assumptions which relate to the operation of the Waikato Hydro Scheme.</p> <ul style="list-style-type: none"> • Land use and development located downstream of the Waikato hydro scheme could be exposed to intolerable levels of risk. Effects of a significant flood event needs to be well understood prior to designing a policy framework and providing for urban growth. • The submitter is extremely concerned that the staging of the Proposed District Plan currently underway will adversely impact on the ability to achieve sustainable management of flood hazard matters. • Adequate flood hazard mapping has not been undertaken for Stage 1 and relevant spatial layers and a policy framework for Natural Hazards will not be proposed until Stage 2. • As a result the submitter will need to re-visit the provisions in Stage 1 as part of consequential amendments to its Stage 2 submission. • This difficulty could have been avoided by not staging the Proposed District Plan process in the manner now underway. • The submitter is interested in all areas of the Waikato River main stem catchment, including the Rural Zone, urban settlements of Taupiri, Ngaruawahia, Huntly, Ohinewai, Te Kauwhata, Mercer, Meremere, Pokeno, Tuakau and Port Waikato. • The submitter will support urban growth (including the provision of sensitive activities) within locations where there is a tolerable level of risk exposure for all land use and development. • This principle is fundamental to sound planning, as land owners can then make informed decisions about resilience and how to further mitigate effects. • Until all the information is collected and rationalised in the correct order, no judgement can be made on the following matters: <ul style="list-style-type: none"> ◦ What are the effects of a significant flood event (1 in 100 year) on specific areas of land? This is needed to determine whether avoidance is required or how risk can be mitigated to a tolerable for land use and development. ◦ When considering where new urban growth is to be located, the submitter considers avoidance is the first tool in the tool kit. ◦ Significant flood risk which cannot be mitigated to a level which is tolerable for all land use and development provided for, will be exposed to unacceptably high levels of risk, which is unacceptable. ◦ Technical parameters such as levels of inundation and flow are relevant. A risk matrix approach would be supported by the submitter. ◦ Where effects and mitigation have not been contemplated adequately, a policy framework providing for urban growth and sensitive activities cannot be cognisant of risk exposure and potential consequences on people and property. ◦ The submitter encourages robust discussion around probability thresholds (larger storm events) to ensure critical life line infrastructure is resilient and can operate/function during a significant natural hazard event. • There is potential for conflict between Stages 1 and 2 and Council is operating outside of its legislative mandate in terms of its obligations to carry out its functions as required in sections 5, 6 and 31 of the Resource Management Act. • The staging of the Proposed District Plan will adversely impact on the ability to achieve sustainable management of flood hazard matters. 		

Point Number	730.2		
Summary of Decision Requested:	<p>Withdraw all Stage 1 provisions of the Proposed Waikato District Plan and re-notify Stage 1 together with Stage 2 once a thorough flood analysis has been undertaken and consulted on.</p> <p>OR</p> <p>Review all Spatial maps of the Proposed Waikato District Plan, including zonings which provide for sensitive activities at Stage 2 in order to manage flood hazard risk and hear submissions for both stages together.</p>		
Decision Reasons:	<p>Until a thorough flood hazard assessment has been undertaken and included within the First Schedule process, Mercury opposes the entire Proposed Waikato District Plan Stage 1. Mercury reserves its right to comment on any part of the RMA framework, including section 32 analysis, and issues, objectives, policies and methods within any part of the Proposed Waikato District Plan during further or later stages.</p> <p>Mercury considers that it is necessary to analyse the results of a flood assessment, which shows areas affected by a 1:100 event prior to designing a policy framework, which includes management controls that avoid, remedy and mitigate significant flood risk in an appropriate manner to ensure there is a tolerable level of risk exposure for all land use and development.</p> <p>Mercury also requires time to peer review any flood assessment information including the assessment of assumptions which relate to the operation of the Waikato Hydro Scheme.</p> <ul style="list-style-type: none"> • Land use and development located downstream of the Waikato hydro scheme could be exposed to intolerable levels of risk. Effects of a significant flood event needs to be well understood prior to designing a policy framework and providing for urban growth. • The submitter is extremely concerned that the staging of the Proposed District Plan currently underway will adversely impact on the ability to achieve sustainable management of flood hazard matters. 		

- Adequate flood hazard mapping has not been undertaken for Stage 1 and relevant spatial layers and a policy framework for Natural Hazards will not be proposed until Stage 2.
- As a result the submitter will need to re-visit the provisions in Stage 1 as part of consequential amendments to its Stage 2 submission.
- This difficulty could have been avoided by not staging the Proposed District Plan process in the manner now underway.
- The submitter is interested in all areas of the Waikato River main stem catchment, including the Rural Zone, urban settlements of Taupiri, Ngaruawahia, Huntly, Ohinewai, Te Kauwhata, Mercer, Meremere, Pokeno, Tuakau and Port Waikato.
- The submitter will support urban growth (including the provision of sensitive activities) within locations where there is a tolerable level of risk exposure for all land use and development.
- This principle is fundamental to sound planning, as land owners can then make informed decisions about resilience and how to further mitigate effects.
- Until all the information is collected and rationalised in the correct order, no judgement can be made on the following matters:
 - What are the effects of a significant flood event (1 in 100 year) on specific areas of land? This is needed to determine whether avoidance is required or how risk can be mitigated to a tolerable for land use and development.
 - When considering where new urban growth is to be located, the submitter considers avoidance is the first tool in the tool kit.
 - Significant flood risk which cannot be mitigated to a level which is tolerable for all land use and development provided for, will be exposed to unacceptability high levels of risk, which is unacceptable.
 - Technical parameters such as levels of inundation and flow are relevant. A risk matrix approach would be supported by the submitter.
 - Where effects and mitigation have not been contemplated adequately, a policy framework providing for urban growth and sensitive activities cannot be cognisant of risk exposure and potential consequences on people and property.
 - The submitter encourages robust discussion around probability thresholds (larger storm events) to ensure critical life line infrastructure is resilient and can operate/function during a significant natural hazard event.
- There is potential for conflict between Stages 1 and 2 and Council is operating outside of its legislative mandate in terms of its obligations to carry out its functions as required in sections 5, 6 and 31 of the Resource Management Act.
- The staging of the Proposed District Plan will adversely impact on the ability to achieve sustainable management of flood hazard matters.

Point Number 730.3

Summary of Decision Requested: In the events the Waikato District Council does not stop its current process, the submitter seeks that:

- Prior to notification of the Stage 2 Hazard assessment, the submitter is consulted about the assumptions used in the catchment wide flood hazard model, which may need to be rationalised, including the assumptions that relate to the operation of the Waikato Hydro Scheme.
 - Needs to be adequate time for assessment, feedback and adjustments to be made where necessary. Changes to assumptions, even subtle ones could have a significant bearing on how a flood event is represented spatially across the catchment. The submitter is interested in how the flood overlay output might conflict with land use zones, which provide for sensitive activities, land use intensification and any urban growth areas.
 - Until a thorough flood hazard assessment has been undertaken and included within the First Schedule process, Mercury opposes the entire Proposed District Plan Stage 1. Mercury reserves its right to comment on any part of the RMA framework, including section 32 analysis, and issues, objectives, policies and methods within any part of the Proposed District Plan during further or later stages.
- Mercury considers that it is necessary to analyse the results of a flood assessment, which shows areas affected by a 1:100 event prior to designing a policy framework, which includes management controls that avoid, remedy and mitigate significant flood risk in an appropriate manner to ensure there is a tolerable level of risk exposure for all land use and development.

Decision Reasons:

- Land use and development located downstream of the Waikato hydro scheme could be exposed to intolerable levels of risk. Effects of a significant flood event needs to be well understood prior to designing a policy framework and providing for urban growth.
 - The submitter is extremely concerned that the staging of the Proposed District Plan currently underway will adversely impact on the ability to achieve sustainable management of flood hazard matters.
 - Adequate flood hazard mapping has not been undertaken for Stage 1 and relevant spatial layers and a policy framework for Natural Hazards will not be proposed until Stage 2.
 - As a result the submitter will need to re-visit the provisions in Stage 1 as part of consequential amendments to its Stage 2 submission.
 - This difficulty could have been avoided by not staging the Proposed District Plan process in the manner now underway.
 - The submitter is interested in all areas of the Waikato River main stem catchment, including the Rural Zone, urban settlements of Taupiri, Ngaruawahia, Huntly, Ohinewai, Te Kauwhata, Mercer, Meremere, Pokeno, Tuakau and Port Waikato.
 - The submitter will support urban growth (including the provision of sensitive activities) within locations where there is a tolerable level of risk exposure for all land use and development.
 - This principle is fundamental to sound planning, as land owners can then make informed decisions about resilience and how to further mitigate effects.
 - Until all the information is collected and rationalised in the correct order, no judgement can be made on the following matters:
 - What are the effects of a significant flood event (1 in 100 year) on specific areas of land? This is needed to determine whether avoidance is required or how risk can be mitigated to a tolerable for land use and development.
 - When considering where new urban growth is to be located, the submitter considers avoidance is the first tool in the tool kit.
 - Significant flood risk which cannot be mitigated to a level which is tolerable for all land use and development provided for, will be exposed to unacceptability high levels of risk, which is unacceptable.
 - Technical parameters such as levels of inundation and flow are relevant. A risk matrix approach would be supported by the submitter.
 - Where effects and mitigation have not been contemplated adequately, a policy framework providing for urban growth and sensitive activities cannot be cognisant of risk exposure and potential consequences on people and property.
 - The submitter encourages robust discussion around probability thresholds (larger storm events) to ensure critical life line infrastructure is resilient and can operate/function during a significant natural hazard event.
 - There is potential for conflict between Stages 1 and 2 and Council is operating outside of its legislative mandate in terms of its obligations to carry out its functions as required in sections 5, 6 and 31 of the Resource Management Act.
- The staging of the Proposed District Plan will adversely impact on the ability to achieve sustainable management of flood hazard matters.

Submitter Number: 731 **Submitter:** Jean Tregidga

Point Number 731.1

Summary of Decision Requested: Amend Policy 3.1.2 Indigenous Vegetation and Habitats, to permit the active management of indigenous vegetation.

Decision Reasons:

- Active management of indigenous vegetation should be permitted as it provides opportunities to maintain and enhance indigenous biodiversity, will attain Objective 3.1.1 and implement policy.

Point Number 731.2

Summary of Decision Requested: Amend Rule 22.2.3.4 Earthworks - within Landscape and Natural Character Areas, by permitting the earthworks for the construction of new tracks within Outstanding Natural Features and Outstanding Natural Landscapes.

Decision Reasons:

- There is no provision for earthworks required for new track construction.
- This is unreasonable as the properties owned by this submitter on Lyons Road, Mangatawhiri have no practical access which renders the land useless for practical purposes.
- This rule does not enable sustainable management as required by the Resource Management Act.

Point Number 731.3

Summary of Decision Requested: Amend Rule 22.2.3.3 Earthworks - Significant Natural Area, by permitting earthworks for new tracks within Significant Natural Areas.

Decision Reasons:

- There is no provision for earthworks required to construct new tracks.
- This is unreasonable as the properties owned by this submitter at Lyons Road, Mangatawhiri have no practical access which renders the land useless for all practical purposes.
- This rule does not enable the sustainable management of land as required by the Resource Management Act.

Point Number 731.4

Summary of Decision Requested: Amend Rule 22.2.7 P3(a)(ii) Indigenous vegetation clearance inside a Significant Natural Area, by increasing the allowable limit of indigenous vegetation clearance to 8000m² to provide for building, access, parking and manoeuvring as follows:

(ii) *The total indigenous vegetation clearance does not exceed ~~250m²~~ 8000m².*

Decision Reasons:

- A nursery for propagation and potting of existing small native plants is an appropriate use of land within a Significant Natural Area, Outstanding Natural Feature and Outstanding Natural Landscape as it will attain Objective 3.1.1 to maintain and enhance indigenous biodiversity values.
- The 250m² restriction is unnecessary and unreasonable for any practical building work.
- At least 8000m² is needed.

Point Number 731.5

Summary of Decision Requested: Delete Objective 3.1.1 Biodiversity and ecosystems.

Decision Reasons:

- This objective is unreasonable and unnecessary as the majority of landowners take a responsible approach to managing indigenous vegetation on their properties.

Point Number 731.6

Summary of Decision Requested: Delete Policy 3.1.2 Indigenous Vegetation and Habitats.

Decision Reasons:

- These policies are unreasonable and unnecessary as the majority of landowners take a responsible approach to managing indigenous vegetation on their properties.

Point Number 731.7

Summary of Decision Requested: Delete all rules in Section C relating to indigenous vegetation and habitats.

Decision Reasons:

- These rules are unreasonable and unnecessary as the majority of landowners take a responsible approach to managing indigenous vegetation on their properties.

Point Number 731.8

Summary of Decision Requested: Add to Rule 22.2.7 P1 (a) Indigenous vegetation clearance inside a Significant Natural Area, a new sub-clause (vi) as follows:

(vi) gathering and re-potting plants for indigenous nursery.

Decision Reasons:

- A nursery for indigenous trees, shrubs and ferns, etc, is an appropriate use of land containing a Significant Natural Area, Natural Feature, Outstanding Natural Landscape as it will contribute to attaining Objective 3.1.1 which is to maintain and enhance indigenous biodiversity values and it will supply local communities with plants from the local area.
- The submitter's proposed nursery and buildings would be located on Lot 3 DP 6284 (rather than Lot 5 DP 62084).

Point Number 731.9

Summary of Decision Requested: Amend Rule 22.2.7 Indigenous vegetation clearance inside a Significant Natural Area, to permit active management of indigenous vegetation including thinning and pruning in order to maintain and enhance indigenous biodiversity.

Decision Reasons:

- Active management of indigenous vegetation provides opportunities to maintain and enhance indigenous biodiversity and will attain Objective 3.1.1 and implement policy.

Point Number 731.10

Summary of Decision Requested: Amend the extent of Significant Natural Area, Outstanding Natural Feature and Outstanding Natural Landscape on Lot 3 DP 62084 located at Lyons Road, Mangatawhiri, as shown on the Planning Maps, to areas of high quality indigenous vegetation.

Decision Reasons:

- The mapped area of Significant Natural Area etc, on this lot is excessive as it contains exotic plantings and wilding pines.
- The planning maps need to be amended to clearly indicate access to a legal road.
- More acreage is needed to provide for a plant nursery, private orchard, buildings and sustainable off the grid living.

Point Number 731.11

Summary of Decision Requested: Amend Policy 3.4.3 (a) Maintaining and enhancing Significant Amenity Landscapes, by inserting an additional sub-clause (vi) as follows:

(vi) recognising historic farming and forestry operations that continue today.

Decision Reasons:

- In the event that the policy is not deleted, the requested sub-clause (a)(vi) adopts words from Policy 3.5.3 (Protecting the natural character qualities of the coastal environment) about historic land use which are equally appropriate to Significant Natural Areas, Outstanding Natural Features and Outstanding Natural Landscapes which are mapped on this submitter's properties at Lyons Road, Mangatawhiri.

Point Number 731.12

Summary of Decision Requested: **Amend** Rule 22.3.3 Buildings and structures in Landscape and Natural Character Areas, by permitting dwellings and accessory buildings within natural features and outstanding natural landscapes.

Decision Reasons:

- Requiring resource consent to construct any building within these area is unreasonable and will add significant cost to developing land for private use.

Point Number 731.13

Summary of Decision Requested: **Delete** the map annotations of Significant Natural Area, Outstanding Natural Landscape and Outstanding Natural Feature affecting the submitter's properties at Lyons Road, Mangatawhiri, being Lots 3,4, and 5 DP 62084.

Decision Reasons:

- The submitter's three properties at Lyons Road, Mangatawhiri are unique.
- They were set up in the 1920s as a sustainable source of native timber and no felling has occurred since the 1960s.
- No monetary return has been recognised from these properties for over 50 years despite costs relating to rates, insurance, pest control and maintenance.
- Other milling statements can be issued to mill indigenous timber such as windblown trees, naturally dead trees and trees removed for the construction or maintenance of an accessway where they are not subject to a registered plan or permit.
- Refer to these documents attached to original submission for further detail:
 - The Waipoua Argument: Letters to the NZ Herald, Rudolf Hohneck aka Ron Hohneck
 - Tane's Tree Trust, Newsletter No. 2 November - Guest Editorial by Lindsay Poole
 - Paper presented to The Seventh Conference of the Australian Forestry History Society, Christchurch 29 January-2 February 2007 - The Legacy of Rudolf Hohneck "A Lover of Trees: A Forester Unique" by Ian Barton
 - A page from another article by Ian Barton
 - A few poems written by the submitter's late mother (Ina Trump aka Ina Johnson, neeHohneck
 - Obituary - Mr R Hohneck

Submitter Number: 732 **Submitter:** Lucy Smith

Organisation: Terra Firma Mining Ltd

Point Number 732.1

Summary of Decision Requested: **Amend** the proposed zoning of the property legally described as Allotment 9C Pepepe Parish SO 34206 and Lot 1 DPS 61669 (referred to by the submitter as "63 Weavers Crossing Road") from Rural Zone to either Village Zone or Residential Zone as detailed in Figures 6-8 in the submission.

Decision Reasons:

- This property is suitable for medium to high density residential growth to meet Huntly's increasing housing demand given a combination of the following factors:
 - Huntly is become increasingly popular as an affordable commuter town due to its proximity to Hamilton and Auckland.
 - The Waikato Expressway/SH 1 bypass will significantly reduce traffic flow through Huntly meaning that other visions for town development need to be considered - such as a train station providing commuter services.
 - Council previously considered the rezoning of this property when it was owned by Solid Energy NZ Limited. At that time, a desk-top assessment noted the uncertain nature of this overburden material. However, the submitter will now provide a detailed geotechnical assessment that identifies solutions for developing this area for housing.
 - The location lends itself to residential development because it is a gently sloping discrete area with a north-facing aspect overlooking Lake Puketirini with views to rural land, infrastructure can be easily provided, it is surrounded by Pukeketirini Reserve and is at least 130m from the existing industrial zone on Rotowaro Road.

Point Number 732.2

Summary of Decision Requested: **Amend** the proposed zoning of the 'Puketirini Block' (comprising Part Lot 2 DPS 61669 (except for the 154m2 triangular parcel east of Weavers Crossing Road) and Part Sec 1 SO 58281 to either Village Zone or Residential Zone, or a combination of these two zones as illustrated in Figures 6 to 8 of the submission.

AND

Amend the zoning of the Puketirini Block to include two smaller Business Zones as set out in Figures 6 to 8 of the submission.

Decision Reasons:

- This property is suitable for medium to high density residential growth to meet Huntly's increasing housing demand given a combination of the following factors:
 - Huntly is become increasingly popular as an affordable commuter town due to its proximity to Hamilton and Auckland.
 - The Waikato Expressway/SH 1 bypass will significantly reduce traffic flow through Huntly meaning that other visions for town development need to be considered - such as a train station providing commuter services.
 - Council previously considered the rezoning of this property when it was owned by Solid Energy NZ Limited. At that time, a desk-top assessment noted the uncertain nature of this overburden material. However, the submitter will now provide a detailed geotechnical assessment that identifies solutions for developing this area for housing.
 - The location lends itself to residential development because it is a gently sloping discrete area with a north-facing aspect overlooking Lake Puketirini with views to rural land, infrastructure can be easily provided, it is surrounded by Pukeketirini Reserve and is at least 130m from the existing industrial zone on Rotowaro Road.

Point Number 732.3

Summary of Decision Requested: **Amend** Rule 24.4.2 Subdivision - Te Kowhai and Tuakau, so that it also applies to the requested Village zoned land at Puketirini, as follows:

24.4.2 Subdivision - Te Kowhai, ~~and~~ Tuakau and Puketirini

RD1 (a) Subdivision in Te Kowhai, ~~and~~ Tuakau and Puketirini must comply with all of the following conditions:

...

RD2 (a) Subdivision in Te Kowhai, ~~and~~ Tuakau and Puketirini must comply with the following conditions:

...

Decision Reasons:

- Rule 24.4.1 for the Village Zone allows subdivision to a minimum net site area of 3000m2.
- Rule 24.4.2 provides for subdivision in Te Kowhai and Tuakau with a minimum net site area of 3000m2 for unserviced lots and 1000m2 for serviced lots.
- Such lot sizes allow flexibility and will enable more intensive residential development on the submitter's land.

Point Number

732.4

Summary of Decision Requested:

Add a new activity to Rule 16.1.2 Permitted Activities, for a community activity at Puketirini, to the list of permitted activities in the Residential Zone as follows:

Activity:

...

P* Community activity (Puketirini)

Activity-specific conditions:

...

(g) Must be within development at Puketirini

Decision Reasons:

- The submitter prefer that a broader definition of community activities applies to development at Puketirini to give more flexibility as to possible land uses.

Point Number

732.5

Summary of Decision Requested:

Amend Rule 16.1.2 P10 Agricultural, Horticultural and Viticultural Activities, to allow these activities to occur on the land requested to be rezoned to Residential prior to commencing housing development, by adding text as follows:

Activity:

...

P10 Agricultural, horticultural and viticultural activities

Activity-specific conditions:

...

(a) Must be within the Residential West Te Kawhata Area Residential Puketirini Area prior commencement of development or within the commencement of development

Decision Reasons:

- Current grazing activities should be able to continue for as long as possible but are to cease once residential development commences on the Puketirini block.

Point Number

732.6

Summary of Decision Requested:

Add a new activity to Rule 16.1.2 Permitted Activities for a commercial activity to the list of permitted activities as follows, provided that it is within the area at Puketirini which is requested to be rezoned Business or, alternatively, where a business overlay could apply:

Activity:

...

P* Commercial activity

Activity-specific conditions:

...

(g) Must be within the Puketirini Business Overlay

Decision Reasons:

- A business overlay, as an alternative to a Business Zone, will allow commercial activities to establish within the requested Puketirini residential development.

Point Number

732.7

Summary of Decision Requested:

Amend Rule 16.2.2 Servicing and Hours of Operation - Bankart Street and Wainui Road Business Overlay Area, by adding text as follows to ensure that the stated hours of operation apply to the Puketirini Business Overlay Area:

Rule 16.2.2 Servicing and Hours of Operation - Bankart Street and Wainui Road Business Overlay Area

P1 The loading and unloading of vehicles and the receiving of customers and deliveries associated with a commercial activity within the Bankart Street and Wainui Road Business Overlay Area and the Puketirini Business Overlay Area may occur between 7.30am and 6.30pm.

Decision Reasons:

- The stated hours of operation are appropriate for business activities within the requested Puketirini residential development.

Point Number

732.8

Summary of Decision Requested:

Amend the definition of "Commercial activity (Te Kawhata Lakeside Precinct)", by adding text as follows:

Commercial activity (Te Kawhata Lakeside Precinct and Residential Puketirini Area)

Means a community activity that relates to the Te Kawhata Lakeside Precinct Plan area or the Residential Puketirini Area and involves the use of land and buildings that provide for individual or community health, welfare, care, safety, recreation, cultural, ceremonial, spiritual, and art and cultural purposes. It includes any preschool or education facility, place of worship, community hall or centre or recreation facility.

Decision Reasons:

- The broader range of community activities permitted in the Puketirini Area is appropriate to provide flexibility as to what might establish there.

Point Number 732.9

Summary of Decision Requested: **Amend** Policy 4.1.13 (a)(iii) Huntly, as follows:

4.1.13 Policy - Huntly

(a) Huntly is developed to ensure:

...

(iii) Development is avoided on areas where the geotechnical risk, ecological risk and the risk from any other hazards cannot be appropriately managed or mitigated, with hazard, geotechnical and ecological constraints.

- Decision Reasons:**
- Notified sub-clause (a)(iii) does not recognise the distinction between hazard and risk or attempt to quantify what is an acceptable level of risk.
 - It could therefore be interpreted to mean that any land in Huntly with a geotechnical issue, no matter how small, should not be developed.
 - The policy should recognise that it is the geotechnical (or other) risk that must be managed or mitigated.
 - The wording confuses hazard with risk.

Submitter Number: 733 **Submitter:** Dave Currie

Point Number 733.1

Summary of Decision Requested: **Add** strong precautionary and prohibitive policies and rules relating to the management of genetically modified organisms that are the same (or similar) as those in the Far North District Plan, Whangarei District Plan and the Auckland Unitary Plan.

- Decision Reasons:**
- Provisions allowed under the Resource Management Act 1991 and pursuant to the ruling in Federated Farmers of New Zealand v Northland Regional Council [2015] NZEnC 89.
 - Concerns about the potential risks posed by the release of GMOs into the environment.
 - GMOs have the potential to adversely affect ecological, economic and resource management values and the social and cultural wellbeing of people, communities and tangata whenua.
 - Release of GMOs has the potential to cause significant adverse effects on the environment, including the following:
 1. Biological or ecosystem harm
 2. Harm to tangata whenua cultural values such as mauri and tikanga
 3. Harm to the cultural values and lifestyle decisions of people and communities at a local level concerning what constitutes their wellbeing
 4. Harm from GMO contamination to existing or potential forms of land use including farming, forestry, beekeeping, marine farming and other primary production activities dependant on an uncontaminated environmental brand.
 5. Adverse effects to these land uses could include: loss of organic and GMO-free certification, reputational damage, loss of markets and premiums paid for GMO free produce and loss of livelihood.
 6. Waikato is the centre of dairying having head offices and farms for the three major suppliers of milk and milk products in the area. There are many farmers who are highly concerned that their livelihoods will be affected if GMOs are released.
 - Conditions of consent may be breached by poor management, human error, natural events and the sabotage of projects
 - Once GMOs have been released they would be very difficult, if not impossible, to eradicate.
 - Application of integrated management and precautionary approach to GMOs under the RMA is the best technique for managing potential adverse effects.
 - It is consistent with the sustainable management purpose and Part II of the RMA to establish district plan provisions that manage the release, location and management of GMOs where they have the potential to adversely affect the environment.

Point Number 733.2

Summary of Decision Requested: **Add** a resource management framework for the management of genetically modified organisms that is region specific, taking into account environmental, economic and social well-being considerations.

- Decision Reasons:**
- Provisions allowed under the Resource Management Act 1991 and pursuant to the ruling in Federated Farmers of New Zealand v Northland Regional Council [2015] NZEnC 89.
 - Concerns about the potential risks posed by the release of GMOs into the environment.
 - GMOs have the potential to adversely affect ecological, economic and resource management values and the social and cultural wellbeing of people, communities and tangata whenua.
 - Release of GMOs has the potential to cause significant adverse effects on the environment, including the following:
 1. Biological or ecosystem harm
 2. Harm to tangata whenua cultural values such as mauri and tikanga
 3. Harm to the cultural values and lifestyle decisions of people and communities at a local level concerning what constitutes their wellbeing
 4. Harm from GMO contamination to existing or potential forms of land use including farming, forestry, beekeeping, marine farming and other primary production activities dependant on an uncontaminated environmental brand.
 5. Adverse effects to these land uses could include: loss of organic and GMO-free certification, reputational damage, loss of markets and premiums paid for GMO free produce and loss of livelihood.
 6. Waikato is the centre of dairying having head offices and farms for the three major suppliers of milk and milk products in the area. There are many farmers who are highly concerned that their livelihoods will be affected if GMOs are released.
 - Conditions of consent may be breached by poor management, human error, natural events and the sabotage of projects
 - Once GMOs have been released they would be very difficult, if not impossible, to eradicate.
 - Application of integrated management and precautionary approach to GMOs under the RMA is the best technique for managing potential adverse effects.
 - It is consistent with the sustainable management purpose and Part II of the RMA to establish district plan provisions that manage the release, location and management of GMOs where they have the potential to adversely affect the environment.

Point Number 733.3

Summary of Decision Requested: **Amend** the Proposed District Plan to require all consents to be publically notified, whether the rules are on genetically modified organisms or not.

Decision Reasons:

Submitter Number:	734	Submitter:	Richard Neave and Sue Campbell
Point Number	734.1		
Summary of Decision Requested:	Retain the whole of Chapter 9.2 (Objectives and Policies for Te Kowhai Airpark Zone), as notified.		
Decision Reasons:	<ul style="list-style-type: none"> • The airfield represents a scarce resource for the aviation community. • The proposed use is a way of ensuring longevity. • The airfield operators are community minded, sharing this resource in a way which includes local residents as well as aviation enthusiasts. • There is a need to keep as many airfields as possible. 		
Point Number	734.2		
Summary of Decision Requested:	Retain the whole of Chapter 27 Te Kowhai Airpark, Zone as notified.		
Decision Reasons:	<ul style="list-style-type: none"> • The airfield represents a scarce resource for the aviation community. • The proposed use is a way of ensuring longevity. • The airfield operators are community minded, sharing this resource in a way which includes local residents as well as aviation enthusiasts. • There is a need to keep as many airfields as possible. 		

Submitter Number:	735	Submitter:	Cindy and Tony Young
Point Number	735.1		
Summary of Decision Requested:	Amend the zoning of the properties in the area east of Pokeno, bounded by State Highway 2 to the north, Baird Road to the east, Avon Road to the south and State Highway 1 to the west from Rural Zone to Country Living Zone (refer to map provided in submission).		
Decision Reasons:	<ul style="list-style-type: none"> • This area is contiguous with the existing Country Living Zone on the eastern side of State Highway 1. • Due to the proximity of the Residential Zone, the use of this land for rural uses is significantly constrained by reverse sensitivity complaints from the Residential Zone including odour and noise. This area is being use for primary rural industry including calf rearing, breeding horses, kiwifruit and drystock. These rural uses do create amenity effects and the operation of these farms is being constrained by reverse sensitivity complaints arising from the Residential Zone. • Rezoning will allow improved environmental outcomes with retirement and restoration of streams. • Rezoning will result in improved water quality in the stream from retirement from farming. • Rezoning meets the criteria in the Waikato Regional Policy Statement for rural-residential development. • Enables existing accesses to State Highway 2 to be removed, as Avon, Fraser, Baird and Gulland Roads provide access opportunities. • This area has constraints such as proximity to the State Highway, Transpower electricity transmission lines and a stream which the Proposed District Plan manages effectively through setbacks and yard requirements. • Provides additional housing choice to the housing stock offered in the Residential Zone in Pokeno. • The use of this area for Country Living is a more efficient use of the land. • This area is serviced for reticulated water supply. • This is a discrete area of land with defensible road boundaries. • The area is separated from the Rural Zone by roads to prevent any consequential reverse sensitivity effects. • It provides an effective transition from the Rural Zone by roads to prevent any consequential reverse sensitivity effects. • State Highway 2 is a logical and defensible boundary between the Rural Zone and the Country Living and Residential Zone. • State Highway 1 is a logical and defensible boundary between the Country Living and Residential Zone. • A resource consent has already been granted for 96 Avon Road for a number of residential chalets. This development is of a density more akin to a residential development. This development will compromise any rural character and serves to illustrate that the character of the area is more consistent with the adjoining Country Living Zone than the Rural Zone. • Will not undermine the form and function of Pokeno as an urban town. 		
Point Number	735.2		
Summary of Decision Requested:	Amend Rule 23.4.2 RDI (a)(i) General Subdivision, to read as follows: <i>All proposed lots must have a net site area of at least 5000 <u>3000m²</u>.</i>		
Decision Reasons:	<ul style="list-style-type: none"> • There is no need or justification for a 5000m² minimum lot size. • The residents living in these areas have urban expectations and struggle maintaining 5000m². • The Country Living Zone is actually a large lot residential and is not a rural zone, and a smaller site size is more in accordance with this housing and living choice. • Reducing the minimum lot size will enable more efficient use of the land. • Aligns more clearly with the 2500m² minimum site size required for on-site wastewater management. • Still enables an open and spacious character, in accordance with the large lot residential form of the Country Living Zone. 		
Point Number	735.3		
Summary of Decision Requested:	Amend Rule 23.3.6 P1 Building coverage, to read as follows: <i>The total building coverage must not exceed 10% or 300m² <u>500m²</u>, whichever is the larger.</i>		
Decision Reasons:	<ul style="list-style-type: none"> • This is a consequential amendment to enabling a smaller minimum site size. • It will still enable a useable gross floor area of principal dwelling, minor dwelling and accessory buildings. • It will still ensure an open and spacious character in accordance with the large lot residential form of the Country Living Zone. 		
Point Number	735.4		
Summary of Decision Requested:	Retain Rule 23.3.2 Minor dwelling.		
Decision Reasons:	<ul style="list-style-type: none"> • Support the rule, particularly the retention of a new single minor dwelling as a permitted activity on each site. 70m² as the maximum size gross floor area, that there is no limitation on the type of person occupying the dwelling, and enabling minor dwellings to be permanent. 		

- Minor dwellings provide housing choice, particularly when families are changing in their makeup.
- Minor dwellings provide an affordable option for housing.
- The limit on the size ensures they will be secondary to the primary dwelling.
- For the elderly, minor dwellings enable independent living, while still being close enough to family to have supported living.
- In terms of effects, particularly with the size limit, they are no different to a sleepout.
- The effects and their occupancy rate are no different to a large primary dwelling.

Point Number 735.5

Summary of Decision Requested: Retain Rule 22.3.2 Minor dwelling.

Decision Reasons:

- Supports new single minor dwelling as a permitted activity on each site.
- Supports the following aspects of the rule: 70m² as the maximum size gross floor area, that there is no limitation on the type of person occupying the dwelling, and enabling minor dwellings to be permanent.
- Minor dwellings provide housing choice, particularly when families are changing in their makeup.
- Minor dwellings provide an affordable option for housing.
- The limit on the size ensures they will be secondary to the primary dwelling.
- For the elderly, minor dwellings enable independent living, while still being close enough to family to have supported living.
- In terms of effects, particularly with the size limit, they are no different to a sleepout.
- The effects and their occupancy rate are no different to a large primary dwelling.

Point Number 735.6

Summary of Decision Requested: Delete Rule 22.3.2(b)(i) Minor dwelling, which requires the minor dwelling to be within 20m of the primary dwelling.

Decision Reasons:

- The condition is arbitrary.
- On a Rural zoned property, sheds can be located anywhere on the property so long as they comply with the yard requirements and daylight admission rules and minor dwellings should have a similar approach.
- There are no effects with a minor dwelling being located greater than 20m from the principal dwelling.
- Will allow more effective use of the land and more optimal layout.
- No need for the principal and minor dwelling to be located in close proximity.

Point Number 735.7

Summary of Decision Requested: Amend Rule 23.3.6 P1 Building Coverage, to increase the permitted building coverage limits.

Decision Reasons:

- For genuine rural enterprises, accessory buildings such as hay sheds, stables, garages, tractor sheds are necessary.
- The proposed limit of 2% or 500m² (whichever is the larger) is too constraining to enable the level of buildings required to support rural production activities.

Submitter Number: 736 **Submitter:** Ian Chapman

Point Number 736.1

Summary of Decision Requested: Retain the whole of Chapter 9.2 (Objectives and policies for Te Kowhai Airpark zone), as notified.

Decision Reasons:

Te Kowhai airfield is a fantastic facility that deserves to be secure for the future.

Point Number 736.2

Summary of Decision Requested: Retain the whole of Chapter 27 (Te Kowhai Airpark Zone), as notified.

Decision Reasons:

Te Kowhai airfield is a fantastic facility that deserves to be secure for the future.

Submitter Number: 737 **Submitter:** Ronald Rumbal

On behalf of: Ronald Rumbal and Catherine Evison

Point Number 737.1

Summary of Decision Requested: Amend the boundaries of the proposed Significant Natural Area on property number 2010658 (1807 Whaanga Road, Ruapuke), to the area currently protected by WDC covenant (see map attached to submission for more detail).

Decision Reasons:

- The amount of the property already protected as covenanted bush is enough, and the submitters do not wish to give up further rights on their property.
- The proposed Significant Natural Area indicated when combined with the covenanted bush would cover approximately 75% of the property.
- The proposed Significant Natural Area includes pine trees and orchard.
- Remaining bush is regenerating and older and the submitter wishes to have freedom to use it.
- Moved to the property for it's bush and have no intentions of diminishing it, but want to be able to build tracks, buildings (cabin), fences etc.
- The proposed Significant Natural Area will decrease the value of the property as it will severely restrict any development a future owner may want to do.
- Council needs to trust the landowners do the right thing with it regarding conservation.
- While the submitters do not want to clear it for farming, they want control of it.
- One of the reasons given for Significant Natural Area is to allow wildlife to travel from the mountain to the coast. The birds are able to fly from bush block to bush block and the only animals that will benefit from such bush are possums, stoats, rats, feral cats and wild pigs.
- The property and surrounding covenanted bush is blocked from ever making a connection with the coast by existing paddocks and farmland.

Point Number 737.2

Summary of Decision Requested: Amend Rule 22.2.3.3 Earthworks - Significant Natural Areas, to retain the amount of earthworks contained in the Operative District Plan.

Decision Reasons:

- No specific reasons stated.

Point Number 737.3

Summary of Decision Requested: Amend Rule 22.2.7 Indigenous vegetation clearance inside a Significant Natural Area, to allow additional volume of Manuka and/or Kanuka for domestic firewood purposes.

Decision Reasons:

- Limiting the cutting of firewood to 5m³ is overly restrictive.
- The submitter relies solely on a log burner for heating and hot water.
- Burnt through 7m³ of firewood this winter (even though not cold).
- Kanuka is an invasive tree species and regenerates very quickly.

Point Number 737.4

Summary of Decision Requested: Amend Rule 22.2.8 Indigenous Vegetation - outside a Significant Natural Area, to allow additional volume of Manuka and/or Kanuka for removal for domestic firewood purposes.

Decision Reasons:

- Limiting the cutting of firewood to 5m³ is overly restrictive.
- The submitter relies solely on a log burner for heating and hot water.
- Burnt through 7m³ of firewood this winter (even though not cold).
- Kanuka is an invasive tree species and regenerates very quickly.

Submitter Number: 738 **Submitter:** Shand Properties Limited

Point Number 738.1

Summary of Decision Requested: Amend the zoning of approximately 61ha of land adjacent to Ohinewai North Road, as depicted in Appendix A of the submission, from Rural Zone to Country Living Zone.

Decision Reasons:

- The site is located in close proximity to the existing Ohinewai Village and is suitable to provide for rural residential capacity in the area.
- While Ohinewai is not currently explicitly recognised in existing Waikato Regional growth strategy documents as a growth node, there is considerable potential for it to accommodate some of the growth that is forecast to occur along the Auckland to Hamilton corridor.
- Ohinewai has good transport connections, being located in close proximity to an interchange onto State Highway 1, providing direct access to the north and south, including Huntly, which is located approximately 10 km away.
- The North Island Main Trunk rail line with the mooted passenger rail stop in Huntly runs immediately to the east of Ohinewai.
- Providing for rural-residential capacity in Ohinewai could support and be supported by development in Huntly, which has growth constraints produced by topography and ground conditions.
- With a minimum net site area of 5000 m² in the Country Living Zone (Rule 23.4.2) the site could provide approximately 100 rural-residential lots (based on a site area of approximately 61 ha and allowing for 10% of the area being required for infrastructure such as subdivisional roads).
- The proposed Country Living Zone rules contain provisions to avoid, remedy and mitigate potential adverse effects of subdivision, use and development, including reverse sensitivity effects.
- These would ensure that subdivision and development occurs on the site in an appropriate manner.
- The potential for Ohinewai to transition to a node more capable of accommodating residential development of a greater density is constrained at the present time by the lack of reticulated services available to the township. This constrains the nature of the zoning request that can be made as part of this submission.
- The zoning of the site as Country Living Zone would be generally consistent with the relevant objectives and policies of the Waikato Regional Policy Statement and the Proposed District Plan.
- The increase in traffic volumes would be modest and the level of service is not expected to deteriorate noticeably on the surrounding roads. The increase in risk is likely to be insignificant.
- The site is reliant on protection afforded by the existing stopbank network to be protected from flood events. In that regard some risk exists. However there are opportunities to mitigate flood risk and reduce the extents of the existing floodplain through drainage infrastructure improvements.
- The risks associated with the flood hazard can be managed on the property.
- The site has a history of farming use and activities have occurred on the site that are identified on the Hazardous Activities and Industries List (HAiL). Further detailed investigations would be required at later development stages but it is expected that any contamination encountered could be dealt with through implementation of standard methodologies.
- Based on available geotechnical information, the site is likely to be geotechnically suitable for residential development, with specific investigation and assessment required to determine geotechnical requirements for building on each lot.

Point Number 738.2

Summary of Decision Requested: Retain Section 5.6 Country Living Zone Objectives and Policies.

Decision Reasons:

- The proposed objectives and policies generally provide an appropriate framework for implementing rules for assessing and managing effects of activities.

Point Number 738.3

Summary of Decision Requested: Amend Chapter 5 to clarify the scope of the application of the objectives and policies in the "Rural Environment" and which zone(s) the objectives and policies apply to.

Decision Reasons:

- It is not clear which of the "Rural Environment" objectives and policies apply just in the Rural Zone and which apply to other zones in the "Rural Environment" chapter, including the Country living Zone. For example under the Chapter 5 heading it states "The following objectives and policies apply to the Rural Zone", but the chapter structure and the wording in some of the objectives and policies suggest they may be intended to have wider application.

Point Number	738.4
Summary of Decision Requested:	Retain Chapter 23 Country Living Zone Rules, except Rule 23.4 Subdivision.
Decision Reasons:	<ul style="list-style-type: none"> The proposed rules generally provide an appropriate framework for assessing and managing effects of activities in the Country Living Zone.
Point Number	738.5
Summary of Decision Requested:	Amend Rule 23.4 Subdivision, 23.4.4 Title boundaries and 23.3 Land use - Building, to address issues related to natural hazards and contaminated land in a more targeted and specific way.
	This could include through: <ul style="list-style-type: none"> The replacement of standards 23.4.4(1)(iii)A and B; The rewording of matters for discretion 23.4.4(b)(v) and (vi); Addition of standards e.g. floor levels, in 23.3.
Decision Reasons:	<ul style="list-style-type: none"> The rules should allow for addressing the issues related to natural hazards and contaminated land rather than have a blanket requirement for a non-complying activity resource consent where a boundary divides such an area.
Point Number	738.6
Summary of Decision Requested:	Amend Rule 23.4.4 Title boundaries, so that the activity status for a subdivision not complying with the standards is discretionary rather than non-complying.
Decision Reasons:	<ul style="list-style-type: none"> It is not clear why subdivision not meeting the standards is a non-complying activity but equivalent rules in the Rural Zone are discretionary. This should be changed for consistency.
Point Number	738.7
Summary of Decision Requested:	Add a definition for "natural hazard area" to Chapter 13: Definitions with reference to standards and/or mapped location .
Decision Reasons:	<ul style="list-style-type: none"> There is no definition provided for "natural hazard area", a term that is used throughout the Proposed Waikato District Plan in relation to subdivision rules. The absence of a definition makes the application of the rules unworkable in practice.
Point Number	738.8
Summary of Decision Requested:	Amend definition of "contaminated land" in Chapter 13: Definitions to refer to standards and or mapped locations.
Decision Reasons:	<ul style="list-style-type: none"> The "contaminated land" definition refers to the Resource Management Act definition. This does not include any objective standards but requires a judgement to be made on effects. Given that this definition determines which rules apply to subdivision it could create uncertainty and difficulties in implementation.

Submitter Number:	739	Submitter:	Karen Smith
Point Number	739.1		
Summary of Decision Requested:	No specific decision sought.		
Decision Reasons:	<ul style="list-style-type: none"> The submitter objects to the disregard for the plans in place for Raglan and the granting of consents for apartments. The submitter is concerned that the current building council departments can be bought at a price and be dammed to the actual environment or current infrastructure that Raglan currently has. The extra run off that this development will bring will further impact the environment that Raglan is so invested in keeping healthy. That corner is busy at the best of times and it will be worse now with 11 more units and additional cars. Concerned about pressure on carparks. Prominent sites like this should be protected from development which is too high and too close to the road. Considers all Submissions which break District Plan rules should be publicly notified. Supports Raglan adapting and growing, but we need more houses for locals - not more Airbnb and holiday lets. Raglan needs to become a conservation area where changes can't be made which make the area less attractive. 		

Submitter Number:	740	Submitter:	Colin Dixon
On behalf of:	Dixon Family Trust		
Point Number	740.1		
Summary of Decision Requested:	Amend the zoning of part of 139 Onion Road, Horotiu, from Rural Zone to Industrial Zone as shown on map attached to the submission.		
Decision Reasons:	<ul style="list-style-type: none"> The land is adjacent to an existing industrial zone and can therefore be developed in a manner that allows for efficient transport, infrastructure and services. 		

- Rezoning would provide additional industrial land within the industrial strategic growth node of Horotiu, thereby assisting to meet Council's policy of maintaining a sufficient supply of industrial land within strategic industrial growth zones in order to meet foreseeable future demands.

Submitter Number:	741	Submitter:	Waikato Regional Airport Ltd
Point Number	741.1		
Summary of Decision Requested:	<p>Amend provisions 1(a)(i)A, 2, 2.1 and 2.1(1)(a)(ii) of Appendix 1 Acoustic Insulation which refer to 'Waikato Regional Airport', and replace with "Hamilton Airport".</p> <p>AND</p> <p>Any further relief and/or amendments to the Proposed Plan as may be necessary.</p>		
Decision Reasons:	<ul style="list-style-type: none"> • The correct descriptive term for the airport is Hamilton Airport. • The term Waikato Regional Airport (Ltd) is the name of the company that operates the airport. • It is correct to use the term Waikato Regional Airport Ltd in the schedule of designations at designation N, as Waikato Regional Airport Ltd is the requiring authority responsible for the designation. • However elsewhere in the Proposed Plan where the airport is being referred to it should be called Hamilton Airport. 		
Point Number	741.2		
Summary of Decision Requested:	<p>Delete Rule 23.4.2 General subdivision RD1 (a)(ii), (a)(iii), (b) and NCI;</p> <p>AND</p> <p>Add a new prohibited subdivision rule in Rule 23.4.1 Prohibited subdivision as follows:</p> <p><i>PR2 (g) Any subdivision inside the Airport Subdivision Control Boundary or inside the SEL95 Boundary identified on the planning maps where the average net site area is less than 1.1ha.</i></p> <p><i>(b) Where the land is being subdivided straddles the Airport Subdivision Control Boundary any subdivision that creates more lots than the number calculated by the following formula.</i></p> <p><i>Number of new lots = (area(ha) outside the Airport Subdivision Control Boundary / 0.5) + (area (ha) inside the Airport Subdivision Control Boundary / 1.1).</i></p> <p>AND</p> <p>Any further relief and/or amendments to the Proposed Plan as may be necessary.</p>		
Decision Reasons:	<ul style="list-style-type: none"> • This prohibited subdivision rule for subdivision inside the Airport Subdivision Control Boundary or inside the SEL95 Boundary is in the Operative District Plan. • There is no change to resource management issues to suggest that the Proposed Plan should be any different. • The issue is the potential reverse sensitivity effects of aircraft noise on residential development. • The prohibited subdivision rules have been in the Waikato District Plan since about 2001 when they were developed by Waikato Regional Airport Ltd in consultation with Waikato District Council and a group of Tamahere landowners. • The rules are designed to maintain the density of development within the Airport Subdivision Control Boundary generally at its current level. • To relax this subdivision rule and allow a higher density could lead to additional houses being built in an area where they are subject to adverse noise effects from aircraft and could exacerbate reverse sensitivity conflicts. • The prohibited activity subdivision rule was the subject of scrutiny and decision making in 2001 and again in 2011 as part of Variation 14 to the Waikato District Plan. • The inclusion of the prohibited subdivision rule will: <ul style="list-style-type: none"> i) be consistent with the purpose and principles of the RMA ii) promote the sustainable management of natural and physical resources iii) enable people to provide for their social and economic well-being iv) meet the reasonably foreseeable needs of future generations v) be consistent with sound resource management practices. 		

Submitter Number:	742	Submitter:	Kim Harris-Cottle
Organisation:	New Zealand Transport Agency		
Point Number	742.1		
Summary of Decision Requested:	<p>Add appropriate provisions (e.g. objectives; policies, methods, rules) which describe and give effect to the desired urban form, function and hierarchy of urban settlements in the District.</p> <p>AND</p> <p>Request any consequential changes necessary to give effect to the relief sought in the submission.</p>		
Decision Reasons:	<ul style="list-style-type: none"> • The submitter requests that the settlement pattern for the district is clarified in terms of the desired urban form, function and hierarchy of settlements. This will help to understand the role of transport in supporting existing development and future planned growth to be safe, accessible and resilient. 		
Point Number	742.2		
Summary of Decision Requested:	<p>Retain Section 1.12.1 Strategic direction, except for the amendments sought below</p> <p>AND</p> <p>Amend Section 1.12.1 Strategic direction to include a new clause (g) as follows :</p> <p><i>Work is currently being undertaken on the Hamilton-Auckland Corridor Plan. This work will generate a vision for managing urban growth and development in significant parts of the Waikato District. It is anticipated that plan changes will be required to reflect the contents of the Corridor Plan once finalised.</i></p> <p>AND</p> <p>Request any consequential changes necessary to give effect to the relief sought in the submission.</p>		

Decision Reasons:

- There is work underway to develop the Hamilton - Auckland Corridor Plan. This work will generate a vision for managing urban growth and development in significant parts of the Waikato District that may differ in some respects from that in the PWDP as currently drafted.
- Changes will be required to the Proposed Waikato District Plan to reflect the Hamilton to Auckland Corridor Plan in the future by way of plan change or variation. In the meantime the submitter requests that the PWDP is amended to recognise that work is being undertaken at the current time in this area.

Point Number

742.3

Summary of Decision Requested:

Amend Section 1.12 Strategic directions and objectives for the district to include clarification in 1.12 as to the purpose of the strategic directions and objectives and how they function within the wider framework of the Plan.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the direction of the provisions in 1.12 however, the purpose and status of these provisions is unclear.
- Clarification is required as to how they work within the wider framework of the Proposed District Plan.

Point Number

742.4

Summary of Decision Requested:

Retain Section 1.12.8 Strategic objectives, except for the amendments sought

AND

Amend 1.12.8 Strategic objectives to delete reference to "paragraphs 4.1.1- 4.1.7" and replace with "paragraphs 1.12.1- 1.12.7".

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- This reference appears to be an error.

Point Number

742.5

Summary of Decision Requested:

Retain Policy 3.2.3 Management hierarchy as notified.

Decision Reasons:

- It is appropriate to enable some activities within Significant Natural Areas (SNAs) despite adverse effects occurring.

Point Number

742.6

Summary of Decision Requested:

Amend Policy 3.2.4 Biodiversity Offsetting as follows:

(a) Allow for a biodiversity offset to be offered ~~by a resource consent applicant~~ where an activity ...

(b)(ii) the biodiversity is enhanced or maintained working towards achieving biodiversity, offset ~~can~~ strives to achieve no net loss of indigenous biodiversity at a regional scale ...

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the identification of Significant Natural Areas, with the ability to offset effects. However, the policy of achieving no net loss of indigenous biodiversity is not consistent with the RPS.
- Policy 1.1.1 of the Regional Policy Statement states "maintain or enhance indigenous biodiversity" and has a particular focus on working towards achieving no net loss of indigenous biodiversity at a regional scale. The proposed "absolute" approach needs to be clarified as to how both positive and negative effects will be weighed up across ecological and other matters, such as (but not limited to) what is required to identify and test the achievement of no net loss and what is the relevant time allocation.

Point Number

742.7

Summary of Decision Requested:

Retain Policy 3.2.5(a) Biodiversity, except for the amendments sought below

AND

Amend Policy 3.2.5(a) Biodiversity in the coastal environment as follows:

Avoid the adverse effects of subdivision use and development within Significant Natural Areas of the coastal environment (except where there is a need for regionally significant infrastructure to be located in the coastal environment) or: ...

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter recognises the need to protect Significant Natural Areas in the coastal environment.
- However this policy needs to recognise the need for some infrastructure to be located, operated and maintained within this environment. It is important that existing infrastructure located in areas of high value is able to be maintained and upgraded to ensure its continuing safe and efficient operation.

Point Number 742.8

Summary of Decision Requested: **Retain** Policy 3.2.6(a) Providing for vegetation clearance, except for the amendments sought below

AND

Add new sub-clauses to Policy 3.2.6(a) Providing for vegetation clearance as follows:

(v) operating maintaining or upgrading existing infrastructure

(vi) the construction and operation of new regionally significant infrastructure where there is a need for that infrastructure to be located within the Significant Natural Area

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- Some clearance of indigenous vegetation within Significant Natural Areas is appropriate.
- However, the submitter seeks that this policy recognises the need to operate and maintain regionally significant infrastructure. It is important that existing infrastructure located in areas of high value is able to be maintained and upgraded to ensure its continuing safe and efficient operation.
- This approach is consistent with Method 11.1.4 of the Regional Policy Statement.

Point Number 742.9

Summary of Decision Requested: **Retain** Policy 4.1.3 Location of development, as notified.

Decision Reasons:

- Supports the intent of this policy as it seeks the integration of land use, infrastructure and funding and is consistent with the Regional Policy Statement.

Point Number 742.10

Summary of Decision Requested: **Retain** Policy 4.1.4 Staging of Development, except for the amendments sought below

AND

Amend Policy 4.1.4 Staging of Development as follows:

(a) ensure that subdivision, use and development ~~new urban areas~~ is:

(i) located, designed, and staged to ~~adequately support~~ ensure that it is adequately serviced by existing or planned infrastructure, community facilities, open space networks and local services; ~~and~~

~~(ii) efficiently and effectively integrated and staged to support infrastructure, stormwater management networks, parks, and openspace networks;~~

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- Supports the intent of this policy as it seeks the integration of land use, infrastructure and funding and is consistent with the Regional Policy Statement.
- However, the proposed wording of policy 4.1.4 does not provide adequate certainty; in particular "new urban areas" are not described/defined; and it is not clear what "support" means.

Point Number 742.11

Summary of Decision Requested: **Retain** Policy 4.1.5(a) Density, except for the amendments sought below

AND

Amend Policy 4.1.5(a) Density as follows:

~~Encourage~~ **Ensure** higher density housing and retirement villages ~~to be are~~ located where they have safe efficient and effective access to near-to-and support commercial centres, community facilities, public transport and open space without being reliant on private vehicle use.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- Policy 4.1.5(a) needs an amendment to provide a stronger directive that higher density development will occur in the locations specified.
- This amendment will also ensure that there is consistency with Objective 4.2.16(b).
- The focus of the Policy also needs to be amended to make it clear that development should be sited where it has safe and efficient access to facilities and infrastructure, thus creating liveable communities.

Point Number 742.12

Summary of Decision Requested: **Retain** Policy 4.1.6 Commercial and industrial activities, except for the amendments sought below

AND

Amend Policy 4.1.6 Commercial and industrial activities as follows:

(a) Provide for commercial ~~and industrial development activities~~ in the following zones:

(i) Business Town Centre; and

(ii) Business

~~(iii) Industrial~~

~~(iv) Heavy Industrial~~

(b) ~~Industry is only to be located in identified Industrial Zones and the industrial strategic growth nodes of~~

~~(i) Tuakau~~

~~(iii) Pokeno~~

~~(iii) Huntly, and~~

~~(iv) Horotiu~~

Provide for industrial activities only in the following zones:

(i) Industrial

(ii) Heavy Industrial

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the intent of Policy 4.1.6 to provide certainty regarding the intended location of commercial and industrial activities. Commercial activities should not be provided for in the Industrial Zone, and vice versa for industrial activities in the Commercial Zone. However, the lack of definitions for the terms used could lead to confusion as to the application.
- Chapter 13 includes definitions for "commercial activity", "commercial services", "retail activity", "industrial activity" and "rural industry". Policy 4.1.6 refers to "commercial and industrial development" within certain zones, including the Heavy Industrial Zone; this implies heavy industrial activities are included in the meaning of the term "industrial development". Clause (b) of the policy is in conflict with clause (a). It is unclear whether rural and heavy industrial activities are a subset of industrial activities.

Point Number 742.13

Summary of Decision Requested: **Retain** Policy 4.1.8 Integration and connectivity as notified.

Decision Reasons:

- The Transport Agency supports Policy 4.1.8, including particularly clause (a)(i) as it supports transport choice and accessibility.
- The Transport Agency's focus is on providing a connected land transport system that enables safe access to resilient, liveable communities.

Point Number 742.14

Summary of Decision Requested: **Defer or withdraw** the live zoning of new residential, industrial and commercial land in Tuakau from the planning maps until an appropriate structure plan is developed with coordinated sequencing and staging of infrastructure.

AND

Add a new clause to Policy 4.1.10(a) Policy - Tuakau as follows:

(iv) that subdivision use and development in this area is supported by sufficient existing or planned infrastructure.

AND

Add to Policy 4.1.10 (iii) Policy - Tuakau to include relevant sections of the Tuakau Structure Plan.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the development of accessible, liveable and resilient communities, and therefore supports the intent of this policy.
- However, given the scale of residential live zoned land proposed to be added to Tuakau (which is not proposed to be sequenced with infrastructure), the Transport Agency is concerned that this policy does not support the development of a liveable community and/or address the need for the integration of infrastructure with subdivision, land use and development in Tuakau.
- The submitter considers that an updated Tuakau Structure Plan should be included within the Proposed District Plan (by way of variation) once the Hamilton to Auckland Corridor Plan is finalised. The structure plan should include appropriate staging and be updated to reflect growth projections.
- In particular, the Policy does not recognise that development in Tuakau needs to be supported by existing or planned land transport infrastructure. An amendment is sought to Policy 4.1.10 to address this issue.
- The structure plan does not appear to be incorporated into the Proposed District Plan for reference.
- If Council intends on utilising the relevant sections of the structure plan document to guide the type of infrastructure provided in 4.1.10 (iii) this should be appropriately incorporated and referenced.

Point Number 742.15

Summary of Decision Requested: **Defer or withdraw** the live zoning of new residential industrial or commercial land in Pokeno from the planning maps until an appropriate structure plan is developed with coordinated sequencing and staging of infrastructure.

AND

Amend Policy 4.1.11(a) Pokeno as follows:

(i) Subdivision, land use and development of new growth areas does not compromise the potential future growth and development of the town and is supported by existing or planned infrastructure.

(ii) Safe walking and cycling networks are integrated with the existing urban area; and

(iii) Reverse sensitivity effects from ~~on~~ the strategic transport infrastructure networks National Routes and Regional Arterials in accordance with Table 14.12.5.6 are avoided or minimised.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the intent of this policy and the development of accessible, safe and liveable communities.
- However, given the scale of residential live zoned land proposed to be added to Pokeno (which is not proposed to be sequenced with infrastructure), this policy does not support the development of a liveable community and/or address the need for the integration of infrastructure with subdivision, land use and development in Pokeno.
- The submitter is concerned that the proposed "live" zoning of areas for development without integrated planning, staging or sequencing of infrastructure has the potential to compromise good community outcomes.
- It is also noted that other external processes such as the Hamilton-Auckland Corridor Plan is likely to influence the direction of development in this area.

- A Pokeno Structure Plan should be included within the Proposed District Plan (by way of variation) once the Hamilton to Auckland Corridor Plan is finalised.
- The structure plan should include appropriate staging and be updated to reflect growth projections.
- The Policy does not recognise that development in Pokeno needs to be supported by existing or planned land transport infrastructure. An amendment is sought to Policy 4.1.11 to address this issue.
- The submitter supports the intent of clause (iii), however reverse sensitivity refers to effects of a new land use "on" an already established land use such as a transport corridor as well as any human health effects, not effects "from" the existing infrastructure.
- It is important to note that Pokeno is adjacent to State Highway 1 which is a National Route under Table 14.12.5.6.

Point Number 742.16

Summary of Decision Requested: **Retain** Policy 4.1.13 Huntly, except for the amendments sought below

AND

Amend Policy 4.1.13(ii) Huntly as follows:

Reverse sensitivity effects from strategic transport infrastructure networks the on National Routes and Regional Arterials in accordance with Table 14.12.5.6 are avoided or minimised.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the development of accessible, liveable and resilient communities, and therefore supports the intent of Policy 4.1.13.
- The submitter supports the intent of clause (ii), however reverse sensitivity refers to effects of a new sensitive land use on an already established land use such as a transport corridor as well as any human health effects.
- We also note that other external processes such as the Hamilton to Auckland Corridor Plan will influence the direction of development in this area.

Point Number 742.17

Summary of Decision Requested: **Retain** Policy 4.1.16 Horotiu, except for the amendments sought below

AND

Amend Policy 4.1.16 Horotiu as follows:

(a)(ii) ~~Future Residential development does not impact on the safety and efficiency of the existing local road network;~~

(a)(iii) *Reverse sensitivity effects from the strategic transport infrastructure networks on National Routes and Regional Arterials in accordance with Table 14.12.5.5 are avoided or minimised;*

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the development of accessible, liveable and resilient communities.
- Policy 4.1.16 refers to 'future residential areas' and 'future residential development'. However, the planning maps do not appear to identify any future residential growth areas in, or near, Horotiu. It needs to be clarified where these future residential areas are and how they will be identified and developed.
- Any future residential growth areas in Horotiu should go through a structure plan process (and associated plan change).
- The submitter supports the intent of clause (a)(iii), however reverse sensitivity refers to effects of a new sensitive land use on an already established land use such as a transport corridor as well as any human health effects.

Point Number 742.18

Summary of Decision Requested: **Defer or withdraw** the live zoning from the planning maps or defer until an integrated land use and infrastructure plan is completed that provides for coordinated sequencing and staging of infrastructure for the 'live' rezoned area outside of the Ngaaruwaahia, Hopuhopu, Taupiri, Horotiu, Te Kowhai and Glen Massey Structure Plans.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the development of accessible, liveable and resilient communities.
- The "live" zoning of areas for development is not consistent with the Ngaaruwaahia, Hopuhopu, Taupiri, Horotiu, Te Kowhai and Glen Massey Structure Plan.
- Without integrated planning, staging or sequencing of infrastructure the proposed live zoning approach has the potential to compromise the development of accessible, liveable and resilient communities.

Point Number 742.19

Summary of Decision Requested: **Retain** Policy 4.2.15 Earthworks, except for the amendments sought below

AND

Amend Policy 4.2.15(b) Earthworks as follows:

Earthworks are designed and undertaken in a manner that ensures the stability and safety of surrounding land, buildings, infrastructure and structures.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- Policy 4.2.15(b) seeks to ensure that earthworks do not undermine surrounding land, buildings and structures. For the avoidance of doubt, add infrastructure to this list.

Point Number 742.20

Summary of Decision Requested: **Retain** Objective 4.2.16(b) Housing options as notified, except for the amendments sought below.

AND

Add a High Density Residential Zone to the Proposed District Plan with supporting objectives, policies and rules.

AND

Amend planning maps to show the location of a High Density Residential Zone.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the development of accessible, liveable and resilient communities.
- The submitter supports the intent of Objective 4.1.16(b) as it supports a mode shift for trips in urban areas from private vehicles to a focus on a more accessible transport system with a variety of modes such as walking, cycling and public transport.
- The use of a higher density residential zone would provide a clearer and more robust (regulatory) signal to applicants of Council's expectations for the density of development in locations close to the Business Town Centre Zone and transport networks.
- This approach would also provide stronger support for Policy 4.2.18(a)(iv).

Point Number 742.21

Summary of Decision Requested: **Retain** Policy 4.2.18 Multi-unit development, except for the amendments sought below

AND

Amend Policy 4.2.18 Multi-unit development as follows:

(a) *Ensure multi-unit residential subdivision and development is designed and located in a way that:*

.....

(ii) ~~Address and~~ *Integrates with adjacent residential development, town centres and public open space;*

.....

(iv) ~~Supports an integrated~~ *Integrates with the transport network, including access to walking and cycling connections to and the public open space network;*
and

.....

(b)(iii) *Promoting the safe movement of pedestrians and vehicles on site, and between the site and the wider transport network;*

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the intent of policy 4.2.18(a)(iv) but suggests it is unclear exactly what is sought. For example, it is unclear how subdivision and development would 'support' an integrated transport network.
- Policy 4.2.18(b)(iii) refers to safe movement of pedestrians and vehicles on site but is silent about movement between the site and wider network.

Point Number 742.22

Summary of Decision Requested: **Retain** Policy 4.2.23 Non-residential activities, except for the amendments sought below

AND

Amend Policy 4.2.23 (a) (iv) Non-residential activities by replacing 'strategic roads' with the appropriate terminology consistent with the road categories described in Table 14.12.5.5.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the intent of Policy 4.2.23 and in particular the recognition that different roads perform different functions (4.2.23(a)(iv)); and that adverse effects on the surrounding transport network should be minimised (4.2.23(a)(v)B).
- The submitter notes that the term 'strategic road' is not defined in the Proposed District Plan.

Point Number 742.23

Summary of Decision Requested: **Retain** Policy 4.4.2 Noise as notified.

Decision Reasons:

- The submitter supports the intent of this policy, in particular clauses (iii)-(v).
- These clauses are consistent with the Transport Agency's approach to managing the reverse sensitivity effects from activities sensitive to noise on the state highway network.

Point Number 742.24

Summary of Decision Requested: **Retain** Policy 4.4.3 Artificial outdoor lighting as notified.

Decision Reasons:

- The submitter supports Policy 4.4.3(c).

Point Number 742.25

Summary of Decision Requested: **Retain** Policy 4.4.7 Managing the adverse effects of signs, except for the amendments sought below
AND

Amend Policy 4.4.7 Managing the adverse effects of signs as follows:

(a) ~~The location, colour, content, and appearance of signs directed at or visible to road users traffic are~~ is controlled to ensure ~~signs they~~ do not ~~distract, confuse or obstruct motorists, pedestrians and other road users adversely affect safety of road users..~~

(b) ~~Discourage~~ Signs that generate adverse effects from illumination, light spill, flashing, moving, or reflection are avoided.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the recognition in Policy 4.5.37 of the potential adverse effects of signs on people using the land transport system but seeks minor amendments.

Point Number 742.26

Summary of Decision Requested: **Amend** Policy 4.5.37(a) as follows:

"(i) ~~The location, colour, content, and appearance of signs directed at or visible to road users traffic are~~ is controlled to ensure ~~they~~ do not ~~distract, confuse or obstruct motorists, pedestrians and other road users adversely affect safety of road users..~~

(ii) Signs that generate adverse effects from illumination, light spill, flashing, moving, or reflection are avoided; and

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the recognition in Policy 4.5.37 of the potential adverse effects of signs on people using the land transport system but seeks minor amendments.

Point Number 742.27

Summary of Decision Requested: **Retain** Policy 4.5.38 Artificial outdoor lighting as notified.

Decision Reasons:

- The submitter supports Policy 4.5.38 (a)(iii).

Point Number 742.28

Summary of Decision Requested: **Retain** Policy 4.6.2 Provide Industrial Zones with different functions as notified.

Decision Reasons:

- The submitter supports Policy 4.6.2 and the recognition of the different types of industrial activities and their relative potential to generate adverse effects.

Point Number 742.29

Summary of Decision Requested: **Retain** Policy 4.6.3 Maintain a sufficient supply of industrial land, except for the amendments sought below

AND

Amend Policy 4.6.3 Maintain a sufficient supply of industrial land as follows:

~~Maintain a sufficient supply of industrial land within strategic industrial nodes to meet the foreseeable future demands, having regard to the requirements of different industries to and avoiding the need for industrial activities to locate in non-industrial zones.~~

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the development of accessible, liveable and resilient communities, A key part of this is providing employment opportunities.
- The Transport Agency also notes that the amount and location of industrial land will need to be reviewed over time based on the changing demands in the Waikato District and as a result of the Hamilton to Auckland Corridor Plan.

Point Number 742.30

Summary of Decision Requested: **Retain** Policy 4.6.8 Specific activities within Nau Mai Business Park, except for the amendments sought below

AND

Amend Policy 4.6.8 Specific activities within Nau Mai Business Park to specify what types of activities are anticipated within the Nau Mai Business Park.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter was involved with previous planning processes in relation to the Nau Mal Business Park and supports the continued development of this area consistent with the outcomes of these processes.
- There appears to be a typographical error ('specific types activities') in Policy 4.6.8.
- It is vague as to what outcomes are sought.

Point Number 742.31

Summary of Decision Requested: **Amend** Policy 4.7.2 (a)(v) Subdivision location and design as follows:

(a)(v) Promote safe and connected communities through quality urban design;

AND

Add a new clause (b) to Policy 4.7.2 Subdivision location and design as follows:

(b) Ensure that the adverse effects on land transport networks from proposed subdivision are appropriately managed.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- Subdivision, location and design needs to use an integrated land use and transport planning process to consider urban design and the transport system.

Point Number 742.32

Summary of Decision Requested: **Retain** Policy 4.7.6 Co-ordination between servicing and development and subdivision, except for the amendments sought below

AND

Amend Policy 4.7.6(a)(i) Co-ordination between servicing and development as follows:

Is located in areas where ~~infrastructure~~ infrastructure capacity appropriate to the proposal is available, or is otherwise ~~has been~~ planned and funded.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports Policy 4.7.6 which seeks a co-ordinated approach to servicing and development and requires all subdivision and development to be within areas subject to an approved structure plan.
- The submitter considers amendments are required to clause (a)(i) to avoid development taking up capacity intended for other purposes.

Point Number 742.33

Summary of Decision Requested: **Retain** Policy 4.7.7 Achieving sufficient development density to support the provision of infrastructure services, except for the amendments sought below

AND

Amend Policy 4.7.7 Achieving sufficient development density to support the provision of infrastructure services, to address the inconsistency with Policy 4.7.6 Co-ordination between servicing and development and subdivision.

AND

Define the terms "maximum potential yield" and "minimum potential yield."

AND

Amend Policy 4.7.7 Achieving sufficient development density to support the provision of infrastructure services, to recognise that other constraints may also affect yield beyond geotechnical constraints including the need to achieve good urban design outcomes and provide for land transport infrastructure.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the intent of Policy 4.7.7, however notes it is inconsistent with Policy 4.7.6 which requires all development and subdivision to be located in an area subject to an approved structure plan.
- The submitter supports structure planning as a tool, particularly for new areas of development.
- The submitter requests clarification where and when it is appropriate to develop without a structure plan and the inconsistencies between the policies is addressed. There is insufficient clarity regarding the terms "maximum potential yield" and "minimum potential yield". The Transport Agency considers the policy needs to ensure that good urban design is not compromised to achieve "maximum potential yield".
- Requiring a development to maximise the potential yield purely on the number of lots (which is presumably the measure intended) may lead to compromises in other areas, such as provision of infrastructure (as they will be restricted to the absolute minimum rather than what is optimal) and lead to loss of amenity, etc.
- In addition, there may be other constraints on yield apart from geotechnical constraints.

Point Number 742.34

Summary of Decision Requested: **Retain** Policy 4.7.9 Connected neighbourhoods as notified.

Decision Reasons:

- The submitter supports this policy as it enables connected and accessible communities.

Point Number 742.35

Summary of Decision Requested: **Retain** Policy 4.7.11 Reverse sensitivity, except for the amendments sought below

AND

Amend Policy 4.7.11 Reverse sensitivity as follows:

(a) Development and subdivision design minimises potential for reverse sensitivity...; and

(b) Avoid potential for reverse sensitivity effects of locating new dwellings in the vicinity of an intensive farming, extraction industry or industrial activity, or infrastructure.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the intent of Policy 4.7.11 but requests minor amendments to recognise infrastructure as an existing land use.

Point Number

742.36

Summary of Decision Requested:

Retain Policy 5.3.5 Earthworks activities, except for the amendment sought below

AND

Amend Policy 5.3.5(b)(iv) Earthworks activities as follows:

Adjoining properties, and public services and infrastructure are protected

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports Policy 5.3.5 but seeks infrastructure is included along with public services.

Point Number

742.37

Summary of Decision Requested:

Retain Policy 5.3.7 Reverse sensitivity effects, except for the amendments sought below

AND

Amend Policy 5.3.7(f)(i) Reverse sensitivity effects as follows:

Compromise the safe operation of the ~~road~~ land transport network ...

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports Policy 5.3.7(f)(i) as it seeks to avoid adverse effects on the safe operation of the transport network, but requests that this is amended to align with a consistent definition of the land transport network.

Point Number

742.38

Summary of Decision Requested:

Retain Policy 5.3.8 Effects on rural character and amenity from rural subdivision, except for the amendments sought below

AND

Amend Policy 5.3.8 Effects on rural character and amenity from rural subdivision, as follows:

(c) Ensure subdivision, use and development ~~minimise~~ avoids the adverse effects of ribbon development

...

(f) Subdivision, use and development ensures the adverse effects on public infrastructure are avoided or mitigated ~~minimised~~

AND

Clarify what is meant by "urban forms of subdivision, use, and development" and "the boundaries of towns and villages" in Policy 5.3.8.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the development of accessible, liveable communities and therefore seeks Policy 5.3.8 is amended to align with the purpose and principles of the Resource Management Act to avoid the adverse effects of activities on the environment, including of ribbon development.
- Both clauses (c) and (f) refer to minimising effects, however the Resource Management Act definition of "effects" includes both positive and adverse effects.
- The policy uses the term "urban forms" in reference to subdivision, use and development, and also refers to "the boundaries" of towns and villages. Neither of these is defined. The latter may be better described as being land with specific zoning at the time the plan is made operative.

Point Number

742.39

Summary of Decision Requested:

Retain Policy 5.3.14 Signs, except for the amendments sought below

AND

Amend Policy 5.3.14 Signs as follows:

(b) ~~Ensure signage~~ The location, colour, content, and appearance of signs directed at or visible to road users ~~traffic~~ is controlled to ensure they do not distract, confuse or obstruct motorists, pedestrians and other road users ~~adversely affect safety of road users~~.....

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the recognition in Policy 5.3.14 of the potential adverse effects of signs on people using the land transport system but seeks minor amendments.

Point Number 742.40

Summary of Decision Requested: **Retain** Policy 5.3.15 Noise and vibrations, except for the amendment sought below

AND

Amend Policy 5.3.15(a)(vi) Noise and vibrations as follows:

Requiring acoustic insulation where sensitive land use activities are located within high noise environments including near existing and designated State Highways, the Airport Noise ...

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the intent of Policy 5.3.15 to manage the adverse effects of noise and vibration.
- Vehicles on state highways can produce adverse effects that extend beyond the state highway boundary, such as: noise and vibration, emissions, lighting/glare, and dust.
- Development that establishes near state highways needs to take into account the potential for these effects to be experienced and should be designed to avoid/mitigate them. In particular, noise sensitive activities such as dwellings can be affected by road-traffic noise and vibration, which can lead to annoyance and sleep disturbance potentially resulting in adverse health effects.
- The submitter therefore seeks recognition of state highways within this policy.

Point Number 742.41

Summary of Decision Requested: **Retain** Policy 5.6.3 Subdivision within the Country Living Zone, except for the amendments sought below

AND

Amend Policy 5.6.3(a)(iv) Subdivision within the Country Living Zone, as follows:

existing and planned infrastructure is not ~~compromised~~ adversely affected:

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the intent of Policy 5.6.3 but requests an amendment to include existing and planned infrastructure and align with the Regional Policy Statement and RMA effects principles.

Point Number 742.42

Summary of Decision Requested: **Retain** Policy 5.6.14 Managing the adverse effects of signs, except for the amendments sought below

AND

Amend Policy 5.6.14 Managing the adverse effects of signs, as follows:

(a) The location, colour, content, and appearance of signs directed at or visible to road users ~~traffic~~ is controlled to ensure signs they do not distract, confuse or obstruct motorists, pedestrians and other road users adversely affect safety of road users ..."

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the intent of Policy 5.6.14 and requests that it is amended to clarify that it relates to all signage visible or directed at traffic.
- The submitter also seeks the wording of Policy 5.6.14 to be aligned with Policy 5.3.14(b) (and the submitter's proposed amendments to Policy 5.3.14(b)).

Point Number 742.43

Summary of Decision Requested: **Retain** Policy 5.6.15 Artificial outdoor lighting as notified.

Decision Reasons:

- Submitter supports Policy 5.6.15(c).

Point Number 742.44

Summary of Decision Requested: **Retain** Policy 5.6.16 Noise, except for the amendments sought below

AND

Amend Policy 5.6.16(a)(v) Noise, as follows:

Requiring acoustic insulation where sensitive land use activities are located within high noise environments, including near existing and designated State Highways.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the intent of Policy 5.6.16.
- Vehicles state highways can produce adverse effects that extend beyond the state highway boundary, such as: noise and vibration, emissions, lighting/glare, and dust.
- Development that establishes near highways needs to take into account the potential for these effects to be experienced and should be designed to avoid/mitigate them. In particular, noise sensitive activities such as dwellings can be affected by road-traffic noise and vibration, which can lead to annoyance and sleep disturbance potentially resulting in adverse health effects.
- The submitter therefore seeks recognition of state highways as high noise environments within this policy.

Point Number 742.45

Summary of Decision Requested: **Retain** Objective 6.1.1 Development, operation and maintenance of infrastructure, except for the amendments sought below
AND
Amend Objective 6.1.1 Development, operation and maintenance of infrastructure, as follows:
Infrastructure is developed, operated and maintained to ~~benefit the~~ enhance social, economic, cultural and environmental well-being of the district.
AND
Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the intent of Objective 6.1.1 but requests that it is amended to recognise the wider benefits of infrastructure within and beyond the district.

Point Number 742.46

Summary of Decision Requested: **Retain** Policy 6.1.2 Development, operation and maintenance as notified.

Decision Reasons:

- The submitter supports Policy 6.1.2 as it provides for the ongoing use, maintenance and development of infrastructure throughout the district.

Point Number 742.47

Summary of Decision Requested: **Retain** Policy 6.1.4 Infrastructure benefits as notified.

Decision Reasons:

- The submitter supports Policy 6.1.4 Infrastructure benefits, as this provides for the on-going use, maintenance and development of infrastructure throughout the District, and recognises the benefits of infrastructure.

Point Number 742.48

Summary of Decision Requested: **Retain** Policy 6.1.3 Technological advances, except for the amendments sought below
AND
Amend Policy 6.1.3(a)(ii) Technological advances as follows:
Allow for the re-use of redundant infrastructure and structures and the upgrading of existing infrastructure where appropriate; and ...
AND
Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter requests an amendment to Policy 6.1.3 to recognise that technological advances may also result in/require the upgrading of existing infrastructure.

Point Number 742.49

Summary of Decision Requested: **Retain** Objective 6.1.6 Reverse Sensitivity, except for the amendments sought below
AND
Amend Objective 6.1.6 Reverse Sensitivity as follows:
Existing and planned infrastructure (including the National Grid) is protected from reverse sensitivity effects, and infrastructure (including the National Grid) its construction, operation, maintenance, repair, replacement and upgrading is not compromised.
AND
Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports Objective 6.1.6 as it recognises that sensitive or incompatible activities being established near infrastructure can affect the safe, effective and efficient operation of infrastructure.
- Amendment is sought to ensure both existing and planned infrastructure is covered and recognises the importance of the construction, operation, maintenance, and upgrading of infrastructure.

Point Number 742.50

Summary of Decision Requested: **Amend** Policy 6.1.7 Reverse sensitivity and infrastructure as follows:
Avoid reverse sensitivity effects on existing and planned infrastructure from subdivision, use and development as far as reasonably practicable, so that the its construction, operation, maintenance, repair, replacement and upgrading, the ongoing and efficient operation of infrastructure is not compromised.
AND
Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the intent of Policy 6.1.7 to avoid reverse sensitivity effects on infrastructure.
- The submitter requests a minor change to recognise the important functions of construction, operation and maintenance of infrastructure.

Point Number 742.51

Summary of Decision Requested: **Retain** Policy 6.1.13 Future growth areas, except for the amendments sought below
AND

Amend Policy 6.1.13 Future growth areas as follows:

Require infrastructure services to be planned, developed and co-ordinated with development to ensure it a standard that enables the service can to be extended to future growth areas where and when appropriate.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports Policy 6.1.13, but considers that for successful planning and development of urban areas to occur, there needs to be an integrated approach to the planning of infrastructure and land use.

Point Number 742.52

Summary of Decision Requested: **Retain** Policy 6.4.2 Provide adequate infrastructure, except for the amendments sought below
AND

Amend Policy 6.4.2 Provide adequate infrastructure as follows:

Ensure adequate provision of infrastructure, including land transport networks, where land is subdivided or its use is changed and/or intensified.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports Policy 6.4.2, but considers the focus on intensification does not necessarily capture land use change. Different land uses may not necessarily be considered more intensive but may have very different impacts on and requirements for infrastructure.

Point Number 742.53

Summary of Decision Requested: **Retain** Policy 6.4.4 Road and rail network, except for the amendments sought below
AND

Amend Policy 6.4.4 Road and rail network as follows:

6.4.4 Policy - ~~Road and rail~~ Land transport network

(a) Discourage Avoid subdivision use and development that would compromise:

(i) The road function, as specified in the road hierarchy in 14.12.5.5, or the safety and efficiency of the road network.

(ii) The safety and efficiency; including the maintenance, upgrading, development and operation of the railway network land transport network.

AND

Add a new clause as follows:

(b) Avoid reverse sensitivity effects on the land transport network through setbacks and design controls for new residential and other sensitive land use activities established in proximity to existing or planned transport corridors.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the intent of Policy 6.4.4 which seeks to discourage subdivision, use and development which compromises regional land transport infrastructure (including both road and rail).
- Change the title to use consistent terminology (i.e. land transport networks which the submitter has sought a definition for).
- Use the stronger word "avoid" (that relates to the RMA purpose and principles) rather than "discourage".
- Take into account the full range of functions and activities on the land transport network.
- A further clause should be added to Policy 6.4.4 to address the specific measures sought to be added to the Plan to address reverse sensitivity effects.

Point Number 742.54

Summary of Decision Requested: **Retain** Policy 6.4.7 Stormwater, except for the amendments sought below
AND

Amend Policy 6.4.7(a)(v) Stormwater, as follows:

Does not increase the flow of stormwater runoff onto adjoining properties, adjacent land, or flood plains ...

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the intent of Policy 6.4.7 and seeks a minor change to clause (v) to refer to "land" rather than "properties" so it is clear that this also applies to transport corridors which may not be considered properties per se;
- The submitter seeks the replacement of "adjoining" with "adjacent", as the former implies the parcels must be contiguous.

Point Number 742.55

Summary of Decision Requested: **Retain** Policy 6.4.5 Roding Infrastructure, except for the amendments sought below

AND

Amend Policy 6.4.5 Roding infrastructure as follows:

Policy - ~~Land transport network~~ ~~Roding~~ infrastructure

(a) Ensure that ~~roding~~ land transport network infrastructure is developed so that:

(i) The design, location, alignment and dimensions of new ~~roads~~ land transport networks ...

(ii) The ~~roding pattern~~ land transport network provides good connectivity to the site and integrates with adjacent ~~land~~ developments and identified ~~as~~ future growth areas including ~~walking and cycling networks and facilities and~~ public transport ...

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the intent of Policy 6.4.5, but requests that it is amended to change the focus from "roads" to the "land transport network".
- It is important new communities are developed with access to a range of transport options, including off road walkways and cycle facilities, and provide connectivity to existing and future development.

Point Number 742.56

Summary of Decision Requested: **Retain** Objective 6.5.1 Land Transport Network, except for the amendments sought below

AND

Amend Objective 6.5.1(a)(ii) Land Transport Network as follows:

Adverse effects from the construction, maintenance, upgrading and operation of the transport network are managed.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports Objective 6.5.1 as it aligns with the land Transport Management Act 2003.
- The submitter requests minor change to recognise that upgrading is also a necessary part of infrastructure management.

Point Number 742.57

Summary of Decision Requested: **Retain** Policy 6.5.2 Construction and operation of the land transport network, except for the amendments sought below

AND

Amend Policy 6.5.2 Construction and operation of the land transport network as follows:

Policy - Construction, maintenance, upgrading and operation of the land transport network

(a) Promote the construction, maintenance, upgrading and operation of an efficient ...

(ii) The appropriate design and location of sites accesses;

(iii) Traffic signage, road marking, lighting, rest areas, service facilities and parking as appropriate;

(v) Corridor and carriageway design which is ~~sufficient to enable~~ enables provision of public transport ...

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the intent of Policy 6.5.2 and requests that minor changes are made to recognise that construction, operation, and maintenance are all important parts of providing a safe and efficient land transport network.

Point Number 742.58

Summary of Decision Requested: **Retain** Policy 6.5.3 Road hierarchy and function, except for the amendments sought below

AND

Amend Policy 6.5.3 Road hierarchy and function, as follows:

~~Provide a hierarchy of roads for different functions and modes of land transport while recognising the nature of the surrounding land use within the district.~~

(a) Establish a road hierarchy and categorise roads in the district in accordance with their function.

AND

Add a new clause (b) to Policy 6.5.3 Road hierarchy and function as follows:

(b) Protect the function of roads as identified in the road hierarchy from the adverse effects of subdivision use and development.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the intent of Policy 6.5.3.
- There should be a framework within the plan that recognises and establishes the road hierarchy (consistent with the Regional Policy Statement), and manages the effects of activities with respect to the relative function of the road within the hierarchy.
- As written, Policy 6.5.3 relates only to the provision of different types of roads. It is important to recognise that roads perform different functions and that these functions should influence how they are approached and in particular, how adjacent land uses are managed. This

Point Number 742.59

Summary of Decision Requested: **Retain** Policy 6.5.5 Road safety as notified.

Decision Reasons:

- Road safety is a key priority for the submitter.

Point Number 742.60

Summary of Decision Requested: **Amend** Policy 6.5.7 Vehicle access as follows:

Control the location of new vehicle accesses to sites adjacent relative to other accesses, intersections and rail level crossings to maintain and improve the safety and efficiency of the land transport network.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the intent of Policy 6.5.7, however seeks that it is broadened to recognise all accesses and intersections.

Point Number 742.61

Summary of Decision Requested: **Amend** Policy 9.1.1.3 Management of adverse effects as follows:

(a) ~~Mitigate~~ Ensure the adverse effects from the operation and development of the Hampton Downs Motorsport Park are avoided or mitigated, by managing:

(i) The scale, intensity, timing and duration of activities so that to avoid:

A Adverse noise effects on the surrounding Rural Zone are minimised;
B. Adverse effects on the safety and efficiency of the transport network; and
~~(ii) The adverse traffic safety effects to ensure the safe and efficient operation and functioning of the adjacent transport network and efficient access to surrounding facilities is maintained at all times; and~~
~~(iii)(i)~~ Signs that are visible from, or located in close proximity to, a public road to ensure adverse effects on safety are avoided; and
~~(iii)(ii)~~ The size, scale and intensity of development to ensure the amenity of the surrounding area is maintained.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the recognition in Policy 9.1.1.3 that there is potential for adverse effects from the operation of Hampton Downs Motorsport Park but considers that the word "mitigating" needs to be widened to allow effects to be avoided or mitigated.

Point Number 742.62

Summary of Decision Requested: **Retain** Policy 9.2.1.1 Development, except for the amendments sought below

AND

Amend Policy 9.2.1.1(b) Development as follows:

Develop Te Kowhai Airpark in accordance with the Te Kowhai Airpark Framework Plan in Appendix 9.

AND

Clarify whether it is the Framework Plan or the entirety of Appendix 9 which should be referred to in Policy 9.2.1.1(b).

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the development of Te Kowhai Airpark.
- Policy 9.2.1.1 refers to the Te Kowhai Airpark Framework Plan - later provisions cross-reference Appendix 9. It would be useful to make the same cross-reference in this part of the Plan.
- The submitter further questions whether it is just the Framework Plan or the entirety of Appendix 9 which should be referred to.

Point Number 742.63

Summary of Decision Requested: **Amend** 12.1(d) Introduction as follows:

Chapter 13 contains all the definitions that are used in the plan rules within Section C. The definitions form part of the rules ...

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter considers that definitions are integral to district plan interpretation, however, clause 12.1(d) states that the definitions in Chapter 13 apply to the rules within Section C (and by omission not to the entire plan, including objectives and policies in Section B).
- It is unclear why a term defined for the purpose of a rule would not carry the same meaning for the purpose of the whole plan.

Point Number 742.64

Summary of Decision Requested: **Move** Chapter 13 Definitions elsewhere in the Proposed District Plan.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- No reasons provided.

Point Number 742.65

Summary of Decision Requested: **Retain** Section 12.1(h) Introduction to rules, except for the amendments sought below

AND

Amend Section 12.1(h) Introduction to rules as follows:

Roads appear white on the planning maps and are not zoned, nor do policy areas or sites/features apply to roads. Rules relating to activities occurring in the road corridor are set out in Chapter 14: Infrastructure and Energy.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the clarification in clause 12.1(h) that roads are not zoned.
- However, the submitter considers that clarification is needed regarding whether policy areas and sites/features apply to roads.

Point Number 742.66

Summary of Decision Requested: **Delete** clause 12.3.1 Additional matters.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter does not consider clause 12.3.1 Additional Matters lists matters which Council needs to reserve its discretion to.
- The matters are otherwise dealt with under the RMA.
- It is inappropriate to attempt to reserve Council's discretion in relation to certain matters for non-complying and discretionary activities. If Council considers it necessary to alert plan users to these matters, this section should be turned into an advice note.

Point Number 742.67

Summary of Decision Requested: **Amend** Proposed District Plan to ensure all terms are defined as appropriate.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The Proposed District Plan uses a large number of terms which are not defined and are critical to the interpretation of plan provisions. For example 'rural activities', 'rural areas', 'urban areas'.

Point Number 742.68

Summary of Decision Requested: **Amend** the diagram associated with the definition of "contiguous" in Chapter 13: Definitions to display two sites touching.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The diagram associated with the definition "contiguous" does not correctly display two sites touching.

Point Number 742.69

Summary of Decision Requested: **Retain** the definition for "Functional need" in Chapter 13: Definitions, except for the amendments sought below

AND

Amend the definition for "Functional need" in Chapter 13: Definitions as follows:

Means for Chapter 14 Infrastructure and Energy the need for a proposal or activity to traverse, locate or operate in a particular environment because it can only occur in that environment.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the recognition that infrastructure can often have locational constraints. However, this definition should apply across the plan and should not be restricted to Chapter 14.

Point Number 742.70

Summary of Decision Requested: Retain the definition for "Heavy vehicle" in Chapter 13: Definitions as notified.

Decision Reasons:

- It is consistent with the definition within the Land Transport Agency's Planning Policy Manual.
-

Point Number 742.71

Summary of Decision Requested: Retain the definition for "Infrastructure" in Chapter 13: Definitions as notified.

Decision Reasons:

- The submitter supports this definition.
-

Point Number 742.72

Summary of Decision Requested: Add a definition for "Integrated transport assessment" to Chapter 13: Definitions as follows:

Means a comprehensive review of all the potential transport impacts of a development proposal.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter seeks the addition of a definition of "integrated transport assessment" which is consistent with the Regional Policy Statement.
-

Point Number 742.73

Summary of Decision Requested: Add a definition for "land transport network" to Chapter 13: Definitions as follows:

The network used for the land-based transportation of people and/or goods including by road, rail, cycling, walking and public transport.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter considers it is important to recognise the whole transport system and the parts that road, rail, cycling and walking facilities have within the network.
-

Point Number 742.74

Summary of Decision Requested: Amend the definition of "limited access road" to Chapter 13: Definitions as follows:

Means the following roads in the district to which sections 88 to 98 of the Government Roadding Powers Act 1989 apply:

(a) State Highway 1, except those parts within Huntly town boundaries and in Taupiri between Mangawera bridge and Kaimui Road;

(b) State Highways 2 and 26; and

(c) State Highway 23 from the Hamilton City boundary to the Okete Stream bridge south abutment.

Any road declared a limited access road under Section 88 of the Government Roadding Powers Act 1989, Section 346A of the local Government Act 1974 or the corresponding provisions of any former enactment.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The definition of "limited access road" refers to specific sections of roads which does not account for the situation of new roads being classified as Limited Access Roads.
 - Given the process of declaring Limited Access Roads is covered by legislation and cannot be overridden by a district plan, it could be misleading and/or unnecessarily trigger a plan change if new sections of Limited Access Road are declared.
 - The definition also excludes the situation of Limited Access Roads declared or existing under the Local Government Act 1974.
-

Point Number 742.75

Summary of Decision Requested: Delete the definition of "noise-sensitive activity" in Chapter 13: Definitions.

AND

Amend the definition of "sensitive land use" in Chapter 13: Definitions to cover all of the matters in "noise-sensitive activity" and to include "student accommodation" and "places of assembly".

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The Proposed District Plan defines both "noise-sensitive activity" and "sensitive land use". The two definitions appear to be used interchangeably and inconsistently throughout the Plan.
- The definitions are similar but not identical.
- The submitter considers "noise-sensitive activity" could be removed from the Proposed District Plan and "sensitive land use" definition extended to cover everything in "noise-sensitive activity" including "student accommodation" and "places of assembly", both of which are

activities which can be sensitive to noise.

Point Number 742.76

Summary of Decision Requested: **Retain** the definition of "Operational need" in Chapter 13: Definitions as notified.

Decision Reasons:

- The submitter supports this definition.

Point Number 742.77

Summary of Decision Requested: **Add** a definition of "reverse sensitivity" Chapter 13: Definitions as follows:

Means the vulnerability of a lawfully established activity to a new activity or land use. It arises when a lawfully established activity causes potential, actual or perceived adverse environmental effects on the new activity, to a point where the new activity may seek to restrict the operation or require mitigation of the effects of the established activity.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter seeks a definition of "reverse sensitivity" as per the Regional Policy Statement definition.

Point Number 742.78

Summary of Decision Requested: **Add** a definition of "regionally significant infrastructure" to Chapter 13: Definitions as follows:

Means:

(a) Pipelines for the distribution or transmission of natural or manufactured gas or petroleum;
(b) Infrastructure required to permit telecommunication as defined in the Telecommunications Act 2001;
(c) Radio apparatus as defined in section 2(1) of the Radio Communications Act 1989;
(d) The national electricity grid as defined by the Electricity Industry Act 2010;
(e) A network as defined in the Electricity Industry Act 2010;
(f) Infrastructure for the generation and/or conveyance of electricity that is fed into the national grid or a network (as defined in the Electricity Industry Act 2010);
(g) Significant transport corridors as defined in Maps 6.1 and 6.1A of the Waikato Regional Policy Statement (2016);
(h) Lifeline utilities, as defined in the Civil Defence and Emergency Management Act 2002 and their associated essential infrastructure and services;
(i) Municipal wastewater treatment plants, water supply treatment plants and bulk water supply wastewater conveyance and storage systems municipal supply dams, (including Mangatangi and Mangatawhiri water supply dams) and ancillary infrastructure; and
(j) Flood and drainage infrastructure managed by Waikato Regional Council.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The Waikato Regional Policy Statement defines "regionally significant infrastructure" (including "significant transport corridors") and recognises the local, regional and national benefits that these provide.

Point Number 742.79

Summary of Decision Requested: **Retain** definition of "road network utilities" in Chapter 13: Definitions as notified.

Decision Reasons:

- The submitter supports the definition of "road network activities"

Point Number 742.80

Summary of Decision Requested: **Add** a definition for "rural activities" to Chapter 13: Definitions.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The term rural activities is used in Rule 14.12.1.2(1)(a)(iv) but is not defined.
- A definition is needed to clarify what the term "rural activities" covers.

Point Number 742.81

Summary of Decision Requested: **Retain** the definition for "signs" in Chapter 13: Definitions, except for the amendments sought below

AND

Amend the diagram in the definition for "sign" demonstrating "two signs" to include the situation where signs are at 90 degrees.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The illustrations of two-faced signs do not cover the situation where the signs are at 90 degrees to one another.

Point Number	742.82
Summary of Decision Requested:	Retain definition for "temporary infrastructure" in Chapter 13: Definitions as notified.
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports this definition.
Point Number	742.83
Summary of Decision Requested:	Retain the definition for "vehicle movement" in Chapter 13: Definitions as notified.
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports this definition.
Point Number	742.84
Summary of Decision Requested:	Add a definition for "watercourse" to Chapter 13: Definitions that excludes artificial waterways such as stormwater swales. AND Request any consequential changes necessary to give effect to the relief sought in the submission.
Decision Reasons:	<ul style="list-style-type: none"> There is no definition of the term "watercourse". Refer to submitter's submission on Rule 14.3.1.3(1)(c).
Point Number	742.85
Summary of Decision Requested:	Retain Rule 14.2.1.1(2)(b) New infrastructure as notified. AND Retain Rule 14.2.1.1(2)(c) New infrastructure as notified.
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports conditions 14.2.1.1(2)(b)-(c) which state that the conditions in 14.2.1.1(1) do not apply to roads or other lineal transport networks, or road network activities.
Point Number	742.86
Summary of Decision Requested:	Retain Rule 14.2.3 DI Rules applying to all infrastructure, except for the amendments sought below AND Amend Rule 14.2.3 DI Discretionary activities applying to all infrastructure as follows: <i>Any infrastructure not specifically listed provided for as a permitted restricted discretionary or non-complying activity, within Chapter 14 ...</i> AND Delete Rule 14.2.3 NC3 Rules applying to all infrastructure. AND Request any consequential changes necessary to give effect to the relief sought in the submission.
Decision Reasons:	<ul style="list-style-type: none"> These rules refers to "any infrastructure not specifically listed within Chapter 14", but it is unclear what this covers. For example, 14.2.1.1 mentions "roads" - does this mean they are excluded from this rule? What does "specifically listed" mean in this rule?
Point Number	742.87
Summary of Decision Requested:	Retain Rule 14.3.1 P1 The operation, maintenance, repair and removal of existing infrastructure, as notified.
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports this rule which provides for operation, maintenance, repair and removal of infrastructure.
Point Number	742.88
Summary of Decision Requested:	Retain Rule 14.3.1.P2 Minor upgrading of existing infrastructure as notified, subject to relief sought on Rule 14.3.1.3 and Schedule 30.2.
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports this rule which provides for minor upgrading of infrastructure.
Point Number	742.89
Summary of Decision Requested:	Amend Rule 14.3.1.3((1)(c) Earthworks activities associated with infrastructure as follows: <i>Within 10m of a watercourse (excluding artificial watercourses), ...</i> OR Add a definition of "watercourse" to Chapter 13: Definitions that excludes artificial watercourses, including roadside swales and other stormwater devices; AND Amend the maximum volume of earthworks in Rule 14.3.1.3 (1)(c), dependent on the definition of "watercourse".

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the rule in principle but subject to an appropriate definition of "watercourse". If the definition of "watercourse" includes features such as roadside swales, the submitter is opposed to the maximum volume of earthworks outlined in 14.3.1.3(l)(c).

Point Number

742.90

Summary of Decision Requested:

Retain Rule 14.3.1 P7 Electric vehicle chargers, as notified.

Decision Reasons:

- The submitter supports the provision of facilities for electric vehicles.

Point Number

742.91

Summary of Decision Requested:

Retain Rule 14.3.3 RD1 Minor upgrading of existing infrastructure, except for the amendments sought below

AND

Amend Rule 14.3.3 RD1 (iii) Minor upgrading of existing infrastructure as follows:

~~Transport~~ network safety and efficiency;

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports Rule 14.3.3 RD1 generally, but seeks an amendment to matter (iii) to allow Council's discretion to be restricted to the "transport network" which is broader than the term "road".

Point Number

742.92

Summary of Decision Requested:

Retain Rule 14.3.3 RD2 Earthworks associated with infrastructure, as notified.

Decision Reasons:

- The submitter supports the matters of discretion listed in Rule 14.3.3 RD2.

Point Number

742.93

Summary of Decision Requested:

Retain Rule 14.3.3 Restricted Discretionary Activities, except for the amendments sought below

AND

Add a new matter of discretion to Rule 14.3.3 RD3 Trimming, maintenance or removal of vegetation or trees, as follows:

(d) land transport network safety and efficiency.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports Rule 14.3.3 RD3 generally, but seeks an additional restricted discretionary criterion that considers the safety and efficiency of the transport network.

Point Number

742.94

Summary of Decision Requested:

Retain Rule 14.3.3 RD5 Electric vehicle charging stations, except for the amendments sought below

AND

Amend Rule 14.3.3 RD5(c) Electric vehicle charging stations, as follows:

~~(c) Road~~ Land transport network safety and efficiency;

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports Rule 14.3.3 RD5 but seeks an amendment to matter (c) to allow Council's discretion to be restricted to the "transport network" which is broader than the term "road".

Point Number

742.95

Summary of Decision Requested:

Retain Rule 14.12.1.1 P1 Vehicle access for all activities, except for the amendments sought below

AND

Amend Rule 14.12.1.1 P1 (a) Vehicle access for all activities as follows:

The site has a vehicle legal physical access to a formed road that is maintained by a road controlling authority;

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter generally supports the conditions in 14.12.1.1.
- Clarification is required for (l)(a) so that access should be both legal and physical.
- The Transport Agency particularly supports the requirement that vehicle access should be to a road with the lowest available classification in the road hierarchy.

Point Number 742.96

Summary of Decision Requested: **Retain** Rule 14.12.1.1 Advice Note, except for the amendment sought below
AND

Amend Rule 14.12.1.1 Advice Note as follows:

Any new vehicle access (or additional land use utilising an existing vehicle entrance) on a ~~limited access road or~~ state highway will require the approval of the NZ Transport Agency, as the road controlling authority.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the Advice Note for Rule 14.12.1.1(P1), but seeks minor amendments.
- Not all limited access roads are administered by the submitter.
- No works can be undertaken within a state highway without the prior approval of the submitter pursuant to section 51 of the Government Roadway Powers Act 1989.

Point Number 742.97

Summary of Decision Requested: **Retain** Rule 14.12.1.2 (1)(a)(ii) P2 Onsite parking and loading, except for the amendments sought below
AND

Amend Rule 14.12.1.2(1)(a)(ii) P2 Onsite parking and loading as follows:

If the calculation results in a fraction, then that figure shall be rounded up to the nearest whole number;

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports Rule 14.12.1.2.(1)(a)(ii), but considers an amendment is required for certainty.

Point Number 742.98

Summary of Decision Requested: **Delete** Rule 14.12.1.2(1)(a)(iv) P2 On-site parking and loading.
AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- Rule 14.12.1.2(1)(a)(iv) refers to "rural activities" which is not defined in the Plan. This could be interpreted as any activity occurring in a Rural Zone or any activity of a rural nature. The rule also states that the parking and loading requirements in Table 14.12.5.7 do not apply to "residential activities" (which is defined in the Plan), however Table 14.12.5.7 includes figures for dwellings.
- It is unclear why residential and rural activities would be exempt from the parking and loading space requirements, or why activities are included in Table 14.12.5.7 if they are exempt from Rule 14.12.1.2.

Point Number 742.99

Summary of Decision Requested: **Retain** Rule 14.12.1.3(1)(a)(i) P3 On-site manoeuvring and queuing, except for the amendments sought below
AND

Amend Rule 14.12.1.3(1)(a)(i) P3 On-site manoeuvring and queuing, as follows:

Rule 14.12.1.3(1)(a) does not apply to Local Roads within the Residential and Village Zones with a posted speed limit of less than 60 ~~kph~~ km/h.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports Rule 14.12.1.3(1)(a)(i) but seeks an amendment to ensure the correct abbreviation is used.

Point Number 742.100

Summary of Decision Requested: **Retain** Rule 14.12.1.3(1)(b)P3 On-site manoeuvring and queuing, except for the amendments sought below
AND

Amend Rule 14.12.1.3(1)(b)P3 On-site manoeuvring and queuing as follows:

A 90th percentile car, as defined in Figure 14.12.5.8, can enter and exit all parking spaces without making more than one reverse movement, excluding spaces required for a dwelling;

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports Rule 14.12.1.3(1)(b) but seeks an amendment to ensure the correct abbreviation.

Point Number 742.101

Summary of Decision Requested: **Amend** Rule 14.12.1.3(1)(c) P3 onsite manoeuvring and queuing, as follows:

On-site manoeuvring space for any heavy vehicle shall comply with the tracking curve (relevant for the type of activities to be carried out on the site and the largest combination standard configuration heavy vehicle permitted on the road(s) to which the site has frontage trucks to be used), as set out in the guideline ~~RTS 18 - New Zealand on-road tracking curves for heavy motor vehicles (2007)~~;

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- Rule 14.12.1.3(1)(c) refers to 'RTS 18 - New Zealand on-road tracking curves for heavy motor vehicles' (2007). RTS 18 is a 2007 document and was produced before High Productivity Motor Vehicles (HPMV) were permitted on some roads.
- The Proposed District Plan should refer to tracking curves for the largest combination standard configuration heavy vehicle permitted on the roads to which the site has frontage.

Point Number 742.102

Summary of Decision Requested: **Retain** Rule 14.12.1.4 P4 Traffic generation except for the amendments sought below.

AND

Amend all references to "per day" in Rule 14.12.1.4(1)P4 Traffic generation to "per site per day."

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports Rule 14.12.1.4(1) which refers to a given number of vehicle movements per day in various zones.
- The rule requires further clarity that the threshold relates to vehicle movements per site rather than per zone.

Point Number 742.103

Summary of Decision Requested: **Amend** Rule 14.12.1.5(1) P5 Operation, maintenance and minor upgrading of existing public roads, as follows (subject to relief sought on Rule 14.3.1.3):

Operation, maintenance and minor upgrading of existing public roads, State Highways and associated road network activities must comply with the following conditions:

(a) The works occur within ~~the road reserve or unformed road~~;

(b) Works within the road must ~~be for the purpose of~~;

(i) ~~maintaining or improving effectiveness or efficiency consistent with the incidental to, and serve a supportive function of for~~, the existing public road; or

(ii) ~~Maintaining or improving safety for road users or adjacent properties Required for the safety of road users; or~~

iii. ~~Required for the safety of adjacent landowners or occupiers;~~

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter opposes Rule 14.12.1.5(1)(b)(i) P5 as the term "supportive function" is not defined in the Plan so the rule is vague.
- Each road's function is defined by its categorisation in the road hierarchy which is considered a clearer reference point.
- Notes this rule also requires compliance with Rule 14.3.1.3 which the Transport Agency has sought changes to elsewhere in this submission.

Point Number 742.104

Summary of Decision Requested: **Retain** Rule 14.12.2 RD3 On-site manoeuvring and queuing, except for the amendments sought below

AND

Amend Rule 14.12.2 RD3 On-site manoeuvring and queuing matter of discretion (c) as follows:

~~Safety design for vehicles and pedestrians~~ The design of features intended to ensure safety for all users of the access site, and/or intersecting road including but not limited to vehicle occupants, vehicle riders and pedestrians;

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the intent of matter of discretion (c) but seeks amendment to clarify the intention of the term "safety design".

Point Number 742.105

Summary of Decision Requested: **Retain** Rule 14.12.2 RD4 Traffic generation, except for the amendments sought below

AND

Amend the title of Rule 14.12.2 RD4 Traffic generation as follows:

Traffic generation that does not comply with one or more of the conditions of Rule 14.12.1.4 and that is subject of an Integrated Transport Assessment

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter is concerned at the absence of provisions requiring an Integrated Transport Assessment as these are necessary to understand the potential adverse transport effects associated with an activity.

Point Number 742.106

Summary of Decision Requested: **Retain** Rule 14.12.2 RD4 Traffic Generation, except for the amendments sought below

AND

Amend Rule 14.12.2 RD4 matter of discretion (a) Traffic generation as follows:

~~The trip characteristics of associated with the proposed activity on the site;~~

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The matter of discretion (a) refers to trips "on the site" which could be confused with meaning the trips on the site, as opposed to the trips associated with the activity on the site.

Point Number 742.107

Summary of Decision Requested: **Retain** Rule 14.12.2 RD4 Traffic generation, except for the amendments sought below

AND

Amend Rule 14.12.2 RD4 matter of discretion (b) Traffic generation as follows:

~~Safety design for vehicles and pedestrians~~ The design of features intended to ensure safety for all users of the access site and/or intersecting road including but not limited to vehicle occupants, vehicle riders and pedestrians;

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the intent of matter of discretion (b) but seeks amendment to provide clarification of the intention of the term "safety design".

Point Number 742.108

Summary of Decision Requested: **Retain** Rule 14.12.2 RD4 Traffic generation, except for the amendments sought below

AND

Amend Rule 14.12.2 RD4 matter of discretion (e) Traffic generation as follows:

~~Road and transport network safety and efficiency, particularly at peak traffic times (of both the activity and road network);~~

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the intent of matter of discretion (c) but seeks amendments to ensure that the term "peak traffic times" relates to the peak times for the activity and for the road to which vehicle movements associated with the activity connect.

Point Number 742.109

Summary of Decision Requested: **Retain** Rule 14.12.2 RD7 Access and New Roads- Te Kowhai Airpark, except for the amendments sought below

AND

Add to Rule 14.12.2 RD7 Access and New Roads - Te Kowhai Airpark the following matter of discretion:

(j) adverse effects on the safety and efficiency of the land transport network.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

-

Decision Reasons:

- The submitter seeks a new matter of discretion to ensure that potential adverse effects on the safety and efficiency of the transport network are considered.

Point Number 742.110

Summary of Decision Requested: **Retain** Table 14.12.5.1 Separation distances, except for the amendments sought below

AND

Amend Table 14.12.5.1 Separation distances, as per Attachment 1 to the submission. Refer to submission for full details.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The values in Table 14.12.5.1 are commensurate with the Transit NZ Policy Planning Manual Table App5B/3, however there are no values for 60 km/h and no reference to National Routes.

Point Number 742.111

Summary of Decision Requested: **Retain** Figure 14.12.5.2 Separation distances as notified.

Decision Reasons:

- The submitter considers Figure 14.12.5.2 is critical to the interpretation of Table 14.12.5.1.

Point Number 742.112

Summary of Decision Requested: **Retain** Table 14.12.5.3 minimum sight distances, except for the amendments sought below

AND

Amend Table 14.12.5.3 minimum sight distances as shown in Attachment 2 to the submission.

AND

Add definitions for "Rural Areas" and "Urban Areas" as referenced in Table 14.12.5.3.

Refer to submission for full details.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- There is no clear correlation between the distances in Table 14.12.5.3 and other sight distance sources. For example, the sight distances are not aligned with those in Appendix 5B of the Transit NZ Policy Planning Manual.
- Table 14.12.5.3 stipulates different minimum sight distances depending on whether the activity is in a 'rural area' or 'urban area', however, these terms are not defined. It is important to provide certainty, perhaps by reference to the posted speed limit (e.g. urban areas being defined as anywhere with a posted speed limit of 70 km/h or below).

Point Number 742.113

Summary of Decision Requested: **Retain** Figure 14.12.5.4 Minimum sight distances, except for the amendments sought below

AND

Delete Figure 14.12.5.4 Minimum sight distances

AND

Add Perspective A diagram from Appendix 5b of Transit NZ Planning Policy Manual (2007).

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter considers Figure 14.12.5.4 is critical to interpretation of Table 14.12.5.3 but requires amendment to ensure it is consistent with the Transit NZ Planning Policy Manual and Austroads Guide to Road Design Part 4A: Unsignalised and Signalised Intersections (2017 Edition).

Point Number 742.114

Summary of Decision Requested: **Retain** Table 14.12.5.5 Functions of roads within the Road Hierarchy as notified.

Decision Reasons:

- The description of the functions of the various categories of road is important when focus is on protecting those functions. Council should ensure that terms and abbreviations are consistent throughout the Plan.

Point Number 742.115

Summary of Decision Requested: **Retain** Table 14.12.5.6 Road hierarchy list as notified.

Decision Reasons:

- The submitter supports listing the road hierarchy in the Plan.

Point Number 742.116

Summary of Decision Requested: **Retain** Figure 14.12.5.8 90th percentile car tracking curve minimum radius, except for the amendments sought below

AND

Delete Figure 14.12.5.8 - 90th percentile car tracking curve minimum radius

AND

Add vehicle dimensions from Figure B2 and the tracking curve from Figure B5 of AS/NZ2890.1:2004.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the inclusion of Figure 14.12.5.8 in the Plan. However, AS/NZS2890.1:2004 describes the 85th percentile car as longer than the 90th percentile car used in Figure 14.12.5.8.

Point Number 742.117

Summary of Decision Requested: Retain Table 14.12.5.12 Queuing space as notified.

Decision Reasons:

- Table 14.12.5.12 recognises that queuing is likely to be affected by the nature of traffic movements on the intersecting road, therefore the queuing length required could be greater than the minimums.

Point Number 742.118

Summary of Decision Requested: Retain Table 14.12.5.13 Traffic generation rates, except for the amendments sought below

AND

Delete Table 14.12.5.13 Traffic generation rates

AND

Add Table 7.4 from Trips and parking related to land use (2011) (NZ Transport Agency research report 453).

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- In comparison with Table 7.4 of the quoted source research report (Trips and parking related to land use (2011)), many of the trip generation rates appear to be too low.
- It seems unlikely that the trip generation rate for car sales yards will be the same as the trip generation rate for bulk retail.
- The amalgamation of land uses (dairies, takeaway food, bottle stores) will result in unreasonable analysis. For example, fast food outlets have a rate of 362 in the original report compared with the rate of 100 quoted in Table 14.12.5.13. The rate for a medical centre is 79.4 trips per day per professional staff member in the original report and the rate in the Table is significantly understated. The rate for "housing for the elderly/residential care" appears less than the original rates of 2.4 per bed for retirement homes and 2.6 per unit for retirement units. "Retail" is too broad a category for "shopping" the original research report describes rates ranging from 56 to 141.
- The Plan's traffic generation rates are unlikely to be representative and the submitter requested that more relevant information be used.

Point Number 742.119

Summary of Decision Requested: Retain Table 14.12.5.15 Access Roads and conditions (Rural and Country Living Zones) as notified.

Decision Reasons:

- Based on the nature of the land use associated with the Rural and Country Living Zones, the submitter considers that the design vehicles are appropriate.

Point Number 742.120

Summary of Decision Requested: Delete conditions (g) and (i) in Rule 16.1.2 P3 A new retirement village or alterations to an existing retirement village.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- Signage and traffic generation matters should not be excluded from the conditions that apply to this activity.

Point Number 742.121

Summary of Decision Requested: Retain Rule 16.1.2 P4 Home occupation, except for the amendments sought below

AND

Add to Rule 16.1.2 P4 Home occupation a new condition as follows:

(f) There are no heavy vehicle movements associated with the activity.

AND

Add a new Restricted Discretionary rule for home occupations not complying with 16.1.2 P4(f), with discretion restricted to the effects of heavy vehicle traffic on the safety and efficiency of the transport network.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- Within the Residential Zone, home occupations should not involve heavy vehicles.

Point Number 742.122

Summary of Decision Requested: Retain Rule 16.1.2 P5 Temporary event as notified.

Decision Reasons:

- The submitter supports no direct access from a national route or regional arterial road.
- Temporary events are subject to Rule 14.12.1.4 which would ensure that for events exceeding a certain size any effects on the transport network could be addressed.

Point Number 742.123

Summary of Decision Requested: **Add** to Rule 16.1.3 RD1 A multi-unit development that meets all of the following conditions new matters of discretion as follows.

(k) On-site parking and manoeuvring;
(l) Safety and efficiency of the land transport network;
(m) Provision for multi-modal transport.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The potential adverse effects on the transport network from multi-unit developments should be considered.

Point Number 742.124

Summary of Decision Requested: **Retain** Rule 16.1.4 DI Discretionary Activities, as notified.

Decision Reasons:

- The submitter supports Council having full discretion over activities that do not comply with permitted activity standards.

Point Number 742.125

Summary of Decision Requested: **Retain** Rule 16.2.3 PI Glare and artificial lighting as notified.

AND

Retain Rule 16.2.3 RD1 Glare and artificial lighting as notified.

Decision Reasons:

- The submitter supports all rules in this section.

Point Number 742.126

Summary of Decision Requested: **Retain** P1 in Rule 16.2.7.1 as notified;

AND

Retain P2 in Rule 16.2.7.1 as notified;

AND

Retain P3 in Rule 16.2.7.1 as notified;

AND

Retain RD1 in Rule 16.2.7.1 as notified.

Decision Reasons:

- The submitter supports the rules in this section.

Point Number 742.127

Summary of Decision Requested: **Retain** Rule 16.2.7.2 PI Effects on traffic, except for the amendments sought below

AND

Amend Rule 16.2.7.2 PI(v) Effects on traffic as follows:

Contain no more than 40 characters and no more than 6 words, symbols or graphics.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the intent of Rule 16.2.7.2 PI but seeks amendment to provide clarification on the maximum amount of words permitted. This will ensure that signage erected does not cause unnecessary visual clutter or affect the efficient, safe and effective functioning of the transport network.

Point Number 742.128

Summary of Decision Requested: **Retain** Rule 16.2.7.2 DI Effects on traffic as notified.

Decision Reasons:

- The submitter supports Council having full discretion over signs that do not comply with permitted activity standards.

Point Number 742.129

Summary of Decision Requested: **Amend** Rule 16.3.9.1 PI(a) Building setback - all boundaries, as follows:

A building must be set back a minimum of:
(i) 3 m from the road boundary (excluding state highways);
(ii) 7.5 m from the boundary of a state highway;

AND

Add to Rule 16.3.9.1 P2(a) Building setback - all boundaries a new clause as follows:
(iii) it is not a state highway road boundary.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- Rules 16.3.9.1 P1 and P2 do not differentiate between different road types as described in the road hierarchy.

Point Number 742.130

Summary of Decision Requested: **Retain** Rule 16.3.9.1 Building setback- All boundaries, except for the amendments sought below
AND
Amend Rule 16.3.9.1 RD1 matter of discretion (b)(i) Building setbacks- All boundaries as follows:
~~Road Transport~~ network safety and efficiency;
AND
Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the matters of discretion under Rule 16.3.9.1 RD 1, particularly (b)(i) and (ii) with minor amendment.

Point Number 742.131

Summary of Decision Requested: **Retain** Rule 16.3.9.2 P1 Building setback- Sensitive land use, except for the amendments sought below
AND
Amend Rule 16.3.9.2 P1(a)(iii) Building setback - Sensitive land use as follows
(iii) ~~25m~~ 35m from the designated boundary of the Waikato Expressway;
AND
Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the intent of Rule 16.3.9.2 but considers that the proposed setback of 25m from the Waikato Expressway has the potential to result in adverse effects on health and wellbeing and reverse sensitivity effects.
- A setback of 35m (as per the Operative District Plan) will better avoid reverse sensitivity matters consistent with the policy direction in the Proposed District Plan.
- The proposed setbacks will not be sufficient to avoid adverse effects on occupiers on their own and buildings will also require acoustic treatment. Relief sought in this respect assumes submission points regarding acoustic treatment are accepted.

Point Number 742.132

Summary of Decision Requested: **Retain** Rule 16.3.9.2 D1 Building setback sensitive land use as notified.

Decision Reasons:

- The submitter supports Council having full discretion over sensitive land use activities that do not comply with permitted activity standards.

Point Number 742.133

Summary of Decision Requested: **Retain** Rule 16.4.11 RD1 Subdivision Road Frontage as notified.

Decision Reasons:

- The submitter supports a minimum 15m width for lots with road frontages as it will assist in avoiding adverse effects on network safety and efficiency.

Point Number 742.134

Summary of Decision Requested: **Retain** Rule 17.1.2 P17 Permitted Activities - Temporary event as notified.

Decision Reasons:

- The submitter supports no direct access from a national route or regional arterial road.
- Temporary events are subject to Rule 14.12.1.4 which would ensure that for events exceeding a certain size any effects on the transport network could be addressed.

Point Number 742.135

Summary of Decision Requested: **Retain** Rule 17.1.3 RD1 Restricted Discretionary Activities, except for the amendments sought below
AND

Add to Rule 17.1.3 RD1 Restricted Discretionary Activities new matters of discretion as follows

(x) On-site parking and manoeuvring

(xi) Safety and efficiency of the land transport network.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The potential adverse effects on the transport network from a multi-unit development should be considered.

Point Number 742.136

Summary of Decision Requested: **Retain** Rule 17.2.4 P1 Glare and artificial light spill, as notified;
AND
Retain Rule 17.2.4 RD1 Glare and artificial light spill, as notified.

Decision Reasons:

- The submitter supports all rules in this section.

Point Number 742.137

Summary of Decision Requested: **Retain** Rule 17.2.7.1 P1 Signs general as notified
AND
Retain Rule 17.2.7.1 RD1 Signs general as notified.

Decision Reasons:

- Rule 17.2.7.1 P1 allows the submitter to erect signage as a permitted activity.
- The submitter supports the matters of discretion under RD1, particularly (b)(ii), (b)(iii) and (b)(iv).

Point Number 742.138

Summary of Decision Requested: **Retain** Rule 17.2.7.1 P2 Signs- General, except for the amendments sought below
AND
Amend Rule 17.2.7.1 P2(a)(v) Signs - General as follows:
Where the sign is a freestanding sign, it must:
A. Not exceed an area of 3m² for one sign per site, and 1m² for ~~any other~~ one additional freestanding sign on the site; ~~and~~
B. Be set back at least 5m from the boundary of the Residential Zone; and
C. Be set back at least 1.5m from the boundary of a state highway.
AND
Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports Rule 17.2.7.1 P2, but considers amendments are required to ensure that adverse effects on the transport network are avoided.

Point Number 742.139

Summary of Decision Requested: **Retain** Rule 17.2.7.2 P1 Signs- effects on traffic, except for the amendments sought below
AND
Amend Rule 17.2.7.2 P1 (iv) Signs - effects on traffic, as follows:
Contain no more than 40 characters and no more than 6 words, symbols or graphics
AND
Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the intent of Rule 17.2.7.2 P1 but seeks amendment to provide clarification on the maximum amount of words permitted. This will ensure that signage erected does not cause unnecessary visual clutter or affect the efficient, safe and effective functioning of the transport network.

Point Number 742.140

Summary of Decision Requested: **Retain** Rule 17.2.7.2 D1 Signs - Effects on traffic as notified.

Decision Reasons:

- The submitter supports Council having full discretion over signs that do not comply with permitted activity standards.

Point Number 742.141

Summary of Decision Requested: **Add** to Rule 17.3.4 Building setbacks a new rule as follows:
17.3.4.3 Building setbacks - State highways
PI (g) Any building must be setback a minimum of:
(i) 15m from a national route or regional arterial.
(ii) 25m from the designated boundary of the Waikato Expressway.
DI Any building that does not comply with Rule 17.3.4.3 PI.
AND
Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- There is no rule specifying building setbacks from state highways in the Business Zone.
- The Operative District Plan provided 15m from national/regional arterials and 25m from the Waikato Expressway.

Point Number 742.142
Summary of Decision Requested: **Retain** Rule 17.3.6 PI DI and NCI Dwelling as notified, subject to the amendments sought to Appendix I being accepted (addressed elsewhere in the submission).

Decision Reasons:

- The submitter supports acoustic conditions for dwellings in the Business Zone. However, Appendix I needs to be amended to include sound insulation standards, vibration standards and ventilation requirements for buildings near road/rail to ensure health and wellbeing is protected.

Point Number 742.143
Summary of Decision Requested: **Retain** Rule 17.4.1.6 RDI Subdivision - Road frontage as notified.

Decision Reasons:

- The submitter supports a minimum 15 m width for lots with road frontages as it will assist in avoiding adverse effects on network safety and efficiency.

Point Number 742.144
Summary of Decision Requested: **Amend** Rule 23.4.7 RDI(a) Subdivision - Road frontage as follows:
(a) Every proposed lot as part of the subdivision having a road boundary, other than one designed as an access allotment or utility allotment containing a road access leg, must have a width along the road boundary of at least ~~15m~~ 50m.

Decision Reasons:

- The submitter considers there is no justification as to why the road frontage rule within the Country Living Zone has been changed from 50m (under the Operative Plan) to 15m.
- 50m is appropriate to ensure the safe and efficient operation of the transport network.

Point Number 742.145
Summary of Decision Requested: **Retain** Rule 24.1.1 P3 Home occupation, except for the amendments sought below
AND
Add a new condition to Rule 24.1.1 P3 Permitted activity - Home occupation as follows:
(f) There are no heavy vehicle movements associated with the activity.
AND
Add a new Restricted Discretionary Activity rule for home occupations not complying with 24.1.1 P3(f), with discretion restricted to the effects of heavy vehicle traffic on the safety and efficiency of the transport network.
AND
Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- Within the Village Zone, home occupations should not involve heavy vehicles without assessment of effects.

Point Number 742.146
Summary of Decision Requested: **Retain** Rule 24.1.1 P4 Permitted Activities - Temporary event as notified.

Decision Reasons:

- The submitter supports no direct access from a national route or regional arterial road.
- Temporary events are subject to Rule 14.12.1.4 which would ensure that for events exceeding a certain size, any effects on the transport network could be addressed.

Point Number 742.147
Summary of Decision Requested: **Retain** Rule 24.2.3 PI Glare and artificial light spill, as notified.
AND

Retain Rule 24.2.3 RD1 Glare and artificial light spill, as notified.

Decision Reasons:

- The submitter supports all rules in this section.

Point Number 742.148

Summary of Decision Requested: **Retain** Rule 24.2.7.1 P1 Signs - General as notified.
AND
Retain Rule 24.2.7.1 P2 Signs - General as notified.
And
Retain Rule 24.2.7.1 RD1 Signs - General as notified.

Decision Reasons:

- The submitter supports Rules 24.2.7.1 P1 and P2 and the matters of discretion under RD1, particularly (b)(iii), (b)(iv) and (b)(v).

Point Number 742.149

Summary of Decision Requested: **Retain** Rule 24.2.7.2 Signs- Effects on Traffic, except for the amendments sought below
AND
Amend Rule 24.2.7.2 P1(v) Signs - Effects on Traffic as follows:
Contain no more than 40 characters and no more than 6 words, symbols or graphics.
AND
Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the intent of Rule 24.2.7.2 P1 but seeks amendment to provide clarification on the maximum amount of words permitted. This will ensure that signage erected does not cause unnecessary visual clutter or affect the efficient, safe and effective functioning of the transport network.

Point Number 742.150

Summary of Decision Requested: **Retain** Rule 24.2.7.2 D1 Signs - Effects on Traffic as notified.

Decision Reasons:

- The submitter supports Council having full discretion over signs that do not comply with permitted activity standards.

Point Number 742.151

Summary of Decision Requested: **Retain** Rule 24.3.6.1 Building setbacks- All boundaries, except for the amendments sought below
AND
Amend Rules 24.3.6.1 P1 and P2 Building setbacks - All boundaries to require 15m setbacks from all state highways.
AND
Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- Rules 24.3.6.,1 P1 and P2 do not differentiate between different road types as described in the road hierarchy.

Point Number 742.152

Summary of Decision Requested: **Retain** Rule 24.3.6.1 RD1 Building setbacks- All boundaries, except for the amendments sought below
AND
Amend matter of discretion (b)(i) in Rule 24.3.6.1 RD1 Building setbacks - All boundaries as follows:
~~Road~~transport network safety and efficiency;
AND
Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the matters of discretion under Rule 24.3.6.1 RD1, particularly (b)(i) and (b) (ii) with minor amendment, although no reasons have been provided.

Point Number 742.153

Summary of Decision Requested: **Retain** Rule 24.3.6.2 P1 Building setbacks - All boundaries as notified (subject to relief sought in other submissions on acoustic treatment).

Decision Reasons:

- The submitter notes the proposed setbacks will not be sufficient to avoid adverse effects on occupiers on their own and buildings will also require acoustic treatment. Relief sought in this respect assumes submission points regarding acoustic treatment are accepted.

Point Number 742.154

Summary of Decision Requested: **Retain** Rule 24.3.6.2 D1 Building setbacks - Sensitive land use as notified.

Decision Reasons:

- The submitter supports Council having full discretion over sensitive land use activities that do not comply with permitted activity standards.
-

Point Number 742.155

Summary of Decision Requested: **Retain** Rule 24.4.9 RD1 Road frontage, except for the amendments sought below

AND

Amend Rule 24.4.9 RD1 Road frontage matter of discretion (b)(i), as follows:

Safety and efficiency of vehicle access and ~~road~~ transport network;

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports a 20m minimum width for lots with a road boundary as this will enable safe separation distance between vehicle entrances.
 - Retaining discretion over safety and efficiency of the road network is also supported with minor amendment.
-

Point Number 742.156

Summary of Decision Requested: **Retain** Rule 25.1.2 P4 Temporary events, except for the amendments sought below

AND

Add a new condition to Rule 25.1.2 P4 Permitted Activity - Temporary Event, as follows:

(g) There is a maximum of 100 vehicle movements per day, and no more than 15% of these are heavy vehicle movements.

AND

Add a new Restricted Discretionary Activity rule for temporary activities not complying with 25.1.2 P4(g), with discretion restricted to the effects on the safety and efficiency of the transport network;

OR

Amend Rule 14.12.1.4 Transportation - Permitted Activities, by adding a threshold for traffic generation within the Reserve Zone.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports no direct access from a national route or regional arterial road.
 - Temporary events in the Reserve Zone are not subject to Rule 14.12.1.4 which would ensure that, for events exceeding a certain size, any effects on the transport network could be addressed. The submitter therefore seeks that either Rule 25.1.2 is amended to provide maximum traffic generation figures or Rule 14.12.1.4 is amended to provide a threshold for traffic generation in the Reserve Zone.
-

Point Number 742.157

Summary of Decision Requested: **Retain** Rule 25.2.3 P1 Glare and artificial light spill, as notified.

AND

Retain Rule 25.2.3 RD1 Glare and artificial light spill, as notified.

Decision Reasons:

- The submitter supports all rules in this section.
-

Point Number 742.158

Summary of Decision Requested: **Retain** Rule 25.2.7.1 P1 Signs - General, as notified.

AND

Retain Rule 25.2.7.1 RD1 Signs - General, as notified.

Decision Reasons:

- The submitter supports Rule 25.2.7.1 P1 as it allows the Transport Agency to erect signage as a permitted activity.
 - The submitter supports the matters of discretion under RD1, particularly (b)(iii), (b)(iv) and (b)(v), although no reasons have been provided.
-

Point Number 742.159

Summary of Decision Requested: **Retain** Rule 25.2.7.1 P2 Signs - General, as notified.

Decision Reasons:

- No reasons provided.

Point Number 742.160

Summary of Decision Requested: **Retain** Rule 25.2.7.2 P1 Signs- Effects on Traffic, except for the amendments sought below
AND
Amend Rule 25.2.7.2 P1 (iv) Signs - Effects on Traffic as follows:
Contain no more than 40 characters and no more than 6 words, symbols or graphics.
AND
Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the intent of Rule 25.2.7.2 P1 but seeks amendment to provide clarification on the maximum amount of words permitted. This will ensure that signage erected does not cause unnecessary visual clutter or affect the efficient, safe and effective functioning of the transport network.

Point Number 742.161

Summary of Decision Requested: **Retain** Rule 25.2.7.2 D1 Signs - Effects on Traffic, as notified.

Decision Reasons:

- The submitter supports Council having full discretion over signs that do not comply with permitted activity standards.

Point Number 742.162

Summary of Decision Requested: **Retain** Rule 25.3.5.1 P1 Building setbacks - General as notified.

Decision Reasons:

- The submitter considers the proposed building setbacks in Rule 25.3.5.1 P1 are appropriate.

Point Number 742.163

Summary of Decision Requested: **Retain** Rule 25.5.2.1 P1 Signs- Tamahere Village Green, except for the amendments sought below
AND
Add a new clause to Rule 25.5.2.1 P1 (a) Signs - Tamahere Village Green as follows:
(vi) one sign per site.
AND
Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports Rule 25.5.2.1 P1 (a) but seeks further permitted activity standards to ensure that only one sign is permitted on-site so adverse effects on traffic safety are not compromised.

Point Number 742.164

Summary of Decision Requested: **Retain** Rule 25.5.2.1 RD1 Signs as notified.

Decision Reasons:

- The submitter supports Council retaining discretion over matters (b)(ii), (b)(iii), (b)(iv) and (b)(v).

Point Number 742.165

Summary of Decision Requested: **Retain** Rule 26.1.2.1 C1 Controlled Activities – Operational Motor Sport Area – Precinct A as notified.

Decision Reasons:

- The submitter supports Council retaining control over these activities.

Point Number 742.166

Summary of Decision Requested: **Retain** Rule 26.2.4 P1 Landscaping and Screening, as notified;
AND
Retain 26.2.4 P2 Landscaping and Screening, as notified.

Decision Reasons:

- The submitter supports the need for landscaping and planting to ensure that the events are screened from the state highway.

Point Number 742.167

Summary of Decision Requested: **Retain** Rule 26.2.6 P1 Motorsport and Recreation Events – Precincts A and C as notified

AND

Retain Rule 26.2.6 P2 Motorsport and Recreation Events – Precincts A and C as notified

AND

Retain Rule 26.2.6 P3 Motorsport and Recreation Events – Precincts A and C, as notified

AND

Retain Rule 26.2.6 D1 Motorsport and Recreation Events – Precincts A and C as notified.

Decision Reasons:

- The thresholds should ensure there are no adverse effects on the safety and efficiency of the transport network that can not be mitigated.

Point Number

742.168

Summary of Decision Requested:

Retain Rule 26.2.7 C1 Motorsport and Event Traffic Management – All Precincts, as notified;

AND

Retain Rule 26.2.7 C2 Motorsport and Event Traffic Management – All Precincts; as notified;

AND

Retain Rule 26.2.7 C3 Motorsport and Event Traffic Management – All Precincts, as notified.

Decision Reasons:

- The submitter supports:
 - the requirements in regards to a Traffic Management Plan being undertaken and what is to be included in that Plan;
 - the minimum deceleration lengths at off ramps from the state highway and the travel speed percentages; and
 - having a representative from the NZ Transport Agency for the Implementation Monitoring Committee to address traffic safety matters.

Point Number

742.169

Summary of Decision Requested:

Retain Rule 26.2.10 P1 Glare and Artificial Light Spill, as notified.

AND

Retain Rule 26.2.10 RD1 Glare and Artificial Light Spill, as notified.

Decision Reasons:

- The submitter supports all rules in this section.

Point Number

742.170

Summary of Decision Requested:

Retain Rule 26.2.11 P1 Signs general - All precincts, as notified.

AND

Retain Rule 26.2.11 RD1 Signs general - All precincts, as notified.

Decision Reasons:

- The submitter supports Rule 26.2.11 P1 and supports the matters of discretion under RD1, particularly (b)(ii), (b)(iii), (b)(iv) and (b)(v).

Point Number

742.171

Summary of Decision Requested:

Retain Rule 26.2.12 P1 Signs- effects on traffic- All Precincts, except for the amendments sought below

AND

Amend Rule 26.2.12 P1 (v) Signs - effects on traffic - All Precincts as follows:

Contain no more than 40 characters and no more than 6 words, symbols or graphics:

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the intent of Rule 26.2.12 P1 but seeks amendment to provide clarification on the maximum amount of words permitted. This will ensure that signage erected does not cause unnecessary visual clutter or affect the efficient, safe and effective functioning of the transport network.

Point Number

742.172

Summary of Decision Requested:

Retain Rule 26.2.12 D1 Signs - effects on traffic - All Precinct as notified.

Decision Reasons:

- The submitter supports Council having full discretion over signs that do not comply with permitted activity standards.

Point Number

742.173

Summary of Decision Requested: Retain Rule 26.3.5 PI Building setbacks – All precincts as notified;
AND
Retain Rule 26.3.5 DI Building setbacks – All precincts as notified.

Decision Reasons:

- The submitter supports a 25m setback from the Waikato Expressway.

Point Number 742.174

Summary of Decision Requested: Retain Rule 27.2.9 PI Glare and Lighting as notified.
AND
Retain Rule 27.2.9 RDI Glare and Lighting as notified.

Decision Reasons:

- The submitter supports all rules in this section.

Point Number 742.175

Summary of Decision Requested: Retain Rule 27.2.12 P1 Signs as notified.
AND
Retain Rule 27.2.12 P2 Signs as notified
AND
Retain Rule 27.2.12 P4 Signs as notified.
AND
Retain Rule 27.2.12 RDI Signs as notified.

Decision Reasons:

- The submitter supports the proposed sign rules as the conditions ensure there will be no adverse effects on the transport network.

Point Number 742.176

Summary of Decision Requested: Retain Rule 27.2.13 P1 Signs- effects on traffic, except for the amendments sought below
AND
Amend Rule 27.2.13 P1(a)(iv) Signs - effects on traffic as follows:
Contain ~~maximum~~ no more than 40 characters and ~~a maximum~~ no more than 6 words, symbols or graphics;
AND
Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the intent of Rule 27.2.13 P1 but seeks amendment to provide clarification on the maximum amount of words permitted. This will ensure that signage erected does not cause unnecessary visual clutter or affect the efficient, safe and effective functioning of the transport network.

Point Number 742.177

Summary of Decision Requested: Retain Rule 27.2.13 RDI Signs- effects on traffic, except for the amendments sought below
AND
Amend Rule 27.2.13 RDI(b)(ii) Signs - effects on traffic as follows:
Effects on the safe and efficient operation of the ~~road~~land transport network;
AND
Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports Council retaining discretion over effects on safety and efficiency with minor amendment.

Point Number 742.178

Summary of Decision Requested: Retain Rule 27.2.14 P1 Temporary Events as notified.

Decision Reasons:

- The submitter supports no direct access from a national route or regional arterial road.
- Temporary events are subject to Rule 14.12.1.4 which would ensure that for events exceeding a certain size, any effects on the transport network could be addressed.

Point Number 742.179

Summary of Decision Requested: **Retain** Rule 27.2.14 RD1 Temporary Events, except for the amendments sought below
AND
Amend Rule 27.2.14 RD1(b)(iv) Temporary Events as follows:
~~Traffic and road safety effects~~ Effects on the safe and efficient operation of the land transport network.
AND
Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports Council retaining discretion on traffic and road safety effects but seeks minor amendment for consistency.

Point Number 742.180

Summary of Decision Requested: **Retain** Rule 27.3.7 P1 Building setback from a state highway as notified.

Decision Reasons:

- The submitter supports a 15m setback as it will avoid adverse effects on the state highway.

Point Number 742.181

Summary of Decision Requested: **Retain** Rule 27.4.5 RD1 Road access as notified.

AND

Retain Rule 27.4.5 D1 Road access as notified.

Decision Reasons:

- The submitter supports Rules 27.4.5 RD1 and D1 and the requirement to be in general accordance with Appendix 9 (Te Kowhai Airfield precinct zoning).

Point Number 742.182

Summary of Decision Requested: **Retain** Appendix 1 Acoustic Insulation, except for the amendments sought below

AND

Amend Appendix 1 Acoustic Insulation as follows:

1. Application

(a) This appendix is referred to in the rules related to:

...

(ii) buildings for sensitive land use within 100 m of a state highway or rail corridor.

AND

Add to Appendix 1 Acoustic Insulation, to include standards a new Section 7 for sensitive land use near state highways and rail corridors.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- Appendix 1 needs to be amended to include sound insulation standards, vibration standards and ventilation requirements for buildings near road/rail to ensure that health and wellbeing are protected.

Point Number 742.183

Summary of Decision Requested: **Retain** Section E Designations J New Zealand Transport Agency, in respect to the designations and purpose of designation.

AND

Amend the order and numbering of the listed Section E designations for the New Zealand Transport Agency so that they generally coincide with locations that run north to south. Refer to Attachment 4 to the submission for further detail.

Decision Reasons:

- The purposes of the Transport Agency designations are supported in full.
- There is no apparent logic behind the ordering and numbering of the Transport Agency's designations. This increases the difficulty in finding relevant designations within the designations schedule. Reordering and renumbering the designations will simplify finding designations from an administrative and user point of view.

Point Number 742.184

Summary of Decision Requested: **Amend** the mapped location of Notable Tree #146 currently shown on State Highway 23 and map this tree in its correct location.

OR

Add to Rule 22.2.5.1 RD 1 (b) a new matter of discretion as follows:

(iv) safety and efficiency of the transport network.

AND

Add to Rule 22.2.5.2 RD 1 (B) Notable Tree - removal or destruction a new matter of discretion as follows:

(iv) safety and efficiency of the transport network.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- Notable Tree #146 is shown to be located on State Highway 23 in the planning maps, and the submitter considers this may be incorrect.
- If this tree is located within the New Zealand Transport Agency's designation the submitter requests amendments to Rules 22.2.5.1 and 22.5.2.

Point Number 742.185

Summary of Decision Requested: **Retain** the Significant Natural Area overlay, except for the amendments sought below

AND

Amend the Significant Natural Area (SNA) overlay by reviewing and removing any such areas from existing New Zealand Transport Agency designations.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The objective of Significant Natural Areas (SNAs) is to protect and enhance indigenous biodiversity.
- Land transport designation corridors are generally highly modified areas and do not meet the identity and management hierarchy requirements (Policy 3.2.2 and Policy 3.2.3).
- Placing an SNA overlay over existing land transport corridors does not reflect the designated use and purpose of the corridor or recognise the highly modified nature of these environments.

Point Number 742.186

Summary of Decision Requested: **Retain** the Outstanding Natural Feature overlay, except for the amendments sought below

AND

Amend the Outstanding Natural Features overlay by reviewing and removing any such areas from existing New Zealand Transport Agency designations.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The objective of identifying Outstanding Natural Features and landscapes is to ensure that these landscapes and their attributes are recognised and protected from inappropriate subdivision, use and development. The submitter supports this objective however, this also needs to recognise the functional need for infrastructure to be located within these areas and land transport designated corridors are generally highly modified areas.

Point Number 742.187

Summary of Decision Requested: **Retain** the Outstanding Natural Landscapes overlay, except for the amendments sought below

AND

Amend the Outstanding Natural Landscapes overlay by reviewing and removing any such areas from existing New Zealand Transport Agency designations.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The objective of identifying Outstanding Natural Features and landscapes is to ensure that these landscapes and their attributes are recognised and protected from inappropriate subdivision, use and development. The submitter supports this objective however, this also needs to recognise the functional need for infrastructure to be located within these areas and land transport designated corridors are generally highly modified areas.

Point Number 742.188

Summary of Decision Requested: **Retain** the Outstanding Natural Character overlay, except for the amendments sought below

AND

Amend the Outstanding Natural Character overlay by reviewing and removing any such areas from existing New Zealand Transport Agency designations.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The objective of identifying Outstanding Natural Character is to protect the natural character of the coastal environment and waterways from inappropriate subdivision, use and development.
- The submitter supports this objective however, this also needs to recognise the functional need for infrastructure to be located within these areas and land transport designated corridors are generally highly modified areas.

Point Number	742.189
Summary of Decision Requested:	<p>Retain Hamilton Basin Ecological Management Area, except for the amendments sought below</p> <p>AND</p> <p>Clarify the purpose of the Hamilton Basin Ecological Management Area in District Plan provisions</p> <p>AND</p> <p>Delete the Hamilton Basin Ecological Management Area overlay from existing New Zealand Transport Agency designations.</p> <p>AND</p> <p>Request any consequential changes necessary to give effect to the relief sought in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> • There are no objectives, policies or rules that specifically relate to the Hamilton Basin Ecological Management Area. The submitter understands this overlay relates to Policy 3.2.8 Incentivise subdivision and Rule 22.4.1.6 Conservation lot subdivision. • It is not relevant or appropriate to show this overlay on land designated for land transport purposes.
Point Number	742.190
Summary of Decision Requested:	<p>Amend the planning maps to show the correct boundaries of all New Zealand Transport Agency designations.</p> <p>AND</p> <p>Amend the planning maps to re-label the New Zealand Transport Agency's designations as per the details in Attachment 4 of the submission.</p> <p>AND</p> <p>Request any consequential changes necessary to give effect to the relief sought in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> • The Resource Management Act provides for requiring authorities to modify its existing designations for Council to include in its Proposed District Plan (Schedule 1 clause 4). • The submitter and Council agreed on a number of minor amendments to correct the footprint of state highway designations. While most of these designations are shown correctly on the maps, there are a number of errors that require amendment. Refer to submission for full details.
Point Number	742.191
Summary of Decision Requested:	Retain Rule 16.3.9.2 D1 Building setback- Sensitive land use as notified.
Decision Reasons:	
Point Number	742.192
Summary of Decision Requested:	Retain Rule 18.1.2 P10 Permitted Activity - temporary event as notified.
Decision Reasons:	<ul style="list-style-type: none"> • The submitter supports no direct access from a national route or regional arterial road. • Temporary events are subject to Rule 14.12.1.4 which would ensure that, for events exceeding a certain size, any effects on the transport network could be addressed.
Point Number	742.193
Summary of Decision Requested:	<p>Retain Rule 18.1.3 RD1 Restricted Discretionary Activities, except for the amendments sought below</p> <p>AND</p> <p>Add to Rule 18.1.3 Restricted Discretionary Activities new matters of discretion, as follows:</p> <p><i>(k) On-site parking and manoeuvring;</i></p> <p><i>(l) Safety and efficiency of the land transport network.</i></p> <p>AND</p> <p>Request any consequential changes necessary to give effect to the relief sought in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> • The potential adverse effects on the transport network from a multi-unit development should be considered.
Point Number	742.194
Summary of Decision Requested:	<p>Retain Rule 18.2.3 P1 Glare and artificial light spill, as notified;</p> <p>AND</p> <p>Retain Rule 18.2.3 RD1 Glare and artificial light spill, as notified.</p>
Decision Reasons:	<ul style="list-style-type: none"> • The submitter supports all rules in this section.

Point Number 742.195

Summary of Decision Requested: **Retain** Rule 18.2.7.1 P1 Signs - General as notified
AND
Retain Rule 18.2.7.1 RD1 Signs - General, as notified.

Decision Reasons:

- Rule 18.2.7.1 P1 allows the Transport Agency to erect signage as a permitted activity.
- The submitter supports the matters of discretion under RD1, particularly (b)(iv), (v) and (vi).

Point Number 742.196

Summary of Decision Requested: **Retain** Rule 18.2.7.1 P2 Signs- General, except for the amendments sought below
AND
Amend Rule 18.2.7.1 P2(a)(v) Signs - General as follows:
Where the sign is a freestanding sign, it must:
*A. Not exceed an area of 3m² for one sign per site, and 1m² for ~~any other~~ one additional freestanding sign on the site; ~~and~~
B. Be set back at least 5m from the boundary of the Residential Zone; and
*C. Be set back at least 1.5m from the boundary of a state highway;**

AND
Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports Rule 18.2.7.1 P2(a) but seeks an additional permitted activity standard to ensure that adverse effects on the transport network are avoided.

Point Number 742.197

Summary of Decision Requested: **Retain** Rule 18.2.7.2 P1 Signs- Effects on traffic, except for the amendments sought below
AND
Amend Rule 18.2.7.2 P1 (a) Signs- Effects on traffic as follows:
(a) Any sign directed at road users must:
...
(iii) Not obstruct sight lines of drivers turning in or out of a site entrance and intersections
(iv) Contain no more than 40 characters and no more than 6 words, symbols or graphics;
AND
Consequently **renumber** the two clauses that follow.
AND
Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the intent of Rule 18.2.7.2 P1 but seeks an additional permitted activity standard to ensure that adverse effects on the transport network are avoided.

Point Number 742.198

Summary of Decision Requested: **Retain** Rule 18.2.7.2 D1 Signs - Effects on traffic as notified.

Decision Reasons:

- The submitter supports Council having full discretion over signs that do not comply with permitted activity standards.

Point Number 742.199

Summary of Decision Requested: **Add** a new building setback rule as follows:
18.3.7A Building setbacks - State highways
P1 (g) Any building must be setback a minimum of:
(i) 1.5m from a national route or regional arterial;
(ii) 2.5m from the designated boundary of the Waikato Expressway.
D1 Any building that does not comply with Rule 18.3.7A P1
AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- There is no rule specifying building setbacks from state highways in the Business Town Centre Zone.
- The Operative District Plan provides 1.5m from national/regional arterials and 2.5m from the Waikato Expressway.

Point Number 742.200

Summary of Decision Requested: Retain Rule 18.3.8 P1, D1 and NCI Dwelling, as notified subject to the amendments sought to Appendix 1 being accepted (addressed elsewhere in the submission).

Decision Reasons:

- The submitter supports acoustic conditions for dwellings in the Business Town Centre Zone.
- However, Appendix 1 needs to be amended to include sound insulation standards, vibration standards and ventilation requirements for buildings near road/rail to ensure health and wellbeing are protected.

Point Number 742.201

Summary of Decision Requested: Retain Rule 20.2.4 P1 as notified.
AND
Retain Rule 20.4.2 RD1 as notified.

Decision Reasons:

- No reasons provided.

Point Number 742.202

Summary of Decision Requested: Retain Rule 20.2.7.1 P1 Signs - General as notified.
AND
Retain Rule 20.2.7.1 RD1 Signs - General as notified.

Decision Reasons:

- The submitter supports Rule 20.2.7.1 P1 as it allows the Transport Agency to erect signage as a permitted activity;
- The submitter supports the matters of discretion under Rule 20.2.7.1 RD1, particularly (b)(iii), b(iv) and b(v).

Point Number 742.203

Summary of Decision Requested: Retain Rule 20.2.7.1 Signs- General, except for the amendments sought below
AND
Amend Rule 20.2.7.1 P2(c) Signs - General, as follows:
Where the sign is a freestanding sign, it must:
(i) Not exceed an area of 3m² for one sign per site, and 1m² for ~~any other one additional~~ freestanding sign on the site; and
.....
(iii) Be set back at least 1.5m from the boundary of a state highway.
AND
Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports Rule 20.2.7.1 P2, but seeks further permitted activity standards to ensure that adverse effects on the transport network are avoided.

Point Number 742.204

Summary of Decision Requested: Retain Rule 20.2.7.2 P1 Signs- Effects on traffic, except for the amendments sought below
AND
Amend Rule 20.2.7.2 P1 (iv) Signs - Effects on traffic as follows:
Contain no more than 40 characters and no more than 6 words, symbols or graphics;
AND
Consequently **amend** other provisions as necessary to satisfy the relief sought.
AND
Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the intent of Rule 20.2.7.2 P1 but seeks an amendment to limit the maximum number of words permitted.
- This will ensure the signage erected does not cause unnecessary visual clutter, and that signs do not affect the efficient, safe and effective functioning of the transport network.

Point Number 742.205

Summary of Decision Requested: Retain Rule 20.2.7.2 D1 Signs - Effects on traffic as notified.

Decision Reasons:

- The submitter supports Council having full discretion over signs that do not comply with permitted activity standards.

Point Number	742.206
Summary of Decision Requested:	Retain Rule 20.3.4.1 Building setbacks as notified.
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports Rule 20.3.4.1 P1.
Point Number	742.207
Summary of Decision Requested:	<p>Retain Rule 20.3.4.1 RD1 Building setbacks, except for the amendments sought below</p> <p>AND</p> <p>Amend Rule 20.3.4.1 RD1(b)(ii) Building setbacks as follows: Traffic and road safety <i>transport network safety and efficiency.</i></p> <p>AND</p> <p>Amend Rule 20.3.4.1 RD1(b) Building setback, to correct numbering errors.</p> <p>AND</p> <p>Request any consequential changes necessary to give effect to the relief sought in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports the Council retaining discretion under Rule 20.3.4.1 RD1 over road safety with minor amendment. It is further noted that there are numbering errors in the Rule which should be corrected.
Point Number	742.208
Summary of Decision Requested:	Retain Rule 20.4.3 RD1 Subdivision - Road frontage as notified.
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports a minimum 15m width for lots with road frontages as it will avoid adverse effects on network safety and efficiency.
Point Number	742.209
Summary of Decision Requested:	<p>Retain Rule 20.5.7 P2 Signs - General as, notified.</p> <p>AND</p> <p>Retain Rule 20.5.7 RD1 Signs - General, as notified.</p>
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports the permitted signage activity standards in Rule 20.5.7 P2 as they will ensure there are no adverse effects on State Highway 23. The submitter supports RD1 as Council will retain discretion regarding traffic safety.
Point Number	742.210
Summary of Decision Requested:	<p>Retain Rule 20.5.8 P1 Outdoor storage of goods or materials, as notified.</p> <p>AND</p> <p>Retain Rule 20.5.8 RD1 Outdoor storage of goods or materials, as notified.</p>
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports screening of outdoor storage of goods or materials from State Highway 23 to ensure that there are no adverse effects on the safety and efficiency of State Highway 23. The submitter supports RD1 as Council will retain discretion regarding traffic safety.
Point Number	742.211
Summary of Decision Requested:	<p>Retain Rule 20.5.5 P1 Landscape planting as notified</p> <p>AND</p> <p>Retain Rule 20.5.5 RD1 Landscape planting as notified.</p>
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports Rule 20.5.5 P1 as it will provide adequate screening from State Highway 23. The submitter supports RD1 as Council will retain discretion regarding traffic safety.
Point Number	742.212
Summary of Decision Requested:	<p>Retain Rule 20.5.13 P1 Building setbacks, as notified;</p> <p>AND</p> <p>Retain Rule 20.5.13 RD1 Building setbacks as notified.</p>
Decision Reasons:	

- The submitter supports all rules in this section.

Point Number 742.213

Summary of Decision Requested: Retain Rule 20.5.14 P1 as notified.

Decision Reasons:

- The submitter supports the proposed acoustic conditions in Rule 20.5.14 P1 as it is considered that this will protect health and wellbeing and avoid reverse sensitivity effects.

Point Number 742.214

Summary of Decision Requested: Retain Rule 21.2.4 P1 Glare and Artificial Light Spill, as notified;
AND
Retain Rule 21.2.4 RD1 Glare and Artificial Light Spill, as notified.

Decision Reasons:

- The submitter supports all rules in this section.

Point Number 742.215

Summary of Decision Requested: Retain Rule 21.2.7.1 P1 Signs - General as notified
AND
Retain Rule RD1 Signs - General as notified.

Decision Reasons:

- The submitter supports Rule 21.2.7.1 P1 as it allows the Transport Agency to erect signage as a permitted activity.
- The submitter supports the matters of discretion under RD1, particularly (b)(iii), (iv) and (v).

Point Number 742.216

Summary of Decision Requested: Retain Rule 21.2.7.1 P2 Signs- General, except for the amendments sought below
AND

Amend Rule 21.2.7.1 P2(a)(iv) Signs - General, as follows:

Where the sign is a free standing sign, it must:

A. Not exceed an area of 3m² for one sign per site, and 1m² for ~~any other~~ one additional free standing sign on the site; ~~and~~

B. Be set back at least 5m from the boundary of the Residential Zone; and

C. Be set back at least 15m from the boundary of a state highway.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the intent of Rule 21.2.7.1 P2 but considers amendments are required to ensure that adverse effects on the transport network are avoided.

Point Number 742.217

Summary of Decision Requested: Retain Rule 21.2.7.2 P2 Signs- effects on traffic, except for the amendments sought below
AND

Amend Rule 21.2.7.2 P1 (a) (iv) Signs - effects on traffic as follows:

Contain no more than 40 characters and no more than 6 words, symbols or graphics.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the intent of Rule 21.2.7.2 P1 but seeks amendment to provide clarification on the maximum amount of words permitted. This will ensure that signage erected does not cause unnecessary visual clutter or affect the efficient, safe and effective functioning of the transport network.

Point Number 742.218

Summary of Decision Requested: Retain Rule 21.2.7.2 D1 Signs - effects on traffic, as notified.

Decision Reasons:

- The submitter supports Council having full discretion over signs that do not comply with permitted activity standards.

Point Number 742.219

Summary of Decision Requested: Retain Rule 21.3.4.1 P1 Building setbacks- all boundaries, except for the amendments sought below

AND

Amend Rule 21.3.4.1 P1 (a) Building setbacks - all boundaries as follows:

(i) *5m from a road boundary, excluding a state highway;*

(ii) *20m from a state highway, and ...*

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The proposed setbacks are significantly less than what is permitted under the Operative District Plan.
- Given the maximum height of buildings allowed in this zone, the submitter seeks a significantly bigger setback from state highways.

Point Number 742.220

Summary of Decision Requested: **Retain** Rule 21.3.4.1 RD1 (b)(iii) Building setbacks all boundaries as notified.

Decision Reasons:

- The submitter supports Council retaining discretion regarding traffic and road safety.

Point Number 742.221

Summary of Decision Requested: **Retain** Rule 21.4.3 RD1 Subdivision - Road frontage as notified.

Decision Reasons:

- The submitter supports a minimum 15m width for lots with road frontages as it will avoid adverse effects on network safety and efficiency.

Point Number 742.222

Summary of Decision Requested: **Retain** Rule 22.1.2 P2 Permitted Activities as notified.

Decision Reasons:

- The submitter supports no direct access from a national route or regional arterial road.
- Temporary events are subject to Rule 14.12.1.4 which would ensure that, for events exceeding a certain size any, effects on the transport network could be addressed.

Point Number 742.223

Summary of Decision Requested: **Retain** Rule 22.2.2 P1 Glare and Artificial Light Spill as notified.

AND

Retain Rule 22.2.2 RD1 Glare and Artificial Light Spill as notified.

Decision Reasons:

- The submitter supports all rules in this section.

Point Number 742.224

Summary of Decision Requested: **Retain** Rule 22.2.6.1 P1 Signs - General as notified.

AND

Retain Rule 22.2.6.1 P2 Signs - General as notified.

AND

Retain Rule 22.2.6.1 RD1 Signs - General as notified.

Decision Reasons:

- The submitter supports Rules 22.2.6.1 P1 and P2 and the matters of discretion under RD1, particularly (b)(iii), (iv) and (v).

Point Number 742.225

Summary of Decision Requested: **Retain** Rule 22.2.6.2 Signs- effects on traffic, except for the amendments sought below

AND

Amend Rule 22.2.6.2 P1 (iv) Signs - effects on traffic as follows:

Contain no more than 40 characters and no more than 6 words, symbols or graphics;

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the intent of Rule 22.2.6.2 P1 but seeks amendment to provide clarification on the maximum amount of words permitted. This will ensure that signage erected does not cause unnecessary visual clutter or affect the efficient, safe and effective functioning of the transport network.

Point Number 742.226

Summary of Decision Requested: Retain Rule 22.2.6.2 D1 Signs - effects on traffic as notified.

Decision Reasons:

- The submitter supports Council having full discretion over signs that do not comply with permitted activity standards.

Point Number 742.227

Summary of Decision Requested: Amend Rule 22.3.7.1 PI-P4 Building setbacks - All boundaries to require 35m setbacks from the Waikato expressway designation boundary and 15m setbacks from all other state highways.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- Rules 22.3.7.1 PI- P4 Building setbacks - All boundaries do not differentiate between different road types as described in the road hierarchy.

Point Number 742.228

Summary of Decision Requested: Retain Rule 22.3.7.1 RD1 Building Setbacks- All boundaries, except for the amendments sought below

AND

Amend Rule 22.3.7.1 RD1 matter of discretion (b)(ii) Building Setbacks - All boundaries as follows:

~~effects on traffic~~ transport network safety and efficiency;

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports matter of discretion (b)(ii) under Rule 22.3.7.1 RD1.

Point Number 742.229

Summary of Decision Requested: Retain Rule 22.3.7.2 PI Building setback sensitive land use, except for the amendments sought below

AND

Amend Rule 22.3.7.2 PI (a)(ii) Building setbacks sensitive land use as follows:

~~+5m~~ 25m from a national route or regional arterial road;

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the intent of Rule 22.3.7.2 but considers that the proposed setback of 25m from the Waikato Expressway has the potential to result in adverse effects on health and wellbeing and reverse sensitivity effects.
- A setback of 35m from the Waikato Expressway (as per the Operative District Plan) will better avoid reverse sensitivity matters consistent with the policy direction in the Proposed District Plan.
- The submitter notes the proposed setbacks will not be sufficient to avoid adverse effects on occupiers on their own and buildings will also require acoustic treatment. Relief sought in this respect assumes submission points regarding acoustic treatment are accepted.

Point Number 742.230

Summary of Decision Requested: Retain Rule 22.3.7.4 Building- Noise Sensitive Activities, except for the amendments sought below

AND

Add to Rule 22.3.7.4 PI (a) Building - Noise sensitive activities a new clause as follows:

(iv) 100m of a state highway.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports Rule 22.3.7.4, but seeks an additional standard to include a 100m set back from a state highway.
- The submitter notes the proposed setbacks will not be sufficient to avoid adverse effects on occupiers, and buildings will also require acoustic treatment. Relief sought in this respect assumes submission points regarding acoustic treatment are accepted.

Point Number 742.231

Summary of Decision Requested: Retain Rule 22.4.4 RD1 Subdivision - Road frontage, except for the amendments sought below

AND

Amend matter of discretion (b)(i) in Rule 22.4.4 RD1 Subdivision - Road frontage as follows:

Safety and efficiency of vehicle access and ~~road~~ land transport network;

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports a 60m width minimum for lots with a road boundary as this will enable safe separation distance between vehicle entrances.
- Retaining discretion over safety and efficiency of the road network is also supported with minor amendment.

Point Number 742.232

Summary of Decision Requested: **Retain** Rule 23.1.1 P3 Permitted Activity - Temporary event as notified.

Decision Reasons:

- The submitter supports no direct access from a national route or regional arterial road.
- Temporary events are subject to Rule 14.12.1.4 which would ensure that for events exceeding a certain size, any effects on the transport network could be addressed.

Point Number 742.233

Summary of Decision Requested: **Retain** Rule 23.1.1 P4 Home occupation, except for the amendments sought below

AND

Add a new condition to Rule 23.1.1 P4 Permitted Activity - Home occupation as follows:

f) There are no heavy vehicle movements associated with the activity.

AND

Add a new Restricted Discretionary rule for home occupations not complying with 23.1.1 P4(f), with discretion restricted to the effects of heavy vehicle traffic on the safety and efficiency of the transport network.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- Within the Country Living Zone, home occupations should not involve heavy vehicles without an assessment of effects.

Point Number 742.234

Summary of Decision Requested: **Retain** Rule 23.2.2 P1 Glare and Artificial Light Spill as notified.

AND

Retain Rule 23.2.2 RD1 Glare and Artificial Light Spill as notified.

Decision Reasons:

- The submitter supports all rules in this section.

Point Number 742.235

Summary of Decision Requested: **Retain** Rule 23.2.6.1 P1 Signs - General as notified.

AND

Retain Rule 23.2.6.1 P2 Signs - General as notified.

AND

Retain Rule 23.2.6.1 RD1 Signs - General as notified.

Decision Reasons:

- The submitter supports Rules 23.2.6.1 P1 and P2 and the matters of discretion under RD1, particularly (b)(iii), (b) (iv) and (b)(v).

Point Number 742.236

Summary of Decision Requested: **Retain** Rule 23.2.6.2 P1 Signs- effects on traffic, except for the amendments sought below

AND

Amend Rule 23.2.6.2 P1(v) Signs - effects on traffic as follows

Contain no more than 40 characters and no more than 6 words, symbols or graphics.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the intent of Rule 23.2.6.2 P1 but seeks amendment to provide clarification on the maximum amount of words permitted. This will ensure that signage erected does not cause unnecessary visual clutter or affect the efficient, safe and effective functioning of the transport network.

Point Number 742.237

Summary of Decision Requested: Retain Rule 23.2.6.2 D1 Signs - effects on traffic as notified.

Decision Reasons:

- The submitter supports Council having full discretion over signs that do not comply with permitted activity standards.

Point Number 742.238

Summary of Decision Requested: Amend Rules 23.3.7.1 P1 and P2 Building Setbacks - All boundaries to require 35m setbacks from the Waikato Expressway designation boundary, and 15m setbacks from all other state highways.

Decision Reasons:

- Rules 23.3.7.1 P1 and P2 do not differentiate between different road types as described in the road hierarchy.

Point Number 742.239

Summary of Decision Requested: Retain Rule 22.3.7.1 Building Setbacks- All boundaries, except for the amendments sought below
AND

Amend matter of discretion (b)(ii) in Rule 22.3.7.1 RD1 Building Setbacks - All boundaries, as follows:

~~Effects on traffic~~ Transport network safety and efficiency;

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports matter of discretion (b)(ii) under Rule 23.3.7.1 RD1.

Point Number 742.240

Summary of Decision Requested: Retain Rule 23.3.7.2 P1 Building setback - sensitive land use as notified (subject to relief sought in other submissions on acoustic treatment).

Decision Reasons:

- The proposed setbacks will not be sufficient to avoid adverse effects on occupiers on their own and buildings will also require acoustic treatment.
- Relief sought in this respect assumes submission points regarding acoustic treatment are accepted.

Point Number 742.241

Summary of Decision Requested: Retain Rule 23.3.7.2 D1 Building setback - sensitive land use, as notified.

Decision Reasons:

- The submitter supports Council having full discretion over sensitive land use activities that do not comply with permitted activity standards.

Point Number 742.242

Summary of Decision Requested: Retain Rule 14.12.1.6(1) P6 New public roads, except for the amendments sought below

AND

Amend Rule 14.12.1.6(1) P6 New public roads as follows (subject to relief sought on Rule 14.3.1.3):

(c)(i) Any national routes or regional arterial roads ~~will~~ shall be subject to Rule 14.12.2 (RD6) ...

(d)(i) Comply with the ~~The~~ minimum widths specified in Figure 14.12.5.17;

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- Minor grammatical corrections are required.
- This rule also requires compliance with Rule 14.3.1.3 which the submitter has sought changes to elsewhere in this submission.

Point Number 742.243

Summary of Decision Requested: Retain Rule 14.12.1.8(a) P8 Off road pedestrian and cycle facilities, except for the amendments sought below

AND

Amend Rule 14.12.1.8(a) P8 Off road pedestrian and cycle facilities, as follows (subject to relief sought on Rule 14.3.1.3):

Off-road pedestrian and ~~and~~ cycling facilities that comply with all of the following conditions:...

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter supports the intent of this rule but suggest it should provide flexibility regarding pedestrian, cycle and shared facilities.
- Note this rule also requires compliance with Rule 14.3.1.3 which the submitter has sought amendments to.

Point Number 742.244

Summary of Decision Requested: **Add** new rules to Rule 14.12.1 Permitted Activities concerning sensitive activities, as per Attachment 3 to the submission.

AND

Add new rules to 14.12.2 Restricted Discretionary Activities concerning sensitive activities, as per Attachment 3 to the submission.

OR

Add new rules to each zone adjacent to a state highway or rail corridor.

Refer to submission for full details.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter seeks provisions be inserted requiring all new buildings, or alterations to existing buildings containing a noise sensitive activity to be appropriately mitigated in relation to road and rail noise and vibration. The Proposed District Plan defines 'reverse sensitivity' and acknowledges it with some supportive policies and objectives which are supported by the submitter. The Plan protects some activities sensitive to noise but not the effects from operational railway and road noise and vibration within in the District.
- The submitter seeks to introduce new rules, which has been developed collaboratively with Kiwirail, in various chapters of the Plan. This will ensure potential adverse effects (including conflicts between activities and reverse sensitivity effects) are mitigated. Rules could either be inserted as district-wide rules (applying to all zones) or alternatively within each of the zones where state highways and/or rail networks are located.
- The rail network is a 24 hours a day, 7 days a week operation, and the frequency, length and weight of trains can change without community consultation. The road network is similarly operating 24 hours a day, 7 days a week with variability in traffic. Noise and vibration effects can interrupt amenity and enjoyment, as well as ability to sleep which can have significant impacts on people's health and wellbeing. Appropriate mitigation is critical to ensure that undue restrictions are not placed on the operation of these transport networks and the health and wellbeing of those residing or otherwise occupying nearby sites is protected.
- Part 2 of the Act supports the efficient use and development of the road and rail network while also enabling people and communities to provide for their well-being and their health and safety. An appropriate balance needs to be achieved between ensuring the transport network is efficiently utilised and adjacent development can be facilitated, without compromising safety of people and communities.
- The proposed new rules provide for new or altered buildings within 100 m of the railway boundary, which can achieve the required internal noise standard, to be permitted activities. Where windows need to be closed to achieve the desired internal noise levels then ventilation performance is prescribed. Where a new or altered building is 50m away from the railway corridor boundary and there is a line of sight i.e. a cut or a physical barrier removing line of sight to 3.8m high, this can also be assessed as a permitted activity.
- Enhancements to buildings are best achieved at the time of construction. The further removed from the road or rail corridor a building is, the less additional mitigation may be required. The noise level proposed is in accordance with World Health Organisation standards.
- The mitigation for adverse effects on human health proposed through these provisions reflects that in some circumstances, e.g. smaller residential sites near the transport corridor, requiring a greater setback from the transport corridor boundary as a means of addressing noise and vibration effects may not always be practicable. The rules seek to ensure that building development options can still maximise the use of a site, while at the same time having standards for mitigating noise and vibration effects arising from the transport corridor.

Point Number 742.245

Summary of Decision Requested: **Retain** Rule 14.12.2 RD1 Vehicle Access, except for the amendments sought below

AND

Amend Rule 14.12.2 RD1 Vehicle Access matters of discretion as follows:

(c) Safety for ~~vehicles and pedestrians~~ all users of the access and/or intersecting road including but not limited to vehicle occupants or riders and pedestrians;

...

(e) Mitigation to address safety and/or efficiency.

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- The submitter considers some minor changes are required to the matters of discretion.
- For example, it is not the safety of the vehicles that is of concern from a road safety perspective, but the safety of the vehicle occupants or riders.

Point Number 742.246

Summary of Decision Requested: **Retain** Rule 14.12.2 RD2 Onsite parking and loading matter of discretion, except for the amendments sought below

AND

Amend Rule 14.12.2 RD2 Onsite parking and loading matter of discretion (d) as follows:

Safety for ~~vehicles and pedestrians~~ all users of the access and/or intersecting road including but not limited to vehicle occupants vehicle riders and pedestrians;

AND

Request any consequential changes necessary to give effect to the relief sought in the submission.

Decision Reasons:

- It is not the safety of the vehicles that is of concern from a road safety perspective, but the safety of the vehicle occupants or riders.

Submitter Number: 743 **Submitter:** The Village Church Trust

Point Number 743.1

Summary of Decision Requested: **Amend** the Urban Expansion Policy Area overlay to include the properties on the southern side of Martin Lane, bounded by the Waikato Expressway to the south and Resolution Drive / Horsham Downs Link Road to the east (Lots 1 and 2 DP 504278, Lot 1 DPS76724, Allotment 479 Kirikiriroa Parish, Lots 1 and 2 DPS 3136, Part Allotment 23 Kirikiriroa Parish, Allotment 248 Komakorau Parish, Section 4 and Section 5 SO 500297) (see map attached to submission);

AND

Amend the Proposed District Plan as may be necessary to address the matters raised in the submission.

Decision Reasons:

- The Village Church in Horsham Downs is located approximately 1.9km north of the Hamilton City boundary. The Church Trust own two contiguous titles with frontage to Martin lane with the combined site having an area of approximately 8,770m². The church site is zoned 'Rural' in both the Operative and the Proposed Waikato District Plans.
- The existing Village Church is a single storey structure dating from 1953 with a footprint of approximately 460m². It is bounded to the west by the Community Hall (owned by Waikato District Council) and Horsham Downs School, and to the east by Resolution Drive (Horsham Downs link Road). The southern boundary of the church abuts an approximate 8 hectare parcel of rural land that has become topographically isolated due to construction of the Waikato Expressway and Resolution Drive.
- The Village Church reached capacity approximately 20 years ago and has had to resort to leasing the adjacent Community Hall on an as-needs basis. The congregation has continued to grow to the point where facilities are once again at capacity. Church elders have determined that a replacement church complex is necessary to meet their growing needs.
- The Horsham Downs community hub has effectively become an 'island' constrained by roading on four sides. The island contains approximately 8 hectares of residual pasture which is now topographically isolated from the farmland it once joined. Despite its underlying Rural zoning, the size of the residual farmland is too small to be an economic farming unit, and surrounding roads prevent the land from being practically amalgamated with nearby farmland.
- The UEA on Hamilton City's northernmost boundary should be extended northwards to include the Horsham Downs community hub. The hub already contains three high-use community assets which are more commonly associated with urbanised areas. The community hub lends itself to inclusion within the UEA because it has suitable physical constraints (Waikato Expressway, Resolution Drive and Osborne Road / Martin Lane) to prevent longer term urban sprawl. Those physical constraints are an appropriate demarcation between future urban and rural areas.
- Extension of the UAE to include the Horsham Down community hub would enable landowners who have been constrained and affected by the roading projects to better provide for their longer term social, economic and cultural wellbeing and to meet the reasonably foreseeable needs of future generations.
- The transfer of the HTI expansion area to Hamilton City is unlikely to take place in the immediate horizon. Once the boundary is extended, it will facilitate the long-term essential servicing of Horsham Downs in a more efficient and cost-effective manner than can be done at present.

Point Number

743.2

Summary of Decision Requested:

Amend the zoning of the properties on the southern side of Martin Lane, bounded by the Waikato Expressway to the south and Resolution Drive / Horsham Downs Link Road to the east (Lots 1 and 2 DP 504278, Lot 1 DPS76724, Allotment 479 Kirikiriroa Parish, Lots 1 and 2 DPS 3136, Part Allotment 23 Kirikiriroa Parish, Allotment 248 Komakorau Parish, Section 4 and Section 5 SO 500297) from Rural Zone to Village zone (or suitable equivalent zone) (see map attached to submission);

OR

Amend Rule 22.1.2 Permitted activities to enable 'community activity' as a permitted activity on Lots 1 and 2 DP 504278, Lot 1 DPS76724, Allotment 479 Kirikiriroa Parish, Lots 1 and 2 DPS 3136, Part Allotment 23 Kirikiriroa Parish, Allotment 248 Komakorau Parish, Section 4 and Section 5 SO 500297.

AND

Amend the Proposed District Plan as may be necessary to address the matters raised in the submission.

Decision Reasons:

- Horsham Downs School, the Community Hall and the Village Church are contiguous community facilities which collectively form a village 'hub'. The southern boundary of the hub abuts an approximate 8 hectare parcel of land that has become topographically isolated due to construction of the Waikato Expressway and Resolution Drive / Horsham Downs Link Road.
- The Village Church Trust opposes the Rural zoning of this land because it does not accurately reflect the extent of environmental change which has already taken place in that locality.
- The Rural Zone does not reflect the limitations of the block in terms of its rural productive value. The physical constraints on all sides of the block render it unsuitable for amalgamation with nearby adjoining farms and the site is not sufficiently large to become an economic farming unit in its own right. Those physical constraints mean that the block cannot realistically deliver the outcomes that are expected of the Rural Zone.
- The Rural Zone provisions do not allow for the growth of existing on-site facilities. A more permissive regime is sought by the Village Church Trust in order that Horsham Downs can better provide for the ongoing social and cultural wellbeing of its community.
- Existing on-site activity provides a good fit with 'community activity' which is defined within the Proposed District Plan.
- Rezoning to Village Zone (or suitable equivalent) allows for a generational approach to managing growth within a uniquely constrained and orphaned land block. For the Village Church, it also lessens the uncertainty associated with a resource consent process, the risks of which are more pronounced by the currently mismatched zoning.

Submitter Number:

744

Submitter:

Peter McCallum

Point Number

744.1

Summary of Decision Requested:

Add a resource management framework for the management of GMOs that is regional specific taking into account environmental, economic and social well-being considerations.

Decision Reasons:

- Provisions allowed under the Resource Management Act 1991 and pursuant to the ruling in Federated Farmers of New Zealand v Northland Regional Council [2015] NZEnC 89.
- Release of GMOs has a potential to cause significant adverse effects on the environment, including the following:
 1. Biological or ecosystem harm
 2. Harm to tangata whenua cultural values such as mauri and tikanga
 3. Harm to the cultural values and lifestyle decisions of people and communities at a local level concerning what constitutes their wellbeing
 4. Harm from GMO contamination to existing or potential forms of land use including farming, forestry and other primary production activities dependant on an uncontaminated environmental brand.
 5. Adverse effects to these land uses could include: loss of organic and GMO-free certification, reputational damage, loss of markets and premiums paid for GMO free produce and loss of livelihood.
- Conditions of consent may be breached by poor management, human error, natural events.
- Once GMOs have been released they would be very difficult, if not impossible to eradicate.
- Application of integrated management and precautionary approach to GMOs under the RMA is the best technique for managing potential adverse effects.
- It is consistent with the sustainable management purpose and Part II of the RMA to establish district plan provisions that manage the release, location and management of GMOs where they have the potential to adversely affect the environment.

Point Number

744.2

Summary of Decision Requested:

Add strong precautionary and prohibitive policies and rules relating to the management of genetically modified organisms that are the same (or similar) to those in the Far North District Plan, Whangarei District Plan and the Auckland Unitary Plan.

Decision Reasons:

- Provisions allowed under the Resource Management Act 1991 and pursuant to the ruling in Federated Farmers of New Zealand v Northland Regional Council [2015] NZEnC 89.

- Release of GMOs has a potential to cause significant adverse effects on the environment, including the following:
 1. Biological or ecosystem harm
 2. Harm to tangata whenua cultural values such as mauri and tikanga
 3. Harm to the cultural values and lifestyle decisions of people and communities at a local level concerning what constitutes their wellbeing
 4. Harm from GMO contamination to existing or potential forms of land use including farming, forestry and other primary production activities dependant on an uncontaminated environmental brand.
 5. Adverse effects to these land uses could include: loss of organic and GMO-free certification, reputational damage, loss of markets and premiums paid for GMO free produce and loss of livelihood.
- Conditions of consent may be breached by poor management, human error, natural events.
- Once GMOs have been released they would be very difficult, if not impossible to eradicate.
- Application of integrated management and precautionary approach to GMOs under the RMA is the best technique for managing potential adverse effects.
- It is consistent with the sustainable management purpose and Part II of the RMA to establish district plan provisions that manage the release, location and management of GMOs where they have the potential to adversely affect the environment.

Point Number 744.3

Summary of Decision Requested: **Amend** the Proposed District Plan to require all consent applications to be automatically publically notified, regardless of whether the application is regarding genetically modified organisms or not.

Decision Reasons:

- Provisions allowed under the Resource Management Act 1991 and pursuant to the ruling in Federated Farmers of New Zealand v Northland Regional Council [2015] NZEnC 89.
- Release of GMOs has a potential to cause significant adverse effects on the environment, including the following:
 1. Biological or ecosystem harm
 2. Harm to tangata whenua cultural values such as mauri and tikanga
 3. Harm to the cultural values and lifestyle decisions of people and communities at a local level concerning what constitutes their wellbeing
 4. Harm from GMO contamination to existing or potential forms of land use including farming, forestry and other primary production activities dependant on an uncontaminated environmental brand.
 5. Adverse effects to these land uses could include: loss of organic and GMO-free certification, reputational damage, loss of markets and premiums paid for GMO free produce and loss of livelihood.
- Conditions of consent may be breached by poor management, human error, natural events.
- Once GMOs have been released they would be very difficult, if not impossible to eradicate.
- Application of integrated management and precautionary approach to GMOs under the RMA is the best technique for managing potential adverse effects.
- It is consistent with the sustainable management purpose and Part II of the RMA to establish district plan provisions that manage the release, location and management of GMOs where they have the potential to adversely affect the environment.

Submitter Number: 745 **Submitter:** Brian Butt and Sheryl Kruger
On behalf of: Year 91 Family Trust **Organisation:** Kiana Lace Limited

Point Number 745.1

Summary of Decision Requested: **Amend** the zoning of 399 Bedford Road, Te Kowhai from Rural Zone to Country Living Zone.

Decision Reasons:

- The land is suitable for Country Living Zone because it is flat and would provide suitable building platforms in accordance with Rule 23.4.8.
- The land is well drained to the road (west) and to the east.
- The land adjoins the existing Country Living Zone to the east and is close to the Country Living Zone to the south.
- The dairy farm on our northern boundary offers a natural divide between Rural zone and Country Living Zone.
- The land use of 399 Bedford Road is 'lifestyle' with no current (or potential) rural commercial activity occurring on the property.
- We would propose to subdivide off two country living sites in the southern portion of the property leaving the northern most paddocks with our home intact;
- We would provide post and rail fencing across the road frontage of each of the subdivided sites and plantings as necessary;
- Vehicle access from the roadway to the proposed subdivided sites would be more than 60 metres from the 35km/hour corner directly outside our current driveway access providing good visibility from vehicle crossings in both directions;
- The walkway/cycleway/bridle way proposed in the plan is proposed to be extended through an easement in the northern and eastern boundary of our property connecting our property via a bridge across the stream to the Country Living zone to the east and to Te Kowhai Village. This proposed extension of the walkway/cycleway/bridleway through the eastern and northern boundary of 399 Bedford Road also offers a natural divide between Rural zone and Country Living zone.

Point Number 745.2

Summary of Decision Requested: **Delete** the Significant Natural Area from 399 Bedford Road, Te Kowhai.

Decision Reasons:

- The vegetation in the proposed Significant Natural Area of 399 Bedford Road is of low quality including willows, gorse, bracken, privet and other pest species.
- There are no native trees, shrubs or plants in the proposed Significant Natural Area of 399 Bedford Road.
- The only native trees are a small number of pongas and one nikau, all of which sit outside the eastern boundary of 399 Bedford Road.

Submitter Number: 746 **Submitter:** The Surveying Company

Point Number 746.1

Summary of Decision Requested: **Retain** Policy 5.2.3- Effects of subdivision and development on soils, except for the amendments sought below

AND

Amend Policy 5.2.3 (b)- Effects of subdivision and development on soils as follows:

Subdivision which provides a range of lifestyle options is directed away from high class soils and/or where indigenous biodiversity is being protected, enhanced, and/or restored (with plantings).

Decision Reasons:

- The submitter supports policies that incentivise protection, enhancement and/or restoration of biodiversity values within the Waikato District through subdivision. However, this Policy only provides for a subdivision where existing indigenous biodiversity is being protected. There are a number of waterways and wetlands in the Rural Zone of the Waikato District that would benefit from stock exclusion (through fencing) and enhancement and/or restoration.

- The cost of full restoration is approximately \$45,000 + GST per ha (excluding fencing of re-vegetated areas from stock). Subdivision offers an incentive for landowners to undertake restoration works which they would be unlikely to do without a financial offset.
- To allow for the protection and/or restoration, particularly of water ways, would achieve the outcome sought in Policy 5.2.1(a)(iii), being the enhancement of water quality. It would also support Policy 3.1.2 which seeks enhancement of indigenous biodiversity values through planting, pest control and other biosecurity measures.
- The Vision and Strategy for the Waikato River seek restoration of the health and wellbeing of the Waikato River Catchment - improvements over time. Incentivising the fencing and restoration of waterways in the Waikato District would contribute positively to the improvement of water quality and achieving the objectives of the Vision and Strategy.

Point Number 746.2

Summary of Decision Requested: **Amend** Objective 5.3.1(a)- Rural Character and amenity as follows:
(a) Rural character and amenity are maintained while recognising the localised character of different parts of the District.

Decision Reasons:

- The submitter supports in part the intent of this objective, however, recognition of the variation of what defines rural character and amenity values across a large District is needed.
- The Waikato District encompasses coastal areas, hill country comprising large landholdings and primarily pastoral uses and smaller landholdings, particularly in the northern part of the District which is used for higher value production activities such as intensive cropping, greenhouses etc.
- Consideration of 'Rural Character' should take into account the unique variables of the locality including land holding pattern, built form, landuse activities, vegetation and geomorphology.

Point Number 746.3

Summary of Decision Requested: **Retain** Policy 5.3.8 Effects on rural character and amenity from rural subdivision, except for the amendments sought below
 AND

- Amend** Policy 5.3.8- Effects on rural character and amenity from rural subdivision as follows:
- (a) Protect productive rural areas by directing urban forms of subdivision, use, and development to within the boundaries of towns and villages.*
- ~~*(b) Ensure development does not compromise the predominant open space, character and amenity of rural areas.*~~
- (c) Ensure subdivision, use and development minimise the effects of ribbon development.*
- (d) Rural hamlet subdivision and boundary relocations ensure the following:*
- (i) Protection of rural land for productive purposes;*
- (ii) Maintenance of the localised rural character and amenity of the surrounding rural environment;*
- (iii) Minimisation of cumulative effects.*
- (e) Subdivision, use and development opportunities ensure that localised rural character and amenity values are maintained.*
-

Decision Reasons:

- Suggest removing Policy 5.3.8(b) duplicates 5.3.8(d)(ii) and 5.3.8(e) which both seek to ensure that rural character and amenity are maintained.
- Not all rural areas comprise open space character and amenity.
- It is recognised that the district's rural character is varied in nature and comprises landscapes, landforms and structures. These are also areas of active and dynamic primary production and associated activities rather than necessarily benign landscapes.
- It should be recognised that rural landscapes can be visually altered by structures and buildings such as greenhouses and packhouses. However these are recognised as important components of primary production activities, form part of the rural environment and are generally considered rural in appearance and value.

Point Number 746.4

Summary of Decision Requested: **Amend** Policy 5.3.13 (a)- Waste management activities as follows:
(a) Provide for the ~~rehabilitation of existing quarry sites, including~~ landfill and cleanfill activities, where siting is appropriate, environmental effects are managed and there is environmental gain.

AND

Amend Policy 5.3.13- Waste management activities to provide for landfills - Classes 1-5 in the Rural Zone, subject to appropriate siting.

Decision Reasons:

- The submitter supports, in part, the inclusion of Policy 4.6.2. Due to the extensive growth in the Auckland and Waikato Regions, there is a surplus of fill material and it is becoming increasingly difficult to find locations to dispose of this material.
- The Proposed Plan in no way recognises disposal of surplus material as an essential part of the construction process or the need to provide for it within the Rural Zone. The Franklin Section of the Waikato District Plan recognises landfills (including cleanfill) as an Essential Service under Section 15. In particular Objective 15.1.1.1 of the Franklin Section recognises the importance to the economic and social well-being of the district and the essential nature of network and other utilities and other essential services and to provide for their development, operation and maintenance.
- While the Industrial Zone provides for effects associated with waste management activities (dust, traffic), this land is in relatively short supply (compared with Rural Zone) and as such cleanfills often seek to locate in the Rural Zone.
- To recognise the necessity of these facilities to the economic, health and wellbeing of the District.

Point Number 746.5

Summary of Decision Requested: **Amend** the definition of "dwelling" in Chapter 13: Definitions to consider the Building Act and Resource Management Act definition
 AND

- Amend** the definition of "dwelling" in Chapter 13 Definitions to exclude the following:
- Mobile home
 - Campervan
 - Tent
 - Caravan
 - Cabin
 - Motel
 - Boarding-house
 - Hotel
 - Travellers' accommodation
 - Hostel
 - Special housing developments.

Decision Reasons:

- This definition is vague.
- Where a term has a defined meaning in the RMA, the term should not be redefined in Plans. Cross reference the Act so that, if any amendment is made to the legislation, the plan does not need to be changed.
- It is noted that the Building Act 2004 provides a definition of 'household unit' that, from an initial assessment, looks like it could be usefully applied in a planning sense.

Point Number

746.6

Summary of Decision Requested:

Amend the definition of "clean fill" in Chapter 13: Definitions to be consistent with the WasteMINZ definition as follows:

Virgin excavated natural materials (VENM) such as clay, soil and rock that are free of:

- *combustible, putrescible, degradable or leachable components;*
- *hazardous substances or materials (such as municipal solid waste) likely to create leachate by means of biological breakdown;*
- *products or materials derived from hazardous waste treatment, stabilisation or disposal practices;*
- *materials such as medical and veterinary waste, asbestos, or radioactive substances that may present a risk to human health if excavated;*
- *contaminated soil and other contaminated materials; and liquid waste. When discharged to the environment, clean fill material will not have a detectable effect relative to the background.*

Decision Reasons:

- Cleanfill is distinct from other waste given the low risk for contamination of land, water and air. Unlike other 'waste', cleanfill can be used to re-contouring for roads and building platforms. It is therefore important to define what material can be used for these activities to minimise the risk of contamination of land and water from the use of inappropriate material.
- The definition of cleanfill in the Proposed Plan is inconsistent with the leading national technical document for waste management in New Zealand - WasteMINZ Technical Guidelines for Disposal to Land. Different cleanfill standards can lead to inconsistencies between the Regional and District Council acceptance criteria and require different levels of monitoring/testing. The definition in the Proposed Plan is more akin to 'Controlled Cleanfill' in the WasteMINZ guidelines.

Point Number

746.7

Summary of Decision Requested:

Amend the definition of "farming" in Chapter 13: Definitions to include free-range poultry farming.

Decision Reasons:

- No reasons provided.

Point Number

746.8

Summary of Decision Requested:

Add a new definition of "horticultural activities" to Chapter 13: Definitions and include glasshouses, greenhouses, plant nurseries and orchards therein.

Decision Reasons:

- There needs to be a definition for "horticultural activities".

Point Number

746.9

Summary of Decision Requested:

Amend the definition of "height control plane" in Chapter 13: Definitions to refer to an angle of 45 degrees.

AND

Amend the illustration within the definition for "Height Control Plane" in Chapter 13: Definitions to show an angle of 45 degrees.

Decision Reasons:

- 45 degrees is clear and easy to measure.
- 45 degrees is consistent with many other district plans across New Zealand.

Point Number

746.10

Summary of Decision Requested:

Amend the definition of "Waste Management Facility" in Chapter 13: Definitions as follows:

Waste management facilities include: disposal of waste to land (excluding cleanfill), commercial composting operations, recovery operations, transfer stations, recycling centres and resource recovery centres.

Decision Reasons:

- The submitter supports this definition being revised to include all types of waste disposal to land classes excluding cleanfill (solid waste landfill, construction and demolition waste fill, managed fill, controlled fill), in accordance with the leading technical document for waste management in New Zealand - WasteMINZ Technical Guidelines for Disposal to Land.
- The definition recognises ancillary activities associated with waste disposal including recycling centres.

Point Number

746.11

Summary of Decision Requested:

Add a new definition for "Cleanfill Facility" to Chapter 13: Definitions as follows:

A facility where clean fill material is accepted for disposal.

Excludes:

- *storage and use of cleanfill material within an earthworks site for the purpose of engineering contours for specific activities;*
- *placement of cleanfill material associated with road construction and road maintenance activities; and*
- *onsite storage and use of overburden or aggregate by-product that is cleanfill material associated with mineral extraction activities.*

Decision Reasons:

- The submitter seeks a definition for an operation that accepts cleanfill for disposal, distinct from where cleanfill is imported for rural production purposes, or to form buildings sites, roads etc.
- Cleanfills pose less risk to the environment than other types of waste management facilities and are a necessary consequence of urban growth. Therefore, Cleanfill facilities should be provided for in appropriate zones (Rural and Industrial Zones) where the effects can be managed.

Point Number 746.12

Summary of Decision Requested: **Add** a new definition for "Free Range Poultry Farming" to Chapter 13: Definitions as per the operative Franklin Section of the Operative District Plan.

Decision Reasons:

- No reasons provided.

Point Number 746.13

Summary of Decision Requested: **Add** a new definition for "Poultry Hatcheries" to Chapter 13: Definitions as per the Franklin section of the Operative District Plan.

Decision Reasons:

- No reasons provided.

Point Number 746.14

Summary of Decision Requested: **Add** a new definition for "On Site Primary Produce Manufacturing" to Chapter 13:Definitions as per the Operative Franklin Section of the Operative District Plan.

Decision Reasons:

- No reasons provided.

Point Number 746.15

Summary of Decision Requested: **Add** a new definition for "Farming Visit" to Chapter 13: Definitions as per the Operative Franklin Section of the Operative District Plan.

Decision Reasons:

- No reasons given.

Point Number 746.16

Summary of Decision Requested: **Add** a new definition for "Packhouse" in Chapter 13: Definitions as per the Operative Franklin Section of the Operative District Plan.

Decision Reasons:

- No reasons provided.

Point Number 746.17

Summary of Decision Requested: **Add** a new definition for "Sleepout" in Chapter 13: Definitions as per the Operative Franklin Section of the Operative District Plan.

Decision Reasons:

- No reasons provided.

Point Number 746.18

Summary of Decision Requested: **Amend** the definition of "intensive farming" in Chapter 13: Definitions as follows:*Intensive pig farming undertaken wholly or principally in sheds or other shelters or buildings;*

(a) Intensive pig farming undertaken wholly or principally in sheds or other shelters or buildings;

~~*(b) Free-range pig farming;*~~

(c) Poultry or game bird farming undertaken wholly or principally within sheds or other shelters or buildings;

~~*(d) Free-range poultry or game bird farming;*~~

(e) Mushroom farming; and

~~*(f) Intensive goat farming animal feedlots, feeding livestock on food other than pasture grasses.*~~

It excludes the following, provided the building is used for the purpose for which it was built:

...; and

~~*(d) Glass house production or nurseries;*~~

~~*(e) Free-range poultry or game bird farming;*~~

~~*(f) Free-range pig farming; and*~~

~~*(g) Concentrated but temporary wintering of stock as part of normal farming operations, such as using animal feedpads and standoff pads.*~~

~~*(h) Poultry Hatcheries*~~

Decision Reasons:

- Intensive farming is the growing of fungi, livestock, or poultry within a building or structure, or an animal feed lot with limited or no dependence on natural soil quality on the site.
- Free-range farming is a distinct land based activity that should not come under the definition of intensive farming.
- Poultry Hatcheries should also be excluded from this definition.

Point Number	746.19									
Summary of Decision Requested:	Amend the definition of "Living Court" in Chapter 13" Definitions as follows: <i>Means an area of outdoor space directly related to the living area of a household unit, and for the household's exclusive use. It does not include parking, manoeuvring areas and buildings, but does include swimming pools, pergolas and similar open-framed structures <u>including a covered deck</u>.</i>									
Decision Reasons:	<ul style="list-style-type: none"> Covered decks form part of an outdoor living court and should be included in the definition. 									
Point Number	746.20									
Summary of Decision Requested:	Amend the definition of "multi-unit development" in Chapter 13: Definitions as follows: <i>Means multiple residential units <u>being attached or detached</u> which are integrated in a comprehensive manner. It includes: a) an apartment building; b) a duplex; c) <u>terraced housing</u>.</i>									
Decision Reasons:	<ul style="list-style-type: none"> This definition needs to be expanded to include multiple detached dwellings for clarity. 									
Point Number	746.21									
Summary of Decision Requested:	Amend the definition of "Produce stall" in Chapter 13: Definitions to include the sale of farm and garden produce grown or produced on a site owned by the same landholder.									
Decision Reasons:	<ul style="list-style-type: none"> There can be multiple sites either side by side or throughout the District that may be owned by the same person and therefore it makes sense for this landowner to sell produce from their stall that is grown on other land that they own. 									
Point Number	746.22									
Summary of Decision Requested:	Amend the definition of "Significant Natural Area" in Chapter 13: Definitions as follows: <i>Means an area of significant indigenous biodiversity that is identified as a Significant Natural Area on the planning maps <u>or has been assessed as meeting one or more of the Criteria for Determining Significance of Indigenous Biodiversity, (Appendix 2) by a suitably qualified Ecologist</u>.</i>									
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports the inclusion of Significant Natural Area's definition. The submitter would like to see it expanded to also include areas that have been assessed by a suitably qualified ecologist as meeting one more of the criteria in Appendix 2 of the Proposed Plan - Criteria for Determining Significance of Indigenous Biodiversity. This would align with the wording of the Conservation Lot Subdivision provisions which allow for subdivision where an identified Significant Natural Area is being protected or an area meeting the Criteria for Determining Significance of Indigenous Biodiversity. 									
Point Number	746.23									
Summary of Decision Requested:	Amend the definition of "Variable Record of Title" in Chapter 13: Definitions as follows: <i>Means in the Rural Zone, a Record of Title that <u>contains at least 5000m², is not a road severance, and can accommodate a suitable building platform as a permitted activity under Rule 22.4.9 (subdivision rule for building platform): which satisfies one of the following criteria:</u> <u>- contains at least 5000m², or</u> <u>- is a lot approved or granted consent by a territorial local authority, or</u> <u>- was separately recorded on the valuation roll of the former Franklin County Council as at 22 September 1977, or</u> <u>- had the right to erect one dwelling as a Permitted activity as at 30 May 1994 in terms of the Transitional District Plan of the Franklin District Council.</u></i>									
Decision Reasons:	<ul style="list-style-type: none"> This definition is a simplistic interpretation that will change the status of existing lawfully established titles that are less than 5,000m². It also refers to rule 22.4.9 which includes a new standard for an area of 1,000m² exclusive of boundary setbacks and is suitable for building. Previously created titles were not assessed against (and future titles may be granted consent as a discretionary activity) this ridiculous rule. There are existing lawfully established allotments that are less than 5,000m². There are also titles larger than 5,000m² that have restricted building areas that would not comply with rule 22.4.9. These are also considered to be viable certificates of title and any change in definition to take away existing rights would open Council up to legal proceedings. 									
Point Number	746.24									
Summary of Decision Requested:	Amend Table 14.12.5.14- Access and road conditions (Residential, Village, Business, Business Town Centre and Industrial Zones) as it applies to the Residential Zone and Village Zone to apply NZS 4404 standards -Table 3.2 Road Design Standards. OR Amend Table 14.12.5.14 Access and road conditions as it applies to the Residential Zone and Village Zone to use the standards in the Operative District Plan: Franklin Section as follows: <table border="1"> <thead> <tr> <th>Users</th> <th>Legal Width</th> <th>Minimum total seal width</th> </tr> </thead> <tbody> <tr> <td>2-4</td> <td>3.5m</td> <td>2.7m</td> </tr> <tr> <td>5-8</td> <td>8m</td> <td>5m</td> </tr> </tbody> </table>	Users	Legal Width	Minimum total seal width	2-4	3.5m	2.7m	5-8	8m	5m
Users	Legal Width	Minimum total seal width								
2-4	3.5m	2.7m								
5-8	8m	5m								
Decision Reasons:	<ul style="list-style-type: none"> Access Leg and ROW widths are too wide. The proposed access standards are excessive and will result in the inefficient use of land and will prevent infill development in existing urban areas. The current standards in the Franklin Section of the Plan are appropriate for the residential zone. The extra seal width also increases impervious surfaces and stormwater run-off without any apparent need or benefit relating to traffic effects. Excessive width also adds additional costs to developments. 									

Point Number	746.25
Summary of Decision Requested:	<p>Amend Table 14.12.5.15- Access and road conditions (Rural and Country Living Zones) to apply NZS 4404 Standards - Table 3.2 Roading Design Standards.</p> <p>OR</p> <p>Amend Table 14.12.5.15- Access and road conditions (Rural and Country Living Zones) to apply the Operative District Plan: Franklin Section Standards as specified in 22B.7.2</p>
Decision Reasons:	<ul style="list-style-type: none"> The access Leg and R-O-W widths in the Rural and Country Living Zone are too wide. The submitter opposes the requirement to seal access and ROW's in the Rural and Country Living zones. Metal access ways are appropriate in rural zones and are more consistent with the character of rural areas.
Point Number	746.26
Summary of Decision Requested:	Amend Table 14.2.5.1 - Separation distances to apply the Operative Waikato District Plan Franklin Section 9.5 Location of Vehicle Crossings for arterial and collector roads.
Decision Reasons:	<ul style="list-style-type: none"> There is no analysis in the s32 regarding this relevance or practicality of this table. Roads are classified in terms of the relative importance of their movement and access functions. At the 'top' of the hierarchy are those roads which have as their principal purpose the unrestricted movement of vehicles. Accordingly, the access available to properties along the route of such roads is either totally restricted or strictly managed through design. At the other extreme (local roads) the objective is to maximise the ease and safety of access to properties.
Point Number	746.27
Summary of Decision Requested:	<p>Delete Table 14.12.5.3- Minimum sight distances</p> <p>AND</p> <p>Add reference to RTS6 Guidelines for Visibility at Driveways to Table 14.12.5.3- Minimum sight distances.</p>
Decision Reasons:	<ul style="list-style-type: none"> There is no analysis in the s32 regarding this relevance or practicality of this table. There are national documents (New Zealand Transport Agencies Road Traffic Standards 06) that cover sight distances so this matter should not form part of the Plan so that, if any amendment is made to the legislation, the plan does not need to be changed.
Point Number	746.28
Summary of Decision Requested:	<p>Add a new activity to Rule 16.1.2- Permitted Activities to include multi-unit development of up to three dwellings as follows:</p> <p><i>Pl 3 Multi-unit development of up to three dwellings is a Permitted Activity</i></p> <p>AND</p> <p>Add similar activity specific standards to the new rule as Rule 16.1.3 RD1 (including the amendments sought)</p>
Decision Reasons:	<ul style="list-style-type: none"> Multi-unit development of up to three dwellings should be a Permitted Activity. This will allow for infill development and avoid unnecessary Resource Consent costs and time delays and effects could be managed through permitted standards. The construction of up to three dwellings on a residential site is unlikely to result in adverse effects provided the relevant controls can be met. The proposed addition to the permitted activity table will allow existing land to be developed more efficiently without the need to subdivide the land.
Point Number	746.29
Summary of Decision Requested:	<p>Amend Rule 16.1.3 RD1 (c) Restricted Discretionary Activities for Multi-unit development as follows:</p> <p><i>The minimum net site area per residential unit is 300m² 250m²:</i></p> <p>AND</p> <p>Amend Rule 16.1.3 RD1 condition (e) Restricted Discretionary Activities (Multi-unit development) as follows:</p> <p><i>Total Building coverage of the site does not exceed 50% 60%</i></p>
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports the provision for multi-unit housing as it gives effect to the strategic direction outlined in Section A and Chapter B 4.1. The provision supports variety in the future housing stock to help achieve policies 4.1.2, 4.1.5, 4.2.16 and 4.2.17. Multi-unit development of up to three dwellings should be a Permitted Activity. This will allow for infill development and avoid unnecessary Resource Consent costs and time delays where and effects can be managed through permitted standards. While the policy directive support variety in housing types the provisions of the Plan encourage typical suburban form rather than enabling medium density development.
Point Number	746.30
Summary of Decision Requested:	<p>Amend Rule 16.1.3 RD1 Restricted Discretionary Activities to provide for low rise apartments close to town centres as follows</p> <p><i>Where multi-unit apartments are proposed apply conditions in 17.1.3 RD1</i></p>
Decision Reasons:	<ul style="list-style-type: none"> This will enable the directive in Policy 4.2.17(a) Housing types. There are a number of larger (1000m²) sections within the older existing residential areas in both Tuakau, Te Kauwhata, Ngaruawahia and Poke no. These areas are often close to the Town Centre. Intensification of these sites should be encouraged given their proximity to existing services. These sites could accommodate low-rise apartments and multi-unit development to achieve the policy directives of the Proposed Plan. While the policy directive support variety in housing types the provisions of the Proposed Plan encourage a typical suburban form rather than enabling medium density development.

Point Number 746.31

Summary of Decision Requested: **Amend** Rule 16.2.4.1- Earthworks- General P1 (a)(ii) as follows:
(ii) Not exceed a volume of ~~250m²~~ 500m²

Decision Reasons:

- Where subdivision has been approved by Council and lots have been created there should be no requirements for land owners to apply for additional resource consents for earthworks to undertake permitted activities on the land.
- The earthworks thresholds need to be lenient enough to ensure the land can be developed without additional consents.
- Permitted land use standards should be able to control the adverse effects of any works.

Point Number 746.32

Summary of Decision Requested: **Retain** Rule 16.2.4.1 P2 Earthworks-General as notified.

Decision Reasons:

- The submitter supports this provision to enable the creation of stable building platforms.

Point Number 746.33

Summary of Decision Requested: **Amend** Rule 16.2.4.1 P3(a)(i) Earthworks- General as follows:
Not exceed a total volume of ~~20m²~~ 100m²
AND
Amend Rule 16.2.4.1 P3(a)(ii) Earthworks- General as follows:
Not exceed a depth of ~~4m~~ 1.5m.

Decision Reasons:

- Cleanfill may be required in residential zoned sites to enable greenfield land to be developed for residential purposes. The requirement to avoid filling in all circumstances may restrict the ability to development residential land where balanced cut to fill earthworks are inappropriate or cannot be achieved.
- The importation volume is too low to enable residential development.

Point Number 746.34

Summary of Decision Requested: **Delete** Rule 16.2.4.1 NCI Earthworks General
AND
Add a new restricted discretionary activity (RD2) to Rule 16.2.4.1 as follows:
RD2 Earthworks including the importation of cleanfill to a site.

Decision Reasons:

- The importation volume is too low to enable residential development
- Cleanfill may be required in residential zoned sites to enable greenfield land to be developed for residential purposes. The requirement to avoid filling in all circumstances may restrict the ability to development residential land where balanced cut to fill earthworks are inappropriate or cannot be achieved.
- The Non-Complying status is too restrictive and needs to be more lenient to enable greenfield development within residential zones.

Point Number 746.35

Summary of Decision Requested: **Add** a new permitted activity (P2) to Rule 16.3.1- Dwelling for a multi-unit development of up to three dwellings as follows:
P2 Multi-unit development of up to three dwellings added as a Permitted Activity.
AND
Add permitted activity conditions to the new Rule 16.3.1 P2 similar to Rule 16.1.3 RD1 (including proposed amendments)
AND
Amend Rule 16.3.1- Dwelling to state that Rule 16.3.1 does not apply to multi-unit development.

Decision Reasons:

- The submitter opposes the condition as it is too restrictive. Up to three dwellings permitted on a site where the multi-unit dwelling standards can be met.
- Multi-unit development of up to three dwellings should be a Permitted Activity. This will allow for infill development and avoid unnecessary Resource Consent costs and time delays where and effects could be managed through permitted standards.
- There are a number of larger (1000m²) sections within the older existing residential areas in both Tuakau, Te Kauwhata, Ngaruawahia and Poke no. These areas are often close to the Town Centre. Intensification of these sites should be encouraged given their proximity to existing services. These sites could accommodate low-rise apartments and multi-unit development to achieve the policy directives of the Plan. Provision should be made within the rules for this.
- This will allow existing land to be developed more efficiently without the need to subdivide the land allowing land owners to build additional dwellings on existing lots.
- Permitted standards can control amenity effects to ensure that neighbouring sites are not affected. This approach has been taken by Auckland Council where additional dwelling can be constructed on properties without Resource Consent provided permitted standards can be achieved.

Point Number 746.36

Summary of Decision Requested: **Amend** Rule 16.3.2 P1(a)(i)- Minor dwelling as follows:
The net site area is ~~900m²~~ 600m² or more.

Decision Reasons:

- The submitter supports the provision as it will enable more diversity in the housing stock to achieve policies 4.1.2, 4.1.5, 4.2.16 and 4.2.17, the Reduce the net site area to 600m².
- The Plan should encourage intensification and housing options in the residential zones, especially in growth areas such as Tuakau and Pokeno.
- The permitted standards will control effects if the site is an appropriate size to accommodate a minor dwelling.

Point Number 746.37

Summary of Decision Requested: Amend Rule 16.3.3.1 P1-Building Height -General as follows:

The maximum height of any building must not exceed ~~7.5m~~ 11m.

AND

Amend Rule 16.3.5- Daylight admission as a consequential amendment.

Decision Reasons:

- The height limit does not enable the efficient use of urban land and fails to increase the development capacity of existing urban areas.
- The strategic direction outlined in Section A and Chapter B 4.1 of the Plan supports increase densities and housing choice throughout the district. The provision supports variety in the future housing stock to help achieve policies 4.1.2, 4.1.5, 4.2.16 and 4.2.17. This includes the provision of low rise apartments and multi-unit development.
- The 7.5m height limit restricts the potential to build medium density housing. While the Plan seeks some intensification and increased density to accommodate future growth the land use provisions in the Plan create a suburban form which is at odds with the strategic direction and objectives and policies for the urban environment.

Point Number 746.38

Summary of Decision Requested: Amend Rule 16.3.5 P1- Daylight admission as follows:

Buildings must not protrude through a height control plane rising at an angle of ~~37~~ 45 degrees commencing at an elevation of 2.5m above ground level at every point of the site boundary.

Decision Reasons:

- This is inconsistent with previous Planning documents, which are less restrictive.
- This is too restrictive for urban areas.
- Adequate amenity and daylight for adjoining sites can be achieved with a less restrictive control plane.
- The 37 degree angle is difficult to calculate.

Point Number 746.39

Summary of Decision Requested: Amend Rule 16.3.6 P1- Building Coverage as follows:

The total building coverage must not exceed ~~40%~~ 50%.

Decision Reasons:

- The submitter opposes the 40% building coverage as it does not enable the efficient use of urban land and fails to increase the development capacity of existing urban areas.
- Increasing building coverage will allow greater utilisation of residential zoned land and support the strategic direction outlined in Section A and Chapter B 4.1 of the Plan, which supports increase densities and housing choice throughout the district.

Point Number 746.40

Summary of Decision Requested: Amend Rule 16.3.7 P1 Living Court, as follows:

(a) A living court must be provided for each dwelling that meets all of the following conditions:

(i) It is for the exclusive use of the occupants of the dwelling;

(ii) It is readily accessible from a living area of the dwelling;

(iii) When located on the ground floor it has a minimum area of ~~60m²~~ 40m² and a minimum dimension of ~~4m~~ 3m in any direction.

(iv) When located on a balcony of an above ground apartment, it must have a minimum area of ~~15m²~~ 10m² and a minimum dimension of ~~4m~~ 2m in any direction.

AND

Amend Rule 16.3.7 P2 Living Court, as follows:

(a) A living court must be provided for each minor dwelling that meets all of the following conditions:

(i) It is for the exclusive use of the occupants of the minor dwelling;

(ii) It is readily accessible from a living area of the minor dwelling;

(iii) When located on the ground floor it has a minimum area of ~~40m²~~ 10m² and a minimum dimension of ~~4m~~ 2m in any direction.

(iv) When located on a balcony of an above ground apartment, it must have a minimum area of ~~15m²~~ 8m² and a minimum dimension of ~~2m~~ 1.6m in any direction.

Decision Reasons:

- The Plan requires excessive outdoor living areas relative to 450m² lot size provision for residential Lots.
- While the Plan seeks some intensification and increased density to accommodate future growth the land use provisions in the Plan create a suburban form which is at odds with the strategic direction and objectives and policies for the urban environment.
- Excessive sized outdoor living areas will restrict the ability to develop the urban land. The size standards exceed the existing Franklin District Plan standard which requires 60m² of outdoor living area.
- The Perception of urban living is changing and people no longer need large outdoor areas. Smaller outdoor living courts have been adopted by Auckland Council to promote a more compact living approach and should be adopted by the Waikato District Council to achieve the strategic objectives.
- Reducing the minimum outdoor living court allows for variety in lifestyle and lower maintenance.
- In addition, 16.3.8 requires an additional service court which ensures adequate outdoor space for living and other domestic requirements.

Point Number 746.41

Summary of Decision Requested: Amend Rule 16.3.8 P1 Service Court as follows:

(a) A service court must be provided for each dwelling and minor dwelling, each with all the following dimensions:

- (i) minimum area of ~~45m²~~ 5m²; and
- (ii) contains a circle of at least ~~3m~~ 2m diameter.

Decision Reasons:

- The Proposed Plan requires excessive service court for modern urban living.
- Excessive service courts will restrict the ability to develop urban land efficiently.
- There is no assessment in the s32 analysis to support the size of the service court.

Point Number 746.42

Summary of Decision Requested: **Amend** Rule 16.3.9.1 P1 (a)- Building setbacks- All boundaries as follows:

(a) A building must be set back a minimum of:

...

(iii) ~~4.5m~~ 1.2m from every boundary other than a road boundary

(iv) ~~4.5m~~ 1.2m from every vehicle access to another site

Decision Reasons:

- The Plan requires excessive building setbacks for residential Lots that will restrict the ability to develop the urban land. The setbacks exceed the existing Waikato District Plan - Franklin Section standards for minimum side and rear yards of one metre.
- Reducing the side yard allows for variety in lifestyle and lower maintenance.

Point Number 746.43

Summary of Decision Requested: **Amend** Rule 16.3.9.3 P1 (a) (ii)-Building setback - Water bodies to match Rule 24.3.6.3- Building setback- Waterbodies, including the following:
(ii) ...from the bank of any named river...

AND

Add a new permitted activity (P3) to Rule 16.3.9.3 Building setback- Water bodies as follows

P3. A building must be set back a minimum of 10m from the bank of a perennial or intermittent named or unnamed stream.

Decision Reasons:

- These setbacks are not consistent with other zones in the Proposed District Plan or the existing Operative District Plan-Franklin Section provisions.

Point Number 746.44

Summary of Decision Requested: **Retain** Rule 16.4.1- Subdivision-General as notified, except for amendments sought elsewhere in the submission.

Decision Reasons:

- Provides for the efficient use of the urban land resource.
- Enables the subdivision of land to provide for the growth of the district.

Point Number 746.45

Summary of Decision Requested: **Retain** the minimum net site area of 450m² in Rule 16.4.1 RD1 (a)(i) Subdivision - General, for greenfield subdivision.

AND

Add a new clause to Rule 16.4.1 RD1(a) Subdivision - General requiring a minimum net site area of 350m² for infill development in accordance with the Operative District Plan: Franklin Section.

Decision Reasons:

- The submitter supports the minimum lot size of 450m² for greenfield development areas.
- There are many larger sites within the existing urban areas of Tuakau and Pokeno which are suitable for infill subdivision. Subdivision of larger sites within the existing urban area should be encouraged to ensure that intensification of the existing urban areas can be achieved in accordance with the Future Proof Strategy. This will ensure efficient use of the existing urban land resources allowing additional residential development close to services and amenities.
- The submitter proposed the subdivision of existing sites to 350m² in accordance with the Franklin District Plan. Lot sizes below this should be provided where an integrated land use and subdivision consent can show compliance with the land use standards.

Point Number 746.46

Summary of Decision Requested: **Delete** Rule 16.4.1 RD1 (a)(iii)- Subdivision- General.

Decision Reasons:

- The submitter accepts that grid layouts result in increase permeability, legibility and walkability of residential areas. However, the establishment of formal and informal grid patterns may not be appropriate to all sites. Sites with topographical natural or physical constraints may be unable to practically implement a grid layout. There may also be sites where the lay of the land is best suited to an alternative road design.
- There is no analysis in the s32 regarding this relevance or practicality of this rule.
- While grid layouts are an accepted urban design principle for good subdivision design they are not an absolute response. Therefore, they should be used as a principle and not enforced through a rule.

Point Number 746.47

Summary of Decision Requested: **Delete** Rule 16.4.2 RD1 (a)(iv)- Subdivision- Te Kawhata Ecological Residential Area.

Decision Reasons:

- The submitter accepts that grid layouts result in increase permeability, legibility and walkability of residential areas. However, the establishment of formal and informal grid patterns may not be appropriate to all sites. Sites with topographical natural or physical constraints may be unable to practically implement a grid layout. There may also be sites where the lay of the land is best suited to an alternative road design.
- There is no analysis in the s32 regarding this relevance or practicality of this rule.
- While grid layouts are an accepted urban design principle for good subdivision design they are not an absolute response. Therefore, they should be used as a principle and not enforced through a rule.

Point Number 746.48

Summary of Decision Requested: **Delete** Rule 16.4.1 RD1 (a)(iv) Subdivision - General (rear lot subdivision control) and make this a matter of discretion;
OR
Amend Rule 16.4.1 RD1(a) (iv) Subdivision - General (rear lot subdivision control) to increase the percentage of rear lots to no more than 25%.

Decision Reasons:

- The standard is not able to be achieved on some sites due to the configuration of the site and topographical constraints which mean the creation of roads will be difficult.
- The standard is arbitrary and there is no assessment in the s32 analysis to support the 15% standard.

Point Number 746.49

Summary of Decision Requested: **Amend** Rule 16.4.3 RD1 (a)(v)- Subdivision- Te Kauwhata West Residential Area to increase the percentage of rear lots to no more than 25%.

Decision Reasons:

- 15% is not able to be achieved on some sites due to the configuration of the site and topographical constraints which mean the creation of roads will be difficult.
- The standard is arbitrary and there is no assessment in the s32 analysis to support the 15% standard.

Point Number 746.50

Summary of Decision Requested: **Amend** Rule 16.4.3(a) (ii)-Subdivision- Te Kauwhata West Residential Area as follows:
(ii) Have a minimum average net site area of ~~875m²~~ 700m².

Decision Reasons:

- An average residential lot size of 875m² is considered to be an inefficient use of the residential land resource. fails to take into account the anticipated growth for the area.
- It fails to give effect to the Future Proof Strategy identified in I.S.1 of the Plan that seeks a shift in the existing pattern of land use towards accommodating growth through a more compact urban form based on concentrating growth in and around Hamilton (67%) and the larger settlements of the district (21%). This involves a reduction in the relative share of the population outside of the sub-region's existing major settlements through tighter control over rural-residential development and encouraging greater urban densities in existing settlements.
- It does not achieve the minimum density required by strategic Policy 4.1.5. This is an inconsistency between the rules and the Plans objectives. Therefore, for the rule should give effect to the Plan, this should be rectified.

Point Number 746.51

Summary of Decision Requested: **Delete** Rule 16.4.13 RD1(a)-Subdivision creating reserves and make this a matter of discretion

Decision Reasons:

- Roading infrastructure is expensive and the rule will result in additional costs for developers which may not be justifiable from an economic perspective.
- This is an arbitrary standard which may not be relevant for all reserve types or developments.
- Safety and surveillance of reserves may be achieved with less road frontage.
- There is no analysis in the s32 stating why the 50% rule has been applied.
- This can be assessed through assessment criteria or a matter of discretion.

Point Number 746.52

Summary of Decision Requested: **Amend** Rule 16.4.14 Subdivision of esplanade reserves and esplanade strips to adopt Operative Waikato District Plan - Franklin Section Rule 11.5 - Esplanade Reserves and Strips.

Decision Reasons:

- The submitter accept that esplanade reserves and esplanade strips enable public access and recreation. However, this needs to be assessed on a case by case basis and Council should allow a waiver or reduction in width in certain circumstances.

Point Number 746.53

Summary of Decision Requested: **Add** a new permitted activity (P19) to Rule 17.1.2 Permitted Activities, as follows:
P19 Multi-unit development of up to five units complying with the conditions
AND
Add the conditions from Rule 17.1.3 RD1 to the new rule.

Decision Reasons:

- The submitter supports the provision for multi-unit housing as it gives effect to the strategic direction outlined in Section A and Chapter B 4.1. The provision for multi-unit development supports variety in the future housing stock to help achieve policies 4.1.2, 4.1.5, 4.2.16 and 4.2.17.
- Multi-unit development of up to five units should be a Permitted Activity. This will allow for infill development and avoid unnecessary Resource Consent costs and time delays where and effects can be managed through permitted standards.
- Provision for low rise apartments close to town centre gives effect to the directive in Policy 4.2.17(a) Enable a variety of housing types in the Residential Zone where it is connected to public reticulation, including:
(i) Integrated residential development such as low-rise apartments and multi-unit development;
(ii) Retirement villages.

Point Number 746.54

Summary of Decision Requested: **Delete** Rule 17.1.5 NCI- Non-Complying Activities and amend to discretionary activity as captured by Rule 17.1.4 D3 Discretionary Activities

OR

Amend Rule 17.1.3 RDI- Restricted Discretionary Activities to allow residential development at the ground floor on sites that adjoin a residential zone.

Decision Reasons:

- Provision for low rise apartments close to town centre gives effect to the directive in Policy 4.2.17(a) Enable a variety of housing types in the Residential Zone where it is connected to public reticulation, including:
 - (i) Integrated residential development such as low-rise apartments and multi-unit development;
 - (ii) Retirement villages.
- Residential development at ground floor level may be an appropriate design response to the context of the site and surrounding area. Where buildings adjoin the residential zone, residential ground floor activities may be an appropriate design response.

Point Number 746.55

Summary of Decision Requested: **Delete** Rule 17.1.5 NC2-Non-Complying Activities, and amend to a discretionary activity status as set out below

AND

Add a new discretionary activity (D4) to Rule 17.14 as follows:

Residential activity that does not comply with an activity specific condition for a permitted activity under Rule 17.1.2 P4.

Decision Reasons:

- The non complying activity status is too restrictive and does not provide for innovation in design or development concepts which may promote good outcomes for the zone. Residential activities are seen as being appropriate for a residential zone and therefore the non-complying status does not enable this.
- Residential development at ground floor level may be an appropriate design response to the context of the site and surrounding area. Where buildings adjoin the residential zone, residential ground floor activities may be an appropriate design response.

Point Number 746.56

Summary of Decision Requested: **Amend** Rule 17.3.1.1 P1- Height- Building General as follows:

The maximum height of any building must not exceed ~~40m~~ 15m.

Decision Reasons:

- The building height should be increased to allow for 4 storeys.
- This will ensure development and re-development (especially of smaller sites) is economically viable for developers and allow for a range of uses making residential development viable on upper floors.

Point Number 746.57

Summary of Decision Requested: **Amend** Rule 17.3.2 P2 Daylight admission as follows:

Buildings must not protrude through a height control plane rising at an angle of ~~37-45~~ degrees commencing at an elevation of 2.5m above ground level at every point of the site boundary.

Decision Reasons:

- It is inconsistent with previous planning documents which are less restrictive.
- it is too restrictive for urban areas.
- Adequate amenity and daylight for adjoining sites can be achieved with a less restrictive control plane.
- The 37 degree angle is difficult to calculate.

Point Number 746.58

Summary of Decision Requested: **Add** a new permitted activity (P19) to Rule 18.1.2 (Permitted Activities) as follows:

P19 Multi-unit development of up to five units complying with the conditions

AND

Add the conditions in Rule 18.1.3 RDI as activity specific conditions to the new P19.

Decision Reasons:

- The submitter supports the provision for multi-unit housing as it gives effect to the strategic direction outlined in Section A and Chapter B 4.1. The provision for multi-unit development supports variety in the future housing stock to help achieve policies 4.1.2, 4.1.5, 4.2.16 and 4.2.17.
- Multi-unit development of up to five units should be a Permitted Activity to allow for infill development and avoid unnecessary Resource Consent costs and time delays where and effects can be managed through permitted standards.

Point Number 746.59

Summary of Decision Requested: **Delete** Rule 18.1.5 NC3- Non-Complying Activities and amend to a discretionary activity as captured by Rule 18.1.4 D2 Discretionary Activities

OR

Amend Rule 18.1.3 RDI Restricted Discretionary Activities to allow residential development of the ground floor where the site adjoins a Residential Zone

Decision Reasons:

- Provision for low rise apartments close to town centre gives effect to the directive in Policy 4.2.17(a) Enable a variety of housing types in the Residential Zone where it is connected to public reticulation, including:

- (i) Integrated residential development such as low-rise apartments and multi-unit development;
- (ii) Retirement villages.
- Residential development at ground floor level may be an appropriate design response to the context of the site and surrounding area. Where buildings adjoin the residential zone, residential ground floor activities may be an appropriate design response.

Point Number 746.60

Summary of Decision Requested: Retain Rule 18.1.3 RD2 Restricted Discretionary Activities as notified.

Decision Reasons:

- It will ensure good design and character outcomes within the Town Centres.

Point Number 746.61

Summary of Decision Requested: Delete Rule 18.1.5 NC2 Non-complying Activities and amend to a discretionary activity as set out below
AND
Add a new rule to Rule 18.1.4 Discretionary Activities for residential activity on the ground floor.

Decision Reasons:

- The activity status is too restrictive and does not provide for innovation in design or development concepts which may promote good outcomes for the zone. Residential activities are seen as being appropriate for a residential zone and therefore the non-complying status does not enable this.
- Residential development at ground floor level may be an appropriate design response to the context of the site and surrounding area. Where buildings adjoin the residential zone, residential ground floor activities may be an appropriate design response.

Point Number 746.62

Summary of Decision Requested: Delete Rule 18.1.5 NC3-Non-Complying Activities and amend to be a discretionary activity as outlined below
AND
Add a new rule to Rule 18.1.4- Discretionary Activities for multi-unit development located on the ground floor.

Decision Reasons:

- The activity status is too restrictive and does not provide for innovation in design or development concepts which may promote good outcomes for the zone. Residential activities are seen as being appropriate for a residential zone and therefore the non-complying status does not enable this.
- Residential development at ground floor level may be an appropriate design response to the context of the site and surrounding area. Where buildings adjoin the residential zone, residential ground floor activities may be an appropriate design response.

Point Number 746.63

Summary of Decision Requested: Amend 18.3.1.1 P1- Height- Building general as follows:
The maximum height of any building must not exceed ~~4m~~ 15m.

Decision Reasons:

- The building height should be increased to allow for 4 storeys.
- This will ensure development and re-development (especially of smaller sites) is economically viable for developers and allow for a range of uses making residential development viable on upper floors.

Point Number 746.64

Summary of Decision Requested: Amend Rule 18.3.2 P1- Daylight admission as follows:
Buildings must not protrude through a height control plane rising at an angle of ~~35~~ 45 degrees commencing at an elevation of 2.5m above ground level at every point of the site boundary.

Decision Reasons:

- Inconsistent with previous Planning documents which are less restrictive.
- It is too restrictive for urban areas.
- Adequate amenity and daylight for adjoining sites can be achieved with a less restrictive control plane.
- The 37 degree angle is difficult to calculate.

Point Number 746.65

Summary of Decision Requested: Add full provisions for transferable rural lot subdivision within the Rural Zone to Chapter 22 Rural Zone;
AND
Add the Operative Waikato District Plan - Franklin Section Rule 22B.12 - Transferable Rural Lot Right including the provision to transfer "approved lots" to Chapter 22 Rural Zone.

Decision Reasons:

- There continues to be a demand for countryside living properties, and when there is no supply, the land values escalate. Land values can increase to the point where it becomes more economical to subdivide land to use for country lifestyle residential, rather than to use it for primary production. This would severely affect the districts primary focus to preserve the primary productive capabilities
- A large number of lots created for horticulture still remain. These are dispersed across the areas of land with little regard for locational constraints and loss of prime soils if developed as a countryside living property.
- It is appropriate to provide further countryside living on rural lots that have less versatile soils and can absorb adverse effects, and where redistribution of existing vacant lots/consented lots is achieved.
- Incentives can be offered for the transfer of existing titles of vacant lots and consented lots into such developments.
- Many small rural lots that are located in areas of prime/high quality soil do not have houses or other buildings on them. If all these titles were to be fully developed, the consequences would be major. The rural area would change in character and use, from rural to country living. This would have wide-ranging adverse effects on the rural economy, business sector and sustainability of prime/versatile soils. It

will provide an opportunity to transfer the title created off the property to another locality that is more appropriate and can absorb the development.

- There are environment benefits to this subdivision mechanism within the Waikato District for the reasons discussed above and below:
 - It enables the ability to transfer existing titles and consented titles that contain prime/high quality soils to other more suitable locations within the district that can better absorb development.
 - It enables land that has prime/high quality soils to be amalgamated together to allow larger farming units that are more efficient to operate as a rural production farming unit.
 - It enables the transfer of lots created by environmental protection (conservation lots) to localities that can better absorb the development and are more attractive in terms of distance to amenities, town and the motorway. These transfers will ensure the parent title can continue to operate as a larger and more productive farming unit.

Point Number 746.66

Summary of Decision Requested: Amend Rule 22.1.2 P2- Permitted Activities to increase event occurrences to 6 times per year.

Decision Reasons:

- It is consistent with the Franklin Section of the District Plan.
- An increase to 6 event occurrences allow for an average of one event every 2 months which is appropriate given other standards (eg hours of operation and general noise levels) are required to be complied with.

Point Number 746.67

Summary of Decision Requested: Amend Rule 22.1.2 P4(b)- Permitted Activities to allow for the storage of materials and machinery outside provided that they are fully screened (not visible) from places off site, including roads and highways.

Decision Reasons:

- Some rural properties are large enough and have sufficient on site features to ensure that materials and machinery can be adequately screened.
- Screening will achieve the same intent as storing them in a building.

Point Number 746.68

Summary of Decision Requested: Retain farming as a permitted activity in Rule 22.1.2 P7 Permitted Activities; note that amendments to the definition of "farming" are sought elsewhere in the submission.

Decision Reasons:

- The submitter supports Farming as a permitted activity, however, seek to have the definition of farming amended.

Point Number 746.69

Summary of Decision Requested: Add a new permitted activity (P13) to Rule 22.1.2 Permitted Activities for free-range poultry farming as follows:

Free-range poultry farming

Activity Specific conditions

(a) Coops and associated areas for the treatment and/or disposal of wastes and composting must be set back at least 20m from the nearest site boundary,

Decision Reasons:

- Free-range poultry farming is a distinct land based activity utilising pasture and should be treated the same as any other permitted livestock activity that utilises natural soil quality on the site.
- The Rural Zone is the only location that a free-range poultry activity can occur where poultry has access to areas of open grazing land.
- The effects of free-range poultry farming can be mitigated by compliance with certain standards.

Point Number 746.70

Summary of Decision Requested: Add five new permitted activities to Rule 22.1.2 Permitted Activities consistent with the Franklin Section of the Operative District Plan as follows:

- *On Site Primary Produce Manufacturing*
- *Farming Visit*
- *Public Garden*
- *Packhouse and coolstore*
- *Farmers' market (meeting certain performance standards).*

Decision Reasons:

- There needs to be greater scope for Permitted Activities.
- These activities are appropriate for the Rural Zone as they are associated with farming activities and can be readily expected to establish without the need for resource consent.

Point Number 746.71

Summary of Decision Requested: Add a new controlled activity (C1) to Section 22.1 Land Use- Activities for poultry hatcheries.

Decision Reasons:

- Poultry Hatcheries are a Controlled Activity in the Franklin Section of the Operative District Plan.
- The effects of production processing, incubation and hatching of fertilised eggs can be adequately controlled by performance standards and conditions of consent. This includes ancillary activities and buildings including rearing and production sheds which are essential to the biosecurity and operation requirements of a hatchery.
- Poultry Hatcheries also play a critical role in the continued operation and growth of the poultry industry which provides food for people and contributes to individual and community wellbeing.

Point Number 746.72

Summary of Decision Requested:	Retain produce stalls as a permitted activity in Rule 22.1.2 P9 Permitted Activities as notified; note that amendments to the definition of "Produce Stall" are sought elsewhere in the submission.
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports Produce Stalls as a permitted activity, however, seek to have the definition of produce stall amended.
Point Number	746.73
Summary of Decision Requested:	Delete from Rule 22.1.3- Restricted Discretionary Activities any reference to free range poultry farming and impose more suitable setbacks.
Decision Reasons:	<ul style="list-style-type: none"> Free-range poultry farming is a distinct activity that should not come under the definition of intensive farming. Free-range poultry farming should not be subject to a 100m boundary setback. A 20m setback is adequate for a permitted free-range farming activity excluding grazing which should be allowed to occur in paddocks up to the boundary of the site (as per any other permitted livestock activity). Condition 22.1.3(d)(ii) should not apply to free-range poultry farming which should be treated the same as any other permitted livestock activity.
Point Number	746.74
Summary of Decision Requested:	Delete from Rule 22.1.3 RD1- Restricted Discretionary Activities any reference to poultry hatcheries OR Amend Rule 22.1.3 RD1- Restricted Discretionary Activities by excluding poultry from the conditions.
Decision Reasons:	<ul style="list-style-type: none"> The condition is too restrictive for other types of poultry farming to achieve when combined with the 300m building setback for a sensitive land use. With the introduction of minor dwellings as a permitted activity, any application for a new poultry farm would result in potentially affected parties given that such a farming activity will restrict a neighbour's ability to establish a dwelling or minor dwelling (or other residential activity like a sleepout) as a permitted activity.
Point Number	746.75
Summary of Decision Requested:	Delete the 300m boundary setback requirement for poultry farming from Rule 22.1.3 RD1- Restricted Discretionary Activities. AND Add a reference to assessment criteria/guidelines and effects of the activity as per the Franklin Section of the Operative District Plan.
Decision Reasons:	<ul style="list-style-type: none"> There is no 300m site boundary setback condition in the Franklin Section of the Operative District Plan, only assessment criteria which provide a buffer area/guideline of 20m from the boundaries of a site and 100m from an existing dwelling on an adjacent property. This is considered to be more appropriate as it recognises changes and technological advancement in modern poultry shed design including ventilation and feeding/drinking systems which reduce the effects of poultry farming. Any site boundary setbacks need to changes and advances in technology and the effects of the activity including the lower bird densities being introduced across the poultry industry. Unable to find in Council's Section 32 report for the Rural Zone the justification for a 300m setback.
Point Number	746.76
Summary of Decision Requested:	Add new Restricted Discretionary Activities to Rule 22.1.3 Restricted Discretionary Activities for small-scale commercial / retail activities that may be ancillary to rural activities occurring on the site e.g. <ul style="list-style-type: none"> Rural commercial services that support rural production activities; Small scale commercial activities ancillary to a primary rural activity, such as cafes on berry picking farms; Tourism activities and ancillary commercial or food and beverage activities; Small wedding venues; Veterinary Clinics; Boarding Kennels and Catteries; Care Centres (less than 10 people);
Decision Reasons:	<ul style="list-style-type: none"> Refer to the Auckland Unitary Plan definition and provisions for similar activities. The Plan fails to provide opportunities for small scale commercial/retail activities that may be ancillary to rural activities. There are a range of small scale activities that support the rural economy and can be appropriately accommodated in the Rural Zone. For example, the District has tourism opportunities which rural land owners may want to draw upon however the Plan makes no provision for. Changing the Plan to allow for some more Restricted Discretionary Activities will give more clarity around the types of non-productive activities that may be acceptable in the Rural Zone and are reasonably expected to locate in this area.
Point Number	746.77
Summary of Decision Requested:	Add a new restricted discretionary activity (RD3) to Rule 22.1.3 Restricted Discretionary Activities)for clean fill outside of an Outstanding Natural Landscapes, Outstanding Natural Feature, Outstanding Natural Character Area and a High Natural Character Area, with matters of discretion including: <ul style="list-style-type: none"> Waste acceptance Design and construction Site operation procedures Response to natural hazards Management of non-complying material Landscape Dust Noise Biodiversity Water quality Trraffic effects Monitoring.
Decision Reasons:	<ul style="list-style-type: none"> Cleanfill (as per the WasteMINZ definition) involves the depositing and handling of non-contaminated material. This material does not generate objectionable odour, contamination or high dust emissions, unlike other activities that involve disposal of material to land.

- With matters of discretion and assessment criteria restricted to waste acceptance, design and construction, site operation procedures, response to natural hazards, management of non-complying material, landscape effects, dust, noise, traffic effects and monitoring.

Point Number 746.78

Summary of Decision Requested: Retain Rule 22.2.3.1- Earthworks-General as notified.

Decision Reasons:

- The submitter is generally supportive of this provision.

Point Number 746.79

Summary of Decision Requested: Amend Section 22.3 Landuse - Building to clarify what buildings are permitted and how this relates to the activities in Rule 22.1- Land Use-Activities. This is to avoid any confusion, particularly in regards to Section 9 of the Resource Management Act.

Decision Reasons:

- This rule refers to permitted dwellings and minor dwellings but does not reference other buildings such as accessory buildings (eg garages and sleepouts) to dwellings/minor dwellings.
- It also does not reference buildings such as milking sheds or greenhouses that are associated with permitted farming activities.
- It is unclear if section 9 of the RMA applies here in that all buildings not listed under Rule 22.3 are Permitted as they will not contravene a district rule? There is no overriding activity status for any other building not listed in Rule 22.3 like there is under Rule 22.1 Land Use - Activities, so it is assumed that the buildings themselves are all permitted (subject to meeting the other standards in Rule 22.3). It is intended that an industrial or commercial building is a permitted land use in the Rural Zone as long as it meets the other standards in Rule 22.3, noting that the use of the building itself (i.e the industrial use/activity within the building) requires resource consent under Rule 22.1 land Use - Activities.

Point Number 746.80

Summary of Decision Requested: Amend Rule 22.3.1 P1 Number of dwellings within a lot to provide for three dwellings on lots over 100 hectares as a permitted activity.

Decision Reasons:

- Three Dwellings on lots over 100 hectares should be permitted as per the Franklin Section of the Operative District Plan.
- Lots of over 100 hectares are able to absorb and mitigate the effects of a third house by virtue of their size.

Point Number 746.81

Summary of Decision Requested: Amend Rule 22.3.2 P1(b)(i)-Minor dwelling as follows:

The minor dwelling must be located within ~~25m~~ 50m of the dwelling.

Decision Reasons:

- The submitter generally supports this provision, however, it impacts (along with other residential activities) on the identification of potentially affected persons for an application for a new intensive farming activity needs to be considered in relation to Rule 22.3.7.2(a) (vii).
- The submitter is also unable to find in Council's Section 32 report for the Rural Zone the justification for a 20m separation distance.
- There is no longer a requirement that the minor dwelling has to be occupied by a dependent relative, therefore a larger separation distance would provide enhanced privacy between residents of each dwelling.

Point Number 746.82

Summary of Decision Requested: Amend Rule 22.3.5 P1 - Daylight admission to allow the rule to be infringed where written consent of the land owners and occupiers of the abutting sites(s) have been obtained.

Decision Reasons:

- A daylight admission infringement is that similar to a yard infringement which only affects the adjoining neighbouring property.

Point Number 746.83

Summary of Decision Requested: Amend Rule 22.3.6 P1-Building Coverage to exclude buildings associated with permitted and controlled farming activities (including free range poultry farming and poultry hatcheries).

AND

Amend Rule 22.3.6 P1 (a) (i)-Building Coverage to increase the 2% building coverage limit.

OR

Delete Rule 22.3.6 P1 Building Coverage

Decision Reasons:

- The proposed rule could unduly restrict someone wanting to use the land for a productive purpose (e.g greenhouses).
- Consider whether a building coverage rule in the Rural Zone is necessary at all given there is no such requirement in the Franklin Section of the District Plan.

Point Number 746.84

Summary of Decision Requested: Amend Rule 22.3.7.1 Building setbacks - All boundaries to have a 12m setback from the boundary of an adjoining site.

AND

Amend Rule 22.3.7.1 Building setbacks - All boundaries to allow the setback to be reduced where written neighbours' consent has been obtained.

Decision Reasons:

- This rule should be allowed to be infringed where the written consent of the owners and occupiers of the abutting site(s) have been obtained. This should be specified as per the Franklin section without the need to pay Council \$350 to process a permitted boundary activity.
- A 25m boundary setback can be significant for a site under 1.6 hectares and can unduly restrict the use of the land. The 12m boundary setback referred to in other instances could be appropriate here as it is unclear as to what an extra 13m in an open rural landscape would achieve in relation to reducing reverse sensitivity effects from adjoining land. For example, 12m is still sufficient for a person on a property less than 1.6 hectares to establish screen planting or internal fencing to reduce potential effects.
- It is unclear as to why a habitable building on a property greater than 1.6 hectares needs to be 25m from every boundary other than a road boundary. While these properties are larger and have more room to accommodate the setback, we don't see why a 12m setback would not be adequate here similar to the reasons given above.
- Many existing dwellings, especially within the former Franklin District, will encroach into the new boundary setback. While these will have existing use rights it would mean any minor dwelling, extension to the existing dwelling or accessory building, within the curtilage area or the existing dwelling may not be able to comply with the permitted setback standards resulting in an increase in consents at additional costs to these land owners. The existing rural environment should be considered in the development appropriate boundary setbacks rather than applying the Operative Waikato Section Waikato District Plan standards which don't adequately reflect the existing environment or building setbacks.
- Council's Section 32 report for the Rural Zone (pg 84) states that larger setback are required if the neighbouring lot is over 6 hectares for reverse sensitivity reasons. However, there is no justification as to why 25m is an appropriate distance.

Point Number

746.85

Summary of Decision Requested:

Amend Rule 22.3.7.2 Building Setback -Sensitive land use after further consideration of its effect on applications for poultry farming activities

OR

Delete the setback distances in relation to poultry farming in Rule 22.3.7.2 Building Setback -Sensitive land use

Decision Reasons:

- Rule 22.3.7.2(a)(vii) sets an arbitrary distance for all 'intensive farming' which is not necessarily reflective of the effects of a poultry farm.
- It results in all properties within 300m of the boundary of a site proposed for a poultry farming operation being considered as adversely affected for notification purposes. This because the establishment of a new poultry farm would restrict a neighbour's ability to establish a potential dwelling or minor dwelling (or other residential activity like a sleepout) as a permitted activity in the future. Furthermore, this is not a breach of poultry farm activity rule and can't be included as a consent requirement in the application.
- The setback distance needs to be justified, amended or deleted so that it does not unduly result in the notification of applications for new poultry farms.
- In addition, any setback should be taken from the intensive farming activity itself, not the site boundary of the activity. This is because the effects that the setback is trying to mitigate are generated by/from the activity, not the site boundary. If an intensive farming activity decides to expand in the future within the site boundary then the effects of this on the receiving environment will simply need to be addressed at that time and the application considered on its merits.
- Poultry farms also generally establish on large rural sites and therefore a 300m sensitive building setback from the boundary (and not the activity) is even more significant. This is evidenced when a poultry farm is located in just one corner or at one end of a large (eg 40-100 hectare) property. When combined with Rule 22.1.3(e)(i), there is a total setback of 600m that affect poultry farm applications (i.e 300m from their site boundary to be a restricted discretionary activity and 300m from any dwelling/minor dwelling (or other sensitive activity like a sleepout) that is either existing or potentially able to be constructed on neighbouring land.
- It is almost impossible for a site to be found in the District where the 'Building setback sensitive land use' rule would not affect the establishment/notification of a poultry farm.
- The submitter was unable to find in Council's Section 32 report for the Rural Zone the justification for a 300m setback.

Point Number

746.86

Summary of Decision Requested:

Amend the activity status for Rule 22.4.1.1 PR1, PR2, PR3 and PR4 -Prohibited subdivision from Prohibited to Non-Complying Activities.

Decision Reasons:

- There may be circumstances where the subdivision of high class soils has overall positive effects that can be supported by the objectives and policies.
- It is fanciful to think that every subdivision on high class soil would result in a significant adverse effect on the environment.
- Relocating consented lots within a holding (multiple Records of Title held in the same ownership) may produce a better outcome from a farming and landscape perspective.
- There are circumstances where it may be unavoidable to create an additional Record of Title, i.e. where a title is limited as to parcels and held together by covenant.
- The rule relies on a definition of High Class Soils. High class soils as defined in the Proposed Plan, (relying on soil classification only), may not be versatile due to a range of factors identified through case law.
- It is unfair and unreasonable to prohibit the creation of lots that accommodate existing and well-established rural activities where these are of a viable, sustainable and permanent nature and it is appropriate for these to be subdivided from other rural activities on the site.
- Established rural activities include greenhouses, packhouses, packing sheds, intensive farming, poultry hatcheries or commercial orchard activities.
- Rural activities do not need to be held on the same certificate of title as other rural activities, and there may be circumstances where subdivision enables more significant opportunities for economic wellbeing and the efficient and effective operation of the activity.
- A number of commercial reasons could necessitate subdivision including the desire to sell or lease the business rather than having no other option but to dispose of the entire property, or the need to invest more capital in the operation.
- The prohibited activity status prevents opportunities for subdivision where there is a significant capital investment, particularly in buildings and the intensive rural activity will continue to be commercially viable and sustainable in the long-term following its separation from other rural activities on the site.
- PR4 states any subdivision of a lot previously amalgamated for the purpose of a transferable lot subdivision is prohibited.
- This rule may unreasonably restrict the subdivision potential over and above what is necessary to avoid undermining the intent of the rule under which these Records of Title were created.
- Under Rule 22B of the Franklin Section, the donor certificates of title had to meet a minimum area of 1ha each. However there is no maximum, with many donor Records of Title ranging upwards from 20ha prior to the amalgamation.
- It is noted that under the Franklin Section of the District Plan there were no corresponding rules that limited any further subdivision of the donor lot.
- While subdividing lots amalgamated under Section 22B of the Franklin Section require closer scrutiny this should merit a Non-Complying status only. The land affected may contain qualifying Significant Natural Areas or may be able to relocate boundaries with a neighbour without creating an outcome that may compromise the prior transferable subdivision.
- The objectives and policies of the Proposed Plan should be sufficiently strong to ensure that the subdivision of land containing high class soils is protected in the Rural Zone from inappropriate subdivision and development and that subdivision in the Urban Expansion Area does not undermine the integrated and efficient development of this zone.

Point Number

746.87

Summary of Decision Requested:

Amend Rule 22.4.1.1 - Prohibited subdivision to change all references of "lot" to "Record of Title".

Decision Reasons:

- It may be necessary to create multiple lots and hold them in one Record of Title.
- This may occur where a stream or a public road bisects land held together in one Record of Title.

Point Number

746.88

Summary of Decision Requested:

Retain Rule 22.4.1.2 (a)(i) – (ii) General Subdivision as notified.

Decision Reasons:

- The submitter supports the inclusion of the General Subdivision rules.

Point Number 746.89

Summary of Decision Requested: Add a new discretionary activity to Rule 22.4.1.2 General Subdivision, as follows:

DL
(a) General subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.2 (iv) RDL
(b) General subdivision around established rural activities that does not comply with Rule 22.4.1.2 (iv) RDL

Decision Reasons:

- General subdivision creating a child lot around an existing dwelling, where a curtilage is established and farming regime is already in place on the balance lot, should be provided flexibility in lot size to ensure that the existing farming regime can continue.
- This will ensure the boundaries proposed are a practical outcome to ensure the most efficient ongoing management of the land and not to meet an arbitrary rule.
- A lot size consistent with the established farming regime will avoid the redevelopment of farm tracks and fence lines to access what is a relatively small piece of land.
- A discretionary rule should be provided for lots less than 8,000m² and greater than 1.6ha where they contain an existing dwelling.
- There may be site specific factors that create a unique situation that is conducive to the proposed lot size whilst remaining consistent with the objectives and policies and achieving the anticipated environmental results.
- For lots smaller than 8,000m² it is only necessary to confirm the provision of services within the lot boundaries.
- Lots greater than 1.6ha may need an assessment with respect to the productive potential of the land.
- If the land comprises existing curtilage around the house then the lot will not result in any unreasonable effects with respect to the productive potential of the balance land.
- If the land comprises productive potential, then a Farm management report should be provided to demonstrate that the both the proposed lot and the balance lot are sized to ensure rural land uses continue to predominate.
- The creation of lots that accommodate existing and well-established rural activities where these are of a viable, sustainable and permanent nature and it is appropriate for these to be subdivided from other activities on the site should be provided for.

Point Number 746.90

Summary of Decision Requested: Delete Rule 22.4.1.2(a)(v)-General Subdivision

AND

Add a new matter of discretion to Rule 22.4.1.2 RD1 (b)- General subdivision as follows:

(b)(vi) Effects on rural productivity and fragmentation of high class soils.

Decision Reasons:

- There is no analysis in the s32 report regarding the relevance or practicality of this rule.
- The submitter agrees with the intent of this rule, which is to design subdivision to avoid the fragmentation of the high class soils.
- The strict and arbitrary 80/20 requirement of this rule may not necessarily result in the best layout, design or farming outcome for the site.
- The objectives and policies (5.1.1, 5.2) give primacy to the protection of high class soils.
- In addition to the objectives and policies (5.2), would like to see matters relating to the retention of high class soils and the maintenance of productivity/farming systems addressed as a matter of discretion for the General Subdivision provisions.
- The strength of the objectives and policies together with expanded matters of discretion are sufficiently strong to ensure adverse outcomes on high class soils are avoided.
- The requirement to demonstrate the 80/20 split will result in the necessary inclusion of Land use Capability Reporting with every subdivision application under the General Provisions to demonstrate that this exact figure is met.
- This becomes an additional compliance cost that does not necessarily result in a better environmental outcome.
- Consent planners should have the discretion of where these are required in accordance with the recommended matter of discretion.

Point Number 746.91

Summary of Decision Requested: Retain Objective 4.2.17 Housing types.

Decision Reasons:

- Submitter supports this objective as it gives effect to the strategic direction outlined in section 4.1 and promotes variety in the future housing stock to help achieve 4.1.2 and 4.1.5.
- Enabling denser housing options gives effect to the Future Proof Strategy identified in 1.5.1 of the Plan that seeks a shift in the existing pattern of land use towards accommodating growth through a more compact urban form based on concentrating growth in and around Hamilton (67%) and the larger settlements of the district (21%). This involves a reduction in the relative share of the population outside of the subregion's existing major settlements through tighter control over rural-residential development and encouraging greater urban densities in existing settlements.
- The Plan needs to provide more direction through the objectives and policies on this issue. As the Plan has one residential zone it needs to identify through the objectives and policies locations where medium density development is appropriate and encourage higher densities in appropriate locations. The Plan should specify that multi-unit development and smaller lots are encouraged close to Town Centres, public amenities and public transport stations. This will ensure the Strategic objectives and met by encouraging higher densities within a walkable distance to existing amenities.
- Diversity and a range of housing choice should also be promoted within greenfield sites. The rural areas of Tuakau contain versatile soils that are used for rural production activities. These soils contribute significantly to both regional and national food supply. Intensification of urban land at higher densities should be encouraged within Tuakau residential areas to ensure that land supply requirements meet while preserving the soil resources. The maximisation of the lands residential development potential will future proof the capacity of land supply to avoid further encroachment into the rural area past the lifetime of this Plan. Intensification and higher densities should be encouraged in appropriate locations to avoid additional sprawl into the rural areas.

Point Number 746.92

Summary of Decision Requested: Delete Policy 4.2.18 (b) (v) (D)- Multi-unit development.

Decision Reasons:

- Variation in roof design is a principle for good design and should be a directive with the design guidelines rather than a policy.

Point Number 746.93

Summary of Decision Requested: Retain Policy 4.7.3- Residential subdivision as notified.

Decision Reasons:

- The submitter supports the policies in 4.7.3 as they reflect good design principles while still providing flexibility in design outcomes.

Point Number 746.94

Summary of Decision Requested: Delete Policy 4.5.11(a)(ii)- Residential upper floors: Business Town Centre Zone and Business Zone.

Decision Reasons:

- There may be circumstances where ground floor residences are appropriate, especially where dealing with zone or heritage interfaces.

Point Number 746.95

Summary of Decision Requested: Retain Policy 4.7.2 (a) (i-vi)- Subdivision location and design.

Decision Reasons:

- Policy 4.7.2(a)(i-vi) promotes quality design.

Point Number 746.96

Summary of Decision Requested: Delete Policy 4.7.2 (a) (vii)- Subdivision location and design

OR

Amend Policy 4.7.2 (a) (vii)- Subdivision location and design as follows:

Promote consistent grid layout while allowing for alternative road designs where a grid layout is not appropriate due to topographical constraints.

Decision Reasons:

- Imposing and promoting a grid pattern in all circumstances is contrary to Policies 4.1.9(a) and 4.2.2(a)(ii) and 4.7.3(a)(vii) which require the contour, landform and character of the landscape to be maintained.
- The Plan needs to provide more flexibility for alternative roading designs to respond to the context of the site and the wider environment.
- The design guideline and Policy 4.7.3(a)(iv) aim to limit the length and number of cul-de-sacs which is a more appropriate policy response than promoting a consistent grid layout in all situations.

Point Number 746.97

Summary of Decision Requested: Retain Policy 7.4.7 Lot sizes, except for the amendments sought below

AND

Amend Policy 4.7.4- Lot sizes as follows:

*(a) Minimum lot size and dimension of lots enables the achievement of the character and density outcomes of each zone; ~~and~~
(b) Smaller lots size and multi-unit development promoted within walking distance to existing Town Centres, public amenities and public transport.
(c) Smaller lots size and multi-unit development promoted within new greenfield sites where the land is within walking distance to amenities and reserves.
(d) Avoid undersized lots in the Village Zone.*

Decision Reasons:

- Support Policy 4.7.4 (a).
- This policy needs to be expanded to cover multi-unit development.
- There is a need to promote intensification to achieve compact development to support future public transport.
- For public transport to be viable higher densities within walking distance from a transport station needs to be promoted.
- The policy needs to reflect that in residential areas the density is higher.
- This is important for Tuakau and Pokeno where a commuter train from Auckland to Hamilton is under discussion.
- As the Plan has one residential zone it needs to identify through the objectives and policies locations where medium density development is appropriate and encourage higher densities in appropriate locations.
- The Plan should specify that multi-unit development and smaller lots are encouraged close to Town Centres, public amenities and public transport stations.
- This will ensure the Strategic objectives are met by encouraging higher densities within a walkable distance to existing amenities.
- The rural areas of Tuakau contain versatile soils that are used for rural production activities.
- These soils contribute significantly to both regional and national food supply.
- Intensification of urban land at higher densities should be encouraged within Tuakau residential areas to ensure that land supply requirements meet while preserving the soil resources.
- The maximisation of the lands residential development potential will future proof the capacity of land supply to avoid further encroachment into the rural area past the lifetime of this Plan.
- Intensification and higher densities should be encouraged in appropriate locations to avoid additional sprawl into the rural areas.

Point Number 746.98

Summary of Decision Requested: Amend Policy 4.7.7 so that (a) and (b) do not contradict themselves

AND

Amend Policy 4.7.7 (b)- Achieving sufficient development density to support the provision of infrastructure services as follows:

Recognise that the minimum potential yield may not be achieved where there are proven geotechnical constraints or other topographical constraints.

Decision Reasons:

- Policy 4.7.7(a) and (b) are contradictory.
- There may also be other constraints such as flooding, overland, flow paths, rivers that mean the minimum density cannot be achieved.
- Supports the intent of the policy.

Point Number 746.99

Summary of Decision Requested: Add a new clause (iv) to Policy 4.7.10 (a)- Recreation and access as follows:

(iv) Giving effect to the Parks and Reserves Strategy.

Decision Reasons:

- The submitter supports the intent of the policy however development of reserves should be in accordance with the Parks and Reserves Strategy. This should be referenced in the Policy.

Point Number 746.100

Summary of Decision Requested: Retain Objective 5.1.1- The rural environment as notified.

Decision Reasons:

- The Waikato District encompasses valuable areas of high class soils that are of primary importance for food production both regionally and nationally.
- Protecting these soils from adverse effects of inappropriate use and development that may impact their life-supporting capacity is of national importance, this is now being recognised with a national policy statement for Versatile Land and High Class Soils under consideration.
- Urban subdivision is an inefficient use of rural production land. Urban subdivision, particularly ad-hoc subdivision, may undermine the integrated development of identified townships and expansion areas.
- The submitter supports the strength of wording in this objective and agrees that urban development within the Rural Environment is an outcome contrary to the intent of the Proposed Plan and should be avoided.

Point Number 746.101

Summary of Decision Requested: **Retain** Objective 5.2.1- Rural resources, except for the amendments sought below
AND

Amend Objective 5.2.1 (a) (i)- Rural resources as follows:

(a) *Maintain or enhance the:*

(i) *Inherent life-supporting capacity, accessibility and versatility of soils, in particular high class soils.*

Decision Reasons:

- The submitter supports policy (i) which seeks to maintain or enhance the life-supporting capacity and versatility of soils.
- Accessibility to versatile land is also a key consideration in managing this resource and that we suggest 'accessibility' be included in this policy.
- The submitter supports the enhancement and/or restoration of natural ecosystems, surface and ground water quality, and the natural characteristics of fresh waterbodies and coastal waters as set in sub-parts ii, iii and iv of this Policy.
- A method of enhancement should be incentivising the stock exclusion, restoration of biodiversity, and protection of waterways through rural subdivision.
- Providing for conservation lot subdivision via enhancement and/or restoration would enable this policy.

Point Number 746.102

Summary of Decision Requested: **Retain** Policy 5.2.2- High class soils as notified.

Decision Reasons:

- The submitter supports this policy which seeks to retain high class soils and ensure adverse effects do not compromise the life support properties of high class soil.

Point Number 746.103

Summary of Decision Requested: **Add** a new residential zone to the Proposed District Plan, separating the residential zone into two zones to support intensification and compact growth within existing town centres and future public transport stations. A zone similar to the mixed housing zone used in the Auckland Unitary Plan or the medium density zone as defined in the Draft National Planning Standards would be suitable.

Decision Reasons:

- Supports the rezoning of land for residential purposes.
- The blanket zoning applied by the Council does not give effect to the following strategic direction outlined in Section A and Chapter B
 - 1.5.1 Compact Urban Development
 - 1.12.1- Waikato District Council as a Future Proof Partner has made a commitment to the Future Proof Strategy which will manage growth for the next 30 years. Settlement patterns are a key tool used within the Future Proof Strategy. They provide the blueprint for growth and development and aim to achieve a more compact and concentrated urban form over time.
 - 1.12.3(c) A district that has a compact urban environment that is focused in defined growth areas, and offers ease of movement, community well-being and economic growth.
 - 4.1.2 - Future settlement pattern is consolidated in and around existing towns and villages in the district.
 - 4.1.5(a) Encourage higher density housing and retirement villages to be located near to and support commercial centres, community facilities, public transport and open space.
 - 4.1.10(i) Subdivision, land use and development in Tuakau's new residential and business areas occurs in a manner that promotes the development of a variety of housing densities, diversity of building styles and a high quality living environment.
 - 4.2.16 and 4.2.17.
- The blanket residential zoning will result in a monotonous suburban form which does not meet the compact form and intensification outcomes sought by the strategic objectives of the Plan. This is at odds with the strategic direction which encourages a more compact urban form around existing Town Centres.
- As defined by the National Planning Standards the purpose of the residential zone is to provide primarily for residential activities in areas of suburban character. The residential zone should be broken into overlays to recognise the specific characteristics of each town. The residential zone should provide for smaller lot sizes and greater intensification within existing residential areas, this will ensure a compact urban form that is viable for future public transportation. New greenfield development can be subject minimum lot to meet the density requirements.

Point Number 746.104

Summary of Decision Requested: **Retain** Objective 3.1.1- Biodiversity and ecosystems as notified.

Decision Reasons:

- The submitter supports this objective.

Point Number 746.105

Summary of Decision Requested: **Retain** Policy 3.1.2- Policies as notified.

Decision Reasons:

- The submitter supports this policy.

Point Number 746.106

Summary of Decision Requested: **Retain** Policy 3.2.8 Incentivise subdivision, except for the amendments sought below

AND

Add a new clause (b) to Policy 3.2.8- Incentivise subdivision as follows:

(b) Incentivise subdivision in the Rural Zone when there is the enhancement and/or restoration of biodiversity, legal and physical protection of areas that are of a suitable size and meet the Criteria for Determining Significance of Indigenous Biodiversity.

Decision Reasons:

- The submitter supports incentivising the protection of existing biodiversity with the ability to subdivide subject to meeting certain criteria.
- The submitter seeks that this policy be expanded to include provision for the enhancement and/or restoration of areas when once restored, would be of a suitable size and quality to achieve a functioning ecosystem. Appendix 2 of the Proposed Plan - 'Criteria for Determining Significance of Indigenous Biodiversity' could provide the basis for assessing the eligibility of these areas. Eligible areas would likely be wetlands and waterways which are degraded in the Waikato District due to farming activities such as stock and cropping.
- Incentivising restoration is in line with The Vision and Strategy for the Waikato River.

Point Number 746.107

Summary of Decision Requested: **Delete** Policy 4.2.15 (a) (iv)- Earthworks

OR

Amend Policy 4.2.15 (a) (iv)- Earthworks to enable land to be developed for residential activities as follows:

The importation of cleanfill is avoided in the Residential Zone *except where it is required to enable land to be developed for residential purposes.*

OR

Amend Policy 4.2.15 (a) (iv)- Earthworks to enable land to be developed for residential activities as follows:

The *inappropriate* importation of clean fill is avoided in the Residential Zone *where it is not required to enable greenfield land to be developed.*

Decision Reasons:

- Clean fill may be required in residential zoned sites to enable greenfield land to be developed for residential purposes. The requirement to avoid filling in all circumstances may restrict the ability to develop residential land where balanced cut to fill earthworks are inappropriate or cannot be achieved.
- This policy is contradictory to the Objective 4.2.14(a)-Earthworks which states that earthworks facilitate subdivision, use and development.
- Policy 4.2.15(iv) should be amended to avoid this contradiction.

Point Number 746.108

Summary of Decision Requested: **Retain** Objective 4.2.16 Housing options, except for the amendments sought below

AND

Add to Objective 4.2.16- Housing options as follows:

Multi-unit development including low rise apartments is promoted within walking distance to existing Town Centres, public amenities and public transport.

Smaller lots size and multi-unit development promoted within new greenfield sites where the land is within walking distance to amenities and reserves.

Decision Reasons:

- The submitter supports Objectives 4.2.16 and 4.2.17 as they give effect to the strategic direction outlined in Section 4.1 and promote variety in the future housing stock to help achieve Objectives 4.1.2 and 4.1.5.
- Enabling denser housing options gives effect to the Future Proof Strategy identified in 1.5.1 of the Plan that seeks a shift in the existing pattern of land use towards accommodating growth through a more compact urban form based on concentrating growth in and around Hamilton (67%) and the larger settlements of the district (21%). This involves a reduction in the relative share of the population outside of the subregion's existing major settlements through tighter control over rural-residential development and encouraging greater urban densities in existing settlements.
- The Plan needs to provide more direction through the objectives and policies on this issue.
- As the Plan has one residential zone it needs to identify through the objectives and policies locations where medium density development is appropriate and encourage higher densities in appropriate locations.
- The Plan should specify that multi-unit development and smaller lots are encouraged close to Town Centres, public amenities and public transport stations. This will ensure the Strategic objectives and met by encouraging higher densities within a walkable distance to existing amenities.
- Diversity and a range of housing choice should also be promoted within greenfield sites.
- The rural areas of Tuakau contain versatile soils that are used for rural production activities. These soils contribute significantly to both regional and national food supply.
- Intensification of urban land at higher densities should be encouraged within Tuakau residential areas to ensure that land supply requirements meet while preserving the soil resources.
- The maximisation of the lands residential development potential will future proof the capacity of land supply to avoid further encroachment into the rural area past the lifetime of this Plan.
- Intensification and higher densities should be encouraged in appropriate locations to avoid additional sprawl into the rural areas.

Point Number 746.109

Summary of Decision Requested: **Amend** Rule 22.4.1.4- Boundary relocation as follows:

(a) *The boundary relocation must:*

(i) *Relocate a common boundary or boundaries between two or more existing Records of Title or consented lots that existed prior to 18 July 2018.*

Decision Reasons:

- Boundary relocation provisions support flexibility to allow rural properties to rationalise large landholdings to provide a logical lot arrangement that better supports the farming activity.
- Boundary relocations typically result in positive effects through the enhancement of the productive farming system and allow for the relocation of potential house sites to more favourable locations.
- Many farms in the District are held in multiple Records of Title, and have the ability to relocate boundaries and create General and Conservation Lots under the proposed provisions.
- The submitter would like to see provision made for the relocation of the boundaries of adjacent consented lots and Records of Title held in common ownership as per the Franklin Section of the District Plan
- Retention of the date, 18 July 2018 is appropriate as it would allow for closer scrutiny and a higher activity status for those Records of Title and consented lots created under the Transferable and Environmental Lot rules of the previous sections of the District Plan which had restrictions on size.

Point Number

746.110

Summary of Decision Requested:

Amend Rule 22.4.1.5 RD1 (a)-Rural Hamlet Subdivision to allow for the relocation of consented lots to ensure lots can be clustered within a Hamlet and reduce the lot size requirements to ensure from a visual, character and farming perspective that a Rural Hamlet is achieved. The amendments sought are as follows:

(a) Subdivision to create a Rural Hamlet must comply with all of the following conditions:

- (i) It results in 3 to 5 proposed lots being clustered together;
- (ii) All existing Records of Title and/or consented lots form one continuous landholding;
- (iii) Each proposed lot has a minimum of ~~0.5~~ **0.5** ~~000m²~~ **000m²**;
- (iv) Each proposed lot has a maximum area of ~~1.6~~ **1.6** ~~ha~~ **ha**;

...

AND

Amend the matters of discretion in Rule 22.4.1.5 RD1 (b)- Rural Hamlet Subdivision as follows:

(b) Council's discretion is restricted to the following matters:

- (i) subdivision layout and design including dimension, shape and orientation of the proposed lots and specified building areas;
- ...
- (vii) effects on rural productivity and fragmentation of high class soils.

Decision Reasons:

- The submitter supports subdivision provisions for Hamlet subdivision in the Rural Zone. When designed well positive benefits of Rural Hamlets include shared infrastructure, improved and enhancement of the productive farming system, and providing housing and lifestyle choices within the District.
- The submitter seeks the inclusion of consented lots, including General and Conservation Lots, in the Hamlet provisions. This would have positive outcomes through the provision of shared infrastructure, enhancement of the production systems. It would also limit the wide dispersal of lots and enable subdivision layout to account for effects from intensive farming or mineral extraction activities.
- Rural Hamlets can be difficult to achieve in reality and Hamlet design needs to specifically respond to the site circumstances and it may be more appropriate to have smaller size lots to ensure the benefits of Hamlet design are achieved. The purpose of Rural Hamlets is to allow for compact design within a rural setting, dwellings within a Hamlet borrow their rural character and amenity from adjoining rural production land.
- Five lots at 1.6ha would take up 8ha of land and would visually result in dispersed rural housing, not a Hamlet. The Hamlet provisions should ensure that a response to the landscape context is more important than meeting performance standards relating to lot size and should allow for a reduction in the lot size.
- Rural character and amenity values will be maintained by the over 20ha balance lot surrounding the Hamlet.

Point Number

746.111

Summary of Decision Requested:

Amend Rule 22.4.1.6 RD1-Conservation lot subdivision as follows:

(i) The lot must contain:

- ~~A. a contiguous area of existing Significant Natural Area either as shown on the planning maps, and/ or~~
- ~~B. a contiguous area to be enhanced and/or restored;~~

as determined by an experienced and suitably qualified ecologist in accordance with the table below...:

(ii) The area of Significant Natural Area and/or area to be enhanced and/or restored is assessed by a suitably qualified person as satisfying at least one criteria in Appendix 2 (Criteria for Determining Significance of Indigenous Biodiversity);

(iii) The Significant Natural Area or area to be restored is not already subject to legal protection ~~a conservation covenant pursuant to the Reserves Act 1977 or the Queen Elizabeth II National Trust Act.~~

(iv) The subdivision proposes to legally protect all areas of Significant Natural Area and/or area to be restored ~~by way of a conservation covenant pursuant to the Reserves Act 1977 or the Queen Elizabeth National Trust Act.~~

(v) An ecological management plan is prepared to address the ongoing management of the covenant protected area to ensure that the Significant Natural Area ~~area to be protected~~ is a self-sustaining and that plan:

- A. Addresses fencing requirement for the covenant protected area;
- B. Addresses ongoing pest plan and animal control;
- C. Identifies any enhancement and/or restoration ~~or edge~~ planting required within the covenant area to be protected.

...

(b) Council's discretion is restricted to the following matters:

- (i) Subdivision layout and proximity of building platforms to Significant Natural Area ~~the area to be protected~~;
- (ii) Matters contained in an ecological management plan for the covenant protected area;
- (iii) Effects of the subdivision on localised rural character and amenity values;
- (iv) Extent of earthworks including earthworks for the location of building platform and access ways;
- (v) Mechanism of legal protection for the area to be protected.

Decision Reasons:

- The submitter supports the incentivisation of legally and physically protecting Significant Natural Areas and other areas of existing biodiversity which offers positive benefits for the Region.
- There is no provision for ecological enhancement and/or restoration in the Conservation Lot Rules.
- There are significant biodiversity and water quality benefits to be gained from ecological enhancement particularly along waterways and wetland areas. Water quality is a key issue identified by the Regional Policy Statement and The Vision and Strategy (which requires an improvement of water quality in the Waikato catchment, not simply maintenance).
- It is also recognised in the corresponding Rural Objectives and Policies which seek enhancement of surface and ground water quality and the natural characteristics of waterways.
- The Plan should be enabling of improving both biodiversity and water quality within the Waikato Catchment and incentivise enhancement and/or restoration of areas that meet one or more criteria in Appendix 2: Criteria for Determining Significance of Indigenous Biodiversity.
- Revegetation approximately costs \$45,000 to \$70,000 per hectare, excluding fencing of revegetated areas from stock. Incentivisation through subdivision would assist in offsetting this cost and encourage enhancement and/or restoration planting.
- The submitter seeks that provisions for ecological enhancement and/or restoration of appropriate areas be included in the Conservation Lot Subdivision rules. Appropriate features to be restored should meet one or more criteria in Appendix 2: Criteria for Determining Significance of Indigenous Biodiversity, or areas identified as Significant Natural Areas that don't meet the minimum size requirements for subdivision are able to be increased in size through additional enhancement and/or restoration planting.
- The submitter agrees that any area that enables subdivision under these rule be legally protected by way of a registered interest on the Record of Title. However other forms of legal protection, such as the vesting of the conservation area in Council ownership (such as an esplanade reserve to afford public access) or by way of a section 221 consent notice (for areas that have unusual management requirement) may be appropriate. The submitter suggests that this rule require legal protection only and leave the mechanism of protection to the discretion of Council when assessing the application (eg. encumbrance, bond, consent notice, covenant or vesting as a reserve).

Point Number	746.112
Summary of Decision Requested:	Amend Rule 22.4.1.6 RD1 (iii)-Conservation Lot Subdivision to remove reference to Queen Elizabeth II and the Reserves Act.
Decision Reasons:	<ul style="list-style-type: none"> • Other mechanism maybe more appropriate, including the vesting in Council as Esplanade Reserve or the protection by way of Section 221 Consent Notice.
Point Number	746.113
Summary of Decision Requested:	Retain Rule 22.4.1.7-Subdivision to create a reserve as notified.
Decision Reasons:	<ul style="list-style-type: none"> • It enhances and incentivises public access through subdivision providing a win-win for the landowner and public.
Point Number	746.114
Summary of Decision Requested:	Amend Rule 22.4.9 RD1 (a)(i) Subdivision - Building Platform as follows: <i>(i) can accommodate a 30m diameter circle has an area of 1,000m² exclusive of boundary setbacks.</i>
Decision Reasons:	<ul style="list-style-type: none"> • The submitter would like to see this as a 30m diameter circle exclusive of setback, instead of a 1000m² area with no dimensions specified.
Point Number	746.115
Summary of Decision Requested:	Add a new rule to Section 22.4-Subdivision as follows: <u>Subdivisions of land containing mapped off-road walkways/trails/cycleways</u> <u>BD1</u> <i>(g) The subdivision where walkways/trails/cycleways shown on the planning maps are to be provided as part of the subdivision must comply with all of the following conditions: (i) The walkway/trail/cycle way is at least 3 metres wide and is designed and constructed for shared pedestrian and cycle use, as per Rule 14.12.1 P8 (Transportation); (ii) The walkway/trail/cycleway is generally in accordance with the walkway/trail/cycleway route shown on the planning maps; (iii) The walkway/trail/cycleway is shown on the plan of subdivision and vested in the Council.</i> <i>b) Council's discretion shall be restricted to the following matters: (i) Alignment of the walkway/trail/cycleway; (ii) Drainage in relation to the walkway/trail/cycleway; (iii) Standard of design and construction of the walkway/trail/cycleway; (iv) Land stability; (v) Amenity matters including batter slopes; and (vi) Connection to reserves.</i> <u>D1</u> <u>A subdivision that does not comply with the above Rule.</u>
Decision Reasons:	<ul style="list-style-type: none"> • The inclusion of trails/cycleways on the Planning Maps needs to be reflected in the plan provisions, particularly subdivision provisions.
Point Number	746.116
Summary of Decision Requested:	Amend Rule 23.2.3.1 P2 (a)(i)- Earthworks - General to increase the earthworks volume to 500m ³ .
Decision Reasons:	<ul style="list-style-type: none"> • Where subdivision has been approved by Council there should be no requirements for land owners to apply for additional consents for earthworks to undertake permitted activities on the land. • The earthworks thresholds need to be lenient enough to ensure the land can be developed without additional consents. • Permitted land use standards should be able to control the adverse effects of any earthworks works.
Point Number	746.117
Summary of Decision Requested:	Retain Rule 23.3.2 P1-Minor Dwelling as notified.
Decision Reasons:	<ul style="list-style-type: none"> • No reasons provided.
Point Number	746.118
Summary of Decision Requested:	Amend Rule 23.3.5 P1-Daylight Admission as follows: <i>A building must not protrude through a height control plane rising at an angle of 45 37-degrees commencing at an elevation of 2.5m above ground level at every point of the site boundary.</i>
Decision Reasons:	<ul style="list-style-type: none"> • An angle of 37 degrees to be harder to follow than the general standard of 45 degrees that is presented across many other Plans in New Zealand. • 45 degrees is clear cut and easy to measure.
Point Number	746.119

Summary of Decision Requested:	Add to Rule 23.3.7.5 P1-Building Setbacks - Waterbodies as follows: <u>a building must be set back a minimum of 10 metres from the bank of a perennial or intermittent stream (named or unnamed).</u>
Decision Reasons:	<ul style="list-style-type: none"> • Rule 22.3.7.5 has not included minimum setbacks from the bank of a perennial or intermittent stream.
Point Number	746.120
Summary of Decision Requested:	Amend Rule 23.4.2 RD1 (a)(i)-General Subdivision as follows: <u>All proposed lots must have a minimum net site area of 3500m² and an average net site area of at least 5000m²</u>
Decision Reasons:	<ul style="list-style-type: none"> • A blanket minimum lot size can present challenges when designing a subdivision where there are different parent lot shapes, sizes and topographical/vegetative/other constraints. • Incorporating a minimum net site area and average net site area for the subdivision will provide for greater flexibility in the instances where physical constraints exist.
Point Number	746.121
Summary of Decision Requested:	Amend Rule 23.4.7 RD1 (a)-Subdivision - Road Frontage. AND Amend Rule 23.4.7-Subdivision-Road Frontage as per Rule 26.6.4-Vehicular Access Requirement of the Operative Waikato District Plan-Franklin Section.
Decision Reasons:	<ul style="list-style-type: none"> • The layout of a development is dependent on the size and shape of the site as well as its topography (amongst other constraints). While a 15m minimum width along a road boundary can generally work in many developments that have the ability to follow a grid design, not every site is flat with no size/shape constraints. • Sites with topographical natural or physical constraints may be unable to practically implement a layout that achieves 15m road frontage for all lots with the road. There may also be sites where the lay of the land is best suited to an alternative roading design. • There is no analysis in the s32 regarding this relevance or practicality of this rule.
Point Number	746.122
Summary of Decision Requested:	Delete Rule 23.4.9 RD1 (a)-Subdivision Creating Reserves and make it a matter of discretion
Decision Reasons:	<ul style="list-style-type: none"> • Roading infrastructure is expensive and the rule will result in additional costs for developers which may not be justifiable from an economic perspective. The enforcement of the rule may increase the cost of development which could be passed onto purchasers. • This is an arbitrary standard which may not be relevant for all reserve types or developments. • Safety and surveillance of reserves may be achieved with less road frontage. • There is no analysis in the s32 stating why the 50% road frontage rule has been applied. While this may be a principle to follow it should not be enforced through a rule.
Point Number	746.123
Summary of Decision Requested:	Retain Chapter 24: Village Zone as notified, except for the amendments sought below.
Decision Reasons:	<ul style="list-style-type: none"> • Village Zone provisions provide for the efficient use of the urban land resources. • Village Zone provisions enable the subdivision of land to provide for the growth of the district.
Point Number	746.124
Summary of Decision Requested:	Add a new permitted activity to Rule 24.1.1-Permitted activities as follows: <u>A new retirement village or alterations to an existing retirement village.</u>
Decision Reasons:	<ul style="list-style-type: none"> • Given the demand for such facilities, provision should be made for retirement villages in all urban areas, including the village zone.
Point Number	746.125
Summary of Decision Requested:	Amend Rule 24.2.4.1 P1 (a)(ii)-Earthworks - General to increase the earthworks volume to 500m ³ .
Decision Reasons:	<ul style="list-style-type: none"> • Where subdivision has been approved by Council there should be no requirements for land owners to apply for additional consents for earthworks to undertake permitted activities on the land. • The earthworks thresholds need to be lenient enough to ensure the land can be developed without additional consents. • Permitted land use standards should be able to control the adverse effects of any earthworks.
Point Number	746.126
Summary of Decision Requested:	No specific decision is sought, but the submission recognises that the importation of fill to enable residential development is appropriate in Rule 24.2.4.1 Earthworks General, and questions whether this would be a permitted activity (P2) or a non-complying activity (NC1).
Decision Reasons:	

- These provisions seem to be workable but we are interested in the thoughts of other submitters.
- Cleanfill may be required in residential zoned sites to enable greenfield land to be developed for residential purposes.
- It is unclear whether cleanfill is a permitted activity (P2) or a non-complying activity (NC1). Non-complying would be too restrictive and needs to be more lenient to enable greenfield development within residential zones.

Point Number 746.127

Summary of Decision Requested: Retain Rule 24.3.2 P1 Minor dwelling as notified.

Decision Reasons:

- No reasons provided.

Point Number 746.128

Summary of Decision Requested: Amend Rule 24.3.4 P1-Daylight Admission as follows:

A building must not protrude through a height control plane rising at an angle of ~~45~~ 37 degrees commencing at an elevation of 2.5m above ground level at every point of the site boundary.

Decision Reasons:

- An angle of 37 degrees to be harder to follow than the general standard of 45 degrees that is presented across many other Plans in New Zealand.
- 45 degrees is clear cut and easy to measure.

Point Number 746.129

Summary of Decision Requested: Retain Rule 24.3.5 Building Coverage as notified.

Decision Reasons:

- These building coverages recognise the different attribute of lot connected to public wastewater and correspond with rule 24.4.2 Subdivision - Te Kowhai and Tuakau .

Point Number 746.130

Summary of Decision Requested: Retain Rule 24.3.6.3 P3 Building setback- Waterbodies except for the amendments sought below

AND

Amend Rule 24.3.6.3-Building setback - Waterbodies as follows:

P1(a)(l)C. Named River bank,

...

P3. A building must be set back a minimum of 10m from the bank of a perennial or intermittent named or unnamed stream.

Decision Reasons:

- It is important to define a stream to avoid confusion with the definition of a river. The RMA defines a river as "a continually or intermittently flowing body of fresh water; and includes a stream and modified watercourse." If a watercourse is named "Stream" then it should be subject to the appropriate setback by the Plan.

Point Number 746.131

Summary of Decision Requested: Amend Rule 24.4.1 RD1 (a)(i)- Subdivision- General as follows:

(i) Proposed lots not connected to public water and wastewater infrastructure must have a minimum net site area of 2,500m² and an average net site area of 3,000m², except where the proposed lot is an access allotment or reserve lot.

(ii) Proposed lots connected to public water and wastewater infrastructure must have a minimum net site area of 1,000m² except where the proposed lot is an access allotment or reserve lot.

Decision Reasons:

- Should reticulation become available in other locations (other than Te Kowhai and Tuakau), then the minimum lot size should reflect this.
- A blanket minimum lot size can present challenges when designing a subdivision where there are different parent lot shapes, sizes and topographical/vegetative/other constraints.
- Incorporating a minimum net size area and average net size area for the subdivision will provide for greater flexibility in the instances where physical constraints exist.

Point Number 746.132

Summary of Decision Requested: Retain Rule 24.4.2 RD2 (a)-Subdivision - Te Kowhai and Tuakau as notified.

Decision Reasons:

- No reasons provided.

Point Number 746.133

Summary of Decision Requested: Delete Rule 24.4.9 RD1 (a)-Subdivision - Road Frontage.

AND

Amend 24.4.9 RD1 (a)-Subdivision-Road Frontage to adopt the Vehicular Access Requirements of the Operative Waikato District Plan - Franklin Section.

Decision Reasons:

- The layout of a development is dependent on the size and shape of the site as well as its topography (amongst other constraints). While a 20m minimum width along a road boundary can generally work in many developments that have the ability to follow a grid design, not every site is flat with no size/shape constraints.
- Sites with topographical natural or physical constraints may be unable to practically implement a layout that achieves 20m road frontage for all lots with the road. There may also be sites where the lay of the land is best suited to an alternative roading design.
- There is no analysis in the s32 regarding this relevance or practicality of this rule.

Point Number 746.134

Summary of Decision Requested: Delete Rule 24.4.11 RDI(a)-Subdivision Creating Reserves and make it a matter of discretion

Decision Reasons:

- Roading infrastructure is expensive and the rule will result in additional costs for developers which may not be justifiable from an economic perspective. The enforcement of the rule may increase the cost of development which could be passed onto purchasers.
- This is an arbitrary standard which may not be relevant for all reserve types or developments.
- Safety and surveillance of reserves may be achieved with less road frontage.
- There is no analysis in the s32 stating why the 50% road frontage rule has been applied. While this may be a principle to follow it should not be enforced through a rule.

Point Number 746.135

Summary of Decision Requested: Amend Rule 24.4.12-Subdivision of esplanade reserves and esplanade strips by adopting Operative Waikato District Plan- Franklin Section Rule 11.5 - Esplanade Reserves and Strips.

Decision Reasons:

- The submitter accepts that esplanade reserves and esplanade strips enable public access and recreation. However, this needs to be assessed on a case by case basis and Council should allow a waiver or reduction in width in certain circumstances.

Point Number 746.136

Summary of Decision Requested: Amend Appendix 3.4-Multi-unit Development to recognise alternative good design outcomes created by variations in setbacks and boundary treatment.

Decision Reasons:

- The submitter supports the principles and outcomes sought in the design guide. However, the design guidance preferring consistent front setbacks and separation between buildings as well as consistent fencing and boundary treatment (i.e. through fencing heights/materials, landscaping, the configuration of pedestrian entrances) encouraged by the design guide could create a repetitive built form.
- There may be good design outcomes created by variations in setbacks and boundary treatments.

Point Number 746.137

Summary of Decision Requested: No specific decision sought, but submission supports the direction of the Proposed District Plan as it gives effect to the National Policy Statement on Urban Development Capacity through rezoning of land and allowing for some intensification of existing urban areas.

Decision Reasons:

- The National Policy Statement provides direction to decision-makers under the Resource Management Act 1991 on planning for urban environments. It recognizes the national significance of well-functioning urban environments, with a particular focus on ensuring that local authorities, through their planning, both:
 - enable urban environments to grow and change in response to the changing needs of the communities, and future generations; and
 - provide enough space for their populations to happily live and work. This can be both through allowing development to go "up" by intensifying existing urban area, and "out" by releasing land in greenfield areas.
- In general, the submitter supports the direction of the Proposed District Plan as it gives effect to the National Policy Statement through the rezoning of land and allows for some intensification of existing urban areas.
-

Point Number 746.138

Summary of Decision Requested: Amend the Proposed District Plan to be consistent with the draft National Planning Standards structure.

Decision Reasons:

- The Proposed District Plan does not directly align with the Draft National Planning Standards.
- The Draft National Planning Standards has a particular structure set out for various Plans, in this case, the District Plan Structure Standard (page 15). The overall structure of the Proposed District Plan is inconsistent with the Draft National Planning Standards in the following regards:
 - The proposed zonings under the Proposed District Plan are inconsistent with the Draft National Planning Standards. For example, both the Village Zone and Country Living Zone do not feature at all in the Draft National Planning Standards.
 - The definitions section of the Proposed District Plan has been inserted into Section C Rules however the draft NPS requires the Definition section to sit within Part I Introduction and General Provisions, Interpretation.
 - The Draft Area Specific Matters Standard on page 43 gives a purpose statement to each zone. This will be a helpful tool when amending the zones in the PWDP to match the Draft NPS.
 - The Proposed District Plan Planning Maps do not align with the colour palette or symbology table in the Draft National Planning Standards.
 - The objectives and policies in the Proposed District Plan are separated out from the zones in section B, however, the draft NPS chapter form (page 63) requires objectives and policies to be embedded in the particular zone.
 - The Draft National Planning Standards has included a Definitions Standard (page 76) which provides mandatory definitions to improve plan consistency. The definitions listed in the Proposed district plan are inconsistent with the definitions outlined in the Draft National Planning Standards.

Point Number 746.139

Summary of Decision Requested: No specific relief sought, but submission considers that it is important that the Waikato District Plan looks beyond the 10 year life of the Plan and ensures that adequate densities and intensification are encouraged around existing Town Centres, especially where public transport stations are proposed to avoid further encroachment into rural land especially where the land is used for food supply purposes.

Decision Reasons:

- The Future Proof Strategy identifies 50 year land supply needs and seeks a shift in the existing pattern of land use towards accommodating growth through a more compact urban form based on concentrating growth in and around Hamilton (67%) and the larger settlements of the district (21%). This involves a reduction in the relative share of the population outside of the sub-region's existing major settlements through tighter control over rural-residential development and encouraging greater urban densities in existing settlements.
- Growth in existing centres of Tuakau, Pokeno, Ngaruawahia and Huntly is supported and has been enabled through the rezoning of greenfield on the peripheries of these existing centres.
- Enabling denser housing options gives effect to the Future Proof Strategy.

Point Number 746.140

Summary of Decision Requested: Amend Section 5.1: The Rural Environment as necessary to reflect and give effect to the amendments sought throughout the submission.

Decision Reasons:

- The submitter is generally supportive of the Rural Zone objectives and policies, however, seek any changes necessary to give effect to the amendments sought throughout the submission.

Point Number 746.141

Summary of Decision Requested: Retain Rule 22.4.1.2 (a)(iv) General subdivision where the creation of a lot between 8,000m² and 1.6ha is a restricted discretionary activity.

Decision Reasons:

- The creation of an additional vacant lot between 8,000m² and 1.6ha is supported.

Point Number 746.142

Summary of Decision Requested: Add a new matter of discretion to Rule 22.4.1.4-Boundary relocation as follows:

Effects on high class soils, farm management and productivity.

Decision Reasons:

- Relocation of a lot created under the previous Transferable Lot Rules from an area that contained no high class soils to high class soils would create an adverse outcome. The inclusion of high class soils as a matter of discretion together with the proposed objectives and policies in Chapter 5 (Rural Environment), would provide Council with a robust framework to ensure that adverse effects on high class soils were avoided.

Point Number 746.143

Summary of Decision Requested: Add a new discretionary rule to Rule 22.4.1.6- Conservation lot subdivision as follows:

DI

(g) Conservation lot subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.6(vi-vii) RDI.

(b) Conservation lot subdivision around established rural activities that does not comply with Rule 22.4.1.6(vi-vii) RDI.

Decision Reasons:

- Rule 22.4.1.6.vi requires a minimum area of 8000m², flexibility for lot area should be provided where the lot boundaries encompass an existing dwelling curtilage or established rural activities. This avoids unnecessary fragmentation of productive farming land. This could be addressed as a Matter of Discretion.

Point Number 746.144

Summary of Decision Requested: No specific decision sought, but submission supports with amendments Rule 23.2.3.1 P1 Earthworks - General and considers that where subdivision has been approved, there should be no requirements for land owners to apply for additional resource consents for earthworks to undertake permitted activities on the land.

Decision Reasons:

- The earthworks thresholds need to be lenient enough to ensure the land can be developed without additional consents.
- Permitted land use standards should be able to control the adverse effects of any works.

Point Number 746.145

Summary of Decision Requested: No specific decision sought, but submission supports with amendments Rule 23.2.3.1 P3 Earthworks - General and considers that where subdivision has been approved, there should be no requirements for land owners to apply for additional resource consents for earthworks to undertake permitted activities on the land.

Decision Reasons:

- The earthworks thresholds need to be lenient enough to ensure the land can be developed without additional consents.
- Permitted land use standards should be able to control the adverse effects of any works.

Point Number 746.146

Summary of Decision Requested: No specific decision sought, but submission supports with amendments Rule 24.2.4.1 P2 Earthworks - General and considers that where subdivision has been approved, there should be no requirements for land owners to apply for additional resource consents for earthworks to undertake permitted activities on the land.

Decision Reasons:

- The earthworks thresholds need to be lenient enough to ensure the land can be developed without additional consents.
- Permitted land use standards should be able to control the adverse effects of any works.

Point Number 746.147

Summary of Decision Requested: No specific decision sought, but submission supports with amendments Rule 24.2.4.1 P3 Earthworks - General and considers that where subdivision has been approved, there should be no requirements for land owners to apply for additional resource consents for earthworks to undertake permitted activities on the land.

Decision Reasons:

- The earthworks thresholds need to be lenient enough to ensure the land can be developed without additional consents.
- Permitted land use standards should be able to control the adverse effects of any works.

Point Number 746.148

Summary of Decision Requested: No specific decision sought, but the submission considers subdivision of larger sites within the existing urban area should be encouraged to ensure that intensification of the existing urban areas can be achieved in accordance with the Future Proof Strategy.

Decision Reasons:

- There are many larger sites (>1000m2) within the existing urban areas of Tuakau and Pokeno which are suitable for infill subdivision.
- This will ensure efficient use of the existing urban land resources allowing additional residential development close to existing services and amenities.

Point Number 746.149

Summary of Decision Requested: No specific decision sought, but the submission considers that intensification of land to rural residential (Country Living) in areas that do not contain elite / prime soils and adjoin urban development should be encouraged to ensure land supply requirements are met while preserving the soil resources.

Decision Reasons:

Some of the rural areas of Buckland / Tuakau contain elite / prime soils that are used for rural production activities. These soils contribute significantly to both regional and national food supply.

Point Number 746.150

Summary of Decision Requested: No specific decision sought, but the submission considers that maximizing the land's rural residential (Country Living and Village) development potential will future proof the capacity of land supply to avoid further encroachment into the rural areas past the lifetime of this Plan.

Decision Reasons:

Some of the rural areas of Buckland / Tuakau contain elite / prime soils that are used for rural production activities. These soils contribute significantly to both regional and national food supply.

Point Number 746.151

Summary of Decision Requested: No specific decision sought, but the submission supports the incentivisation of legally and physically protecting Significant Natural Area and other areas of existing biodiversity which offers positive benefits for the Region.

Decision Reasons:

No reasons provided.

Point Number 746.152

Summary of Decision Requested: **Amend** the Proposed District Plan to be enabling of improving both biodiversity and water quality within the Waikato Catchment, including adding provisions for ecological enhancement and/or restoration of appropriate areas into the Conservation Lot Subdivision rules.

Decision Reasons:

- There are no provisions for ecological enhancement and/or restoration in the Conservation Lot rules.
- There are significant biodiversity and water quality benefits to be gained from ecological enhancement, particularly along waterways and wetland areas.
- Revegetation approximately costs \$45,000-\$70,000 per hectare, excluding fencing of revegetated areas from stock. Incentivisation through subdivision would assist in offsetting this cost and encourage enhancement and /or restoration planting.
- Appropriate features to be restored should meet one or more criteria in Appendix 2: Criteria for Determining Significance of Indigenous Biodiversity, or areas identified as Significant Natural Areas that do not meet the minimum size requirements for subdivision need to be increased in size through additional enhancement and/or restoration planting.

Submitter Number: 747

Submitter:

Ryburn Lagoon Trust Limited

Point Number 747.1

Summary of Decision Requested: **Delete** the Significant Natural Area from the property legally described as Lot 4, DP 182809 on Certificate of Title NA113D/782.
AND

Amend the Proposed District Plan to provide other such relief and consequential amendments as to give effect to the relief sought in the submissions.

Decision Reasons:

- Whereas the property may have qualified as a Significant Natural Area in the past (perhaps when the original Council survey work was undertaken), this was compromised when a Waikato Regional Council consent was granted to an adjoining landowner to lower the stream feeding the wetland.
- The wetland may have also been since further compromised by other unconsented diversions to the stream feeding it. The area identified as a Significant Natural Area on the property, has been predominantly dry in recent times and has limited natural habitat value (see attached aerial photo).
- The vegetation on the site is sparse with predominantly willows around the perimeter of the property.
- For these reasons the area identified does not meet the criteria for identification of a Significant Natural Area and this identification should be removed.

Point Number 747.2

Summary of Decision Requested: **Amend** Objective 3.2.1 Significant Natural Areas to acknowledge that enhancement may not always be practicable or achievable and restoration is a desirable management outcome with the following amendments:

Indigenous biodiversity in Significant Natural Areas is protected and enhanced restored or enhanced where appropriate.

AND

Amend the Proposed District Plan to provide other such relief and consequential amendments as to give effect to the relief sought in the submissions.

Decision Reasons:

- The Waikato Regional Policy Statement requires, at Policy 11.2, that significant indigenous vegetation and the significant habitats of indigenous fauna be protected by ensuring the characteristics that contribute to its significance are not adversely affected to the extent that the significance of the vegetation or habitat is reduced. This is consistent with RMA 1991 s6(c) requirements.
- Proposed District Plan Objective 3.2.1 also seeks enhancement as an outcome. The Objective should acknowledge that enhancement of Significant Natural Areas may not always be practicable or achievable and that in addition, restoration is also a desirable management outcome.

Point Number 747.3

Summary of Decision Requested: **Amend** Policy 3.2.2 - Identify and recognise as follows (or similar such amendments to give effect to the relief sought in this submission):

(a) *Identify significant indigenous vegetation and habitats of indigenous fauna in accordance with the Waikato Regional Policy Statement and identify as Significant Natural Areas.*

(b) *Recognise and protect Significant Natural Areas by ensuring the characteristics that contribute to their significance are not adversely affected to the extent that the significance of the vegetation or habitat is reduced.*

AND

Amend the Proposed District Plan to provide other such relief and consequential amendments as to give effect to the relief sought in the submissions.

Decision Reasons:

- Proposed Policy 3.2.2 applies a no adverse effects approach to managing effects on the characteristics of Significant Natural Areas. This goes beyond the requirements of the Waikato Regional Policy Statement, which seeks to ensure that the characteristics that contribute to areas of significant indigenous vegetation and significant habitats of indigenous fauna are not adversely affected to the extent that the significance of the vegetation or habitat is reduced. The policy should be tempered to recognise that the characteristics that contribute to the significance of the Significant Natural Area are not adversely affected to the extent that the significance of the vegetation or habitat is reduced.

Point Number 747.4

Summary of Decision Requested: **Delete** Rule 22.2.3.3 P1 (a)(i)-(iv) Earthworks - Significant Natural Areas

AND

Delete Rule 22.2.3.3 P2 Earthworks - Significant Natural Areas.

AND

Amend the Proposed District Plan to provide other such relief and consequential amendments as to give effect to the relief sought in the submissions.

Decision Reasons:

- Rule 22.2.3.3 P1 (a) and P2 apply conditions to earthworks for the maintenance of existing tracks, fences, or drains within an identified Significant Natural Area. The conditions specifying volumes, depth and setback ((i)-(iv)) should be deleted from the maintenance of existing tracks, fences, or drains in these rules. Maintenance of these features as they are, and within the footprints already occupied, will ensure the characteristics that contribute to the significance of the Significant Natural Area are not adversely affected and that vegetation or habitat is not reduced.
- The conditions at (v)-(vii) provide standards for the reinstatement of earthworks, including re-vegetation, sediment control and natural water flow requirements.
- There is no reason to apply additional limitations on volumes, depth and setback of earthworks given the earthworks are for physical features already in place.

Point Number 747.5

Summary of Decision Requested: **Amend** Rule 22.2.8 Indigenous vegetation clearance outside a Significant Natural Area to ensure the link from the term "Indigenous vegetation clearance" does not go to the more generally defined "vegetation clearance" and that the rule only limits the clearance indigenous vegetation.

AND

Add an additional definition of "Indigenous vegetation clearance" if necessary to achieve the relief sought in the submission.

AND

Amend the Proposed District Plan to provide other such relief and consequential amendments as to give effect to the relief sought in the submissions.

Decision Reasons:

- The online version of Rule 22.2.8 links the term "Indigenous vegetation clearance" to a more general definition of "vegetation clearance", which includes for example cutting of all forms of vegetation, indigenous or otherwise. This is not the intent of the rule and a link to a more specifically defined "Indigenous vegetation clearance" should be made in the rule.

Point Number 747.6

Summary of Decision Requested: **Amend** Rule 22.3.7.5 Building setback - water bodies to exclude from the setback requirements for lakes and wetlands, buildings and structures with a recreation or functional need to be in close proximity to these water body, and specifically exclude maimai.

AND

Amend the Proposed District Plan to provide other such relief and consequential amendments as to give effect to the relief sought in the submissions.

Decision Reasons:

- Maimai and other similar buildings are required to be in close proximity to lakes and wetlands and should be excluded from this requirement.

Point Number

747.7

Summary of Decision Requested:

Delete Rule 22.2.3.4 PI (a)(i)-(iv) Earthworks within Landscape and Natural Character Areas.

AND

Amend the Proposed District Plan to provide other such relief and consequential amendments as to give effect to the relief sought in the submissions.

Decision Reasons:

- Rule 22.2.3.4 PI (a) applies conditions to earthworks for the maintenance of existing tracks, fences, or drains within an identified Landscape and Natural Character Area. The conditions specifying volumes, depth and slope ((i)-(iv)) should be deleted from the maintenance of existing tracks, fences, or drains in these rules.
- The maintenance of these features as they are, and within the footprints already occupied, will ensure the characteristics that contribute to the significance of the area are not adversely affected. The conditions at (v)-(vii) provide standards for the reinstatement of earthworks, including re-vegetation, sediment control and natural water flow requirements. There is no reason to apply additional limitations on volumes, depth and setback of earthworks given the earthworks are for physical features already in place.

Point Number

747.8

Summary of Decision Requested:

Amend Rule 22.2.7 Indigenous vegetation clearance inside a Significant Natural Area, to provide for the following additional permitted activity:

Indigenous vegetation clearance in a Significant Natural Area for the purposes of ecosystem protection, rehabilitation or restoration works.

AND

Amend the Proposed District Plan to provide other such relief and consequential amendments as to give effect to the relief sought in the submissions.

Decision Reasons:

- Rule 22.2.7 has a limited list of permitted indigenous vegetation clearance in Significant Natural Areas. Its reference to "conservation fencing to exclude stock or pests" does not provide for the full range of clearance that might be required to protect the characteristics of a Significant Natural Area.
- Allowance for a full range of ecosystem protection, rehabilitation or restoration works should be made in the rule.

Point Number

747.9

Summary of Decision Requested:

Amend Rule 22.2.8 Indigenous vegetation clearance outside a Significant Natural Area to provide for the following additional permitted activity:

Indigenous vegetation clearance for the purposes of ecosystem protection, rehabilitation or restoration works.

AND

Amend the Proposed District Plan to provide other such relief and consequential amendments as to give effect to the relief sought in the submissions.

Decision Reasons:

- Rule 22.2.8 has a limited list of permitted indigenous vegetation clearance in Significant Natural Areas. Its reference to "conservation fencing to exclude stock or pests" does not provide for the full range of clearance that might be required to protect the characteristics of a Significant Natural Area. Allowance for a full range of ecosystem protection, rehabilitation or restoration works should be made in the rule.

Point Number

747.10

Summary of Decision Requested:

Amend Rule 22.2.7 Indigenous vegetation clearance inside a Significant Natural Area to ensure the link from the term "Indigenous vegetation clearance" does not go to the more generally defined "vegetation clearance" and that the rule only limits the clearance of indigenous vegetation.

AND

Add an additional definition of "Indigenous vegetation clearance" if necessary to achieve the relief sought in the submission.

AND

Amend the Proposed District Plan to provide other such relief and consequential amendments as to give effect to the relief sought in the submissions.

Decision Reasons:

- The online version of Rule 22.2.7 links the term "Indigenous vegetation clearance" to a more general definition of "vegetation clearance", which includes for example cutting of all forms of vegetation, indigenous or otherwise. This is not the intent of the rule and a link to a more specifically defined "Indigenous vegetation clearance" should be made in the rule.

Submitter Number:

748

Submitter:

Peter Reynolds

Organisation:

T A Reynolds Limited

Point Number

748.1

Summary of Decision Requested: Amend the amount of rates payable on the properties at 105 Bollard Road - Property number 302134, Whangarata Road - Property number 302125, 128 Bollard Road and 124 Bollard Road, Tuakau to be based on the current land use (cropping) and not the current zoning. The submission seeks some sort of rates relief.

Decision Reasons:

- These properties have been rezoned in the last few years with a steep hike in the rates payable.
- The landowners are receiving very little service on these properties because they are being farmed and none of the use is residential or industrial.

Point Number 748.2

Summary of Decision Requested: Amend boundaries of the planning maps after discussion with the landowners of 36 and 2339A Buckland Road and 39 Elizabeth Street, Tuakau.

Decision Reasons:

- The planning maps are very broad ranging and may need to be amended after discussion with landowners.

Point Number 748.3

Summary of Decision Requested: Amend the Proposed District Plan to provide Tuakau with a western access road that does not disrupt all of the agricultural land.

Decision Reasons:

- The planning maps are very broad ranging and may need to be amended after discussion with landowners.

Point Number 748.4

Summary of Decision Requested: Align rates payable on the land to the land use not the zone.

Decision Reasons:

- The rates on the farming land that is zoned Residential are too high.

Submitter Number: 749 **Submitter:** Housing New Zealand Corporation

Point Number 749.1

Summary of Decision Requested: Amend Policy 4.2.8 Excessive building scale by changing the heading as follows:

Policy - ~~Excessive~~ Building Scale

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter supports the intent of the policy, however, does not agree the word 'excessive' needs to be included.
- The policy should focus on building scale and should not be qualified in terms of scale and size.

Point Number 749.2

Summary of Decision Requested: Delete Policy 4.2.12 Outdoor living court – Multi- unit development.

AND

Amend Policy 4.2.18(a) - Multi unit Development as follows:

Ensure multi-unit residential subdivision and development is designed in a way that:

- provides a range of housing types;*
- Addresses and Integrates with adjacent residential development, town centres and public open space;*
- Addresses ~~Manages~~ and responds to the constraints of the site, including ~~topography~~ topography, natural features and heritage values;*
- Provides usable and accessible outdoor living courts that maximises light access, functionality and privacy;*
- Supports an integrated transport network, including walking and cycling connections to public open space network;*
- ~~Maintains the amenity values of neighbouring sites.~~*

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- There is an existing policy proposed on Multi-unit development (Policy 4.2.18)
- There is no need to differentiate and create a separate policy on outdoor living court related to multi-unit development. It is best the policy words are added into 4.2.18(a).

Point Number 749.3

Summary of Decision Requested: Amend Policy 4.2.18(b) Multi unit development as follows:

Encourage the design of multi-unit residential developments to that promote the outcomes of the Waikato District Council's multi-unit development urban design guidelines (Appendix 3.4), in particular section 3 (site and context analysis), section 4 (movement, access and parking), section 5 (neighbourhood character), section 6 (street and public realm interface), and section 8 (communal open spaces and landscape treatment), in particular by:

- Responding to the immediate urban and built form;*
- Designing and locating ~~Locate~~ development to support connection to the surrounding context and local amenities;*
- Promoting the safe movement of pedestrians and vehicles on-site;*
- Ensuring design is ~~Be~~ contextually appropriate and promotes ~~promoting~~ of local characteristics to ~~that~~ contribute to community identity;*
- Designs that ~~Respond~~ to and promote the public interface by the provision of:*

A. Streets and public places;

B. Pedestrian safety and amenity;

C. Side setbacks; and

D. Variation in roof form.

vi. ~~Ensuring Provide~~ a communal outdoor living court is provided where private individual outdoor living courts are limited.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter supports the intent of the 4.2.18 Policy – Multi-unit development.
- The submitter seeks deletion of the multi-unit development urban design guidelines from the Proposed District Plan.

Point Number 749.4

Summary of Decision Requested: Retain Objectives and Policies in Section 4.3 Village Zone as notified.

Decision Reasons:

- The submitter supports the objectives and policies of the Village Zone.

Point Number 749.5

Summary of Decision Requested: Retain the Objectives and Policies in Section 4.4 Residential and Village Zones - Noise, lighting, outdoor storage, signs and odour, as notified.

Decision Reasons:

- The submitter supports the objectives and policies of 4.4 Residential and Village Zones – Noise, lighting, outdoor storage, signs and odour.

Point Number 749.6

Summary of Decision Requested: Amend Policy 4.5.3 Commercial purpose: Business Town Centre Zone as follows:

(a) The role of the business town centres in Raglan, Huntly, Ngaruawahia, Te Kauwhata, Pokeno and Tuakau is strengthened by ensuring that:

(i) They are recognised and maintained as the primary retail, administration, commercial service and civic centre for each town; and

(ii) The scale of commercial activities supports their continued viability as the primary retail, administration and commercial service centre for each town; and

(iii) Enhances their vitality and amenity while providing for a range of commercial, residential and community activities and facilities; and

(iv) Opportunities for higher intensity residential development are provided to support a compact, urban form.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter supports the intent of the objectives and policies of the Business Town Centre Zone; however, there is no recognition in the policies that support residential activity to occur in the zone.
- The Business Town Centre Zone enables residential on upper floors, and therefore the policies of the zone should recognise that residential development will occur in the centres.

Point Number 749.7

Summary of Decision Requested: Amend Policy 4.5.11 Residential upper floors: Business Town Centre Zone and Business Zone as follows:

~~4.5.11 Policy - Residential upper floors in the Business Town Centre Zone and Business Zone~~

~~a) Maintain the commercial viability of the Business Town Centre Zone and Business Zone while:~~

~~i. Providing for mixed use developments, ensuring residential activities are located in appropriate locations and in some cases above ground floor; and~~

~~ii. Avoiding residential activity located at ground level where it undermines commercial retail frontage and activity.~~

AND

Add a new policy to Section 4.5 to address residential upper floors in the Business Zone as follows:

4.5.11A Policy - Residential upper floors in the Business Zone.

g) Maintain the commercial viability of the Business Zone while:

(i) Providing for mixed use developments, ensuring residential activities are located above ground floor; and

(ii) Minimising residential activity located at ground level.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter supports the intent of the policy, however disagrees that residential activity should be limited to upper floors in a Business Town Centre Zone. In some cases and locations, where appropriate, mixed use development could be provided at ground level in a Business Town Centre Zone.
- Residential on upper floors in a Business Zone can remain as it is appropriate.

Point Number 749.8

Summary of Decision Requested: Retain Objective 4.5.12 Business Town Centre - Character, as notified.

Decision Reasons:

- The submitter supports this objective.

Point Number 749.9

Summary of Decision Requested: **Amend** Policy 4.5.13 (a) (v) Town centre built form as follows:
(v) maintaining a low rise built form that supports and small scale pedestrian focussed retail activities;
AND
Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter supports this policy with minor amendments to remove the words "low rise" and "small scale" from Policy 4.5.13(a)(v).

Point Number 749.10

Summary of Decision Requested: **Amend** Policy 4.5.14 Raglan Town Centre to include desired outcomes sought from the relevant Town Centre Character Statement (Appendix 10) if the policy matter is not already addressed
AND
Amend Policy 4.5.14 Raglan Town Centre to remove reference to Town Centre Character Statements.
AND
Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally supports the policies set out in 4.5.14 to 4.5.19.
- There are desired outcomes sought in each town and village with regard to development. These are identified in Appendix 10: Town Centre Character Statements in the Proposed District Plan.
- The submitter opposes the inclusion of Town Centre Character Statements in the Proposed District Plan, and seeks the deletion of all Town Centre Character Statements from the Proposed District Plan (reasons outlined later in submission).
- Any desired outcomes sought from each town and village as currently shown in the Town Centre Character Statement should be written out into policies to the respective town centre and village in section 4.5.14 to 4.1.19, if the policy matter is not already listed or included. .

Point Number 749.11

Summary of Decision Requested: **Amend** Policy 4.5.15 Huntly Town Centre to include desired outcomes sought from the relevant Town Centre Character Statement (Appendix 10) if the policy matter is not already addressed
AND
Amend Policy 4.5.15 Huntly Town Centre to remove reference to Town Centre Character Statements.
AND
Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally supports the policies set out in 4.5.14 to 4.5.19.
- There are desired outcomes sought in each town and village with regard to development. These are identified in Appendix 10: Town Centre Character Statements in the Proposed District Plan.
- The submitter opposes the inclusion of Town Centre Character Statements in the Proposed District Plan, and seeks the deletion of all Town Centre Character Statements from the Proposed District Plan (reasons outlined later in submission).
- Any desired outcomes sought from each town and village as currently shown in the Town Centre Character Statement should be written out into policies to the respective town centre and village in section 4.5.14-4.5.19, if the policy matter is not already listed or included.

Point Number 749.12

Summary of Decision Requested: **Amend** Policy 4.5.16 Ngaaruwaahia Town Centre to include desired outcomes sought from the relevant Town Centre Character Statement (Appendix 10) if the policy matter is not already addressed
AND
Amend Policy 4.5.16 Ngaaruwaahia Town Centre to remove reference to Town Centre Character Statements.
AND
Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally supports the policies set out in 4.5.14 to 4.5.19.
- There are desired outcomes sought in each town and village with regard to development. These are identified in Appendix 10: Town Centre Character Statements in the Proposed District Plan.
- The submitter opposes the inclusion of Town Centre Character Statements in the Proposed District Plan, and seeks the deletion of all Town Centre Character Statements from the Proposed District Plan (reasons outlined later in submission).
- Any desired outcomes sought from each town and village as currently shown in the Town Centre Character Statement should be written out into policies to the respective town centre and village in section 4.5.14-4.5.19, if the policy matter is not already listed or included.

Point Number 749.13

Summary of Decision Requested: **Amend** Policy 4.5.17 Te Kauwhata Town Centre to include desired outcomes sought from the relevant Town Centre Character Statement (Appendix 10) if the policy matter is not already addressed
AND
Amend Policy 4.5.17 Te Kauwhata Town Centre to remove reference to Town Centre Character Statements.
AND
Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally supports the policies set out in 4.5.14 to 4.5.19.
- There are desired outcomes sought in each town and village with regard to development. These are identified in Appendix 10: Town Centre Character Statements in the Proposed District Plan.
- The submitter opposes the inclusion of Town Centre Character Statements in the Proposed District Plan, and seeks the deletion of all Town Centre Character Statements from the Proposed District Plan (reasons outlined later in submission).
- Any desired outcomes sought from each town and village as currently shown in the Town Centre Character Statement should be written out into policies to the respective town centre and village in section 4.5.14-4.5.19, if the policy matter is not already listed or included.

Point Number

749.14

Summary of Decision Requested:

Amend Policy 4.5.18 Pokeno Town Centre to include desired outcomes sought from the relevant Town Centre Character Statement (Appendix 10) if the policy matter is not already addressed

AND

Amend Policy 4.5.18 Pokeno Town Centre to remove reference to Town Centre Character Statements.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally supports the policies set out in 4.5.14 to 4.5.19.
- There are desired outcomes sought in each town and village with regard to development. These are identified in Appendix 10: Town Centre Character Statements in the Proposed District Plan.
- The submitter opposes the inclusion of Town Centre Character Statements in the Proposed District Plan, and seeks the deletion of all Town Centre Character Statements from the Proposed District Plan (reasons outlined later in submission).
- Any desired outcomes sought from each town and village as currently shown in the Town Centre Character Statement should be written out into policies to the respective town centre and village in section 4.5.14-4.5.19, if the policy matter is not already listed or included.

Point Number

749.15

Summary of Decision Requested:

Amend Policy 4.5.19 Tuakau Town Centre to include desired outcomes sought from the relevant Town Centre Character Statement (Appendix 10) if the policy matter is not already addressed

AND

Amend Policy 4.5.19 Tuakau Town Centre to remove reference to Town Centre Character Statements.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally supports the policies set out in 4.5.14 to 4.5.19.
- There are desired outcomes sought in each town and village with regard to development. These are identified in Appendix 10: Town Centre Character Statements in the Proposed District Plan.
- The submitter opposes the inclusion of Town Centre Character Statements in the Proposed District Plan, and seeks the deletion of all Town Centre Character Statements from the Proposed District Plan (reasons outlined later in submission).
- Any desired outcomes sought from each town and village as currently shown in the Town Centre Character Statement should be written out into policies to the respective town centre and village in section 4.5.14-4.5.19, if the policy matter is not already listed or included.

Point Number

749.16

Summary of Decision Requested:

Amend Policy 4.5.23 Height: Business Town Centre Zone as follows:

~~a) Ensure the height of new buildings is complementary to, and promotes, a high intensity and compact built form of three storeys in each town. Ensure the height of new buildings is complementary to, and promotes, the existing character of the business town centre within each town.~~

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter supports this policy with a minor amendment to change the word 'character' to 'built form'.
- Character could imply the look and visual qualities of a building.
- Built form implies the height and scale of a building in an area, not the characteristics of buildings.

Point Number

749.17

Summary of Decision Requested:

Amend Policy 4.2.24 New buildings: Business Town Centre Zone as follows:

~~(a) New buildings within the Business Town Centre Zone are designed in a manner that are consistent with the Waikato District Council Urban Design Guidelines Town Centres (Appendix 3.3), and in particular:~~

~~(i)...~~

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- Housing New Zealand supports the intent of the 4.5.24 Policy – New Buildings: Business Town Centre Zone, however seeks the deletion of the town centre urban design guidelines from the Proposed District Plan (reasons outlined later in submission).

Point Number

749.18

Summary of Decision Requested:

Retain Objective 4.5.30 Business Zone and Business Town Centre Zones - Amenity, as notified.

Decision Reasons:

- The submitter supports this objective.

Point Number 749.19

Summary of Decision Requested: Retain Policy 4.5.32 Adjoining site amenity, as notified.

Decision Reasons:

- The submitter supports this policy.

Point Number 749.20

Summary of Decision Requested: Retain the Objectives and Policies in Section 4.7 Urban Subdivision and development, except for the amendments sought below
AND

Amend Policy 4.7.3 Residential Subdivision as follows:

Ensure Development meets the following, responds to the outcomes of Waikato District Council's Urban Design Guidelines Residential Subdivision (Appendix 2.1), section 4 (Connectivity and Movement Networks), section 5 (Neighbourhood Character), section 6 (Residential Block and Street Layout), section 7 (Open Space and Landscape Treatment), and section 8 (Low Impact Urban Design), in particular by:

(i)...

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally supports the objectives and policies of 4.7 Urban Subdivision and development, however seeks the deletion of the residential subdivision design guidelines from the Proposed WDP (reasons outlined later in submission).

Point Number 749.21

Summary of Decision Requested: Retain Objective 5.1 - The Rural Environment as notified.

Decision Reasons:

- The submitter supports this objective.

Point Number 749.22

Summary of Decision Requested: Retain the objectives and policies in Section 5.3 Rural Character and Amenity as notified.

Decision Reasons:

- The submitter supports the objectives and policies in section 5.3.

Point Number 749.23

Summary of Decision Requested: Retain the objectives and policies in Section 6.1 General Infrastructure as notified.

Decision Reasons:

- The submitter supports the objectives and policies in section 6.1.
- The submitter notes particular support for the following policies: 6.1.9, 6.1.10, 6.1.11, 6.1.12 and 6.1.13

Point Number 749.24

Summary of Decision Requested: Delete Section 6.2 National Grid, and all related provisions including the spatial extent of the overlay.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- Housing New Zealand opposes the National Grid provisions in its current proposed state and seeks the full package of provisions (objectives, policies, rules and definitions) including the spatial extent of the overlay shown in the Proposed District Plan is deleted.
- Housing New Zealand acknowledges the need for the Proposed District Plan to give effect to the requirements of the National Policy Statement for Electricity Transmission (2008). However, the proposed National Grid provisions are overly restrictive and do not efficiently manage sensitive activities within close proximity to and under the National Grid.

Point Number 749.25

Summary of Decision Requested: Retain the objectives and policies in Section 6.4 Infrastructure, Subdivision and Development as notified.

Decision Reasons:

- The submitter supports the objectives and policies of section 6.4.
- The submitter notes particular support of policies 6.4.4 and 6.4.5.

Point Number 749.26

Summary of Decision Requested: Amend Chapter 13: Definitions to align with the final set of New Zealand Planning Standards, when gazetted in 2019.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- There is a draft National Planning Standard proposed for definitions.
- Any proposed definitions introduced in the Proposed WDP align to the final set of National Planning Standards, when gazetted in 2019.
- In the absence of these standards, further amendments are sought to a number of proposed definitions introduced in the Proposed WDP, see detail below.

Point Number

749.27

Summary of Decision Requested:

Amend Chapter 13: Definitions to create a list containing all acronyms and abbreviations

AND

Amend the definitions in Chapter 13: Definitions to add all acronyms and abbreviations with the principal term, rather than stand alone in the definitions list.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- Certain abbreviations and acronyms should be with the principal term (not stand-alone in the definitions list).
- All abbreviations and acronyms should be included in a separate table list as part of Chapter 13: Definitions.

Point Number

749.28

Summary of Decision Requested:

Amend the definition of "accessory building" in Chapter 13 Definitions, as follows:

Means a building, the use of which is incidental to the use of the principal land use or building on that site. A garage that is integrated into and forms part of a dwelling is not an accessory building. Dwellings and minor dwellings are excluded.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter supports the proposed definition with a minor amendment to clarify that dwellings including minor dwellings are not an accessory building.

Point Number

749.29

Summary of Decision Requested:

Amend the definition of "Apartment" in Chapter 13 Definitions as follows:

Means a building containing three or more attached residential units connected by one or more accessory buildings, such as a garage or carport.

OR

Amend the definition of "Apartment" in Chapter 13 Definitions as follows:

Means a self-contained residential unit that occupies in a building with three or more attached residential units connected by one or more accessory buildings, such as a garage or carport.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter supports the proposed definition with a minor amendment to clarify that an apartment is a building that contains three or more residential units.
- Alternatively, submitter considered whether the definition of an apartment should refer to a 'self-contained residential unit that occupies in a building, generally with three or more attached residential units.'

Point Number

749.30

Summary of Decision Requested:

Amend the heading of the definition of "Boarding, breeding or animal training establishment" in Chapter 13 Definitions as follows:

Animal boarding, breeding, boarding or animal training establishment

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- Separate the definition of boarding from breeding/animal training establishment or make it clear it is for animal purposes i.e. animal breeding, boarding and training establishment.

Point Number

749.31

Summary of Decision Requested:

Retain the definition of "boundary" in Chapter 13 Definitions as notified.

Decision Reasons:

- The submitter supports the proposed definition.

Point Number

749.32

Summary of Decision Requested:

Amend the definition of "building" in Chapter 13 Definitions to include the full text of the Building Act definition (see the submission for the text sought) as part of (a) of the definition.

AND

Amend the definition of "Building" in Chapter 13 Definitions to restructure the list of exclusions and insert it as part (b) of the definition as follows:

(b) Excludes:

- a) a pergola, not roofed or enclosed, less than 3 metres in height; or a swimming pool, ornamental pool, deck; or
- b) other structure not roofed or enclosed, less than 1.5 metre in height; or
- ~~b)c)~~ a fence, or a wall other than a retaining wall, less than 2 metres in height; or
- ~~b)d)~~ public or cultural art in a public place less than 3 metres in height; or
- ~~b)e)~~ a retaining wall or retaining structure less than 1.5 metres in height, provided that where a fence or non-retaining wall is placed at the top of the retaining wall, the combined height is less than 2 metres; or
- ~~b)f)~~ a tank with a total capacity of no more than 35,000 litres, provided that no part of the tank protrudes more than 1 metre above natural ground level; or
- ~~b)g)~~ a structure that is permeable and less than 4 metres in height to protect crops for agricultural use.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter supports the proposed definition to have the same meaning as in the Building Act 2004.
- For ease of reading insert the Building Act 2004 definition in this section and separate out the exclusions in sub-clause (b).
- The draft National Planning Standards proposed a definition for 'Building'. The submitter has made a submission to the Ministry for the Environment on the draft National Planning Standards and in doing so expressed that a number of abnormalities always arise from this definition in terms of structures which would be included and excluded from the definition inappropriately. The submitter expressed that one option could be to consider using the definition of "building" set out in ss8-9 of the Building Act 2004.

Point Number

749.33

Summary of Decision Requested:

Amend the heading of term "Building Coverage" in Chapter 13 Definitions by deleting the term "Building"

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter supports the proposed definition, however notes that the term could be amended from 'Building Coverage' to 'Coverage'.
- The draft National Planning Standards proposed a definition for 'Coverage'. The submitter has made a submission to the Ministry for the Environment on the draft National Planning Standards and in doing so expressed that the definition reference to structure should be a reference to "buildings" (as defined in Building Act 2004).

Point Number

749.34

Summary of Decision Requested:

Delete the definition of "Building platform" in Chapter 13 Definitions.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- It is not clear why the term is included for a definition.
- It is unclear as to its relevance to building coverage.

Point Number

749.35

Summary of Decision Requested:

Amend the definition of "commercial activity" in Chapter 13 Definitions as follows:

Means activities involving the sale or distribution of goods and commercial services.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter supports the definition and notes there is a definition for "commercial services. The defined term "commercial services" is not included in this definition or referenced.

Point Number

749.36

Summary of Decision Requested:

Amend the definition of "commercial services" in Chapter 13 Definitions as follows:

Means a business providing personal, property, financial, household, private or business services to the general public. It includes but is not limited to:

- a) authorised betting shops;
- b) copy and quick print services;
- c) financial and banking facilities;
- d) postal services;
- e) counter insurance services;
- f) dry cleaning and laundrette services;
- g) electrical goods repair services;
- h) footwear and leather goods repair services;
- i) hairdressing, beauty salons and barbers;
- j) internet and computer services;
- k) key cutting services;
- l) real estate agents and valuers;
- m) travel agencies, airline and entertainment booking services;
- n) optometrists;
- o) movie and game hire; ~~and~~
- p) animal welfare and/or grooming services; and
- g) government and administration services.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter supports the proposed definition, however notes the term is missing government administration services from the list of inclusions.
- It is unclear to what inclusion listed in the proposed definition would tenancy offices classify under.
- "It includes but is not limited to" would encompass any other commercial services that are not primarily listed under the definition.

Point Number 749.37

Summary of Decision Requested: **Retain** the definition of "community service court" in Chapter 13 Definitions as notified.

Decision Reasons:

- The submitter supports the proposed definition.

Point Number 749.38

Summary of Decision Requested: **Amend** the definition of "community activity" Chapter 13 Definitions as follows:
Means the construction and use of ~~public~~ land and buildings...
 OR
Amend the definition of "community activity" Chapter 13 Definitions as follows:
Means the construction and use of public or Crown land and buildings...
 AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter supports the proposed definition, however notes that land and buildings (other than public) could be used for community activities, including Crown land.

Point Number 749.39

Summary of Decision Requested: **Amend** the definition of "Community facilities" in Chapter 13 Definitions as follows:

Means ~~in the Business Zone Tamahere~~, land or building used for community activities, generally established on a not-for-profit basis, and may include ~~but is not limited to~~ library, council offices, police station, public toilets or public rooms.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter does not support proposed term solely relating to, and only applying in, the Business Zone Tamahere.
- It is inappropriate to have general terms used for a specific zone and limit the application and use to a specific area.
- The term should be allowed to apply in all zones. There would be wider interest for the use of the term in the Proposed District Plan.

Point Number 749.40

Summary of Decision Requested: **Amend** the definition of "Comprehensive land development consent" as follows:

Means a bundle of land use consents that apply to an area of land of 5ha or more which provides for staged and integrated development ~~within the Te Kauwhata Lakeside Precinct Plan Area~~ and can cover a range of Residential, Business and Rural zonings.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter does not support the proposed terms solely relating to and only applying in the Te Kauwhata Lakeside Precinct Plan Area.
- It is inappropriate to have general terms used for a specific precinct area and limit the application and use to a specific area.
- The term should be allowed to apply in any precinct area or zone. There would be wider interest for the use of the term in the Proposed District Plan.

Point Number 749.41

Summary of Decision Requested: **Amend** the definition of "Comprehensive subdivision consent" in Chapter 13 Definitions as follows:

Means a comprehensive subdivision consent that relates to a comprehensive land development consent ~~the Te Kauwhata Lakeside Precinct Plan~~. A comprehensive subdivision is a subdivision of 5ha or more which provides for staged and integrated development ~~within the Te Kauwhata Lakeside Precinct Plan Area~~ and can cover a range of Residential, Business and Rural zonings.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter does not support the proposed terms solely relating to and only applying in the Te Kauwhata Lakeside Precinct Plan Area.
- It is inappropriate to have general terms used for a specific precinct area and limit the application and use to a specific area.
- The term should be allowed to apply in any precinct area or zone. There would be wider interest for the use of the term in the Proposed District Plan.

Point Number 749.42

Summary of Decision Requested: **Amend** the definition of "Contiguous" in Chapter 13 Definitions as follows:

Means abutting ~~or touching~~ at ~~some~~ any point, e.g..

AND

Amend the definition of "contiguous" in Chapter 13 Definition by removing the second illustration which shows sites touching at a single point.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter does not consider 'touching at some any point' to be contiguous.

Point Number 749.43

Summary of Decision Requested: **Amend** the definition of "Continuous landholding" in Chapter 13 Definitions as follows:

Means a series of adjoining Records of Title, including titles that may be contiguous or only be separated by a road.

AND

Add an illustration to the definition of "Contiguous landholding" in Chapter 13 Definitions.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter supports the proposed definition.
- However it is unclear to how the definition "contiguous" relates to the definition of "continuous land holding".
- To help the reader an illustration should be provided with the definition.

Point Number 749.44

Summary of Decision Requested: **Amend** the definition of "Duplex" in Chapter 13 Definitions as follows:

Means two attached residential units, ~~including two units~~ connected by a common wall and/or an accessory building, such as a garage or a carport.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally supports the proposed definition.
- However a duplex could be connected by a common wall and/or by an accessory building, such as a garage or a carport.

Point Number 749.45

Summary of Decision Requested: **Amend** the definition of "Dwelling" in Chapter 13 Definitions as follows:

~~Means a self-contained residential unit for living accommodation~~ Used for a residential purpose as a single household residence contained within one or more buildings, and served by a kitchen.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter notes that the draft National Planning Standards proposed a definition for 'Residential Unit' and not for "dwelling".
- The submitter has made a submission to the Ministry for the Environment on the draft National Planning Standards and in doing so expressed that the definition of a 'Residential Unit' is unclear.
- A distinction can be drawn between dwellings (i.e. used for a residential purpose as a single household residence contained within one or more buildings, and served by a kitchen) and a residential unit (a defined part of a building under different ownership).

Point Number 749.46

Summary of Decision Requested: **Amend** the definition of "Earthworks" in Chapter 13 Definitions by adding exclusions.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter notes that the draft National Planning Standards proposed a definition for 'Earthworks' and 'Land Disturbance'.
- The submitter has made a submission to the Ministry for the Environment on the draft National Planning Standards and in doing so expressed that the definition of a 'Earthworks' needs to include a number of exclusions.
- The submitter generally supports the proposed definition, however notes there are no exclusions listed.

Point Number 749.47

Summary of Decision Requested: **Amend** the definition of "Gross floor area" in Chapter 13 definitions to include exclusions, which may include some of the exclusions from the definition "Gross leasable floor area".

AND

Amend the definition of "Gross floor area" in Chapter 13 definitions to provide a link to gross leasable floor area.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The draft National Planning Standards proposed a definition for 'Gross Floor Area'. The submitter has made a submission to the Ministry for the Environment on the draft National Planning Standards and expressed that the definition of 'Gross Floor Area' needs to include a number of exclusions.
- The submitter generally supports the proposed definition.
- However there are no exclusions listed and no reference to "Gross leasable floor area" that is included in the Proposed District Plan.
- Some of the exclusions listed under the proposed definition of 'Gross leasable floor area' should be included as exclusions under 'Gross Floor Area'.

Point Number 749.48

Summary of Decision Requested: Amend the definition of "Gross leasable floor area" in Chapter 13 Definitions to include a link to the definition "Gross floor area".

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally supports the proposed definition; however, is unclear to how it links with the definition of 'Gross floor area'.

Point Number 749.49

Summary of Decision Requested: Delete the term and the definition of "Hazard" in Chapter 13 definitions.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- It is not clear why the term 'hazard' is included for a definition.
- The term can apply to a range of matters that is not included in the proposed definition such as natural hazards or hazards related to health & safety.
- There are definitions already provided for "hazardous facility", "hazardous substance" and "hazardous waste".
- The submitter considers it is not necessary to have a specific definition of "hazard" included in the Proposed District Plan.

Point Number 749.50

Summary of Decision Requested: Amend the definition of "Height" in Chapter 13 Definitions to add exclusions.

AND

Amend the definition of "Height" in Chapter 13 Definitions to include specific methods of measurements such as rolling height and/or average ground level.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- That the draft National Planning Standards proposed a definition for 'Height' in relation to a district plan. Housing New Zealand has made a submission to the Ministry for the Environment on the draft National Planning Standards and in doing so expressed that the definition of 'Height' was overly simplistic and requires a method of measurement to be specified and explained (i.e. rolling height and/or average ground level) as well as contain a list of exclusions.
- The submitter supports the proposed definition, however notes there are only one or two exclusions listed and no reference to how height is measured on a hill/rolling contours.

Point Number 749.51

Summary of Decision Requested: Delete the definition of "Height control plane" in Chapter 13 Definitions;

AND

Add a definition of "Recession plane" to Chapter 13 Definitions as follows:

Means the height of a building or structure relative to its distance from the boundary of the site. The allowable height increases as the distance from the boundary increases up to the maximum height allowed.

The Recession Plane is measured by lines that proceed at a prescribed angle (e.g. 45 degrees) from the horizontal, measured from any point at a prescribed height (e.g. 2m) vertically above ground level along site boundaries. The angle of the recessions, plan and the height of the starting point vary by Zone.

This control does not apply to chimneys, finials, or other similar decorative features, flues and ventilation shafts, antennas, satellite dishes with a diameter not exceeding 0.6m, flagpoles or any other similar projections not exceeding 2 metres in height and 1 square metre in area.

AND

Consequential or further amendments required to give effect to the new term "recession plane" replacing "height control plane".

Decision Reasons:

- The submitter opposes the angle degrees reference in the definition and seeks it is amended to align with changes sought to the daylight admission rules.

Point Number 749.52

Summary of Decision Requested: Amend the definition of "Impervious surface" as follows:

Means a surface such as a road, rooftop, footpath, paving, decking, swimming pool, patio, driveway, vehicle access and manoeuvring area or highly compacted soil that is not vegetated and does not infiltrate runoff. It excludes wooden decks with spacing between boards of 4mm or more, where water is allowed to drain through to a permeable surface below the deck.

Means a surface that is not vegetated, does not infiltrate runoff, and prevents or significantly retards the soakage of water into the ground. This includes:

- *roofs;*
- *paved areas including driveways and sealed/compacted metal parking areas;*
- *patios;*
- *sealed and compacted metal roads; and*
- *layers engineered to be impervious such as highly-compacted soil.*

Excludes:

- *wooden decks with spacing between boards of 4mm or more, where water is allowed to drain through to a permeable surface below the deck;*
- *grass and bush areas;*
- *gardens and other vegetated areas;*
- *porous or permeable paving and living roofs;*
- *permeable artificial surfaces, fields or lawns;*
- *slatted decks;*
- *swimming pools, ponds and dammed water; and*
- *rain tanks.*

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally supports the inclusion of such term in the Proposed District Plan; however, the definition as it is currently proposed is too complex.
- The term should be simplified with clear inclusions and exclusions listed.

Point Number

749.53

Summary of Decision Requested:

Amend the definition of "Landscape restoration area" in Chapter 13 Definitions as follows:

Means an area shown on the planning maps, within the Rangitahi Peninsula Zone, where existing native vegetation is to be complemented by additional landscape restoration planting. The purpose of the area is to promote stabilisation of steep slopes, encourage ecological and habitat linkages and enhance landscape amenity, particularly in and near coastal areas and on visually-prominent landforms.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter does not support the proposed term solely relating to and only applying in the Rangitahi Peninsula Zone.
- It is inappropriate to have general terms used for a specific precinct area and limit the application and use to a specific area. The term should be allowed to apply in any precinct area or zone.
- There would be wider interest for the use of the term in the Proposed District Plan.

Point Number

749.54

Summary of Decision Requested:

Amend the definition of "Living court" in Chapter 13 Definitions, as follows:

living court Outdoor Living Space

Means an area of outdoor open space directly related to the living area of a household unit, and for the household's exclusive use. It does not include parking, manoeuvring areas and buildings, but does include swimming pools, pergolas and similar open-framed structures.

AND

Consequential or further amendments required to give effect and reference the new term 'Outdoor living space' as replacing "Living court".

Decision Reasons:

- The submitter generally supports the proposed definition.
- It is noted that the draft National Planning Standards proposed a definition for 'outdoor living space' that is slightly different to the Proposed District Plan definition however both align in regards to approach.

Point Number

749.55

Summary of Decision Requested:

Retain the definition of "Minor dwelling" in Chapter 13 Definitions as notified.

Decision Reasons:

- The submitter supports the proposed definition.
- It is noted that the draft National Planning Standards proposed a definition for "Minor residential unit" that is different to the Proposed District Plan definition.

Point Number

749.56

Summary of Decision Requested:

Amend the definition of "Multi-unit development" in Chapter 13 Definitions as follows:

Means multiple residential units or buildings which are planned and designed in an integrated ~~in a~~ and comprehensive manner and achieve compatibility between all buildings on a single site or multiple sites.

It includes:

- a) an apartment; ~~building and~~
- b) a duplex;
- c) terrace housing; and
- d) townhouses.

....

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally supports the inclusion of such term in the Proposed District Plan and seeks minor additions and edits to the proposed definition.
- There is a definition of 'Multi-unit development' in the Multi-unit development urban design guidelines. This definition is slightly different to the definition listed in Chapter 13.
- The submitter is seeking the deletion of the guidelines (reasons outlined later in this submission) from the Proposed District Plan and if that happens then the duplication of definition in the guidelines will be removed.
- The Proposed District Plan should only contain one definition of 'multi-unit development' and this should only be in the definitions section.

Point Number

749.57

Summary of Decision Requested:

Retain the definition of "Net site area" in Chapter 13 Definitions as notified.

Decision Reasons:

- The submitter supports the proposed definition.
- It is noted that the draft National Planning Standards proposed a definition for 'Net site area' that is slightly different to the Proposed District Plan definition.

Point Number 749.58

Summary of Decision Requested: **Amend** the definition of "Residential activity" in Chapter 13 Definitions, as follows:

~~Means the use of land and buildings by people for living accommodation in a household unit, where the occupants will generally refer to the site as their home and permanent address. For the purpose of this definition, includes emergency and refuge accommodation, or accommodation for supervision staff and residents, where residents are subject to care or supervision (e.g. homes for people with disabilities). Residential activity includes home detention (as defined in the Criminal Justice Act 1985), but not prisons or other places where residents are subject to detention.~~

~~Means the use of land and a building or group of buildings, for residential units. This includes: - emergency and refuge accommodation, or accommodation for supervision staff and residents, - where residents are subject to care or supervision (e.g. homes for people with disabilities), and - home detention (as defined in the Criminal Justice Act 1985), but not prisons or other places where residents are subject to detention.~~

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally opposes the inclusion of such term in the Proposed District Plan as it is unclear to how it links to the proposed terms and definitions of 'residential unit' and 'dwelling'.
- The current definition is too complex. There are two terms in the Proposed District Plan that speak to residential activity – this is "residential unit" and "dwelling". Both terms need to be linked to the definition of 'residential activity'.

Point Number 749.59

Summary of Decision Requested: **Amend** the definition of "Residential unit" in Chapter 13 Definitions as follows:

~~Means a building or group of buildings, or part of a building or group of buildings that is:~~

~~a) used, or intended to be used as a dwelling or intended to be used, only or mainly for residential activities;~~

~~a) occupied, or intended to be occupied, exclusively as the home or residence of not more than one a single household.~~

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- Similar to Residential Activity, Housing New Zealand generally opposes the inclusion of such term in the Proposed WDP as it is unclear to how it links to the proposed terms and definitions of 'residential activity' and 'dwelling'. The current definition is confusing. The definition needs to include the term 'dwelling'.
- It is noted that the draft National Planning Standards proposed a definition for 'residential unit' that is slightly different to the Proposed WDP definition.

Point Number 749.60

Summary of Decision Requested: **Retain** the definition of "Road network activities" in Chapter 13 Definitions as notified.

Decision Reasons:

- The submitter supports the proposed definition.

Point Number 749.61

Summary of Decision Requested: **Amend** the definition of "Service court" in Chapter 13 Definitions as follows:

~~Means an area of outdoor space for the exclusive use of the household unit for domestic requirements, such as garbage storage and clothes line, but excludes any space required for outdoor living space a living court, parking, manoeuvring, or buildings.~~

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally supports the inclusion of the term in the Proposed District Plan with minor amendments to align with relief sought to the definition of 'living court'.

Point Number 749.62

Summary of Decision Requested: **Retain** the definition of "Site" in Chapter 13 Definitions as notified.

Decision Reasons:

- The submitter supports the proposed definition.
- It is noted that the draft National Planning Standards proposed a definition for 'Site' that is slightly different to the Proposed District Plan definition.

Point Number 749.63

Summary of Decision Requested: **Amend** the heading of the definition of "Use" in Chapter 13 Definitions to refer to "Hazardous use".

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The term "use" is too broad and should not be included in the definitions chapter.
- The definition provided with the term "use" should include the words "hazardous" as it relates more to "Hazardous Use" than in a general application of "use".

Point Number 749.64

Summary of Decision Requested:	Amend the definition of "Vegetation clearance" to include exclusions and method of measurements. AND Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.
Decision Reasons:	<ul style="list-style-type: none"> The submitter generally supports the inclusion of the term in the Proposed District Plan; however, seeks the term is quantified with measurements that determine what is included and excluded.
Point Number	749.65
Summary of Decision Requested:	Retain the definition of "Visually permeable" in Chapter 13 as notified.
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports the proposed definition.
Point Number	749.66
Summary of Decision Requested:	Add to Chapter 13 Definitions a definition of "structure" as follows: <i>Means any building, equipment, device or other facility made by people and which is fixed to or located on land; and includes any raft, but excludes motorised vehicles that can be moved under their power.</i> AND Add a list of exclusions to the new definition of "Structure". AND Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.
Decision Reasons:	<ul style="list-style-type: none"> Other definitions include the term 'structure'. The draft National Planning Standards proposed a definition for 'structure'. The submitter has made a submission on the draft National Planning Standards and in doing so expressed that the definition of 'structure' was problematic because it would include things such as trailers and caravans parked in a driveway, even temporarily. The submitter has sought that the proposed definition on the draft National Planning Standards is amended to include a list of exclusions. The submitter seeks a similar approach is taken with the inclusion of the definition of 'structure' in the Proposed District Plan.
Point Number	749.67
Summary of Decision Requested:	Amend the following sentence for all Restricted Discretionary Activities in the Proposed District Plan: <i>"Council's discretion shall be restricted to <u>any of the</u> following matters".</i> AND Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.
Decision Reasons:	<ul style="list-style-type: none"> The submitter does not see the list as an inclusive list to which all matters need to be met. It could be that one or more matters may be relevant instead of all matters listed when the activity is triggered for consent.
Point Number	749.68
Summary of Decision Requested:	Retain Rule 14.2.1 Permitted Activities as notified.
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports the activities listed under 14.2.1.
Point Number	749.69
Summary of Decision Requested:	Retain Rule 14.2.2 Restricted Discretionary Activities as notified.
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports the activities listed under 14.2.2, in particular to RD1 and matters of discretion.
Point Number	749.70
Summary of Decision Requested:	Retain Rule 14.3.1 Permitted Activities as notified.
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports the activities listed under 14.3.1.
Point Number	749.71
Summary of Decision Requested:	Retain Rule 14.3.3 Restricted Discretionary Activities as notified.
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports the activities listed under 14.3.3, in particular RD1, RD2 and RD3 with respective matters of discretion.

Point Number 749.72

Summary of Decision Requested: Add a new activity to Rule 14.3.3 Restricted Discretionary Activities and matters of discretion as follows:

BDZ

Access and service connections for subdivision that do not comply with one or more of the conditions of 14.3.1.8

Discretion is restricted to:

- a) The adequacy of the service connection;
- b) The functional and operational needs of, and benefits derived from, the infrastructure;
- c) Site design, layout and amenity;
- d) Visual, streetscape and amenity effects; and
- e) Road network safety and efficiency;

AND

Delete Rule 14.3.4 D3 Discretionary Activities.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter does not support the activity 'Access and service connections for subdivision that do not comply with one or more of the conditions of Rule 14.3.1.8' to be a Discretionary Activity.
- The submitter seeks the activity is changed to a Restricted Discretionary Activity with matters of discretion added. The activity does not need to be subject to a range of matters when it has a number of conditions attached already to Rule 14.3.1.8.

Point Number 749.73

Summary of Decision Requested: Delete Section 14.4 National Grid and the full package of objectives, policies, rules and definitions including the spatial extent of the overlay.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter opposes the National Grid provisions in its current proposed state and seeks the full package of provisions (objectives, policies, rules and definitions) including the spatial extent of the overlay shown in the Proposed WDP is amended.
- The submitter acknowledges the need for the Proposed WDP to give effect to the requirements of the National Policy Statement for Electricity Transmission (2008). However, the proposed National Grid provisions are overly restrictive and do not efficiently manage sensitive activities within close proximity to and under the National Grid

Point Number 749.74

Summary of Decision Requested: Retain Section 14.11 Water, wastewater and stormwater as notified.

Decision Reasons:

- The submitter supports the activities listed under 14.11.1 with activity-specific conditions and activities listed under 14.11.2 with matters of discretion.

Point Number 749.75

Summary of Decision Requested: Retain Rule 14.12.1 Permitted Activities as notified.

Decision Reasons:

- The submitter supports the permitted activities with activity-specific conditions listed in 14.12.1.

Point Number 749.76

Summary of Decision Requested: Retain Table 14.12.5.1 Separation distances as notified.

Decision Reasons:

- The submitter supports the separation distances outlined in the table.

Point Number 749.77

Summary of Decision Requested: Amend Table 14.12.5.7 Required parking spaces and loading bays as follows:

Activity	Minimum Required Parking Spaces	Minimum Required Loading Bays
Bulk retail and car yards	...	
Minor dwelling	1 car space per dwelling	Nil
Dwelling	2 car spaces are required for dwellings with 2 or more bedrooms and one car space is required for studio or 1-bedroom residential units 1 car space per dwelling or unit	Nil
Retirement village	1 car space per dwelling or unit	1 HGV
Boarding houses / boarding establishments	1 car space per three units	Nil
Multi-unit development	0.5 space per dwelling or unit with only one bedroom, 1 car space per dwelling or unit with	Nil

	<u>two or more bedrooms</u>	
Emergency service facilities	...	

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter opposes the minimum required parking spaces for the following activities:
 - Minor dwelling
 - Dwelling
 - Multi-unit development
- Housing New Zealand seeks the minimum required parking spaces are reduced for dwelling and multi-unit development, and no parking spaces should be required for a minor dwelling. This will enable better utilisation of the site for residential development than parking spaces.
- Minimum required parking spaces should also be outlined for the activity 'boarding houses / boarding establishments' in the Proposed WDP.

Point Number

749.78

Summary of Decision Requested:

Amend Table 14.12.5.14 Access and road conditions (Residential, Village, Business, Business Town Centre and Industrial Zones) as follows:

Road Type	General				Seal Width			
	Number of Allotments or Activities	Design Speed (km/h)	Design Vehicle (RTS (B Vehicle)	Minimum Road/ROW Reserve Width (m)	Minimum Trafficable Carriageway (m)	Minimum Median Provision (m)	Parking Provision	Minimum Total Seal Width (m) (Does not include concrete kerb width)
Access and road conditions (Residential, Village, Business, Business Town Centre, Industrial and Heavy Industri								
Access leg to an allotment (Residential Village)	1	N/A	8m Rigid	0.2	N/A			
Access leg to an allotment (Business and Industrial)	1	N/A		0.2 (residential) 0.5m (business)	N/A			
Private access, including ROWs and access allotments (Residential Village)	2 to 4	N/A		0.2	0.2	N/A	N/A	0.2
Private access, including ROWs and access allotments (Business and Industrial)	2 to 8	N/A		0.2 (residential) 0.5 (business)	0.5		N/A	0.5
Access allotment (Residential Village)	5 to 8	N/A		0.2	0.5		Optional	0.5
Service Lane (Business and Industrial)	N/A	N/A	subject to specific design that has been certified		0.5		No parking	0.5
Local Road (Residential Village)	8	50	8m Rigid	0.2 (residential) 0.5 (business)	0.2	None	1m on each side	0.5
Local Road (Business and Industrial)			17m Semi		0.5		Optional	0.5

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter opposes the minimum road/ROW reserve, minimum trafficable carriageway and the minimum total seal width for a number of road types and allotments or activities.
- Reducing minimum widths will enable better utilisation of the site for residential development than for vehicle access and roading.

Point Number

749.79

Summary of Decision Requested:

Add a new activity to Rule 16.1.2 Permitted Activities by adding an activity and activity-specific condition as follows:

Pl 3. Boarding House

Activity Specific condition:

(g) No more than 10 people per site inclusive of staff and residents.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally supports the permitted activities listed in 16.1.2; however, notes that there is no activity for boarding houses / boarding establishments included in the table.

Point Number

749.80

Summary of Decision Requested:

Amend Rule 16.1.3 RD1 Restricted Discretionary Activities as follows:

Activity

A Multi-Unit development that meets all of the following conditions:

- The Land Use – Effects rules in Rule 16.2;

- b. The Land Use – Building rules in Rule 16.3, except the following rules do not apply:
- i. Rule 16.3.1, Dwelling;
 - ii. Rule 16.3.8 Building coverage;
 - iii. Rule 16.3.9 Living court;
 - iv. Rule 16.3.10 Service court;
 - v. Rule 16.3.3 Height; and
 - vi. Rule 16.3.5 Daylight admission.
- c. ~~The minimum net site area per residential unit is 300m²;~~
- d. The Multi-Unit development is connected to public wastewater and water reticulation;
- e. Total building coverage of the site does not exceed 50%;
- f. ~~Each residential unit is designed and constructed to achieve the internal design sound level specified in Appendix 1 (Acoustic Insulation) – Table 14;~~
- g. Service court areas are provided to meet the following minimum requirements for each residential unit:
- i. At least 2.25m² with a minimum dimension of 1.5 metres of outdoor or indoor space at ground floor level for the dedicated storage of waste and recycling bins;
 - ii. (i) At least 3m² with a minimum dimension of 1.5 metres of outdoor space at ground floor level for washing lines; and
 - iii. (ii) The required spaces in (g)(i) or (g)(ii) for each residential unit shall be provided individually, or as a dedicated communal service court.
- (h) ~~Living court Outdoor Living Space~~ areas are provided to meet the following minimum requirements for each residential unit:
- Duplex dwelling**
- Area Minimum dimension**
- Studio unit or 1 bedroom ~~30m²~~ 1.6m² 4m
- 2 or more bedrooms ~~40m² 30m²~~ 4m
- Apartment Building Ground Level Residential Unit**
- Area Minimum dimension Building
- Studio unit or bedroom ~~1 20m²~~ 1.6m² 4m
- 2 or more bedrooms 30m² 4m
- Apartment Building Upper Level Residential Unit**
- Area Minimum dimension Building
- Studio unit or 1 bedroom 10m² ~~2m~~ 1.5m
- 2 or more bedrooms 15m² ~~2m~~ 1.5m
- (i) ~~The maximum height of any building must not exceed 11m in height.~~
- (j) ~~Buildings must not project beyond a 45 degree recession plan measured from a point 3m vertically above ground level along side and rear boundaries.~~
- (a) ~~Where the boundary forms part of a legal right of way, entrance strip or access site, the standard applies from the farthest boundary of that legal right of way, entrance strip or access site.~~
- (b) ~~This standard does not apply to existing or proposed internal boundaries within a site.~~
- (k) ~~Add Alternative Height in relation to Boundary controls as prescribed in the Auckland Unitary Plan, Rule H6.6.7 Alternative height in relation to boundary.~~

Council's discretion shall be restricted to any of the following matters:

- a. ~~Density Intensity~~ of the development;
- b. ~~The manner in which the provisions of the Multi-Unit Design contained in Appendix 3.4 have been incorporated;~~
- c. Contribution of the development to and engagement with adjacent streets and public open space;
- d. ~~The visual quality and interest created through design such as the separation of buildings, variety in built form and architectural detailing, glazing, materials and colour;~~
- e. The incorporation of ~~energy efficiency measures such as~~ passive solar principles;
- f. Amenity values for occupants and neighbours in respect of outlook, privacy, noise, light spill, access to sunlight, living court orientation, ~~site design and layout;~~
- g. Staging needed to ensure that development is carried out in a coordinated and timely manner;
- h. Avoidance or mitigation of natural hazards
- i. Geotechnical suitability for building;
- j. Provision of infrastructure to individual units,
- k. AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally supports, and seeks amendments to Activity RD1, Multi-unit development.
- A minimum density requirement for multi-unit development is not required and seeks a deletion of such rule in the Proposed WDP.
- The bulk, location, site coverage and assessment criteria sufficiently address the likely impacts on amenity values while providing for a range of housing typologies.
- The submitter seeks a maximum height of 11m to enable multi-unit development up to 3 storeys in height.
- The submitter seeks the deletion of the multi-unit development urban design guidelines from the Proposed District Plan (reasons outlined later in this submission), including any reference to such guidelines in a rule or policy approach.

Point Number 749.81

Summary of Decision Requested: Delete Rule 16.1.4 D2;

AND

Add a new activity to Rule 16.1.3 RD and matters of discretion as follows:

RD2. Any permitted activity that does not comply with the Land Use - Effects Rule 16.2 or Land Use - Building Rule 16.3 unless the activity status is specified as controlled, restricted discretionary or non-complying.

Matters of discretion:

- (g) Intensity of the development;
- (b) Contribution of the development to and engagement with adjacent streets and public open space;
- (c) The incorporation of passive solar principles;
- (d) Amenity values for occupants and neighbours in respect of outlook, privacy, noise, light spill, access to sunlight, living court orientation, site design and layout;
- (e) Avoidance or mitigation of natural hazards;
- (f) Geotechnical suitability for building; and
- (g) Provision of infrastructure.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter opposes the activity (D2) and seeks it be a restricted discretionary activity with matters of discretion included.

Point Number

749.82

Summary of Decision Requested:

Delete Rule 16.1.5 NCI Non-complying Activities.

AND

Add a new activity to Rule 16.1.4 Discretionary Activities as follows:

D3 Any activity that is not listed as Prohibited, Permitted, Restricted Discretionary or Discretionary.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally opposes the activity, NCI and seeks it is a discretionary activity.

Point Number

749.83

Summary of Decision Requested:

Amend Rule 16.2.4.1 P1(a) Earthworks - General as follows:

(a)...

(ii) Not exceed a volume of ~~250m³~~ 1000m³

(iii) Not exceed an area of ~~1000m²~~ 1ha

...

~~(iv) Earthworks are setback 1.5m from all boundaries;~~

...

AND

Amend Rule 16.2.4.1 P3(a) Earthworks - General as follows:

(i) Not exceed a total volume of ~~500m³~~;

(ii) Not exceed a depth of ~~1.5m~~;

~~(iv) Fill material is setback 1.5m from all boundaries;~~

...

AND

Amend Rule 16.2.4.1 RD1 Earthworks - General as follows:

...

(b) The Council's discretion shall be restricted to any of the following matters:

...

~~(viii) Protection of the Hauraki Gulf Catchment Area;~~

...

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally opposes the maximum volume and area allowed in the permitted activities listed in 16.2.4.1.
- The submitter generally opposes the matters of discretion listed for RD1 in 16.2.4.1 and seeks the word 'any' is inserted into 16.2.4.1, RD1 (b) so the list is not seen as an inclusive list to which all matters need to be met. It could be that one or more matters may be relevant instead of all matters listed when the activity is triggered for a consent.

Point Number

749.84

Summary of Decision Requested:

Amend Rule 16.2.4.4 P1 (a)(ii) Earthworks - Landscape and Natural Character Areas to change the area from 50m² to 250m² and the volume from 250m³ to 50m³.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally opposes the maximum volume and area allowed in the permitted activities listed in 16.2.4.4 and seeks the figures are amended.

Point Number

749.85

Summary of Decision Requested: **Amend** Rule 16.2.7.1 P2(a) Signs – general as follows:

(a) ...

(iii) ~~The sign does not exceed 1.0m² 0.25m²;~~

(iv) ~~The sign height does not exceed 2m in height;~~

...

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally opposes the sign measurements allowed in the permitted activities listed in 16.2.7.1 and seeks the figures are amended.

Point Number 749.86

Summary of Decision Requested: **Amend** Rule 16.2.7.2 D1 Signs – Effects on traffic to change the activity status to Restricted Discretionary and add matters of discretion as follows:

~~RD1~~ ~~Any sign that does not comply with Rule 16.2.7.2 P1~~

(g) ~~Council's discretion shall be restricted to any of the following matters:~~

(i) ~~Amenity values;~~

(ii) ~~Character of the locality;~~

(iii) ~~Effects on traffic safety;~~

(iv) ~~Glare and artificial light spill;~~

(v) ~~Content, colour and location of the sign;~~

(vi) ~~Effects on a notable tree;~~

(vii) ~~Effects on the heritage values of any heritage item due to the size, location, design and appearance of the sign;~~

(viii) ~~Effects on cultural values of any Maaori Site of Significance; and~~

(ix) ~~Effects on notable architectural features of a building.~~

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally opposes the activity D1 and seeks it is a redistricted discretionary activity with matters of discretion included.

Point Number 749.87

Summary of Decision Requested: **Amend** Rule 16.3.1 P1 Dwelling as follows:

~~P1. One dwelling within a site: Up to three dwellings per site.~~

AND

Amend Rule 16.3.1 D1 Dwelling to change the activity status to a Restricted Discretionary Activity and add matters of discretion as follows:

~~RD1~~ ~~A dwelling that does not comply with Rule 16.3.1 P1~~

(a) ~~Four or more dwellings per site;~~

(b) ~~Council's discretion shall be restricted to any of the following matters:~~

(i) ~~Intensity of the development;~~

(ii) ~~Height of the building;~~

(iii) ~~Design and location of buildings;~~

(iv) ~~Extent of shading on adjacent sites;~~

(v) ~~Provision of infrastructure to individual units; and~~

(vi) ~~Privacy on adjoining sites.~~

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally opposes the activity status for a dwelling that does not comply with Rule 16.3.1 P1.
- Provisions for building a second dwelling on site or multi-unit developments are restrictive and discourage the desired urban uplift sought in the district. It is found that any type of in-fill housing development (i.e. build a second dwelling on an existing lot) or multi-unit development will trigger a consent requirement. The Proposed District Plan permits one dwelling per site. Subdivision consent will be required first in order to construct an in-fill dwelling.
- One dwelling per site is unnecessary and overly restrictive regulation and will act to discourage any new residential development including any in-fill type developments to occur.
- It also does not encourage sufficient housing choice and variety in residential built form to support changing demographics, lifestyles, rising housing costs, future housing demands and population growth in the Waikato District.
- Amendments are required to the Residential Zone as a means of better enabling and incentivising residential development in the district. In doing so, Housing New Zealand proposes changes are necessary to triggers for consent and matters of discretion.

Point Number 749.88

Summary of Decision Requested: **Amend** Rule 16.3.2 Minor dwelling as follows:

~~P1~~

(a) ~~One minor dwelling contained within a site must comply with all of the following conditions:~~

(i) ~~The net site area is 9000m² or more There must be no more than one minor dwelling per site;~~

(ii) ~~The site does not contain a Multi-unit development.~~

(iii) ~~The gross floor area shall not exceed 70m² excluding decks and garaging.~~

~~D1~~

~~A minor dwelling that does not comply with Rule 16.3.2 P1 (a)(iii).~~

~~NCL~~

~~More than one minor dwelling per site or does not comply with Rule 16.3.2 P1 (a)(ii).~~

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- Housing New Zealand generally opposes the conditions attached to P1 minor dwelling activity and activity status.
- Provisions for building a minor dwelling on site is restrictive and discourage the desired urban uplift sought in the district.
- Provisions do not encourage sufficient housing choice and variety in residential built form to support changing demographics, lifestyles, rising housing costs, future housing demands and population growth in the Waikato District.
- Amendments are required to the residential zone provisions to better enable residential intensification at different scales and typologies.

Point Number 749.89

Summary of Decision Requested: **Amend** Rule 16.3.3.1 Height - Building general as follows:

P1

The maximum height of any building must not exceed ~~7.5m~~9m.

~~RD16+~~

(g) Any building that does not comply with Rule 16.3.3.1 P1.

(b) Council's discretion shall be restricted to any of the following matters:

(i) Design and location of the building;

(ii) Extent of shading on adjacent sites;

(iii) Privacy on adjoining sites.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The provision does not encourage sufficient housing choice and variety in residential built form to support changing demographics, lifestyles, rising housing costs, housing demands and population growth.
- Amendments are required to the residential zone and urban subdivision provisions to better enable residential intensification at different scales and typologies.
- Housing New Zealand proposes changes are necessary to triggers for consent and matters of discretion.

Point Number 749.90

Summary of Decision Requested: **Amend** Rule 16.3.4 P1 Fences or walls - Road boundaries and Reserve Zone boundaries as follows:

16.3.4 Fences or walls - Road boundaries ~~and Reserve Zone boundaries~~

P1

(a) Fences and walls between the applicable building setbacks under Rule 16.3.9 on a site and any road ~~and reserve zone~~ boundaries must comply with all of the following conditions:

(i) Be no higher than ~~1.5m~~ 1.2m if solid;

(ii) Be no higher than 1.8m if:

A. visually permeable for the full 1.8m height of the fence or wall; or

B. solid up to ~~1.5m~~ 1.2m and visually permeable between ~~1.5m~~ 1.2m and 1.8m.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally opposes this rule.

Point Number 749.91

Summary of Decision Requested: **Amend** Section 1.5 What does this mean for Waikato district strategic objectives and directions? (including sections 1.5.1, 1.5.2 and 1.5.3) to emphasise the importance of giving priority to residential intensification in existing urban areas. The submission provides the following addition to Section 1.5.4 Urban Growth as an example:

d) Urban growth and residential development should focus on a compact urban form with growth concentrated in and around existing town centres and urban settlements.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter supports the compact urban model for concentrating growth in and around existing urban settlements (towns and villages) in the Waikato District. However, more emphasis and priority needs to be placed on the compact urban model approach than allowing for urban sprawl/expansion.
- Residential intensification in and around towns and villages should be emphasised. This approach is weakened when new land is rezoned for suburban housing at the edges of existing urban settlements. This type of development starts to create urban sprawl and widespread residential suburban homes. The compact urban model is lost when intensification spreads instead of concentrating in and around existing centres. The consequences of such development lead to commercial services and other amenities popping up at the edge of towns and villages which reduces the amenity and vitality of existing centres.

Point Number 749.92

Summary of Decision Requested: **Retain** Section 1.12 Strategic directions and objectives for the district as notified.

Decision Reasons:

- The submitter supports the strategic directions and objectives to achieve a more compact and concentrated urban form over the next 30 years in the Waikato district, in particular to provide a wide variety of housing forms and offering a range of affordable options.

Point Number	749.93
Summary of Decision Requested:	<p>Amend the Proposed District Plan to clarify what is meant by 'high' and 'very high' natural character areas such as through additional or amended definitions of the terms.</p> <p>AND</p> <p>Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.</p>
Decision Reasons:	<ul style="list-style-type: none"> The submitter generally supports the objectives and policies of the Natural Character. However, it is unclear to what is 'high' and 'very high' natural character areas mean. The words are outlined in Policies 3.5.2(b)(ii) however there is no definition or explanation to the meanings of high and very high natural character areas.
Point Number	749.94
Summary of Decision Requested:	<p>Amend Objectives and Policies in Section 4.1 Strategic Direction to emphasise:</p> <ul style="list-style-type: none"> The compact urban development model for concentrating growth in and around existing towns and villages, and Avoid unplanned encroachment into rural land through being contained within defined urban areas to avoid rural residential fragmentation and rural land subdivision. <p>AND</p> <p>Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.</p>
Decision Reasons:	<ul style="list-style-type: none"> The submission provides examples of amendments in subsequent submission points. The submitter generally supports the objectives and policies set out in 4.1.1 to 4.1.5 and 4.1.8, however more emphasis and alignment is needed in the provisions to align with the strategic objectives and directions set out in 1.5.1, 1.5.2, and 1.5.4. The submitter supports the compact urban development model and wants to ensure this is carried through into the plan's objectives, policies and rules. The submitter is seeking an additional new residential zone 'Medium Density Residential Zone' is introduced into the Proposed WDP (reasons outlined later in this submission). An amendment will be required to 4.1.5 Policy – Density to include a minimum density target (number of households per hectare) for the new residential zone. This number will need to be significantly higher than the residential zone.
Point Number	749.95
Summary of Decision Requested:	<p>Amend 4.1.2 Objective – Urban growth and development as follows (or similar wording):</p> <p><i>(a) Future settlement pattern is consolidated in and around existing towns and villages in the district <u>to support a compact urban form.</u></i></p> <p>AND</p> <p>Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.</p>
Decision Reasons:	<ul style="list-style-type: none"> The submitter generally supports the objectives and policies set out in 4.1.1 to 4.1.5 and 4.1.8, however more emphasis and alignment is needed in the provisions to align with the strategic objectives and directions set out in 1.5.1, 1.5.2, and 1.5.4. The submitter supports the compact urban development model and wants to ensure this is carried through into the plan's objectives, policies and rules.
Point Number	749.96
Summary of Decision Requested:	<p>Amend Policy 4.1.3 Location of development as follows (or similar wording):</p> <p><i>(b) Locate urban growth areas only where they are consistent with the Future Proof Strategy Planning for Growth 2017 <u>and within existing urban limits.</u></i> <i>(c) <u>Where possible, urban subdivision, use and development in the rural environment is avoided.</u></i></p> <p>AND</p> <p>Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.</p>
Decision Reasons:	<ul style="list-style-type: none"> The submitter generally supports the objectives and policies set out in 4.1.1- 4.1.5 and 4.1.8, however more emphasis and alignment is needed in the provisions to align with the strategic objectives and directions set out in 1.5.1, 1.5.2, and 1.5.4. The submitter supports the compact urban development model and wants to ensure this is carried through into the plan's objectives, policies and rules.
Point Number	749.97
Summary of Decision Requested:	<p>Amend Policy 4.1.5 Density as follows (or similar wording):</p> <p><i>(a) Encourage higher density housing and retirement villages to be located near to and support <u>existing town commercial</u> centres, community facilities, public transport, <u>key strategic transport corridors</u> and open space.</i> <i>(b) Achieve a minimum density of 12-15 households per hectare in the Residential Zone.</i> <i>(c) <u>Achieve a minimum density of 30 households per hectare in the Medium Density Residential Zone.</u></i></p> <p>AND</p> <p>Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.</p>
Decision Reasons:	<ul style="list-style-type: none"> The submitter generally supports the objectives and policies set out in 4.1.1-4.1.5 and 4.1.8, however more emphasis and alignment is needed in the provisions to align with the strategic objectives and directions set out in 1.5.1, 1.5.2, and 1.5.4.

- The submitter supports the compact urban development model and wants to ensure this is carried through into the plan's objectives, policies and rules.
- Housing New Zealand is seeking an additional new residential zone 'Medium Density Residential Zone' is introduced into the Proposed District Plan (reasons outlined later in this submission). An amendment will be required to 4.1.5 Policy – Density to include a minimum density target (number of households per hectare) for the new residential zone. This number will need to be significantly higher than the residential zone.

Point Number 749.98

Summary of Decision Requested: **Amend** Policy 4.1.10 Tuakau to include desired outcomes sought from the relevant Town Centre Character Statement (Appendix 10) if the policy matter is not already addressed, and emphasise residential intensification close to and around existing town centres and urban settlements.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally supports the policies set out in 4.1.11-4.1.18.
- There are desired outcomes sought in each town and village with regard to development. These are identified in Appendix 10: Town Centre Character Statements in the Proposed District Plan.
- The submitter opposes the inclusion of Town Centre Character Statements in the Proposed District Plan, and seeks the deletion of all Town Centre Character Statements from the Proposed WDP (reasons outlined later in submission).
- Any desired outcomes sought from each town and village as currently shown in the Town Centre Character Statement should be written out into policies to the respective town centre and village in section 4.1.11-4.1.18, if the policy matter is not already listed or included. Emphasis should be placed on residential intensification close to and around existing centres and urban settlements.

Point Number 749.99

Summary of Decision Requested: **Amend** Policy 4.1.11 Pokeno to include desired outcomes sought from the relevant Town Centre Character Statement (Appendix 10) if the policy matter is not already addressed, and emphasise residential intensification close to and around existing town centres and urban settlements.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally supports the policies set out in 4.1.11-4.1.18.
- There are desired outcomes sought in each town and village with regard to development. These are identified in Appendix 10: Town Centre Character Statements in the Proposed District Plan.
- The submitter opposes the inclusion of Town Centre Character Statements in the Proposed District Plan, and seeks the deletion of all Town Centre Character Statements from the Proposed District Plan (reasons outlined later in submission).
- Any desired outcomes sought from each town and village as currently shown in the Town Centre Character Statement should be written out into policies to the respective town centre and village in section 4.1.11-4.1.18, if the policy matter is not already listed or included. Emphasis should be placed on residential intensification close to and around existing centres and urban settlements.

Point Number 749.100

Summary of Decision Requested: **Amend** Policy 4.1.12 Te Kauwhata to include desired outcomes sought from the relevant Town Centre Character Statement (Appendix 10) if the policy matter is not already addressed, and emphasise residential intensification close to and around existing town centres and urban settlements.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally supports the policies set out in 4.1.11-4.1.18.
- There are desired outcomes sought in each town and village with regard to development. These are identified in Appendix 10: Town Centre Character Statements in the Proposed District Plan.
- The submitter opposes the inclusion of Town Centre Character Statements in the Proposed District Plan, and seeks the deletion of all Town Centre Character Statements from the Proposed District Plan (reasons outlined later in submission).
- Any desired outcomes sought from each town and village as currently shown in the Town Centre Character Statement should be written out into policies to the respective town centre and village in section 4.1.11-4.1.18, if the policy matter is not already listed or included. Emphasis should be placed on residential intensification close to and around existing centres and urban settlements.

Point Number 749.101

Summary of Decision Requested: **Amend** Policy 4.1.13 Huntly to include desired outcomes sought from the relevant Town Centre Character Statement (Appendix 10) if the policy matter is not already addressed, and emphasise residential intensification close to and around existing town centres and urban settlements.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally supports the policies set out in 4.1.11-4.1.18.
- There are desired outcomes sought in each town and village with regard to development. These are identified in Appendix 10: Town Centre Character Statements in the Proposed District Plan.
- The submitter opposes the inclusion of Town Centre Character Statements in the Proposed District Plan, and seeks the deletion of all Town Centre Character Statements from the Proposed District Plan (reasons outlined later in submission).
- Any desired outcomes sought from each town and village as currently shown in the Town Centre Character Statement should be written out into policies to the respective town centre and village in section 4.1.11-4.1.18, if the policy matter is not already listed or included. Emphasis should be placed on residential intensification close to and around existing centres and urban settlements.

Point Number 749.102

Summary of Decision Requested: **Amend** Policy 4.1.14 Taupiri to include desired outcomes sought from the relevant Town Centre Character Statement (Appendix 10) if the policy matter is not already addressed, and emphasise residential intensification close to and around existing town centres and urban settlements.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally supports the policies set out in 4.1.11-4.1.18.
- There are desired outcomes sought in each town and village with regard to development. These are identified in Appendix 10: Town Centre Character Statements in the Proposed District Plan.
- The submitter opposes the inclusion of Town Centre Character Statements in the Proposed District Plan, and seeks the deletion of all Town Centre Character Statements from the Proposed District Plan (reasons outlined later in submission).
- Any desired outcomes sought from each town and village as currently shown in the Town Centre Character Statement should be written out into policies to the respective town centre and village in section 4.1.11-4.1.18, if the policy matter is not already listed or included. Emphasis should be placed on residential intensification close to and around existing centres and urban settlements.

Point Number 749.103

Summary of Decision Requested: **Amend** Policy 4.1.15 Ngaruawahia to include desired outcomes sought from the relevant Town Centre Character Statement (Appendix 10) if the policy matter is not already addressed and emphasise residential intensification close to and around existing town centres and urban settlements.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally supports the policies set out in 4.1.11-4.1.18.
- There are desired outcomes sought in each town and village with regard to development. These are identified in Appendix 10: Town Centre Character Statements in the Proposed District Plan.
- The submitter opposes the inclusion of Town Centre Character Statements in the Proposed District Plan, and seeks the deletion of all Town Centre Character Statements from the Proposed District Plan (reasons outlined later in submission).
- Any desired outcomes sought from each town and village as currently shown in the Town Centre Character Statement should be written out into policies to the respective town centre and village in section 4.1.11-4.1.18, if the policy matter is not already listed or included. Emphasis should be placed on residential intensification close to and around existing centres and urban settlements.

Point Number 749.104

Summary of Decision Requested: **Amend** Policy 4.1.16 Horotiu to include desired outcomes sought from the relevant Town Centre Character Statement (Appendix 10) if the policy matter is not already addressed, and emphasise residential intensification close to and around existing town centres and urban settlements.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally supports the policies set out in 4.1.11-4.1.18.
- There are desired outcomes sought in each town and village with regard to development. These are identified in Appendix 10: Town Centre Character Statements in the Proposed District Plan.
- The submitter opposes the inclusion of Town Centre Character Statements in the Proposed District Plan, and seeks the deletion of all Town Centre Character Statements from the Proposed District Plan (reasons outlined later in submission).
- Any desired outcomes sought from each town and village as currently shown in the Town Centre Character Statement should be written out into policies to the respective town centre and village in section 4.1.11-4.1.18, if the policy matter is not already listed or included. Emphasis should be placed on residential intensification close to and around existing centres and urban settlements.

Point Number 749.105

Summary of Decision Requested: **Amend** Policy 4.1.17 Te Kowhai to include desired outcomes sought from the relevant Town Centre Character Statement (Appendix 10) if the policy matter is not already addressed, and emphasise residential intensification close to and around existing town centres and urban settlements.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally supports the policies set out in 4.1.11-4.1.18.
- There are desired outcomes sought in each town and village with regard to development. These are identified in Appendix 10: Town Centre Character Statements in the Proposed District Plan.
- The submitter opposes the inclusion of Town Centre Character Statements in the Proposed District Plan, and seeks the deletion of all Town Centre Character Statements from the Proposed District Plan (reasons outlined later in submission).
- Any desired outcomes sought from each town and village as currently shown in the Town Centre Character Statement should be written out into policies to the respective town centre and village in section 4.1.11-4.1.18, if the policy matter is not already listed or included. Emphasis should be placed on residential intensification close to and around existing centres and urban settlements.

included. Emphasis should be placed on residential intensification close to and around existing centres and urban settlements.

Point Number 749.106

Summary of Decision Requested: **Amend** Policy 4.1.18 Raglan to include desired outcomes sought from the relevant Town Centre Character Statement (Appendix 10) if the policy matter is not already addressed, and emphasise residential intensification close to and around existing town centres and urban settlements.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally supports the policies set out in 4.1.11-4.1.18.
- There are desired outcomes sought in each town and village with regard to development. These are identified in Appendix 10: Town Centre Character Statements in the Proposed District Plan.
- The submitter opposes the inclusion of Town Centre Character Statements in the Proposed District Plan, and seeks the deletion of all Town Centre Character Statements from the Proposed District Plan (reasons outlined later in submission).
- Any desired outcomes sought from each town and village as currently shown in the Town Centre Character Statement should be written out into policies to the respective town centre and village in section 4.1.11-4.1.18, if the policy matter is not already listed or included. Emphasis should be placed on residential intensification close to and around existing centres and urban settlements.

Point Number 749.107

Summary of Decision Requested: **Add** a new chapter with Objectives and Policies for a "Medium Density Residential Zone" into the Proposed District Plan, as outlined in Attachment 2 to the submission.

AND

Amend the Proposed District Plan to provide for consequential changes or further amendments required to give effect, and reference, the new residential zone. The submitter provides the example that wherever the Residential and Village Zones are referenced or compact urban form or medium to higher density residential living, the new residential zone 'Medium Density Residential Zone' will need to be referenced and included (where applicable and appropriate).

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The amalgamation of former residential zones under the Waikato and Franklin sections of the Operative Waikato District Plan into one 'Residential Zone' does not alone enable residential intensification and housing options close to and within existing town centres and urban settlements.
- The provisions of the residential zones do not sufficiently encourage housing choices that are necessary to support the social and economic demands of the Waikato District.
- The two proposed residential zones – Residential Zone and Village Zone – do not encourage sufficient housing choice and variety in residential built form to support changing demographics, lifestyles, rising housing costs, future housing demands and population growth in the Waikato District.
- There is no differentiation in height, bulk and density controls for residential activities in the Residential and Village zones.
- To this end, Housing New Zealand proposes an additional new Residential Zone 'Medium Density Residential Zone' is introduced into the District Plan around key centres and urban settlements. The proposed new zone will enable apartment, terrace housing and multi-unit developments close to and around centres. This will support economic and residential growth in and close to town centres and settlements, and will provide certainty to landowners, developers and service providers for long-term investment decisions. All of which will improve the health and well-being of the wider community.

Point Number 749.108

Summary of Decision Requested: **Amend** the Objectives and Policies in Section 4.2 - Residential Zone to clearly state the outcome sought.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally opposes the objectives and policies of the 'Residential Zone' as notified.
- A lot of the objectives and policies read as an assessment criterion. Objectives and policies need to clearly state the outcome sought

Point Number 749.109

Summary of Decision Requested: **Amend** Rule 16.3.5 Daylight admission as follows:

PI

Buildings must not protrude through a height control plane rising at an angle of ~~37~~ 45 degrees commencing at an elevation of 2.5m above ground level at every point of the site boundary.

RDI

(a) A building that does not comply with Rule 16.3.5 PI.

(b) Council's discretion shall be restricted to the following matters:

...

(iv) Privacy on ~~another adjoining sites and~~

~~(f) Effects on amenity values and residential character.~~

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally opposes the daylight admission and seeks a change to the height control plane.

Point Number 749.110

Summary of Decision Requested: **Add** a restricted discretionary activity provision to Rule 16.3.6 Building coverage that reads as follows:

BD1

(a) Total building coverage that does not comply with Rule 16.3.6 P1.

(b) Council's discretion shall be rested to any of the following matters:

(i) Design and location of the building;

(ii) Provision for outdoor living space;

(iii) Privacy on adjoining sites.

AND

Amend Rule 16.3.6 D1 Building coverage as follows:

Total building coverage that does not comply with Rule 16.3.6 P1, P2 or P3.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally opposes the trigger for consent on infringements to building coverage.
- Amendments are required to the residential zone provisions to better enable residential intensification at different scales and typologies.
- The submitter proposes changes are necessary to triggers for consent and matter of discretion.

Point Number 749.111

Summary of Decision Requested: **Amend** Rule 16.3.7 Living Court as follows:

P1

(a) A living court must be provided for each dwelling that meets all of the following conditions:

...

(iii) When located on the ground floor, it has a minimum areas of ~~80m²~~ 30m² and a minimum dimension of 4m in any direction; and

(iv) When located on a balcony of an above ground apartment, it must have a minimum area of 5m² for studio and one-bedroom dwellings, or 8m² for two or more bedroom dwellings ~~+5m²~~ and a minimum dimension of 1.5m ~~2m in any direction~~.

P2

(a) A living court must be provided for each minor dwelling that meets all of the following conditions:

...

(iii) When located on the ground floor it has a minimum area of 5m² for studio and one-bedroom dwellings, or 8m² for two or more bedroom dwellings ~~40m²~~ and a minimum dimension of 1.5m ~~4m in any direction~~;

(iv) When located on a balcony of an above ground apartment, it must have a minimum area of 5m² for studio and one-bedroom dwellings, or 8m² for two or more bedroom dwellings ~~+5m²~~ and a minimum dimension of 1.5m ~~2m in any direction~~.

~~BD1~~ RD1

(a) A living court that does not comply with Rule 16.3.7 P1 or P2.

(b) Council's discretion shall be restricted to any of the following matters:

(i) Design and location of the building;

(ii) Provision for outdoor living space including access to sunlight and open space and the usability and accessibility of the outdoor living space proposed;

(iii) Privacy on adjoining sites; and

(iv) The proximity of the site to communal or public open space that has the potential to mitigate any lack of private outdoor living space.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally opposes the proposed living court provisions.
- The submitter seeks the minimum living court is reduced. This will enable better utilisation of the site for residential development.
- The submitter proposes changes are necessary to triggers for consent and matters of discretion.

Point Number 749.112

Summary of Decision Requested: **Amend** Rule 16.3.8 Service Court to read:

P1

(a) A service court must be provided for each dwelling and minor dwelling, each with all of the following dimensions:

(i) minimum area of ~~+5m²~~ 8m²; and

(ii) contains a circle of at least 3m diameter.

~~BD1~~ RD1

(a) A service court that does not comply with Rule 16.3.8 P1.

(b) Council's discretion shall be restricted to any of the following matters:

(i) Design and location of the building;

(ii) Provision for service court space.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally opposes the proposed service court provisions.
- The submitter seeks the minimum service court is reduced.
- This will enable better utilisation of the site for residential development.
- The submitter proposed changes are necessary triggers for consent and matters of discretion.

Point Number 749.113

Summary of Decision Requested: **Amend** Rule 16.3.9 Building setbacks-All boundaries as follows:

P1

(a) A building must be setback a minimum of:

(i) 3m from the road boundary;

(ii) ~~4.5m~~ 3m from the edge of an indicative road;

(iii) ~~4.5m~~ 1m from every boundary other than a road boundary;

(iv) and 1.5m from every vehicle access to another site.

P2

(a) non-habitable building can be set back less than 1.5m from a boundary, where:

(i) the total length of all buildings within 1.5m of the boundary does not exceed 6m; and

(ii) the building does not have any windows or doors on the side of the building facing the boundary.

P3 P2

A garage must be setback behind the front street facing facade of the dwelling.

RD1

(a) A building that does not comply with Rule 16A.3.9.1 P1 ~~or P2 or P3~~.

(b) Council's discretion shall be restricted to any of the following matters:

(i) Road network safety and efficiency;

(ii) Reverse sensitivity effects;

...

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally opposes the building setbacks and seeks a change to the building setback from every boundary other than a road boundary and from every vehicle access to another site.

Point Number 749.114

Summary of Decision Requested: **Delete** Rule 16.3.9.2 Building setback for sensitive land use

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally opposes any rule for building setback for sensitive land use and seeks the deletion of all such rules in the Proposed District Plan.

Point Number 749.115

Summary of Decision Requested: **Delete** any rule for building setback for sensitive land use in all zones.

Decision Reasons:

- The submitter generally opposes any rule for building setback for sensitive land use and seeks the deletion of all such rules in the Proposed District Plan.

Point Number 749.116

Summary of Decision Requested: **Amend** Rule 16.3.9.3 P1(a)(i) Building setback - Water bodies as follows:

(a) Any building must be setback a minimum of:

(i) ~~20m~~ 23m from the margin of any;

...

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally opposes the distance setback from margin of any lake and wetland and seeks the distance is amended from 23m to 20m.

Point Number 749.117

Summary of Decision Requested: **Amend** Rule 16.3.11.6 Heritage precincts - Matangi and Huntly as follows:

C1

...

(b) Council's control is reserved over the following matters:

(i) Effects on historic heritage, ~~amenity values and character of the precinct,~~ and

...

C2

...

(b) Council's control is reserved over the following matters:

(i) Effects on historic heritage, ~~amenity values and character of the precinct,~~ and

...

C3

...

(b) Council's control is reserved over the following matters:

(i) Effects on historic heritage, ~~amenity values and character of the precinct,~~ and

...

RD1

...

(b) Council's discretion shall be restricted to the following matters:

(i) Effects on historic heritage, ~~amenity values and character of the precinct,~~ and

...

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter general opposes the words 'amenity values and character' from matters of control.

Point Number 749.118

Summary of Decision Requested:

Amend Rule 16.4.1 Subdivision - General as follows:

RD1

(a) Subdivision must comply with all of the following conditions:

(i) Proposed vacant lots must have a minimum site area of 200m² + 450m², except where the proposed vacant lot is an access allotment or utility allotment or reserve to vest.

(ii) Proposed vacant lots must be able to connect to public-reticulated water supply and wastewater;

(iii) Where roads are to be vested in Council, they ~~must~~ should generally, follow a grid layout;

...

(b) Council's discretion shall be restricted to any of the following matters:

...

~~(iii) Consistency with the matters contained within Appendix 2.1 (Residential Subdivision Guidelines)~~

...

AND

Add a new controlled activity to Rule 16.4.1 Subdivision as follows:

CL

(a) Any subdivision in accordance with an approved land use resource consent must comply with that resource consent.

(b) Council's control shall be reserved to any of the following matters:

(i) The effect of the design and layout of the proposed sites created;

(ii) Compliance with the approved land use consent; and

(iii) Provision of infrastructure.

...

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally opposes the subdivision provisions.
- These provisions are restrictive and discourage the desired urban uplift sought in the district. Any type of in-fill housing development (i.e. build a second dwelling on an existing lot) or multi-unit development will trigger a consent requirement.
- The Proposed District Plan permits one dwelling per site. Subdivision consent will be required first in order to construct an in-fill dwelling.
- The submitter considers the minimum net size area for subdivision to be high and will discourage any new residential development including any in-fill type developments to occur. It does not encourage sufficient housing choice and variety in residential built form to support changing demographics, lifestyles, rising housing costs, future housing demands and population growth in the Waikato District.
- Amendments are required to the subdivision provisions as a means of better enabling and incentivising residential development in the district.
- Additionally the submitter seeks the decision of the residential subdivision design guideline from the plan.

Point Number 749.119

Summary of Decision Requested:

Amend Rule 16.4.4 Subdivision - Multi-unit development as follows:

~~RD+ CL~~

(a) Multi-Unit development must comply with all of the following conditions:

(i) An application for land use consent under Rule 16.1.3 (Multi-Unit Development) must accompany the subdivision or have been granted land use consent by Council;

~~(ii) Any subdivision relating to an approved land use consent must comply with that resource consent;~~

~~(iii) The minimum existing lot size where a new freehold (fee simple) lot is being created must be 300m² net site area~~

~~(iv) The minimum existing lot size where a new freehold (fee simple) lot is being created must be 300m² net site area.~~

(v) Where a residential unit is being created in accordance with the Unit Title Act 2010 it must meet the following minimum residential unit size:

...

Studio unit or 1 bedroom unit ~~60m²~~ 30m²

2 bedroom or more residential unit ~~2 bedroom unit~~ 80m² 45m²

~~3 or more bedroom units~~ +80m²

(b) Council's control discretion shall be reserved ~~restricted~~ to any of the following matters:

...

~~(iii) Provision of common areas for shared spaces, access and services;~~

...

(vi) Compliance with the approved land use consent.

Amenity values and streetscape;

~~(viii) Consistency with the matters contained, and outcomes sought, in Appendix 3.1 (Multi-Unit Development Guideline)~~

~~(viii) Consistency with any relevant structure plan or master plan, including the provision of neighbourhood parks, reserves and neighbourhood centres;~~

~~(ix) Vehicle, pedestrian and cycle networks;~~

~~(x) Safety, function and efficiency of road network and any internal roads or accessways.~~

D1

Subdivision that does not comply with Rule 16.4.4 ~~C1~~ R1.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter opposes the minimum residential unit size in Multi-unit development.
- The provisions for residential subdivision are restrictive and discourage the desired urban uplift sought in the district.
- Subdivision consent will be required first in order to construct an infill dwelling or multi-unit dwelling.
- The submitter considers that the minimum residential unit size to be high and will discourage any new residential development to occur.
- The provisions do not encourage sufficient housing choice and variety in residential built form to support changing demographics, lifestyles, rising housing costs, future housing demands and population growth in the district.
- Amendments are required the subdivision provisions to enable and incentivise residential development.
- Reducing the minimum residential unit size will enable more units to be accommodate in a development and better utilisation of the site.
- The submitter seeks the deletion of the multi-unit development urban design guidelines from the Proposed District Plan, including any reference to such guidelines in a rule or policy approach.

Point Number

749.120

Summary of Decision Requested:

Amend Rule 16.4.5 D1 Subdivision - Boundary adjustments as follows:

~~D1~~ R1

(a) Boundary adjustments that does not comply with Rule 16.4.5 C1.

(b) Council's discretion shall be restricted to any of the following matters:

(i) Subdivision layout;

(ii) Shape of titles and variation in lot sizes.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally opposes the activity status for this rule and seeks that the discretionary activity is changed to a restricted discretionary activity.

Point Number

749.121

Summary of Decision Requested:

Amend Rule 16.4.11 RD1 Subdivision - Road frontage as follows:

RD1

(a) Every proposed vacant lot with a road boundary, other than an access allotment, utility allotment, or a proposed vacant lot containing a ROW or access leg must have a width along the road boundary of at least 10m ~~4.5m~~.

(b) Council's discretion shall be restricted to any of the following matters:

(i) Safety and efficiency of vehicle access and road network; ~~and~~

~~(iii) Amenity values and rural character.~~

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally opposes the proposed subdivision - road frontage provisions.
- The submitter seeks the minimum width is reduced.
- This will enable better utilisation of the site for residential development and create more lots.

Point Number

749.122

Summary of Decision Requested:

Amend Rule 16.4.12 RD1(a) Subdivision - Building platform as follows:

RD1

(a) Every proposed vacant lot, other than one designed specifically for access, utility allotment must be capable of containing a building platform upon which a dwelling and living court could be sited as a permitted activity, with the building platform being contained within either of the following dimensions:

(i) a circle with a diameter of at least 18m exclusive of yards; or

(ii) a rectangle of at least 100m² ~~200m²~~ with a minimum dimension of 6m ~~12m~~ exclusive of yards.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally opposes the provisions and seeks the minimum area and distance is reduced.
- The sought amendments will enable better utilisation of the site for residential development and potentially create more lots.

Point Number 749.123

Summary of Decision Requested: **Retain** Rule 16.4.14 Subdivision of esplanade reserves and esplanade strips as notified.

Decision Reasons:

- The submitter generally supports this rule.

Point Number 749.124

Summary of Decision Requested: **Add** a new chapter that provides for a "Medium Density Residential Zone" with appropriate Land Use - Activities, Land Use - Effects, Land Use - Building and Subdivision provisions as outlined in attachment 3 of the submission.

AND

Amend the Proposed District Plan to enable a number of consequential amendments to give effect to the "Medium Density Residential Zone" sought.

Decision Reasons:

- The submitter proposes an additional new Residential Zone to enable apartment, terrace housing and multi-unit developments within close proximity of centres.

Point Number 749.125

Summary of Decision Requested: **Amend** Chapter 16 Residential Zone to align with the activities and rules in the new "Medium Density Residential Zone" chapter sought.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- Certain rules and activities in the Residential Zone will need to be amended to align with the proposed Medium Density Residential Zone provisions.

Point Number 749.126

Summary of Decision Requested: **Retain** Rule 17.1.2 Permitted Activities as notified.

Decision Reasons:

- The submitter generally supports the permitted activities listed in Rule 17.1.2.

Point Number 749.127

Summary of Decision Requested: **Amend** Rule 17.1.3 RDI Restricted Discretionary Activities as follows:

(a) A multi-unit development that meets all of the following conditions:

...

(i) ~~Each residential unit must be designed and constructed to achieve the internal design sound levels specified in Appendix 1 (Acoustic Insulation), Table 1.4;~~

...

(vii) Living court area are provided above ground floor level to meet the following minimum requirements for each residential unit:

...

Studio unit or 1 bedroom min area 10m² ~~Min dimension: 1.5m 2m~~

2 or more bedroom min area 15m² ~~Min dimension: 1.5m 2m~~

AND

Amend the matters of discretion for Rule 17.1.3 Restricted Discretionary Activities Matters of Discretion as follows:

(a) Council's discretion is limited to any of the following matters:

(i) ~~The extent to which the development is consistent with Town Centre Guidelines contained in Appendix 3.3;~~

(ii) ~~The extent to which the development is consistent with the Multi-unit design guidelines contained in Appendix 3.4;~~

(iii) The extent to which the development contributes to and engages with adjacent streets and public open space;

(iv) ~~The extent to which the development creates visual quality and interest through the separation of buildings, variety in built form and architectural detailing, glazing and materials;~~

(v) The extent to which the design of the development incorporates ~~energy efficiency measures such as~~ passive solar principles;

(vi) ~~Amenity values for occupants and neighbours in respect of outlook, privacy, noise, light spill, access to sunlight, living court orientation, site design and layout;~~

...

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter considers that a medium density requirement for multi-unit development is not required and seeks a deletion of such rule in the Proposed District Plan.
- The bulk, location, site coverage and assessment criteria sufficiently address the likely impacts on amenity values while providing for a range of housing typologies.
- The submitter seeks the deletion of the multi-unit development urban design guidelines from the Proposed District Plan, including any reference to such guidelines in a rule or policy approach.

Point Number 749.128

Summary of Decision Requested: **Amend** Rule 17.2.2 P1 Servicing and hours of operation as follows:

The loading and unloading of vehicles and the receiving of customers and deliveries associated with a commercial activity on a site adjoining a residential activity and/or the Residential and Village Zones may occur between 6.30am and 7.30pm.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter seeks that reference to dwelling should be included in addition to the zones listed.
- The effects are to dwellings and residential activity, not solely to zones.
- This is listed as a matter of discretion when servicing and operation of a business zone activity does not comply with Rule 17.2.2 P1.

Point Number 749.129

Summary of Decision Requested: **Amend** Rule 17.3.1.1 Height - Building General as follows:

PI

The maximum height of any building must not exceed ~~12m~~10m.

RDLP+

(a) Any building that does not comply with Rule 17.3.1.1 P1.

(b) Council's discretion shall be restricted to any of the following matters:

(i) Height of the building;

(ii) Design and location of the building;

(iii) Extent of shading on adjacent sites; and

(iv) Privacy on adjoining sites.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally opposes the proposed permitted height and activity status.
- Amendments are required to the provision to provide for design flexibility as well as to better enable the delivery of centre intensification at a variety of different scales and typologies.
- The submitter proposes changes are necessary to establish triggers for consent and matters of discretion.

Point Number 749.130

Summary of Decision Requested: **Amend** Rule 17.3.2 P1 Daylight admission as follows:

(a) Any building must not protrude through a height control plane rising at an angle of ~~37.5~~ degrees commencing at an elevation of ~~2.5m~~ 2m above ground level at the site...

Decision Reasons:

- The submitter generally opposes the daylight admission and seeks a change to the height control plane.
- Amendments are sought to the provision to provide for design flexibility as well as to enable the delivery of centre intensification at a variety of different scales and typologies.

Point Number 749.131

Summary of Decision Requested: **Amend** Rule 17.4.1 General subdivision as follows:

(a) Subdivision of land must comply with all of the following conditions:

(i) Proposed vacant lots must have a minimum size of ~~200m²~~ 225m² net site area with the exception of access or utility allotments or reserves to vest.

(ii) Proposed vacant lots must be connected to public-reticulated water supply and wastewater.

(b) The Council's discretion shall be...

CL

(a) Any subdivision in accordance with an approved land use resource consent must comply with that resource consent.

(b) Council's control shall be reserved to any of the following matters:

(i) The effect of the design and layout of the proposed sites created;

(ii) Provision of infrastructure.

DI

Subdivision that does not comply with Rule 17.4.1 RD1 or CL.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally opposes the subdivision provisions. These provisions are restrictive and discourage the desired urban uplift sought in the district.
- Amendments are required to the subdivision provisions as a means of better enabling and incentivising development in the district.

Point Number 749.132

Summary of Decision Requested: Amend Rule 17.4.1.1 Subdivision - Multi-unit development as follows:

~~CI RD1~~

(a) Subdivision for multi-unit development must comply with all of the following conditions:

(i) An application for land use consent under Rule 17.1.4 (Multi-unit housing development) must either accompany the subdivision or been granted resource consent by Council;

(ii) Any subdivision relating to an approved land use consent must comply with that resource consent.

(iii) ~~Be~~ Be connected to public wastewater and water reticulation; and

(iv) ~~Where~~ Where a residential unit is being created in accordance with the Unit Titles Act 2010, it meets the following minimum unit size:

...

Studio unit or 1 bedroom unit ~~60m² 30m²~~

2 bedroom or more residential unit 2 bedroom unit 80m² 45m²

~~3 or more residential unit 100m²~~

(b) The Council's discretion shall be limited to any of the following matters:

...

(iii) ~~Provision of common areas for shared spaces, access and services;~~

(iii) ...

(vi) Compliance with the approved land use consent.

(vii) ~~Consistency with the matters contained and outcomes sought, in Appendix 3.1 (Multi-unit development guideline);~~

(viii) ~~Consistency with any relevant structure plan or master plan, including the provision of neighbourhood parks, reserves and neighbourhood centres;~~

(ix) ~~Vehicle, pedestrian and cycle networks;~~

(x) ~~Safety, function and efficiency of road network and any internal roads or accessways.~~

D1

Subdivision that does not comply with Rule 17.4.1.1 ~~CI RD1~~.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally opposes the minimum residential unit size in multi-unit development.
- The provisions for multi-unit residential development subdivision are restrictive and discourage the desired urban uplift sought in the district. It is found that any type of infill housing development or multi-unit development will trigger a consent requirement. Subdivision consent will be required first in order to construct an in-fill dwelling or multi-unit development.
- The submitter considers that the minimum residential unit size to be high and will discourage any new residential development to occur.
- The provision does not encourage sufficient housing choice and variety in residential built form to support changing demographics, lifestyles, rising housing costs, future housing demands and population growth in the district.
- Amendments are required to enable and incentivise residential development in the district.
- Reducing the minimum residential unit size will enable more units to be accommodated within a development.
- The submitter seeks the deletion of the multi-unit development urban design guidelines from the Proposed District Plan, including any reference to such guidelines in a rule or policy approach.

Point Number 749.133

Summary of Decision Requested: Amend Rule 17.4.1.2 D1 Subdivision - Boundary adjustments as follows:

~~D1 RD1~~

(a) ~~Boundary adjustments that does not comply with Rule 17.4.1.2 C.~~

(b) Council's discretion shall be restricted to any of the following matters:

(i) Subdivision layout;

(ii) Shape of titles and variation in lot sizes.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally opposes the activity status for this rule, and seeks the discretionary activity is changes to a restricted discretionary activity with matters of discretion.

Point Number 749.134

Summary of Decision Requested: Amend Rule 18.1.2 P2 Permitted Activities as follows:

P2 Residential activity ~~Nil located above ground floor level~~

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally opposes activity-specific conditions attached to permitted activities listed in 18.1.2.

Point Number 749.135

Summary of Decision Requested: Amend Rule 18.1.3 Restricted Discretionary Activities as follows:

Activity

RD1

(a) A multi-unit development that meets all of the following conditions:

...

~~(b) The multi-unit development must be located above the ground floor;~~

~~(c)...~~

~~(d) Each residential unit must be designed and constructed to achieve the internal design sound levels specified in Appendix 1 (Acoustic Insulation), Table 1.4;~~

~~(e)...~~

(f) Living court areas are provided above ground floor level to meet the following minimum requirements for each residential unit:

Residential Unit	Minimum Living Court	Minimum Dimensions
Studio unit or 1 bedroom	10m ²	2m x 1.5m
2 or more bedrooms	15m ²	2m x 1.5m

The Council's discretion shall be limited to and of the following matters:

~~(a) The extent to which the development is consistent with the Town Centre Guidelines contained in Appendix 3.3;~~

~~(b) The extent to which the development is consistent with the Multi-unit design guidelines contained in Appendix 3.4;~~

~~(c) The extent to which the development contributes to and engages with adjacent streets and public open space;~~

~~(d) The extent to which the development creates visual quality and interest through the separation of buildings, variety in built form and architectural detailing, glazing and materials;~~

~~(e) The extent to which the design of the development incorporates energy efficiency measures such as passive solar principles;~~

(f) Amenity values for occupants and neighbours in respect of outlook, privacy, noise, light spill, access to sunlight, living court orientation, ~~site design and layout;~~

~~(g) The extent to which staging is necessary to ensure that development is carried out in a coordinated and timely manner;~~

~~(h) Avoidance or mitigation of natural hazards;~~

~~(i) Geotechnical suitability for building;~~

(j) Adequacy of the communal service court for the intended purpose.

Decision Reasons:

- The submitter generally opposes and seeks amendments to Rule 18.1.3 RD1.
- The submitter considers a minimum density requirement for multi-unit development is not required and seeks a deletion of such rule in the Proposed District Plan and seeks the deletion of the requirement that a multi-unit development must be located above ground floor level.
- The bulk, location, site coverage and assessment criteria sufficiently address the likely impacts on amenity values while providing for a range of housing typologies.
- It may also be appropriate in some locations to have a multi-unit development from ground floor level and above.
- The orientation and design of such development can support commercial activity in certain locations.
- The submitter seeks a maximum height of 11m is introduced into the Proposed District Plan to enable multi-unit development up to 3 storeys in height.
- The submission seeks the deletion of the multi-unit development and town centre urban design guidelines from the Proposed District Plan, including any reference to such guidelines in a rule or policy approach.

Point Number

749.136

Summary of Decision Requested:

Delete Rule 18.1.5 NC2 Non-Complying Activities

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- To give effect to the submission sought to enable residential activity to be provided on the ground floor within the Business Town Centre Zone requires the deletion of Rule 18.1.5 NC2.

Point Number

749.137

Summary of Decision Requested:

Delete Rule 18.1.5 NC3 Non-Complying Activity

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- To give effect to the submission sought to enable residential activity to be provided on the ground floor within the Business Town Centre Zone requires the deletion of Rule 18.1.5 NC3.

Point Number

749.138

Summary of Decision Requested:

Amend Rule 18.2.2 P1 Servicing and hours of operation as follows:

The loading and unloading of vehicles and the receiving of customers and deliveries associated with a commercial activity on a site adjoining a residential activity and/or the Residential and Village Zones must only occur between 6.30am and 7.30pm.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

Point Number

749.139

Summary of Decision Requested:

Amend Rule 18.2.4.1 RD1(b) Earthworks - General as follows:

The Council's discretion shall be restricted to any of the following matters:

...

Decision Reasons:

- The submitter generally opposes the matters of discretion listed for Rule 18.2.4.1 RD1 and seeks that the wording "any of" be inserted.
- This will ensure that the list is not seen as an inclusive list to which all matters need to be met.
- It could be that one or more matters may be relevant instead of all matters listed when the activity is triggers for a consent.

Point Number

749.140

Summary of Decision Requested:

Amend Rule 18.3.1.1 Height - Building general as follows:

PI

~~The maximum height of any building must not exceed 12m +0m.~~

~~RD1~~

~~(a) Any building that does not comply with Rule 18.3.1.1 PI.~~

~~(b) Council's discretion shall be restricted to any of the following matters:~~

~~(i) Height of the building;~~

~~(ii) Design and location of the building;~~

~~(iii) Extent of shading on adjacent sites; and~~

~~(iv) Privacy on adjoining sites~~

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally opposes the proposed permitted height and activity status.
- Amendments to the building height standard within the Business Town Centre Zone should be amended to better provide for design flexibility as well as to better enable the delivery of centre intensification at a variety of different scales and typologies.
- The submitter perceives these amendments as necessary to ensure appropriate triggers for consent and matters of discretion are incorporated into the Proposed District Plan.

Point Number

749.141

Summary of Decision Requested:

Amend Rule 18.3.2 PI Daylight admission as follows:

~~(a) Any building must not protrude through a height control plane rising at an angle of 37.45 degrees commencing at an elevation of 2.5m 3m above ground level at the site boundary where it adjoins a:~~

....

OR

Amend Rule 18.3.2 PI Daylight admission to consider an alternative height in relation to the boundary standard in the Business Town Centre Zone.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally opposes the daylight admission and seeks a change to the height control plane.
- The amendments sought will better provide for design flexibility and enable the delivery of centre intensification at a variety of different scales and typologies.
- Consideration should also be made to an alternative height in relation to boundary control within the Business Town Centre Zone.

Point Number

749.142

Summary of Decision Requested:

Add a new clause to Rule 18.3.4 PI Display windows and building facades as follows:

~~(a) Any new building facade, or alteration of an existing building facade, must comply with the following conditions:~~

~~(i) Not be set back from the road boundary; and~~

~~(ii) Provide display windows comprising at least 50% of the building facade.~~

~~(b) Rule 18.3.4 PI (g) does not apply to multi-unit development.~~

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally opposes Rule 18.3.4 Display windows and building facades.

Point Number

749.143

Summary of Decision Requested:

Amend Rule 18.3.8 Dwelling as follows:

PI

~~(a) One Any dwelling within a lot must comply with all of the following conditions:~~

~~(i) The dwelling must not be located at ground level;~~

~~(ii) The dwelling must achieve the internal design sound levels specified in Appendix 1 (Acoustic Insulation), Table 1.4;~~

~~(b) Rule 18.3.8 PI (a) does not apply to multi-unit development (refer to Rule 18.1.3 RD1 (Multi-Unit Development)).~~

BD1

~~Any dwelling that does not comply with Rule 18.3.8 PI (a) (ii).~~

~~NE4~~

~~Any dwelling that does not comply with Rule 18.3.9(a)(i).~~

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- To give effect to the submission, a consequential amendment allowing residential activity to be provided on the ground floor in the Business Town Centre Zone requires the deletion of Rule 18.3.8 P1(a)(i).

Point Number 749.144

Summary of Decision Requested: **Amend** Rule 18.3.9 Living Court as follows:

~~PI~~

~~(a) A living court must be provided for each dwelling that meets all of the following conditions:~~

~~(i)...~~

~~(iii) It is located on a balcony containing at least 10m² + 5m² and a circle with a diameter of at least 1.5m ~~2.4m~~.~~

~~BDI~~

~~(a) A living court that does not comply with Rule 18.3.9 P1.~~

~~(b) Council's discretion shall be restricted to any of the following matters:~~

~~(i) Design and location of the building;~~

~~(ii) Provision for outdoor living space including access to sunlight and open space and the usability and accessibility of the outdoor living space proposed;~~

~~(iii) Privacy on adjoining sites; and~~

~~(iv) The proximity of the site to communal or public open space that has the potential to mitigate any lack of private outdoor living space.~~

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally oppose the proposed living court provisions.
- The submitter seeks the minimum living court is reduced to enable the better utilisation of the site for residential development.
- The submitter proposes changes which are necessary to triggers for consent and matters of discretion.

Point Number 749.145

Summary of Decision Requested: **Amend** Rule 18.4.1 RD1 (a) General subdivision as follows:

~~RD1~~

~~(a) Subdivision of land must comply with all of the following conditions:~~

~~(i) Proposed vacant lots must have a minimum size of 200m² + 25m² net site area with the exception of access or utility allotments or reserves to vest;~~

~~(ii) Proposed vacant lots must be connected to public-reticulated water supply and wastewater.~~

AND

Add a new controlled activity to Rule 18.4.1 Subdivision- General as follows:

~~CI~~

~~(a) Any subdivision in accordance with an approved land use resource consent must comply with that resource consent.~~

~~(b) Council's control shall be reserved to any of the following matters:~~

~~(i) The effect of the design and layout of the proposed sites created;~~

~~(ii) Provision of infrastructure.~~

...

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally opposes the subdivision provisions.
- The provisions are restrictive and discourage the desired urban uplift sought in the district.
- Amendments sought will enable and incentivise development in the district.

Point Number 749.146

Summary of Decision Requested: **Amend** Rule 18.4.2 RD1 Subdivision - Multi-Unit subdivision as follows:

~~CI RD1~~

~~(a) Subdivision for multi-unit development shall comply with all of the following conditions:~~

~~(i)...~~

~~(ii) Any subdivision relating to an approved land use consent must comply with that resource consent;~~

~~(iii) Be connected to public wastewater and water reticulation;~~

~~(iv) Where a residential unit is being created in accordance with the Unit Titles Act 2010, it meets the following minimum unit size:~~

...

~~Studio unit or 1 bedroom 60m² 30m²~~

~~2 bedroom or more residential unit 2 bedroom unit 80m² 45m²~~

~~3 or more bedroom unit 100m²~~

~~(b) The Council's control discretion shall be limited to any of the following matters:~~

~~(i)...~~

~~(ii) Provision of common areas for shared spaces, access and services;~~

~~##(j)~~ Avoidance or mitigation of natural hazards;

~~##(k)~~ Geotechnical suitability of site for buildings;

~~##(l)~~ Amenity values and streetscape;

~~(v) Compliance with an approved land use consent.~~

~~(vi) Consistency with the matters contained, and outcomes sought, in Appendix 3.4 (Multi-unit development guideline);~~

~~(vii) Consistency with any relevant structure plan or master plan, including the provision of neighbourhood parks, reserves and neighbourhood centres;~~

~~(viii) Vehicle, pedestrian and cycle networks;~~

~~(ix) Safety, function and efficiency of road network and any internal roads or accessways.~~

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally opposes the minimum residential unit size in Multi-unit development.
- The multi-unit subdivision provision is restrictive and discourages the desired urban uplift sought in the district.
- The submitter found that any type of in-fill housing development or multi-unit development will trigger a reason for consent.
- Subdivision consent will be required first in order to construct an in-fill dwelling or multi-unit development.
- The submitter considers the minimum residential unit size to be high and will discourage any new residential development to occur.
- The provision does not encourage sufficient housing choice and variety in residential built form to support changing demographics, lifestyles, rising housing costs, future housing demands and population growth within the district.
- Amendments are required to enable and incentivise residential development in the district.
- Reducing the minimum residential unit size will enable more units to be accommodated in a development and better utilisation of the site.
- The submitter seeks the deletion of the multi-unit development urban design guidelines from the Proposed District Plan., including any references to such guidelines in a rule or policy approach.

Point Number 749.147

Summary of Decision Requested: **Amend** Rule 18.4.3 D1 Subdivision - Boundary adjustments as follows:

BD1

(a) Boundary adjustments that does not comply with Rule 18.4.3 C1.

(b) Council's discretion shall be restricted to the following matters:

(i) Purpose of the boundary adjustment;

(ii) Effects on existing buildings.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally opposes the activity status for this rule, and seeks the discretionary activity is changed to a restricted discretionary activity with matters of discretion inserted.

Point Number 749.148

Summary of Decision Requested: **Amend** Rule 20.2.1 P1 Servicing and hours of operation as follows:

P1

Servicing and operation of an industrial activity adjoining any residential activity and/or Residential, Village or Country Living Zone may load...

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter seeks that reference to dwelling should be included.
- The effects are to dwellings and residential activity, not solely to zones.
- This is listed as a matter of discretion when servicing and operation of an industrial activity does not comply with Rule 20.2.1 P1.

Point Number 749.149

Summary of Decision Requested: **Amend** Rule 21.2.1 P1 Servicing and hours of operation as follows:

Servicing and operation of an industrial activity adjoining any residential activity and/or Residential, Village or Country Living Zone may load or unload vehicles or receive customers or deliveries between 7.30am and 6.30pm.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter seeks that reference to dwelling should be included.
- The effects are to dwellings and residential activity, not solely to zones.
- This is listed as a matter of discretion when servicing and operation of an industrial activity does not comply with Rule 21.2.1 P1.

Point Number 749.150

Summary of Decision Requested: **Delete** Appendix I Acoustic Insulation;

AND

Delete all references to Appendix I- Acoustic Insulation in the Proposed District Plan as a consequential amendment;

OR

If the acoustic standards are sought **Add** new rules with the appropriate activity and zone in the relevant section of the Proposed District Plan.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter opposes the inclusion of an Acoustic Insulation document in the Proposed District Plan.
- The submitter opposes any policy or rule approach which would require development proposals to comply with standards in the Proposed District Plan. These matters should be addressed during the building consent process.
- If the standards are sought, then they should be written out as specific rules with the appropriate activity and zone in the relevant section of the Proposed District Plan.
- Appendix 1: Acoustic Insulation should be treated as a non-statutory document to inform design and development and not be included in the Proposed District Plan.

Point Number 749.151

Summary of Decision Requested: Delete Appendix 3 Design Guidelines

AND

Delete all references to Appendix 3 in the Proposed District Plan as a consequential amendment.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally supports design guidelines for residential subdivision, multi-unit development and town centre in principle being utilised by Council to provide further detail and guidance regarding best practice design outcomes, however, opposes any policy or rule approach which would require development proposals to comply with the design guidelines in the Proposed District Plan.
- Any requirements prescribed in a design guideline should be a specific rule or matter of discretion, not hidden in a design guideline.
- The design guidelines should be treated as non-statutory documents to inform design and development.

Point Number 749.152

Summary of Decision Requested: Delete Appendix 10 Town Centre Character Statements;

AND

Delete all references to Character Statements in the Proposed District Plan as a consequential amendment.

OR

If the desired outcomes are sought, **add** new specific policies into Chapter 4 Urban Environment of the Proposed District Plan that reflect the guidelines within Appendix 10 Town Centre Character Statements or as specific matters of discretion or rules with the appropriate activity and zone.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter opposes the inclusion of Town Centre Character Statements in the Proposed District Plan.
- The Town Centre Character Statements help to inform design and development in existing town centres, the outcomes sought and guidelines within these town centre character statements read as desired requirements and rules that a Consent Holder must follow.
- The submitter opposes any policy or rule approach which would require development proposals to comply with such character statements in the Proposed District Plan.
- If the guidelines and outcomes are sought, it should be written as specific policies within Chapter 4 of the Proposed District Plan as specific matters of discretion or rules within the appropriate activity and zone.
- The submitter seeks the deletion of all Town Centre Character Statements from the Proposed District Plan. These non-statutory documents inform design and development and should not be included in the Proposed District Plan.

Point Number 749.153

Summary of Decision Requested: **Amend** the extent of Residential Zone, Village Zone and Rural Zone as contained in Attachment 4 of the submission.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The Proposed District Plan has provided additional land for residential development, and therefore expanded the the urban boundaries of certain towns and villages.
- The submitter seeks no further area of residential and village zoning is proposed outside of the existing urban areas.
- The submitter supports the compact urban model for concentrating growth in and around existing urban settlements in the district, however, the compact urban model approach is weakened when new land is rezoned for suburban housing at the edges of existing urban settlements.
- This type of development starts to create urban sprawl and widespread residential suburban homes.
- The compact model is lost when intensification spreads instead of concentrating in and around existing centres.
- The consequences of such development leads to commercial services and amenities locating on the edges of urban settlements and therefore reducing amenity and vitality of existing centres.
- More emphasis and priority needs to be placed on the compact urban model approach.

Point Number 749.154

Summary of Decision Requested: **Add** a new "Medium Density Residential Zone" to the Proposed District Plan zone maps as contained in Attachment 4 of the submission for the following urban settlements:

- Huntly
- Ngaruawahia
- Pokeno
- Raglan
- Taupiri
- Te Kauwhata
- Tuakau

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- There is a need to provide for residential intensification to be located close to and within existing town centres and urban settlements in the district.
- The submitter proposes an additional new Residential Zone - Medium Density Residential Zone.
- The Medium Density Residential Zone will enable the development of apartments, terrace housing and multi-unit developments close to and around town centres, ranging from two to three storeys in height.
- The proposed zone seeks to provide for and enable further opportunities for medium density intensification and walkable catchments in Huntly, Pokeno, Tuakau and Ngaruawahia.
- The proposed new zone will support residential growth in and within close proximity to town centres and will provide certainty to landowners, developers and service providers for long-term investment.
- Improve health and well-being of the wider community.

Point Number 749.155

Summary of Decision Requested: **Delete** objectives, rules, rules and definitions relating to the National Grid.

AND

Delete overlays that provide for the National Grid.

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter opposes the National grid provisions.
- The submitter acknowledges the need for the Proposed District Plan to give effect to the requirements of the National Policy Statement for Electricity Transmission (2008). However, the proposed National Grid provisions are overly restrictive and do not efficiently manage sensitive activities within close proximity to the National Grid.

Point Number 749.156

Summary of Decision Requested: **Add** a definition of "Boarding House" within Chapter 13 Definitions as follows:

Boarding house (also known as boarding establishments);

Has the same meaning as section 66B of the Residential Tenancies Act 1986.

AND

Any consequential or further amendments to the Proposed District Plan to give effect and reference the term "Boarding house"

Decision Reasons:

- The term 'boarding establishments' is found in the Proposed WDP however there is no definition for such term.

Point Number 749.157

Summary of Decision Requested: **Retain** Rule 14.12.2 Restricted Discretionary Activities as notified.

Decision Reasons:

- The submitter supports the permitted activities with the restricted discretionary activities listed under 14.12.2 with matters of discretion listed.

Point Number 749.158

Summary of Decision Requested: **Amend** Rule 18.1.3 RD2 Restricted Discretionary Activities as follows:

RD2 (a) The construction of any new building that meets all of the following conditions:

(i) The Land Use- Effects in Rule 18.2;

(ii) The Land Use- Building in Rule 18.3

except;

A. Rule 18.3.9 (Dwellings) does not apply;

B. Rule 18.3.10 (Living court) does not apply;

The Council's discretion shall be limited to any of the following matters:

(i) The extent to which the building is consistent with the following matters ~~listed in Appendix 3.3 (Town Centre Design Guidelines) including:~~

A. A site and contextual analysis ~~that identifies and addresses the matters listed in section 3.3;~~

B. A connectivity and movement network analysis ~~that addresses the matters listed in section 4.3;~~

C. A neighbourhood character assessment ~~that identifies and addresses the elements listed in section 5;~~

D. Detailed design illustrating how the building will promote these character elements of the respective town to achieve the outcomes sought in section 5.2 of the design guide;

~~(iii) Consistency with the relevant Town Centre Character Statement contained within Appendix 10.1-10.6 (Town Character Statements);~~

AND

Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.

Decision Reasons:

- The submitter generally opposes and seeks amendments to Rule 18.1.3 RD1.
- The submission seeks the deletion of the multi-unit development and town centre urban design guidelines from the Proposed District Plan, including any reference to such guidelines in a rule or policy approach.

Submitter Number: 750

Submitter: Matthew Dean

On behalf of: Mangatawhiri River Catchment Care Group

Point Number 750.1

Summary of Decision Requested: **Beautify** the landscape around the bridge on Pioneer Road over the Mangatawhiri River after consultation with all interested parties;
AND
Erect an interpretation panel to tell the history of the Mangatawhiri area.
AND
Upgrade the section of the Te Araroa trail that passes through that area.
AND
Clean up the river in the longer term.

Decision Reasons:

- Site is a significant historic place.
- Site is registered with Heritage New Zealand.
- Site is an ugly eyesore and river banks overgrown with exotic willow and weed species.
- A catchment care group has been formed in the area to improve water quality.

Point Number 750.2

Summary of Decision Requested: Add to Planning Map 7.8a walkway/cycleway/bridleway along the route of the Te Araroa Walkway in the vicinity of Peioneer Road, Mercer.

Decision Reasons:

- Site is a significant historic place
- Site is registered with Heritage New Zealand
- Site is an ugly eyesore and river banks overgrown with exotic willow and weed species.
- A catchment care group has been formed in the area to improve water quality.

Submitter Number: 751 **Submitter:** Chanel Hargrave and Travis Miller

Point Number 751.1

Summary of Decision Requested: **Retain** Policy 4.7.4(a) Lot sizes except for the amendments sought below.

AND

ADD two new clauses to Policy 4.7.4 Lot sizes as follows:

(b) Smaller lot sizes and multi-unit development promoted within walking distance to existing Town Centres, public amenities and public transport.

(c) Smaller lots size and multi-unit development promoted within new greenfield sites where the land is within walking distance to amenities and reserves.

(d) Avoid undersized lots in the Village Zone.

Decision Reasons:

- The policy needs to be expanded to cover multi-unit development. There is a need to promote intensification to achieve compact development to support future public transport.
- Policy needs to reflect that in residential areas the density is higher.
- This is important for Tuakau and Pokeno, where a commuter train from Auckland to Hamilton is under discussion.
- The Residential Zone needs to provide for medium density development appropriately.
- The rural areas of Tuakau contain versatile soils which are used for rural production activities and contribute significantly to both regional and national food supply. Intensification within Tuakau residential areas should be encouraged to avoid further encroachment into the rural area past the lifetime of this Plan.

Point Number 751.2

Summary of Decision Requested: **Amend** Policy 4.7.7 Achieving sufficient development density to support the provision of infrastructure services to ensure that policies (a) and (b) are not contradictory.

AND

Amend Policy 4.7.7 Achieving sufficient development density to support the provision of infrastructure services as follows:

(b) recognise the minimum potential yield may not be achieved where there are proven geotechnical constraints or other topographical constraints.

Decision Reasons:

- Support intent of Policy 4.7.7.
- Sub-clauses (a) and (b) are contradictory.
- There may also be other constraints such as flooding, overland, flow paths, rivers that mean that minimum density cannot be achieved.

Point Number 751.3

Summary of Decision Requested: **Add** a new permitted activity to Rule 16.1.2 Permitted Activities as follows:

"P13 Multi-unit development of up to three dwellings is a Permitted Activity,"

with similar standards as Rule 16.1.3 RD1 (including proposed amendments as permitted applied as permitted activity standards).

Decision Reasons:

- Multi-unit development of up to three dwellings should be a permitted activity and will enable infill development and avoid unnecessary resource consent costs and time delays where effects could be managed through permitted standards.
- Construction of up to three dwellings is unlikely to result in adverse effects provided the relevant controls can be met.
- Will allow existing land to be developed more efficiently without the need to subdivide the land.

Point Number 751.4

Summary of Decision Requested: **Retain** Rule 16.1.3 RD 1 Restricted Discretionary Activities except for the amendments sought below.

AND

Amend Rule 16.1.3RD1 Restricted Discretionary Activities as follows:

A Multi-Unit development that meets all of the following conditions:

....

(c) The minimum net site area per residential unit is ~~300~~250m²;

...

(e) Total building coverage of the site does not exceed ~~50~~60%;

...

Where multi-unit apartments are proposed apply conditions in 1.7.1.3 RD1.

Decision Reasons:

- Supports the provision for multi unit housing as it gives effect to the strategic direction outlined in Section A and Chapter B.4.1.
- Achieves policies 4.1.2, 4.1.5, 4.2.16 and 4.2.17
- Will allow for infill development and avoid unnecessary resource consent costs and delays where effects can be managed by standards.
- Provision should also be made for low rise apartments close to the centre and support Policy 4.2.17(a).
- There are a number of large sections within the older existing residential areas in Tuakau, Te Kauwhata, Ngaruawahia and Pokeno. These sites are close to the Town Centre and could accommodate low-rise apartments and multi-unit developments.
- The provisions of the Plan encourage a typical suburban form rather than medium density development.
- The minimum net site area does not support diversity in building types.
- The building coverage should be increased.

Point Number

751.5

Summary of Decision Requested:

Amend Rule 16.2.4.1P1(a)(ii) Earthworks - General as follows:

Not exceed a volume of ~~250~~500m³;

Decision Reasons:

- Where subdivision has been approved by Council and lots have been created there should be no requirements for land owners to apply for additional resource consents for earthworks to undertake permitted activities on the land.
- The earthworks thresholds need to be lenient enough to ensure the land can be developed without additional consents.
- Permitted land use standards should be able to control the adverse effects of any works.

Point Number

751.6

Summary of Decision Requested:

Retain Rule 16.2.4.1P2 Earthworks - General

Decision Reasons:

Enables the creation of stable building platforms.

Point Number

751.7

Summary of Decision Requested:

Amend Rule 16.2.4.1P3(a) Earthworks - General as follows:

(a) Earthworks for purposes other than creating a building platform for residential purposes within a site, using imported fill material must meet all of the following conditions:

(i) Not exceed a total volume of ~~20~~100m³;

(ii) Not exceed a depth of 1.5m;

...

Decision Reasons:

- Cleanfill may be required in residential zones sites to enable greenfield land to be developed for residential purposes.
- The requirement to avoid filling in all circumstances may restrict development.
- The importation volume is too low to enable development

Point Number

751.8

Summary of Decision Requested:

Amend Rule 16.2.4.1 NC1 Earthworks - General to be considered a restricted discretionary activity, rather than a non-complying activity and read as follows:

~~NC1~~RD2 Earthworks including the importation of cleanfill to a site.

Decision Reasons:

- Cleanfill may be required in residential zoned sites to enable greenfield land to be developed.
- The requirement to avoid filling in all circumstances may restrict the ability to develop residential land where balanced cut to fill earthworks are inappropriate or cannot be achieved.
- The importation volume is too low to enable residential development.
- Non-complying status is too restrictive.

Point Number

751.9

Summary of Decision Requested:

Add a new permitted activity to Rule 16.3.1 Dwelling as follows:

P2 Multi-unit development of up to three dwellings added as a Permitted Activity.

AND

Add similar standards as Rule 16.1.3 RD1 [including proposed amendments] as permitted activity standards.

AND

Amend Rule 16.3.1 Dwelling to state that the rule does not apply to multi-unit developments.

Decision Reasons:

- Multi-unit development of up to three dwellings should be a Permitted Activity. This will allow for infill development and avoid unnecessary resource consent costs and time delays where the effects could be managed through permitted standards.
- There are a number of larger sections within the older existing residential areas within Tuakau, Te Kauwhata, Ngaruawahia and Pokeno and are often located close to Town Centres.
- These sites could accommodate low-rise apartments and multi-unit development to achieve the policy directions of the Proposed District Plan.
- Allow existing land to be developed more efficiently without the need to subdivide the land.
- Permitted standards can control amenity effects to ensure that neighbouring sites are not affected.
- Approach has been taken by Auckland Council where additional dwellings can be constructed on properties without resource consent provided permitted standards can be achieved.

Point Number 751.10

Summary of Decision Requested: **Retain** Rule 16.3.2 Minor Dwelling, except for the amendments sought below.

AND

Amend Rule 16.3.2 P1(a)(i) Minor dwelling as follows:

(i) *The net site area is ~~900~~500m² or more;*

Decision Reasons:

- The Proposed District Plan should encourage intensification and housing options in the Residential Zone, especially in growth areas such as Tuakau and Pokeno. The permitted standards will control if the site is an appropriate size to accommodate a minor dwelling.

Point Number 751.11

Summary of Decision Requested: **Amend** Rule 16.3.3.1 P1 Height - Building general as follows:

The maximum height of any building must not exceed ~~7.5~~11m.

AND

Amend Rule 16.3.5 P1 Daylight Admission as a consequential amendment .

Decision Reasons:

- The height limit does not enable the efficient use of urban land and fails to increase the development capacity of existing urban areas.
- The strategic direction outlined in the Proposed District Plan supports an increase in densities and housing choice. This includes the provision of low rise apartments and multi-unit development.
- The 7.5m height limit restricts the potential to build medium density housing.
- Opposes the 7.5m permitted height limit and request it be increased within the residential area surrounding Pokeno and Tuakau

Point Number 751.12

Summary of Decision Requested: **Amend** Rule 16.3.5 P1 Daylight admission as follows:

Buildings must not protrude through a height control plane rising at an angle of ~~37~~45 degrees commencing at an elevation of 2.5m above ground level at every point of the site boundary.

Decision Reasons:

- Inconsistent with previous planning documents, which are less restrictive.
- Too restrictive for urban areas.
- Adequate amenity and daylight for adjoining sites can be achieved with less restrictive control plane.
- The 37 degree angle is difficult to calculate.

Point Number 751.13

Summary of Decision Requested: **Amend** Rule 16.3.6 P1 Building Coverage as follows:

The total building coverage must not exceed ~~40~~60%.

Decision Reasons:

- The 40% building coverage does not enable the efficient use of urban land and fails to increase the development capacity of the urban areas.
- Increasing building coverage to allow greater utilisation of residential zoned land to support the strategic direction outlined in the Proposed District Plan to increase densities and housing choice.

Point Number 751.14

Summary of Decision Requested: **Amend** Rule 16.3.7 Living Court as follows:

P1

(a) *A living court must be provided for each dwelling that meets all of the following conditions:*

...

(iii) *When located on the ground floor it has a minimum area of ~~60~~40m² and a minimum dimension of ~~4~~2m in any direction.*

(iv) *When located on a balcony of an above ground apartment, it must have a minimum area of ~~45~~10m² and a minimum dimension of 2m in any direction.*

P2

(a) *A living court must be provided for each minor dwelling that meets all of the following conditions:*

...

(iii) *When located on the ground floor it has a minimum area of ~~40~~10m² and a minimum dimension of ~~4~~2m in any direction.*

(iv) *When located on a balcony of an above ground apartment, it must have a minimum area of ~~45~~8m² and a minimum dimension of ~~2~~1.6m in any direction....*

Decision Reasons:

- The Proposed District Plan required excessive outdoor living areas relative to 450m² lot size provision for residential lots.
- The Proposed District Plan will create a suburban form which is at odds with the strategic direction, objectives and policies for the urban environment.
- Excessive sized outdoor living areas will restrict the ability to develop urban land. The size standards exceed the existing Franklin District Plan standard which requires 60m² of outdoor living area.
- The perception of urban living is changing.
- Smaller outdoor living courts have been adopted by Auckland Council to promote a more compact living approach and this should be adopted by Waikato District Council.
- Reducing the minimum outdoor living court allows for a variety in lifestyle and lower maintenance.
- Rule 16.3.8 requires additional service court which ensures adequate outdoor spare space for living.

Point Number 751.15

Summary of Decision Requested: **Amend** Rule 16.3.8 Service Court as follows:

P1

(a) A service court must be provided for each dwelling and minor dwelling, each with the following dimensions:

(i) minimum area of ~~45~~5m²; and

(ii) contains a circle of at least ~~3~~2m diameter.

Decision Reasons:

- The Proposed Waikato District Plan required excessive service courts that will restrict the ability to develop urban land efficiently.
- There is no assessment in the s32 analysis to support the size of the service court.

Point Number 751.16

Summary of Decision Requested: **Amend** Rule 16.3.9.1 P1 Building setbacks - All boundaries as follows:

(a) A building must be set back a minimum of:

...

(iii) ~~4.5~~1.2m from every boundary other than a road boundary; and

(iv) ~~4.5~~1.2m from every vehicle access to another site.

Decision Reasons:

- The Proposed Waikato District Plan requires excessive building setbacks for residential lots that will restrict the ability to develop the urban land.
- The setbacks exceed the existing Operative District Plan requirements.
- Reducing the side yard allows for a variety in lifestyle and lower maintenance.

Point Number 751.17

Summary of Decision Requested: **Amend** Rule 16.3.9.3 Building setback - Waterbodies to adopt the provision of Rule 24.3.6.3 Building setbacks-water bodies, including the following amendments:

P1

(a) Any building must be setback a minimum of:

...

(ii) ...from the bank if any named river...

...

P3

A building must be set back a minimum of 10m from the bank of a perennial or intermittent named or unnamed stream.

Decision Reasons:

- These are not consistent with other zones or the Operative Waikato District Plan - Franklin Section provisions.

Point Number 751.18

Summary of Decision Requested: **Retain** Rule 16.4.1 Subdivision - General other than the specific points in other submission points.

Decision Reasons:

- Provides for the efficient use of the urban land resource.
- Enables the subdivision of land to provide for the growth of the district.

Point Number 751.19

Summary of Decision Requested: **Retain** the 450m² minimum net site area for greenfield subdivision in Rule 16.4.1 RDI (a)(i) Subdivision - General
AND

Add a provision for infill subdivision requiring a minimum net site area of 350m² in Rule 16.4.1(a) Subdivision - General.

Decision Reasons:

- Support the minimum lot size of 450m² for greenfield development areas.
- Many larger sites within Tuakau and Pokeno which are suitable for infill subdivision. Subdivision of larger sites within the existing urban area should be encouraged to ensure that intensification of the existing urban areas can be achieved in accordance with Future Proof.
- This will ensure efficient use of the existing urban land resources allowing additional residential development close to services and amenities.
- The submitter proposes the subdivision of existing sites to 350m² in accordance with the Franklin section of the Operative District Plan.

Point Number 751.20

Summary of Decision Requested: **Delete** Rule 16.4.1RDI (a)(iii) Subdivision-General.

Decision Reasons:

- The establishment of formal and informal grid patterns may not be appropriate to all sites.
- Sites with topographical natural or physical constraints may be unable to be practically implemented.
- There may also be sites where the lay of land is best suited to an alternative roading design.
- There is no analysis in the s32 regarding the relevance or practicality of this rule.

Point Number 751.21

Summary of Decision Requested: **Delete** Rule 16.4.1(a)(iv) Subdivision - General

AND

Add the number of rear lots as a matter of discretion to Rule 16.4.1 (b) Subdivision-General

OR

Amend Rule 16.4.1(a)(v) Subdivision - General to increase the percentage of rear lots to no more than 25%.

AND

Amend Rule 16.4.3 RD1 (a)(v) Subdivision Te Kauwhata West Residential Area to increase the percentage of rear lots to no more than 25%.

Decision Reasons:

- This is not able to be achieved on some sites due to the configuration of the site and topographical constraints which mean the creation of roads will be difficult.
- The standard is arbitrary and there is no assessment in the section 32 analysis.

Point Number

751.22

Summary of Decision Requested:

Amend Rule 16.4.3(a)(ii) Subdivision Te Kauwhata West Residential Area as follows:
Have a minimum average net site area of ~~875~~700m².

Decision Reasons:

- Minimum average net site area of 875m² is an inefficient use of land that fails to take into account the anticipated growth for the area.
- Fails to give effect to the Future Proof Strategy that seeks a shift in the existing pattern of land use towards accommodating growth through a more compact urban form based on concentrating growth in and around Hamilton and larger settlements of the district.
- This involves a reduction in the relative share of the population outside of the subregion's existing major settlements through tighter control over rural-residential development.
- Does not achieve the minimum density required by Strategic Policy 4.1.5 and this is an inconsistency between the rules and objectives.

Point Number

751.23

Summary of Decision Requested:

Delete Rule 16.4.13 RD1 (a) Subdivision creating reserves
AND
Add the road frontage of reserves as a matter of discretion for subdivision creating reserves.

Decision Reasons:

- Roading infrastructure is expensive and the rule will result in additional costs for developers which may not be economically justifiable.
- Arbitrary standard which may not be relevant for all reserve types
- Safety and surveillance of reserves may be achieved with less road frontage
- No analysis within the s32 report
- This can be assessed through assessment criteria or a matter of discretion.

Point Number

751.24

Summary of Decision Requested:

Amend Rule 16.4.14 Subdivision of esplanade reserves and esplanade strips to adopt the Waikato District Plan - Franklin Section Rule 11.5 - Esplanade Reserves and Strips.

Decision Reasons:

- Accept that esplanade reserves and esplanade strips enable public access and recreation, however this needs to be assessed on a case by case basis.
- Council should allow a waiver or reduction in width in certain circumstances.

Point Number

751.25

Summary of Decision Requested:

Amend Rule 22.3.2 P1 (b) (i) Minor dwelling as follows:
(i) The minor dwelling must be located within ~~20~~20m of the dwelling;

Decision Reasons:

- No justification for the 20m separation distance within the s32 report.
- There is no longer a requirement that the minor dwelling has to be occupied by a dependent relative, therefore a larger separation distance would provide enhanced privacy between residents of each dwelling.
- Generally support this rule, but it impacts (along with other residential activities) on the identification of potentially affected persons for an application for a new intensive farming activity (Rule 22.3.7.2 (a) (vii)).

Point Number

751.26

Summary of Decision Requested:

Amend Rule 22.3.6 P1 Building coverage to exclude buildings associated with permitted and controlled farming activities (including free range poultry farming and poultry hatcheries).
AND
Amend Rule 22.3.6 Building coverage after considering whether a building coverage rule in the Rural Zone is necessary given there is no such requirement in the Waikato District Plan - Franklin Section.
OR
Amend Rule 22.3.6 P1 Building coverage to increase the 2% limit.

Decision Reasons:

- Buildings associated with permitted and controlled farming activities should be exempt from this rule.
- This rule will restrict someone wanting to use the land for a productive purposes
- Overall, the 2% building coverage is too low.

Point Number

751.27

Summary of Decision Requested:

Amend Rule 22.3.7.1 Building Setbacks - All boundaries to have a 10m setback from the boundary of an adjoining site (or this may be reduced where written consent is obtained from an affected neighbour).

Decision Reasons:

- This rule should be allowed to be infringed where the written consent of the owners and occupiers of the neighbouring sites have been obtained.
- A 25m boundary setback can be significant for a site under 1.6ha and can unduly restrict the use of the land. The s32 report for the Rural Zone states that larger setbacks are required if the neighbouring lot is over 6ha for reverse sensitivity reasons.
- There is no justification as to why 25m is appropriate.
- The 10m boundary setback referred to in the Franklin District Plan could be more appropriate.
- It is unclear as to why a habitable building on a property greater than 1.6ha needs to be set back 25m from every road boundary other than a road boundary.

- Many existing dwellings will encroach into the new boundary setback. It would mean that any minor dwelling, extension to an existing dwelling or accessory building may not be able to comply with the permitted setback standard, resulting in additional consent costs.

Point Number 751.28

Summary of Decision Requested: Amend Rule 22.4.1.1 PR1, PR2, PR3 and PR4 Prohibited Activity to be a non-complying activity, rather than a prohibited activity.

Decision Reasons:

- With regards to PR2 and PR3, there may be circumstances where the subdivision of high class soils have overall positive effects that can be supported by objectives and policies.
- There are circumstances where it may be unavoidable to create an additional Record of Title
- The rule relies on a definition of High Class Soils which may not be versatile due to a range of factors identified through case law.
- Unfair to prohibit the creation of lots that accommodate existing and well-established rural activities where these are of a viable, sustainable and permanent nature and it is appropriate for these to be subdivided from other rural activities on the site.
- Rural activities that do not need to be held on the same certificate of title as other rural activities, there may be circumstances where subdivision enables more significant opportunities for economic wellbeing and efficient operations.
- Commercial reasons would necessitate subdivision including the desire to sell or lease the business partially.
- Prohibited activity status prevents opportunities for subdivision where there is significant capital investments.
- PR4 states any subdivision of a lot previously amalgamated for the purpose of a transferable lots subdivision is prohibited. This rule may unreasonably restrict the subdivision potential over and above what is necessary to avoid undermining the intent of the rule under which these Records of Title were created.
- Under Rule 22B of the Franklin Section require close scrutiny this should merit a non-complying activity status.
- The land affected may contain qualifying Significant Natural Areas or may be able to relocate boundaries with a neighbour without creating an outcome that may compromise the prior transferable subdivision.
- The objectives and policies of the Proposed District Plan should be sufficiently strong to protect high class soils.
- It may be necessary to create multiple lots and hold them in one Record of Title.

Point Number 751.29

Summary of Decision Requested: Retain Rule 22.4.1.2 RD1 (a)(i)-(ii) General subdivision

Decision Reasons: Support the inclusion of the General Subdivision rules.

Point Number 751.30

Summary of Decision Requested: Retain Rule 22.4.1.2 RD1 (a)(iv) General subdivision

Decision Reasons:

- The creation of an additional vacant lot between 8,000m² and 1.6ha is supported
- The creation of any additional lot between 8,000m² and 1.6ha as a restricted discretionary activity is supported.

Point Number 751.31

Summary of Decision Requested: Add a discretionary activity rule to Rule 22.4.1.2 General subdivision as follows:

DI

(a) General subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.2(iv) RD1.

(b) General subdivision around established rural activities that does not comply with Rule 22.4.1.2 (iv) RD1.

Decision Reasons:

- A discretionary rule should be provided for lots less than 8,000m² and greater than 1.6ha where they contain an existing dwelling.
- There may be site specific factors that create a unique situation that is conducive to the lot size whilst remaining consistent with the Proposed District Plan.
- General subdivision creating a child lot around an existing dwelling, where a curtilage is established and the farming regime is already in place on the balance lot
- This will ensure the boundaries proposed are a practical outcome to ensure the most efficient ongoing management of the land.
- For lots smaller than 8,000m², it is only necessary to confirm the provision of services within the lot boundaries.
- Lots greater than 1.6ha may need an assessment with respect to the productive potential of the land. If the land comprises of existing curtilage around the house, then the lot will not result in any unreasonable effects with respect to productive potential.
- The creation of lots that accommodate existing and well-established rural activities is appropriate.

Point Number 751.32

Summary of Decision Requested: Delete Rule 22.4.1.2 RD1 (a)(v) General subdivision

AND

Add a matter of discretion to Rule 22.4.1.2 RD1 (b) as follows:

(vi) Effects on rural productivity and fragmentation of high class soils.

Decision Reasons:

- There is no analysis of this rule in the s32 report.
- Agree with the intent of this rule, however the strict 80/20 requirement may not necessarily result in the best layout, design or farming outcomes.
- Like to see matters relating to the retention of high class soils and the maintenance of productivity/farming systems addressed as a matter of discretion for General Subdivision.
- Objectives, policies and matters of discretion will sufficiently ensure adverse effects on high class soils are avoided.
- The 80/20 split requirement will result in the need for Landuse Capability Reporting with every subdivision application under the General Provisions to demonstrate the exact figure was met, which is an additional cost

Point Number 751.33

Summary of Decision Requested: No specific decision is sought, but submission considers that the Proposed Waikato District Plan lacks provision of residential land supply as required by the Future Proof Strategy.

Decision Reasons:

- Does not provide residential land supply as required by the Future Proof Strategy.

Point Number	751.34
Summary of Decision Requested:	No decision sought, but the submission considers the Proposed District Plan should encourage the subdivision of larger residential sites within the existing urban area to encourage intensification within existing urban areas.
Decision Reasons:	<ul style="list-style-type: none"> • Subdivision of larger sites within the existing urban area should be encouraged to ensure that intensification of the existing urban areas can be achieved in accordance with the Future Proof Strategy. • This will ensure efficient use of the existing urban land resources allowing additional residential development close to existing services and amenities.
Point Number	751.35
Summary of Decision Requested:	No specific decision sought, but the submission considers that intensification to rural residential (Country Living) in areas that do not contain elite/prime soils and adjoin urban development should be encouraged to ensure land supply requirements are met while preserving the soil resources.
Decision Reasons:	<ul style="list-style-type: none"> • These soils contribute to both regional and national food supply. • The maximisation of rural residential (Country Living and Village) development potential will future proof the capacity of land supply to avoid encroachment into the rural areas past the lifetime of the Plan.
Point Number	751.36
Summary of Decision Requested:	No specific decision is sought, but submission supports the incentivisation of legally and physically protecting Significant Natural Areas and other areas of existing biodiversity.
Decision Reasons:	<ul style="list-style-type: none"> • This offers positive benefits to the region.
Point Number	751.37
Summary of Decision Requested:	No specific decision sought, however the submitter states that the proposed access standards are excessive.
Decision Reasons:	<ul style="list-style-type: none"> • The access standard will result in inefficient use of land and prevent infill development. • The extra seal width will also increase impervious surfaces and stormwater runoff without any benefits relating to traffic. • Will add additional costs to developments. • There are national documents that cover access to properties.
Point Number	751.38
Summary of Decision Requested:	No specific decision is sought, but the submission supports the direction of the Proposed Waikato District Plan as it gives effect to the National Policy Statement on Urban Development Capacity through rezoning of land and allows for some intensification of existing urban areas.
Decision Reasons:	No reasons provided.
Point Number	751.39
Summary of Decision Requested:	Amend the Proposed Waikato District Plan to provide for an additional Residential Zone to support intensification and compact growth within existing Town Centres and future public transport stations. The proposed new Residential Zone shall be similar to the Auckland Unitary Plan's Mixed Housing Zone or the medium density zone as defined in the Draft National Planning Standards. The Residential Zone should be broken into overlays to recognise the specific characteristics of each town.
Decision Reasons:	<ul style="list-style-type: none"> • The current blanket zoning of land for residential purposes throughout the District does not give effect to the following strategic directions within the Proposed District Plan: <ul style="list-style-type: none"> - 1.5.1 Compact Urban Development - 1.12.1(a) Strategic Direction - 1.12.3(c) Built environment - Objective 4.1.2 Urban growth and development - Policy 4.1.5(a) Density - Policy 4.1.10(i) Tuakau - Objective 4.2.16 Housing options - Policy 4.2.17 Housing types • The blanket Residential Zone will result in a monotonous suburban form which does not meet the compact form and intensification outcomes sought by the strategic objectives of the Proposed Waikato District Plan. This is at odds with the strategic direction. • The National Planning Standards explain that the purpose of the Residential Zone is to provide for residential activities in areas of suburban character. • The residential zone should provide for smaller lot sizes and greater intensification within existing residential areas, this will ensure a compact urban form that is viable for future public transportation. New greenfield development can be subject to minimum lot to meet the density requirements.
Point Number	751.40
Summary of Decision Requested:	Amend the location of the Walkway, Cycleway, Bridleway from the property at 33 Kowhai Street, Tuakau to be contained within the reserve to the southeast of the site.
Decision Reasons:	No reason provided.
Point Number	751.41
Summary of Decision Requested:	Retain the Residential Zone at 33 Kowhai Street, Tuakau as notified.
Decision Reasons:	<ul style="list-style-type: none"> • Consistent with the previous planning documents. • Supports the financial investment from the landowner who has begun preliminary design and investigation to develop the land. • Zoning of residential land is consistent with the National Policy Statement on Urban Land Capacity. • The site contains minimal constraints and is appropriate for residential use. • Supported by the existing community facilities, amenity and infrastructure in Tuakau Town Centre.

Point Number 751.42

Summary of Decision Requested: Ensure that the property at 18 Booth Crescent, Tuakau is zoned to allow multiple dwellings and small lot sizes.

Decision Reasons:

- Enable the site to be developed more intensively.

Point Number 751.43

Summary of Decision Requested: **Delete** Policy 4.2.15(a)(iv) Earthworks

OR

Amend Policy 4.2.15(a)(iv) Earthworks to ensure fill can be imported where required to enable land to be developed for residential activities as follows:

The importation of cleanfill is avoided in the Residential Zone, except where it is required to enable land to be developed for residential purposes.

OR

Amend Policy 4.2.15(a)(iv) Earthworks to ensure fill can be imported where required to enable land to be developed for residential activities follows:

~~The importation of cleanfill is avoided in the Residential Zone~~ The inappropriate importation of cleanfill is avoided in the Residential Zone where it is not required to enable greenfield land to be developed.

Decision Reasons:

- Cleanfill may be required in Residential Zoned sites to enable greenfield development and to avoid filling in all circumstances may restrict the ability to develop residential land.
- The policy contradicts Objective 4.2.14(a) which states that earthworks facilitate subdivision, use and development.
- Policy 4.2.15 (iv) should be amended to avoid this contradiction.

Point Number 751.44

Summary of Decision Requested: **Retain** Objective 4.2.16 Housing options, except for the amendments below.

AND

Add to Objective 4.2.16 Housing Objectives the following:

Multi-unit development including low rise apartments is promoted within walking distance to existing Town Centres, public amenities and public transport.

Smaller lots size and multi-unit development, promoted within new greenfield sites where the land is within walking distance to amenities and reserves.

Decision Reasons:

- Gives effect to the strategic direction outlined in section 4.1 and promotes the variety in the future housing stock to help achieve 4.1.2 and 4.1.5.
- Enabling densified housing options give effect to the Future Proof Strategy identified in 1.5.1 of the Plan that seeks a shift in the existing pattern of land use towards accommodating growth through a compact urban form.
- Involves a reduction in the relative share of the population outside of the subregion's existing major settlements through tighter control over rural-residential development and encouraging greater urban densities in existing settlements.
- The Plan should specify that multi-unit development and smaller lots are encouraged close to the Town Centres, public amenities and public transport stations.
- Diversity and a range of housing choice should also be promoted within greenfield sites. The rural areas of Tuakau contain versatile soils that are used for rural production activities. These soils contribute significantly to both regional and national food supply.
- The maximisation of the lands residential development potential will future proof the capacity of land supply to avoid further encroachment into the rural area.
- Intensification and higher densities should be encouraged to avoid additional sprawl into rural areas.

Point Number 751.45

Summary of Decision Requested: **Retain** Policy 4.2.17 Housing types.

Decision Reasons:

- Gives effect to the strategic direction outlined in section 4.1 and promote the variety in the future housing stock to help achieve 4.1.2 and 4.1.5.
- Enabling densified housing options give effect to the Future Proof Strategy identified in 1.5.1 of the Plan that seeks a shift in the existing pattern of land use towards accommodating growth through a compact urban form.
- Involves a reduction in the relative share of the population outside of the subregion's existing major settlements through tighter control over rural-residential development and encouraging greater urban densities in existing settlements.
- Diversity and a range of housing choice should also be promoted within greenfield sites.

Point Number 751.46

Summary of Decision Requested: **Delete** Policy 4.2.18(b)(v) (D) Multi-unit development

Decision Reasons:

This is a principle for good design and should be a directive with the design guidelines rather than a policy.

Point Number 751.47

Summary of Decision Requested: **Retain** Policy 4.7.3 Residential subdivision

Decision Reasons:

The policy reflects good design principles while still providing flexibility in design outcomes.

Point Number 751.48

Summary of Decision Requested: **Retain** Policies 4.7.2(a)(i) - (vi) Subdivision location and design

Decision Reasons:

Promotes quality design

Point Number	751.49
Summary of Decision Requested:	<p>Delete Policy 4.7.2 (a) (vii) Subdivision location and design</p> <p>OR</p> <p>Amend Policy 4.7.2(a)(vii) Subdivision location and design as follows:</p> <p><i>Promote consistent grid layout <u>while allowing for alternative road designs where a grid layout is not appropriate due to topographical constraints.</u></i></p>
Decision Reasons:	<ul style="list-style-type: none"> Imposing a grid pattern in all circumstances is contrary to Policies 4.1.9(a) and 4.2.2(a)(ii) and 4.7.3(a)(vii) which require the contour, landform and character of the landscape to be maintained. The Plan needs to be more flexible to provide for this. The design guideline and Policy 4.7.3(a)(iv) aim to limit the length and number of cul-de-sacs which is a more appropriate policy response than promoting a consistent grid layout in all situations.
Point Number	751.50
Summary of Decision Requested:	<p>Amend Rule 22.4.1.4 RD1 (a) (i) Boundary relocation as follows:</p> <p>(a) <i>The boundary relocation must:</i></p> <p>(i) <i>Relocate a common boundary or boundaries between two <u>or more</u> existing Records of Title <u>or consented lots</u> that existed prior to 18 July 2018.</i></p>
Decision Reasons:	<ul style="list-style-type: none"> Support the inclusion of boundary relocation provisions to support and allow rural properties to rationalise large landholdings. Rural boundary relocation typically is undertaken where land is exchanged between two Records of Title to accommodate the existing farming activity or when a farmer owns multiple titles and wants to create a small rural lot for a dwelling and hold the balance of the farm in one Record of Title. Boundary relocation typically result in positive effects on productive farming systems. The submitter would like to see provision made for the relocation of the boundaries of adjacent consented lots and Records of Title held in common ownership as per the Franklin Section of the Operative District Plan. Consider the retention of the date 18 July 2018 to be appropriate to allow for closer scrutiny and a higher activity status for those Records of Title and consented lots created under the Transferable and Environmental Lot rules of the previous section of the District Plan which had restrictions on size.
Point Number	751.51
Summary of Decision Requested:	<p>RETAIN Rule 22.4.1.5 Rural Hamlet Subdivision except for the amendments sought below.</p> <p>AND</p> <p>Amend Rule 22.4.1.5 Rural Hamlet Subdivision to enable the relocation of consented lots and reduce lot size as follows:</p> <p>(a) <i>Subdivision to create a Rural Hamlet must comply with all of the following conditions:</i></p> <p>(i) <i>It results in 3 to 5 proposed lots being clustered together</i></p> <p>(ii) <i>All existing Records of Title <u>and/or consented lots</u> form one continuous landholding;</i></p> <p>(iii) <i>Each proposed lot has a minimum area of 80005,000m²;</i></p> <p>(iv) <i>Each proposed lot has a maximum area of 1.4ha;</i></p> <p>(v) <i>The proposed balance lot has a minimum area of 20ha; and</i></p> <p>(vi) <i>It does not create any additional lots beyond the number of existing Records of Title;</i></p> <p>(b) <i>Council's discretion is restricted to the following matters:</i></p> <p>(i) <i>subdivision layout and design including dimension, shape and orientation of the proposed lots <u>and specified building areas</u>;</i></p> <p>(ii) <i>effects on rural character and amenity values;</i></p> <p>(iii) <i>effects on landscape values;</i></p> <p>(iv) <i>potential for reverse sensitivity effects;</i></p> <p>(v) <i>extent of earthworks including earthworks for the location of the building platforms and access ways;</i></p> <p>(vi) <i>effects on rural productivity and fragmentation of high class soils.</i></p>
Decision Reasons:	<ul style="list-style-type: none"> Support subdivision provisions for Hamlet subdivision within the Rural Zone. Positive benefits of Rural Hamlets include shared infrastructure, improved and enhanced farming systems and providing lifestyle choices. Seek the inclusion of consented lots (General and Conservation lots) in the Hamlet provisions as it would have positive outcomes through the provision of shared infrastructure and enhancement of production systems. It would also limit wide dispersal of lots. The Hamlet provision should ensure that a response to the landscape context is more important than meeting performance standards relating to lot size. Maintain rural character and amenity values.
Point Number	751.52
Summary of Decision Requested:	<p>Amend Rule 22.4.1.6 Conservation lot subdivision as follows:</p> <p>RDI</p> <p>(a) The subdivision must comply with all of the following conditions:</p> <p>(i) The lot must contain:</p> <p><u>A</u>, a contiguous area of existing Significant Natural Area either as shown on the planning maps; <u>and/or</u></p> <p><u>B</u>, a contiguous area to be protected, enhanced and/or restored</p> <p>as determined by an experienced and suitably qualified ecologist in accordance with the table below:</p> <p>...</p> <p>(ii) The area of Significant Natural Area <u>and/or area to be enhanced and/or restored</u>, is assessed by a suitably-qualified person as satisfying at least one criteria in Appendix 2 (Criteria for Determining Significance of Indigenous Biodiversity);</p> <p>(iii) The Significant Natural Area <u>or area to be restored</u> is not already subject to <u>legal protection a conservation covenant pursuant to the Reserves Act 1977 or the Queen Elizabeth II National Trust Act 1977</u>;</p> <p>(iv) The subdivision proposes to legally protect all areas of Significant Natural Areas <u>and/or areas to be restored</u> <u>by way of a conservation covenant pursuant to the Reserves Act 1977 or the Queen Elizabeth II National Trust Act 1977</u>;</p> <p>(v) An ecological management plan is prepared to address ongoing management of the <u>covenant protected</u> area to ensure that that the Significant Natural Area <u>area to be protected</u> is self-sustaining and that plan:</p>

- A. Addresses fencing requirement for the ~~covenant-protected~~ area
- B. Addresses ongoing pest plant and animal control;
- C. Identifies any enhancement ~~and/or restoration or~~ edge planting required within the ~~covenant~~ area to be protected.
- ...
- (b) Council's discretion is rested to the following matters:
- (i) Subdivision layout and proximity of building platforms to ~~Significant Natural Area~~ the area to be protected;
- (ii) Matters contained in an ecological management plan for the ~~covenant-protected~~ area;
- (iii) Effects of the subdivision on localised rural character and amenity values;
- (iv) Extent of earthworks including earthworks for the location of building platforms and access ways.
- (v) Mechanism of legal protection for the area to be protected.

Decision Reasons:

- The submitter supports the incentivisation of legally and physically protecting Significant Natural Areas and other areas of existing biodiversity which offers positive benefits.
- There is no provision for ecological enhancement and/or restoration within the Conservation Lot rules.
- There are significant biodiversity and water quality benefits to be gained from ecological enhancement along waterways and wetlands.
- Regional Policy Statement identified water quality is a key issue.
- Rural Zone objectives and policies also seek enhancement of surface and ground water quality.
- Incentivisation through subdivision would assist in offsetting the cost of enhancement and restoration.
- Provisions for ecological enhancement and/or restoration of appropriate areas to be included in the conservation lot subdivision rules. Minimum areas for enhancement and/or restoration should be in accordance with Rule 22.4.1.6.
- Agree that any area that enables subdivision under this rule be legally protected by way of a registered interest on the Record of Title. Suggest that this rule require legal protection only and leave the mechanism to the discretion of Council when assessing.

Point Number 751.53

Summary of Decision Requested: **Delete** specific references to Queen Elizabeth II National Trust Act 1977 and the Reserves Act 1977 within Rule 22.4.1.6RD1 (a)(iii) Conservation lot subdivision.

Decision Reasons:

- Other mechanisms may be more appropriate, including the vesting in Council as Esplanade Reserve or the protection by way of s221 Consent Notice.
- A s221 Consent Notice may be more appropriate for areas that are being restored and require site specific maintenance schedules.

Point Number 751.54

Summary of Decision Requested: **Retain** Rule 22.4.1.7 Subdivision to create a reserve

Decision Reasons:

- Support the enhancement of public access and incentivising the provision of access through subdivision provides a win for both landowners and the public.

Point Number 751.55

Summary of Decision Requested: **Amend** Rule 22.4.9 (RD1) (a) (i) Subdivision - Building Platform as follows:
(i) ~~can accommodate a 30m diameter circle~~ has an area of 1,000m² exclusive of boundary setbacks;

Decision Reasons:

- The submitter would like to see this as a 30m diameter circle exclusive of setback, instead of a 1000m² area with no dimensions specified.
- Supports the requirement for a building platform.

Point Number 751.56

Summary of Decision Requested: **Add** a new rule within Rule 22.4 Subdivision as follows:

Subdivisions of land containing mapped off-road walkways/trails/cycleways

RD1

(g) The subdivision where walkways/trails/cycleways shown on the planning maps are to be provided as part of the subdivision must comply with all of the following conditions

(i) The walkway/trail/cycleway is at least 3 metres wide and is designed and constructed for shared pedestrian and cycle use, as per Rule 14.12.1 P8 (Transportation);

(ii) The walkway/trail/cycleway is generally in accordance with the walkway/trail/cycleway route shown on the planning maps;

(iii) The walkway/trail/cycleway is shown on the plan of subdivision and vested in the Council.

(b) Council's discretion shall be restricted to the following matters:

(i) Alignment of the walkway/trail/cycleway;

(ii) Drainage in relation to the walkway/trail/cycleway;

(iii) Standard of design and construction of the walkway/trail/cycleway;

(iv) Land stability;

(v) Amenity matters including batter slopes; and

(vi) Connection to reserves.

DL

A subdivision that does not comply with the above Rule.

Decision Reasons:

- Include additional trails/cycleways shown on the Planning Maps need to be reflected in the provisions, particularly subdivision provisions for each zone.

Point Number 751.57

Summary of Decision Requested: Amend Appendix 3.4 Multi Unit Development to recognise alternative options may be more suitable.

Decision Reasons:

- The design guidance preferring consistent front setbacks and separation between buildings as well as consistent fencing and boundary treatment is encouraged by the design guide to create a repetitive form. There may be good design outcomes created by variations in setbacks and treatments.

Point Number 751.58

Summary of Decision Requested: No decision sought, but submission supports growth in existing centres of Pokeno, Tuakau, Ngaruawahia and Huntly and the rezoning of greenfield on the edge of the existing centres.

Decision Reasons:

- Enabling densified housing options gives effect to Future Proof Strategy.
- Adequate densities and intensification need to be encouraged around existing town centres especially where public transport stations are proposed and to avoid further encroachment on rural land especially where the land is used for food supply purposes.

Point Number 751.59

Summary of Decision Requested: Delete Rule 16.4.2 RD1(a)(iv) Subdivision - General

Decision Reasons:

- The establishment of formal and informal grid patterns may not be appropriate to all sites.
- Sites with topographical natural or physical constraints may be unable to be practically implemented.
- There may also be sites where the lay of land is best suited to an alternative roading design.
- There is no analysis in the s32 regarding the relevance or practicality of this rule.

Point Number 751.60

Summary of Decision Requested: Amend Rule 22.4.1.1 Prohibited Activity to change the references of 'lot' to 'Record of Title'.

Decision Reasons:

- It may be necessary to create multiple lots and hold them in one Record of Title.

Point Number 751.61

Summary of Decision Requested: Add a new matter of discretion to Rule 22.4.1.4 RD1 (b) as follows:

(v) Effects on high class soils, farm management and productivity.

Decision Reasons:

This will provide Council with a robust framework to ensure adverse effects on high class soils are avoided.

Point Number 751.62

Summary of Decision Requested: Add a new discretionary rule Rule 22.4.1.6 Conservation lot subdivision as follows:

DL

(a) Conservation lot subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.6(vi-vii) RD1.

(b) Conservation lot subdivision around established rural activities that does not comply with Rule 22.4.1.6(vi-vii) RD1.

Decision Reasons:

- Flexibility for lot area should be provided where the lot boundaries encompass an existing dwelling curtilage or established rural activity.

Point Number 751.63

Summary of Decision Requested: No specific relief sought, but submission considers that it is important that the Waikato District Plan looks beyond the 10 year life of the Plan and ensures that adequate densities and intensification are encouraged around existing Town Centres, especially where public transport stations are proposed to avoid further encroachment into rural land especially where the land is used for food supply purposes.

Decision Reasons:

- The Future Proof Strategy identifies 50 year land supply needs and seeks a shift in the existing pattern of land use towards accommodating growth through a more compact urban form based on concentrating growth in and around Hamilton (67%) and the larger settlements of the district (21%). This involves a reduction in the relative share of the population outside of the sub-region's existing major settlements through tighter control over rural-residential development and encouraging greater urban densities in existing settlements.
- Growth in existing centres of Tuakau, Pokeno, Ngaruawahia and Huntly is supported and has been enabled through the rezoning of greenfield on the peripheries of these existing centres.
- Enabling denser housing options gives effect to the Future Proof Strategy.

Submitter Number: 752

Submitter: Jeff Weake

Organisation: McGowan-Weake Limited

Point Number 752.1

Summary of Decision Requested: Retain Chapter 9.2- Objectives and policies for Te Kowhai Airpark zone (whole of chapter), as notified.

Decision Reasons:

- Is going to add to the community.
- Is going to add to the region.
- Submission is in full support of proposal.

Point Number 752.2

Summary of Decision Requested: Retain Chapter 27- Te Kowhai Airpark Zone (whole of chapter), as notified.

Decision Reasons:

- Is going to add to the community.
- Is going to add to the region.
- Submission is in full support of proposal.

Submitter Number: 753 **Submitter:** Gavin Brown

Point Number 753.1

Summary of Decision Requested: Retain Chapter 9.2- Objectives and policies for Te Kowhai Airpark zone (whole of chapter), as notified.

Decision Reasons:

- Te Kowhai airfield is a valuable resource to the aviation community both locally and nationally.
- Hamilton historically has been a hub for aviation innovation and Te Kowhai airfield is an important part of this.
- The Airfield offers exceptional facilities and opportunities for those presently in aviation and for pilots of the future.
- Proposed changes will ensure the airfield is able to provide the services required to facilitate the advancement of aviation.

Point Number 753.2

Summary of Decision Requested: Retain Chapter 27 Te Kowhai Airpark zone (whole of chapter), as notified.

Decision Reasons:

- Te Kowhai airfield is a valuable resource to the aviation community both locally and nationally.
- Hamilton historically has been a hub for aviation innovation and Te Kowhai airfield is an important part of this.
- The Airfield offers exceptional facilities and opportunities for those presently in aviation and for pilots of the future.
- Proposed changes will ensure the airfield is able to provide the services required to facilitate the advancement of aviation.

Submitter Number: 754 **Submitter:** Pieter Van Leeuwen

Point Number 754.1

Summary of Decision Requested: Amend the zoning of area east of Pokeno bounded by State Highway 2 to the north, Baird Road to the east, Avon Road to the south and State highway 1 to the west from the Rural Zone to Country Living Zone (see map attached to submission).

Decision Reasons:

- The area is contiguous with the existing Country Living Zone on the eastern side of State Highway 1.
 - Due to proximity of the Residential Zone, the use of this land for legitimate rural uses is significantly constrained by reverse sensitivity complaints from the Residential Zone including odour and noise.
 - The area is being used for primary rural industry.
 - Rural uses create amenity effects and operation of the farms is constrained by reverse sensitivity complaints due to residential zoning.
 - Rezoning will allow improved environmental outcomes with retirement and restoration of streams.
 - Rezoning will result in improved water quality in the stream from retirement from farming practices.
 - Rezoning for rural residential development meets the criteria in the Waikato Regional Policy Statement for rural-residential development.
 - Rezoning enables existing accesses to State Highway 2 to be removed, as Avon, Fraser, Baird and Gulland Roads provide access opportunities.
 - Area has constraints (proximity to State Highway, Transpower electricity transmission lines and a stream) however the Proposed District Plan manages these constraints effectively through appropriate setbacks and yard requirements.
 - Provides additional housing choice to stock offered in the Residential Zone in Pokeno.
 - The area is serviced for reticulated water supply.
 - It is a discrete area of land with defensible road boundaries.
 - The area is separated from Rural Zone by roads to prevent any consequential reverse sensitivity effects.
 - It provides an effective transition from Rural Zone with rural activities, to the Residential Zone with urban expectations and activities.
 - State Highway 2 is a logical and defensible boundary between the Rural Zone and the Country Living Zone.
 - State Highway 1 is a logical and defensible delineation between Country Living and the Residential Zone.
 - Resource consent has already been granted for 96 Avon Road for a number of residential chalets. Development's density is more similar to a residential development. Development compromises any rural character and serves to illustrate the area's character is more consistent with the adjoining Country Living zone versus Rural.
 - Will not undermine the form and function of Pokeno as an urban town.
-

Point Number 754.2

Summary of Decision Requested: Amend 23.4.2 RD1 (a)(i)-General Subdivision to read as follows:
All proposed lots must have a net site area of at least ~~5000~~ 3000m².

Decision Reasons:

- There is no need or justification for a 5000m² minimum lot size.
 - Residents living in these areas have urban expectations and struggle maintaining 5000m².
 - Country Living Zone is actually a large lot residential and not a rural zone.
 - Smaller site size is more in accordance with such housing and living choice.
 - Reducing minimum lot size will enable more efficient use of land.
 - Aligns more clearly with the 2500m² minimum site size required for on-site wastewater management.
 - Enables an open and spacious character; in accordance with large lot residential form of Country Living Zone.
-

Point Number 754.3

Summary of Decision Requested: Amend Rule 23.3.6 P1 - Building Coverage to read as follows:
The total building coverage must not exceed 10% or ~~300~~ 400m², whichever is the larger.

Decision Reasons:

- This is a consequential amendment to enabling a smaller minimum site size.
 - Still enable a useable gross floor area of principal dwelling, minor dwelling and accessory buildings.
 - Will still ensure an open and spacious character is in accordance with the large lot residential form of the Country Living Zone.
-

Point Number 754.4

Summary of Decision Requested: **Retain** the following aspects of Rule 23.3.2 Minor dwelling:

- Permitted activity status;
- 70m² maximum gross floor area;
- Conditions for the minor dwelling;
- Absence of limitations on the type of person occupying the minor dwelling; and
- Enabling the minor dwellings to be permanent buildings.

Decision Reasons:

- Minor dwellings provide housing choice, particularly when the families are changing their makeup.
- Minor dwellings provide an affordable option for housing.
- Minor dwellings provide the elderly with independent living whilst maintaining a close distance to family for supported living.
- The effects are not different from that of a sleep out.
- In terms of additional occupancy, the effects and their occupancy rate are no different to a large primary dwelling.
- The limits of size ensure they are secondary to the primary household.

Point Number 754.5

Summary of Decision Requested: **Retain** the following aspect of Rule 22.3.2 Minor Dwelling:

- Permitted activity status;
- 70m² maximum gross floor area;
- Absence of limitations on the type of person occupying the minor dwelling; and
- Enabling the minor dwelling to be a permanent building.

Decision Reasons:

- Minor dwellings provide housing choice, particularly when families are changing in their makeup.
- Ability to provide housing choice is in accordance with the National Policy Statement for Urban Development Capacity and the Waikato Regional Policy Statement.
- Minor dwellings provide the elderly with independent living whilst maintaining a close distance to family for supported living.
- The effects are not different to that of a sleep out.
- Minor dwellings provide affordable options for housing.
- The size limit ensures they will be secondary to the primary dwelling.
- In terms of additional occupancy, they are no different to a large household.

Point Number 754.6

Summary of Decision Requested: **Delete** Rule 22.3.2 PI (b)(i) Minor dwelling requiring the minor dwelling to be within 20m of the primary dwelling.

Decision Reasons:

- The condition requiring the minor dwelling to be located 20m away from the primary dwelling is arbitrary.
- On a Rural zoned property, sheds can be located anywhere on the property so long as they comply with the yard requirements and daylight admission rules. Minor dwellings should have a similar approach.
- In terms of rules, there are no effects with a minor dwelling being located greater than 20m from the principal dwelling.
- Deletion of this condition will allow more effective use of the land and more optimal layout.
- No need for the principal and minor dwelling to be located in close proximity.

Point Number 754.7

Summary of Decision Requested: **Retain** Rule 23.3.7.2 PI (a) (ii) Building setback sensitive land use, as notified.

Decision Reasons:

15m setback from a national route or regional arterial boundary is an appropriate minimum setback to mitigate against noise and vibration effects generated from the State Highway.

Point Number 754.8

Summary of Decision Requested: **Amend** Rule 23.3.6 PI Building coverage to increase the permitted building coverage limits.

Decision Reasons:

- For genuine rural enterprises, accessory buildings (e.g. hay shed, stables, garages, tractor sheds) are necessary.
- The proposed limit of 2% or 500m² (whichever is the larger) is too constraining to enable the level of buildings required to support rural production activities.

Submitter Number: 755

Submitter: Jade Penn

Point Number 755.1

Summary of Decision Requested: **Amend** the Proposed Waikato District Plan to include a resource management framework for the management of Genetically Modified Organisms that is regional-specific taking into account environmental, economic and social well-being considerations.

Decision Reasons:

- Submitter has concerns around the potential risks posed by Genetically Modified Organisms release into the environment.
- Genetically Modified Organisms have the potential to adversely affect ecological, economic, and resource management values, and the social and cultural wellbeing of people, communities and tangata whenua.
- Regardless of the care taken to crafting consent conditions for Genetically Modified Organisms there inevitably remains a risk, even if small. Such conditions may be breached by poor management, human error, natural events and sabotage of projects.
- Once Genetically Modified Organisms have been released into the environment they would be very difficult, near impossible, to eradicate and "GE Free" status and market advantages may be lost permanently.
- Application of integrated management and a precautionary approach to Genetically Modified Organisms under the RMA is the best available technique for managing the potential adverse effects posed by Genetically Modified Organisms within the region.
- This approach is also consistent with sustainable management purpose and Part II of RMA to establish district plan provisions and management of Genetically Modified Organisms where they have potential to adversely affect the environment and other land use activities.

Point Number 755.2

Summary of Decision Requested: Amend the Proposed Waikato District Plan to include strong precautionary and prohibitive provisions, policies and rules relating to Genetically Modified Organisms that are the same, or similar, as those in the Far North District Plan, the Whangarei District Plan and the Auckland Unitary Plan.

- Decision Reasons:**
- Submitter has concerns around the potential risks posed by Genetically Modified Organisms release into the environment.
 - Genetically Modified Organisms have the potential to adversely affect ecological, economic, and resource management values, and the social and cultural wellbeing of people, communities and tangata whenua.
 - Regardless of the care taken to crafting consent conditions for Genetically Modified Organisms there inevitably remains a risk, even if small. Such conditions may be breached by poor management, human error, natural events and sabotage of projects.
 - Once Genetically Modified Organisms have been released into the environment they would be very difficult, near impossible, to eradicate and "GE Free" status and market advantages may be lost permanently.
 - Application of integrated management and a precautionary approach to Genetically Modified Organisms under the RMA is the best available technique for managing the potential adverse effects posed by Genetically Modified Organisms within the region.
 - Ensures a consistent approach across Northland, Auckland and the Waikato.
 - Eliminates cross boundary issues.

Point Number 755.3

Summary of Decision Requested: Amend the Proposed Waikato District Plan to require consents which would require exemption from plan rules, to be automatically be publicly notifiable, whether the rules are on Genetically Modified Organisms or any other matter.

- Decision Reasons:**
- Submitter has concerns around the potential risks posed by Genetically Modified Organism release into the environment.
 - Genetically Modified Organisms have the potential to adversely affect ecological, economic, and resource management values, and the social and cultural wellbeing of people, communities and tangata whenua.
 - Regardless of the care taken to crafting consent conditions for Genetically Modified Organisms there inevitably remains a risk, even if small. Such conditions may be breached by poor management, human error, natural events and sabotage of projects.
 - Once Genetically Modified Organisms have been released into the environment they would be very difficult, near impossible, to eradicate and "GE Free" status and market advantages may be lost permanently.
 - Application of integrated management and a precautionary approach to Genetically Modified Organisms under the RMA is the best available technique for managing the potential adverse effects posed by Genetically Modified Organisms within the region.

Submitter Number: 756 **Submitter:** Simon Upton

Point Number 756.1

Summary of Decision Requested: Amend the extent of the proposed extension of Residential Zoning on the south side of Ngaruawahia as detailed on Map 20.7 to provide a clear urban boundary and transition to the rural zone that preserves the integrity of the gully system and stream margins on the south side of the existing town and reflects the landscape, visual, open green space, green linkages and amenity values promoted elsewhere in the PDP.

AND

Defer the re-issue of any amended version of the residential zoning limits detailed in Map 20.7 until the March 2017 Structure Plan has been revised to reflect the strategic directions, objectives and policies of the PDP and has been subjected to full consideration of alternative zone boundaries as required by s 32 RMA.

- Decision Reasons:**
- The zoning is based on a non-statutory document – the March 2017 Structure Plan – which has not been subject to s32 analysis and does not form part of the Proposed District Plan.
 - It is based on but departs from non-statutory document-March 2017 Structure Plan, which does not form part of Proposed District Plan and has not been subject to s32 analysis.
 - Any extension of residential zoning in this area should fully preserve key topographical and landscape features from development and clearly indicated how key amenities are to be provided for.
 - Map 20.7 should be withdrawn and reconsidered in light of technical reports on pre-existing landscape, visual and amenity effects, relevant sections of the Waikato Regional Policy Statement and key sections of PDP.
 - The March 2017 Structure Plan should be appraised for consistency with the above documents.
 - The Proposed District Plan does not include a Structure Plan that supports the residential zoning change.
 - The 2017 Structure Plan provides no indication that any of the landscape and open space concerns have been taken into account.
 - No regard for residential extension limits proposed in March 2017 Structure Plan.
 - Boundaries were different from those in PC17, therefore it is inconsistent with new residential limits.
 - Proposed District Plan differs radically from the Structure Plan in that it extends the Residential Zone to only a small sliver of land to the west of gully intersecting Rangimarie Road, and adds land on the south side of the proposed road linking Saubrey Road and Rangimarie Road.
 - Extension to east of Rangimarie Road is problematic in that it cuts across the gully system and proposes a road through the middle of the wetland and also encompasses hills of high local landscape values and marked as being less suitable for development.
 - No rationale provided for not continuing the zone all the way to the Ngaruawahia-Te Kowhai Road.
 - No proper consideration of landscape and open space issues.
 - Blanket extension of Residential Zoning between Rangimarie and Saubrey roads cuts through gently rolling hills and a stream, a critical point in local landscape.
 - Elevated ground particularly significant part of larger area of rolling country and thus part of a distinctive significant local landscape that is the backdrop to Ngaruawahia, Horotiu and parts of Te Kowhai.
 - No clear town boundary and transition to rural zone.
 - Extending residential zone to Saubrey Road places at risk the continued separation of Ngaruawahia and Horotiu, and under this proposal there will be one-farm separating the two built up spaces.
 - Submitter takes note of 2014 Mansergh Graham report, supporting PC 17.
 - Residential proposed south of railway line is little more than a ribbon of development permanently cut off by key transport arteries.
 - No consideration of alternative zoning solutions.
 - Any decision to alter town boundaries by rezoning rural land as residential will have irreversible effects and is not a minor environmental impact.
 - Permanently obliterates some environmental, amenity and landscape values and replaces them with residential and commercial values.
 - Major and irreversible changes should only be made after careful consideration of alternatives.
 - Approach is not consistent with Proposed District Plan objectives and policies.
 - The approach indicated in Map 20.7 and the Structure Plan on which it is based is not consistent with the Proposed District Plan's objectives and policies, specifically:
 - section 1.12 dealing with significant landscape features and availability of public space;
 - section 1.12.6 dealing with the protection and enhancement of open green space and areas of ecological ... and environmental significance;
 - sections 4.7.2 and 4.7.3 promoting subdivision that is sympathetic to the natural & physical qualities and characteristics of the surrounding environment, connectivity, green linkages and a layout that reflects the underlying topography;
 - section 4.7.10 concerning the prominence and accessible by pedestrians.

Submitter Number: 757 **Submitter:** Karen White

Point Number 757.1

Summary of Decision Requested: Amend Policy 4.1.8 Raglan to include the following as a minimum:

- Consideration to Naturally Raglan documentation shall provide development guidance.
- Development shall complement and maintain Raglans built form and character that reflects its harbor setting and is compatible with Raglans seaside village character.
- Protection of the coastal environment and character.
- All residential development to utilise the Waikato Urban Design Guidelines "Residential Subdivision".
- Town Development shall utilize the WDC Character statements - Raglan Town Centre as the minimum basis for any new buildings/development within the town.
- Any development within the town centre (or overlay areas) shall be notified for public consultation.
- The ongoing development of cycling and pedestrian facilities and links to the rural community.
- Raglan is a place to work and live rather a place of commuters.

Decision Reasons:

- Policy 4.1.8 is totally inadequate.
- Needs to be expanded to ensure the character, amenity and aspirations of Raglan can be managed, maintained and achieved.
- Greater focus must be given to vision and aspirations expressed by community, particularly with WDC's support of developing Raglan Naturally and since WDC recently consented the appalling development of 11 apartments on corner of Wainui Rd/Stewart Street.
- Although the 2005 development/character assessment has been re-vitalized into WDC Raglan Character Statement (2018), it needs considerable more work to define character areas and expand on the design guidelines/outcomes sought, which must be done in consultation with Raglan area residents.

Point Number 757.2

Summary of Decision Requested: Amend Policy 4.1.18 Raglan to require housing for the elderly in all new developments.

Decision Reasons:

- Submission states support for Whaingaroa Environmental Defence's submission in that "the former Lazarus village on fairly level ground, close to Raglan's main facilities. It is therefore better suited to house Raglan's above average elderly population than most sites in the town and should be restored to that use. Without protection it is likely that the only non-hospital housing for elderly people in Raglan will be permanently lost."

Point Number 757.3

Summary of Decision Requested: Amend Policy 5.3.9 (a) Non-Rural Activities to include "gun club shooting activities."

Decision Reasons:

- The noise and obtrusiveness of such an activity is completely incompatible with the area, especially as it occurs over weekends.
- This amendment would allow management/avoidance of existing/proposed gun club activities, which are incompatible with local quiet rural amenity values.

Point Number 757.4

Summary of Decision Requested: Amend Policy 5.3.11 (a) Home occupations to include "promote" and make it easier for people working from home.

Decision Reasons:

- Make it easier for people working from home to achieve Policy 5.3.11.
- Avoid the high costs associated with applying for resource consents.
- There are a number of real benefits in promoting and supporting occupation activities such as improved productivity by removing travel time, less travel and resulting in better environmental outcomes while promoting sustainable rural communities.

Point Number 757.5

Summary of Decision Requested: Amend Policy 5.3.15 Noise and vibration to include the provision for defined flight path corridors for recreational and schools/training light aircraft that avoid rural properties, fly avoidance/exclusion zones and noise control of aircraft engines.

AND

Amend Policy 5.3.15 Noise and vibration to include a total ban on engine stall on all rural land/housing and only allowed way offshore.

Decision Reasons:

- Number and frequency of light aircraft movement and noise within the area has increase dramatically over the past 10 years, mainly due to CTC training international pilots based out of Hamilton falling within flight routes.
- The Amenity of the quiet rural community is consistently being eroded and affected by frequency and noise of small/light aircraft either flying to Raglan Airport or by use of the air space by CTC Aviation Training facility who frequently circle for hours.
- With high demand for pilots worldwide and the increase in local people flying more regularly the situation is likely to get worse.
- Waikato District Council needs to map areas of low habitation and define acceptable flight path routes.
- Engine stall exercises are not only daunting but increases noise when they thrust engines back on.
- Variation in engine noise of light aircraft varies dramatically.
- Measures need to go beyond mere flying height or decibel requirement as effects on a very low decibel environment is incredibly intrusive and affects resident's wellbeing and health.

Point Number 757.6

Summary of Decision Requested: Amend Chapter 9 Specific Zones to include Raglan township and surrounds as a Specific Zone.

Decision Reasons:

- Inclusion is requested due to it being Waikato's only substantial and special seaside community.
- Submitter is concerned Raglan's special character is being eroded.
- Planning policy and rules are inadequate to manage the future growth of Raglan.
- Raglan has been identified as a special place for local, national and international visitors largely due to its uniqueness.
- Town's character is related to its 'wild west coast' environment and character.
- Diverse buildings, mix of people, relaxed quirky and arty environment prevails and individual expression contributes to amenity and character of Raglan.
- It is pedestrian and bike friendly place with key characteristics and attributes including water-views, human scale buildings and no multi story/row apartment buildings.

Point Number 757.7

Summary of Decision Requested: Amend Rule 22.2.3.1 (a) (iii) P4 Earthworks- General to a maximum slope of 1:2.5.

Decision Reasons:

- A 1:2 slope is on the limit of stability and is poor practice.
- Instability/risk of failure is higher, unless a geotechnical design is developed to minimize the risk.
- Steeper slopes are difficult to top soil and plant.

Point Number 757.8

Summary of Decision Requested: **Add** to Rule 22.2.3.1 P1 (a) Earthworks - General the following text:

"over any consecutive 12 month time period."

Decision Reasons:

- This would add limits to total development, consistent with maintaining the values of the site (topographical form, retaining vegetation, natural water flows).
- Manage accumulative effects to ensure character of area is maintained.
- Incremental annual changes can amount to significant destruction or visual changes resulting in adverse effects.

Point Number 757.9

Summary of Decision Requested: **Amend** Schedule 30.2 (Notable Trees) to include the following notable trees associated with Raglan:

- Trees within 30m of high water mark between the Bow St jetty and Helen Place;
- Trees adjacent to the airfield;
- Trees within 10m of Marine Parade;
- Trees between the recreation ground and Lily Street;
- Trees on Wallis Street at the foot of Government Road;
- Trees in the gully between Rose Street and Lily Street;
- Trees to the south west of SH23 between Hills Road and Greenslade Road;
- Trees in the Lorenzen Bay reserve; and
- Large trees.

Decision Reasons:

- Tree protection is clearly inadequate, as unauthorized removal of listed trees by council has shown.
- Trees are important for landscape, nature and carbon storage.
- All large trees should be protected.
- Schedule 30.2 does not cover sufficient notable trees within the definition.
- Such trees are important as they help define character of amenity of Raglan.
- Provide diversity for wildlife habitat.
- Only 160 notable trees listed for the whole District.

Point Number 757.10

Summary of Decision Requested: **Add** to the maps all tracks shown on the Strategy maps and walkways through the residential zones linking Lorenzen Bay with Kaitoke Walkway allowing a circular walk around Raglan, a cycle track from Wallis Street to Violet Street, a link to the national Te Araroa walkway using paper roads etc. (via Karioi, Bridal Veil), walkways (and where possible cycle ways) along the whole coast, a track from Raglan to the summit of Karioi using esplanades, reserves and paper roads and a link along Wainui Stream from Wainui reserves to Bryant Reserve.

Decision Reasons:

- At the last Plan revision Council said detailed rules for walk/cycle ways are not appropriate for a District Plan however there are 35 pages (14.2) about vehicle turning circles, road widths, sight lines etc. By contrast, there is just a rule about bus spaces and a rule for some new buildings to have cycle parking.
- Page 42 of Raglan Naturally states 'there is strong public support for harbor and coastal walkways' and 'create coastal walkways.' Local support reflects national trends showing walking being ahead of all other active sports and pursuits.
- Encouraging tourists to walk more than drive could become a valuable asset, giving an economic, health/recreation impetus for policy implementation around the importance of walking.
- Lack of progress indicates opportunities are not taken with subdivisions.
- More detail needs to be included in the District Plan.

Point Number 757.11

Summary of Decision Requested: **Amend** Rule 16.4.14 Subdivision of esplanade reserves and esplanade strips, to include the following:

The developer of lots 4ha shall be required to provide esplanade facilities that will include as a minimum a 1.8m wide timber edge, gravel path walkway and 10% of area landscape planting.

Decision Reasons:

Promotes the development and linkages of esplanade areas to increase the areas walking and cycling facilities.

Point Number 757.12

Summary of Decision Requested: **Amend** the Proposed Waikato District Plan to include a resource management framework for the management of Genetically Modified Organisms that is regional specific taking into account environmental, economic and social well-being considerations.

Decision Reasons:

- Submitter has significant concerns about the potential risks posed by release of Genetically Modified Organisms into the environment.
- Submitter has significant concerns about the ethical issues associated with development of Genetically Modified Organisms in relation to food, plant medicine and pest control.
- Provisions are allowed under the Resource Management Act 1991 and pursuant to the ruling in Federated Farmers of New Zealand v Northland Regional Council [2015] NZEnC 89.
- Release of Genetically Modified Organisms has a potential to cause significant adverse effects on the environment, including the following:
 1. biological or ecosystem harm
 2. harm to tangata whenua cultural values such as mauri and tikanga
 3. harm to the cultural values and lifestyle decisions of people and communities at a local level concerning what constitutes their wellbeing
 4. harm from Genetically Modified Organisms contamination to existing or potential forms of land use including farming, forestry and other primary production activities dependant on an uncontaminated environmental brand.
 5. Adverse effects to these land uses could include: loss of organic and Genetically Modified Organism-free certification, reputational damage, loss of markets and premiums paid for Genetically Modified Organism free produce and loss of livelihood.
- Conditions of consent may be breached by poor management, human error, natural events.
- Once Genetically Modified Organisms have been released they would be very difficult, if not impossible to eradicate.
- Application of integrated management and precautionary approach to Genetically Modified Organisms under the RMA is the best technique for managing potential adverse effects.
- It is consistent with the sustainable management purpose and Part II of the RMA to establish district plan provisions that manage the release, location and management of Genetically Modified Os where they have the potential to adversely affect the environment.

Point Number	757.13
Summary of Decision Requested:	Amend the Proposed Waikato District Plan to include strong precautionary and prohibitive provisions, policies and rules relating to Genetically Modified Organisms that are the same (or similar) as those in the Far North District Plan, the Whangarei District Plan and the Auckland Unitary Plan.
Decision Reasons:	<ul style="list-style-type: none"> • Submitter has significant concerns about the potential risks posed by release of Genetically Modified Organisms into the environment. • Submitter has significant concerns about the ethical issues associated with development of Genetically Modified Organisms in relation to food, plant medicine and pest control. • Provisions are allowed under the Resource Management Act 1991 and pursuant to the ruling in Federated Farmers of New Zealand v Northland Regional Council [2015] NZEnC 89. • Release of Genetically Modified Organisms has a potential to cause significant adverse effects on the environment, including the following: <ol style="list-style-type: none"> 1. biological or ecosystem harm 2. harm to tangata whenua cultural values such as mauri and tikanga 3. harm to the cultural values and lifestyle decisions of people and communities at a local level concerning what constitutes their wellbeing 4. harm from Genetically Modified Organism contamination to existing or potential forms of land use including farming, forestry and other primary production activities dependant on an uncontaminated environmental brand. 5. Adverse effects to these land uses could include: loss of organic and Genetically Modified Organism-free certification, reputational damage, loss of markets and premiums paid for Genetically Modified Organism free produce and loss of livelihood. • Conditions of consent may be breached by poor management, human error, natural events. • Once Genetically Modified Organisms have been released they would be very difficult, if not impossible to eradicate. • Application of integrated management and precautionary approach to Genetically Modified Organisms under the RMA is the best technique for managing potential adverse effects. • It is consistent with the sustainable management purpose and Part II of the Resource Management Act to establish district plan provisions that manage the release, location and management of Genetically Modified Organisms where they have the potential to adversely affect the environment.
Point Number	757.14
Summary of Decision Requested:	Amend Rule 24.2.8- Indigenous vegetation clearance inside a Significant Natural Area to reduce the removal of Manuka and Kanuka from 5m ³ to 3m ³ . AND Delete reference to "Coastal Environment" from Rule 24.2.8- Indigenous vegetation clearance inside a Significant Natural Area.
Decision Reasons:	<ul style="list-style-type: none"> • Manuka and Kanuka are important habitat environments. • Manuka and Kanuka provide visual amenity. • 3m³ should be adequate for heating purposes with non-native wood sources available.
Point Number	757.15
Summary of Decision Requested:	Amend Rule 24.3.3.1 Height - Building general to encourage the use of variable building heights, stepped facades to maintain the built character of Raglan. Submission provides the following example: <u><i>A maximum height of a building must not exceed 7.5m, and where continuous roof lines occur (more than one unit) then variable roof lines should be implemented to maintain the character of Raglan.</i></u>
Decision Reasons:	<ul style="list-style-type: none"> • Provision for a maximum height makes that height more of a target. • Does not allow and encourage variable roof heights that would complement the built character of Raglan. • Housing in and around Raglan have variable heights and forms that contribute to character of the area, which needs to be considered.
Point Number	757.16
Summary of Decision Requested:	Amend Policy 8.1.2 Provision, use and development of public open space and reserves, to include the following: <u><i>Residential development will conform to the Waikato Urban Design Guidelines 'Residential Subdivision' in relation to layout around open space and stormwater design features.</i></u>
Decision Reasons:	Developments need to ensure properties integrate with open space and storm water devices rather than have them fenced in or with properties 'turning' their back to them.
Point Number	757.17
Summary of Decision Requested:	Add provision for new cycle/walkways, not only in major new developments, to implement Council's Walking, Cycling and Bridle Trails Strategy.
Decision Reasons:	<ul style="list-style-type: none"> • Submission states support for Whaingaroa Environmental Defence's submission in that 1.10.2.3 includes the strategy as relevant, yet there is no implementation of the Strategy. • Without support from the District Plan it is unlikely that most of the Strategy will be achieved. • 4.1.10 Policy- Tuakau, 4.1.11 Policy- Pokeno, 4.1.12 Policy- Te Kauwhata, 4.1.14 Policy- Taupiri, 4.1.15 Policy- Ngaruawahia, 4.1.16 Policy- Horotiu and 4.1.17 Policy- Te Kowhai all mention walking and cycling provision, but leave the means and locations unclear. • 4.1.18 Policy- Raglan is the only town policy <u>not</u> to mention cycling and walking, despite a May 2018 staff report to Council saying "Raglan has the district's highest walking/cycling communities." • At the last Plan revision Council said detailed rules for walk/cycle ways are not appropriate for a District Plan however contains 35 pages detailing (14.2) about vehicle turning circles, road widths, sight lines etc. By contrast, there is just a rule about bus spaces and a rule for some new buildings to have cycle parking. • Page 42 of Raglan Naturally states 'there is strong public support for harbour and coastal walkways' and 'create coastal walkways.' • Local support reflects national trends showing walking being ahead of all other active sports and pursuits. • Encouraging tourists to walk more than drive could become a valuable asset, giving an economic, health/recreation impetus for policy implementation around the importance of walking. • Lack of progress indicates opportunities are not taken with subdivisions. • More detail needs to be included in the District Plan.
Point Number	757.18
Summary of Decision Requested:	Add to the maps the planned Wainui Road to Te Hutewai Road walk/cycle track and other unformed roads not shown on the maps.
Decision Reasons:	<ul style="list-style-type: none"> • At the last Plan revision Council said detailed rules for walk/cycle ways are not appropriate for a District Plan however contains 35 pages (14.2) about vehicle turning circles, road widths, sight lines etc. By contrast, there is just a rule about bus spaces and a rule for

- some new buildings to have cycle parking.
- Page 42 of Raglan Naturally states 'there is strong public support for harbor and coastal walkways' and 'create coastal walkways.' Local support reflects national trends showing walking being ahead of all other active sports and pursuits.
- Encouraging tourists to walk more than drive could become a valuable asset, giving an economic, health/recreation impetus for policy implementation around the importance of walking.
- Lack of progress indicates opportunities are not taken with subdivisions.
- More detail needs to be included in the District Plan.

Submitter Number:	758	Submitter:	Clifford & Maureen Bayliss
Point Number	758.1		
Summary of Decision Requested:	Amend the Proposed Waikato District Plan to include a resource management framework for the management of Genetically Modified Organisms that is regional-specific taking into account environmental, economic and social well-being considerations.		
Decision Reasons:	<ul style="list-style-type: none"> Submitter is concerned about the liability of introduction of genetically modified/engineered/edited plant or animal species unintentionally entering their property. Submitter has significant concerns about the potential risks posed by release of Genetically Modified Organisms into the environment. Provisions allowed under the Resource Management Act 1991 and pursuant to the ruling in Federated Farmers of New Zealand v Northland Regional Council [2015] NZEnC 89. Release of Genetically Modified Organisms has the potential to cause significant adverse effects on the environment, including the following: <ul style="list-style-type: none"> 1. Biological or ecosystem harm 2. Harm to tangata whenua cultural values such as mauri and tikanga 3. Harm to the cultural values and lifestyle decisions of people and communities at a local level concerning what constitutes their wellbeing 4. Harm from Genetically Modified Organism contamination to existing or potential forms of land use including farming, forestry and other primary production activities dependent on an uncontaminated environmental brand. 5. Adverse effects to these land uses could include: loss of organic and Genetically Modified Organism-free certification, reputational damage, loss of markets and premiums paid for Genetically Modified Organism free produce and loss of livelihood. Conditions of consent may be breached by poor management, human error, natural events. Once Genetically Modified Organisms have been released they would be very difficult, if not impossible to eradicate. Application of integrated management and precautionary approach to Genetically Modified Organisms under the Resource Management Act 1991 is the best technique for managing potential adverse effects. It is consistent with the sustainable management purpose and Part II of the Resource Management Act 1991 to establish district plan provisions that manage the release, location and management of Genetically Modified Organisms where they have the potential to adversely affect the environment. 		
Point Number	758.2		
Summary of Decision Requested:	Amend the Proposed Waikato District Plan to include strong precautionary and prohibitive provisions, policies and rules relating to GMOs that are the same (or similar) as those in the Far North District Plan, the Whangarei District Plan and the Auckland Unitary Plan, to ensure a consistent approach across Northland, Auckland the Waikato.		
Decision Reasons:	<ul style="list-style-type: none"> Submitter is concerned about the liability of introduction of genetically modified/engineered/edited plant or animal species unintentionally entering their property. Submitter has significant concerns about the potential risks posed by release of GMOs into the environment. Provisions allowed under the Resource Management Act 1991 and pursuant to the ruling in Federated Farmers of New Zealand v Northland Regional Council [2015] NZEnC 89. Release of GMOs has the potential to cause significant adverse effects on the environment, including the following: <ul style="list-style-type: none"> 1. Biological or ecosystem harm 2. Harm to tangata whenua cultural values such as mauri and tikanga 3. Harm to the cultural values and lifestyle decisions of people and communities at a local level concerning what constitutes their wellbeing 4. Harm from GMO contamination to existing or potential forms of land use including farming, forestry and other primary production activities dependent on an uncontaminated environmental brand. 5. Adverse effects to these land uses could include: loss of organic and GMO-free certification, reputational damage, loss of markets and premiums paid for GMO free produce and loss of livelihood. Conditions of consent may be breached by poor management, human error, natural events. Once GMOs have been released they would be very difficult, if not impossible to eradicate. Application of integrated management and precautionary approach to GMOs under the RMA is the best technique for managing potential adverse effects. It is consistent with the sustainable management purpose and Part II of the RMA to establish district plan provisions that manage the release, location and management of GMOs where they have the potential to adversely affect the environment. 		

Submitter Number:	759	Submitter:	Tracey Bayliss
Point Number	759.1		
Summary of Decision Requested:	Amend the Proposed Waikato District Plan to include a resource management framework for the management of Genetically Modified Organisms that is regional specific taking into account environmental, economic and social well-being considerations.		
Decision Reasons:	<ul style="list-style-type: none"> Submitter is concerned about the liability of introduction of genetically modified/engineered/edited plant or animal species unintentionally entering their property. Submitter has significant concerns about the potential risks posed by release of Genetically Modified Organisms into the environment. Provisions allowed under the Resource Management Act 1991 and pursuant to the ruling in Federated Farmers of New Zealand v Northland Regional Council [2015] NZEnC 89. Release of Genetically Modified Organisms has the potential to cause significant adverse effects on the environment, including the following: <ul style="list-style-type: none"> 1. Biological or ecosystem harm 2. Harm to tangata whenua cultural values such as mauri and tikanga 3. Harm to the cultural values and lifestyle decisions of people and communities at a local level concerning what constitutes their wellbeing 4. Harm from Genetically Modified Organism contamination to existing or potential forms of land use including farming, forestry and other primary production activities dependent on an uncontaminated environmental brand. 5. Adverse effects to these land uses could include: loss of organic and Genetically Modified Organism-free certification, reputational damage, loss of markets and premiums paid for Genetically Modified Organism free produce and loss of livelihood. Conditions of consent may be breached by poor management, human error, natural events. Once Genetically Modified Organisms have been released they would be very difficult, if not impossible to eradicate. 		

- Application of integrated management and precautionary approach to Genetically Modified Organisms under the Resource Management Act 1991 is the best technique for managing potential adverse effects.
- It is consistent with the sustainable management purpose and Part II of the Resource Management Act to establish district plan provisions that manage the release, location and management of Genetically Modified Organisms where they have the potential to adversely affect the environment

Point Number 759.2

Summary of Decision Requested: Amend the Proposed Waikato District Plan to include strong precautionary and prohibitive provisions, policies and rules relating to Genetically Modified Organisms that are the same (or similar) as those in the Far North District Plan, the Whangarei District Plan and the Auckland Unitary Plan, to ensure a consistent approach across Northland, Auckland the Waikato and to eliminate cross boundary issues.

Decision Reasons:

- Submitter is concerned about the liability of introduction of genetically modified/engineered/edited plant or animal species unintentionally entering their property.
- Submitter has significant concerns about the potential risks posed by release of Genetically Modified Organisms into the environment.
- Provisions allowed under the Resource Management Act 1991 and pursuant to the ruling in Federated Farmers of New Zealand v Northland Regional Council [2015] NZEnC 89.
- Release of Genetically Modified Organisms has the potential to cause significant adverse effects on the environment, including the following:
 1. Biological or ecosystem harm
 2. Harm to tangata whenua cultural values such as mauri and tikanga
 3. Harm to the cultural values and lifestyle decisions of people and communities at a local level concerning what constitutes their wellbeing
 4. Harm from Genetically Modified Organism contamination to existing or potential forms of land use including farming, forestry and other primary production activities dependent on an uncontaminated environmental brand.
 5. Adverse effects to these land uses could include: loss of organic and Genetically Modified Organism-free certification, reputational damage, loss of markets and premiums paid for Genetically Modified Organism free produce and loss of livelihood.
- Conditions of consent may be breached by poor management, human error, natural events.
- Once Genetically Modified Organisms have been released they would be very difficult, if not impossible to eradicate.
- Application of integrated management and precautionary approach to Genetically Modified Organisms under the Resource Management Act is the best technique for managing potential adverse effects.
- It is consistent with the sustainable management purpose and Part II of the RMA to establish district plan provisions that manage the release, location and management of Genetically Modified Organisms where they have the potential to adversely affect the environment.

Submitter Number: 760 **Submitter:** Patrick Day

On behalf of: P & B Day

Point Number 760.1

Summary of Decision Requested: Retain Significant Amenity Landscape overlay on the property at 656 Wainui Road, Raglan as notified.

Decision Reasons:

- Submitter accepts Significant Amenity Landscape designation.
- Understand the need to protect the environment.
- Submitter would like to continue work exterminating pests, fencing bush areas from stock, removing invasive species such as asparagus fern from the bush and selectively felling old Manuka and kanuka from edges of bush.
- Would like to continue to allow access to the Karioi Project to the land.

Point Number 760.2

Summary of Decision Requested: Delete the Significant Natural Area overlay from 656 Wainui Road, Raglan.

Decision Reasons:

- Object to compulsory covenanting of a large part of the subject property.
- No suggestion of compensation or quid pro quo arrangements.
- Areas within proposed Significant Natural Area is currently used for other rural purposes.
- Area south and east of subject property should not be designated Significant Natural Area as:
 - There are some small trees very close to the house which may need removal if they become a safety threat.
 - Is already a service area containing a water tank and pump shed present.
 - Adjacent to the water tank (south) is a storage area for country property equipment, hosing, metal and fence materials.
 - Adjacent to the water tank (north) is a shed storing beekeeping equipment.
 - From the storage area south to the road was a former road the submitter replanted and submitter would like to retain right to use this area as required for rural purposes and as an attractive local native flora entrance.
- The area to the north of the property should not be a Significant Natural Area as:
 - Boundary fences protecting the bust must be kept clear of vegetation.
 - Pathways (low impact) within the bush, built by the submitters, allowed access to the property and the beach which must be kept clear. Such pathways are also used as access for pest eradication and the Karioi project people seem to place all their traps adjacent to the constructed paths.
 - Additional low impact pathways may also need constructing for firefighting access as previous experiences proved such access was difficult.

Point Number 760.3

Summary of Decision Requested: Delete the requirement for boundaries to not divide a Significant Natural Area or Significant Amenity Landscape.

Decision Reasons:

- No reasons stated.

Submitter Number: 761 **Submitter:** Lyndendale Farms Limited

Point Number 761.1

Summary of Decision Requested: Retain proposed Rural zoning for the property at 180 Horsham Downs Road, Horsham Downs (Lot 5 DP 505127) and surrounding properties in the immediate area.

Decision Reasons:

- Lyndendale support the proposed Rural zoning and notation the three designations and policy overlays/areas insofar as they relate to the property at 180 Horsham Downs Road.
- Land in immediate surrounding area is also zoned Rural.
- Property at 180 Horsham Downs Road considered appropriate for a retirement village due to proximity to Hamilton city, existing residential suburb of Rototuna and proposed expansion of Rototuna to Horsham Down's road.
- A Rural Zoning is considered appropriate for subject property and existing land uses activities and development.
- Rural zone provisions do not include provisions for a Retirement Village however, which is proposed at 180 Horsham Downs Road.
- Retirement villages are a Non-Complying Activity under Rule 22.15 NCS and amendments to Rural Zone rules are sought to provide for the development at 180 Horsham Downs Road.

Point Number 761.2

Summary of Decision Requested: **Amend** to clarify whether the requiring authority for Designation U13 is Chorus New Zealand or Transpower New Zealand.
AND

Amend the Proposed District Plan to make any consequential amendments that are required to give effect to the submission.

Decision Reasons:

- Online planning maps identify Designation U13 (Chorus New Zealand Limited) running along the southern boundary of the property at 180 Horshams Downs Road.
- Clarification is sought as to whether Chorus New Zealand are the correct requiring authority for the existing transmission lines designation, as LFL have previously been advised to consult with Transpower New Zealand in regards to the existing designation, rather than Chorus.

Point Number 761.3

Summary of Decision Requested: **Retain** the designation for the Waikato Expressway (I17) as shown on the planning maps running alongside the southern boundary of the property at 180 Horsham Downs Road, Horsham Downs.

Decision Reasons:

- Runs alongside property at 180 Horshams Down but does not encroach into the LFL property.
- LFL and NZTA have previously subdivided the site to set land aside for the Waikato Expressway.
- Designation should therefore not encroach onto the LFL property at 180 Horsham Downs Road, Horsham Downs.

Point Number 761.4

Summary of Decision Requested: **Amend** the Rural Zone provisions in Chapter 22 to include specific provisions for new Retirement Village activities, including the proposed Lyndendale Lifestyle Village at 180 Horsham Downs Road, Horsham Downs (Lot 5 DP 505 127).

AND

Amend the Proposed District Plan to make any consequential amendments that are required to give effect to the submission.

Decision Reasons:

- Proposed Rural Zone provisions in Chapter 22 of PDP do not include any specific provisions for a Retirement Village.
- Retirement Village is a non-complying activity in accordance with Rule 22.1.5 (NCS).
- Amendments sought to Chapter 22 to include suitable provisions for new retirement villages.

Point Number 761.5

Summary of Decision Requested: **Amend** to Rule 22.1.3 Restricted Discretionary Activities to a new rule RD3 to include specific provisions for a new Retirement Village, or alterations to an existing retirement village as follows:

RD3- A new retirement village, or alterations to an existing retirement village at 180 Horsham Downs Road (legally described as Lot 5 DP 505 127) that meets all of the following conditions:

a) Minimum living court or balcony area and dimensions:

i) Apartment- 10m² area within minimum dimension horizontal and vertical of 2.5m.

ii) Studio unit or 1 bedroom unit- 12.5m² area with minimum dimension horizontal and vertical of 2.5m; or

iii) 2 or more bedroomed unit- 15m² area with minimum dimension horizontal and vertical of 2.5m;

b) Minimum service court is either:

i) Apartment- communal outdoor space (i.e. no individual service courts required); or

ii) All other units- 10m².

c) Building height does not exceed 10m;

d) Building setbacks- a 7.5m setback is required from a local road, and a 12m setback is required from all other boundaries; except internal site boundaries where no setback shall apply;

e) The following Land Use- Effects rule in Rule 22.2 do not apply;

i. Rule 22.2.6.1 (Signs- General),

ii. Rule 22.2.6.2 (Signs- Effects on traffic),

f) The following Land Use- Building rules in Rule 22.3 do not apply;

i. Rule 22.3.1 (No. of Dwellings);

ii. 22.3.6 Building Coverage

iii. Rule 22.3.7.1 Building Setbacks

iv. Rule 22.3.7.2 Building Setback- Sensitive Land Use.

g) The following Infrastructure and Energy rule in Chapter 4 does not apply; Rule 14.12.1 P4(L)(d.) Traffic Generation

AND

Amend the Proposed District Plan to make any consequential amendments that are required to give effect to the submission.

Decision Reasons:

- Amendments are sought to Activity Status table in Rule 22.1.3 to include a new rule (RD3) to provide for new retirement villages and their future additions and expansion as a Restricted Discretionary Activity in the Rural Zone.
- Restricted Discretionary activity status is considered appropriate for new Retirement Village activities or alterations to an existing retirement village in the Rural Zone, including the proposed retirement village at 180 Horshams Downs Road.
- Conditions for a Retirement Village are proposed (based on activity specific conditions in Chapter 16 (Residential Zone)- Rule 16.1.2 (P3) which provide for 'A new retirement village or alteration to an existing retirement village' as a Permitted Activity in the Residential Zone).

- Adoption of a similar approach as in 16.1.2 is supported.

Point Number 761.6

Summary of Decision Requested: **Amend** Rule 22.1.5 NC5 non-complying activities so that NC5 does not apply to a retirement village activity (including the proposed retirement village at 180 Horsham Downs Road) in the Rural Zone.

AND

Amend the Proposed District Plan to make any consequential amendments that are required to give effect to the submission.

Decision Reasons:

- Retirement Villages are currently a non-complying activity under Rule 22.1.5 (NC5).
- Non-complying status is opposed.
- Retirement Village activities that are proposed at 180 Horsham Downs Road will provide an essential service for the local community.
- The establishment of a retirement village (and its future redevelopment or expansion) in the Rural Zone should be expressly provided for as a Restricted Discretionary Activity.
- Retirement village activities need to be excluded from Rule 22.1.5 NC5.

Point Number 761.7

Summary of Decision Requested: **Amend** Rule 22.2.6 Signs- General so that the signage provisions in Rules 22.2.6.1 and 22.2.6.2 do not apply to a retirement village (including the proposed retirement village at 180 Horsham Downs Road, Horsham Downs- the Lyndendale Lifestyle Village) by adding the following:

3.) Rules 22.2.6.1 and 22.2.6.2 do not apply to a retirement village.

OR

Amend Rule 22.2.6.1 Signs-General and Rule 22.2.6.2 Signs-Effects on Traffic so that signage provisions do not apply to a retirement village.

OR

Add a new rule to Rule 22.2.6.1 Signs-General as follows:

(x) Rules P1, P2, P3 and RDI above do not apply to a retirement village.

AND

Amend the Proposed District Plan to make any consequential amendments that are required to give effect to the submission.

Decision Reasons:

- Rules relating to signage should not be applicable to a Retirement Village, particularly those limiting the number, area and height of signage in Rule 22.2.6.1 (P2).
- Signage forms an integral part of a retirement village development.
- Signage is necessary to clearly identify the various buildings, facilities and car parking areas within a retirement village for residents, visitors and emergency vehicles.
- LFL are opposed to any restrictions regarding signage, insofar as they relate to their proposed Retirement Village Development at 180 Horsham Downs Road.

Point Number 761.8

Summary of Decision Requested: **Amend** Rule 22.2.6 Signs-effects on traffic so that signage provisions in Rules 22.2.6.1 and 22.2.6.2 do not apply to a retirement village by including the following:

(3) Rules 22.2.6.1 and 22.2.6.2 do not apply to a retirement village.

OR

Amend Rule 22.2.6.1 Signs-General and Rule 22.2.6.2 Signs- Effects on traffic so that the signage provisions do not apply to a retirement village

AND

Add to Rule 22.2.6.2 Signs - effects on traffic the following:

(x) Rules P1 and D1 above do not apply to a retirement village.

AND

Amend the Proposed District Plan to make any consequential amendments that are required to give effect to the submission.

Decision Reasons:

- Rules relating to signage (particularly those preventing signs from imitating the content, color or appearance of any traffic control sign and those restricting the location of the sign and the number of characters or symbols) in Rule 22.2.6.2 should not be applicable to Retirement Villages.
- Signage forms an integral part of a retirement village development.
- Signage is necessary to clearly identify the various buildings, facilities and car parking areas within a retirement village for residents, visitors and emergency vehicles.
- LFL are opposed to any restrictions regarding signage for a retirement village.
- Rule 22.2.6.2 (Signs - effects on traffic) applies to 'any sign directed at road users,' therefore applying to any internal signage erected along a private road or internal access within a retirement village.
- Private internal access roads within a retirement village development need to be appropriately signposted and often include signage that imitates the appearance of a traffic control sign.

Point Number 761.9

Summary of Decision Requested: **Retain** Rule 23.4.1.1 P1 Height- Building-General as notified.

Decision Reasons:

- LFL support a maximum building height of 10m in the Rural Zone.
- Maximum permitted building height of 10m is appropriate for the retirement village development that is proposed at 180 Horsham Downs Road.
- 180 Horsham Downs Road is of sufficient size and area to accommodate 10m high buildings.
- 10m high buildings can be appropriately positioned within the site to comply with the building setback and height to boundary requirements.

Point Number 761.10

Summary of Decision Requested: **Amend** the Rule 22.4- Subdivision to allow for subdivision associated with the proposed Retirement Village at 180 Horsham Downs Road, Horsham Downs; including subdivision to separate the proposed retirement village from the balance of the rural property.

AND

Amend Rule 22.4.1.1- Prohibited Subdivision to exclude subdivision associated with a retirement village activity.

AND

Amend the Proposed District Plan to make any consequential amendments that are required to give effect to the submission.

Decision Reasons:

- Amendments are required to allow subdivision associated with a Retirement Village activity in the Rural zone.
- LFL Property (180 Horsham Downs Road) has an area of approximately 52ha and currently comprises a single certificate of title.
- Existing title was recently created as part of the Waikato Expressway designation.
- Further subdivision of the existing title is likely either:
 1. As part of the proposed Retirement Village Development (create individual certificates of title within the development) and/or
 2. To separate the proposed Retirement Village activities from the existing farming activities on the balance of the existing title.
- Amendments are required to proposed subdivision provisions to allow for the types of subdivision anticipated.

Point Number

761.11

Summary of Decision Requested:

Amend Rule 22.4- Subdivision to allow for subdivision associated with the retirement village activities at 180 Horsham Downs Road as a Restricted Discretionary Activity.

AND

Add Rule 22.4.1.2 RDI to provide for subdivision associated with a retirement village at 180 Horsham Downs Road, Horsham Downs as a Restricted Discretionary Activity.

AND

Amend the Proposed District Plan to make any consequential amendments that are required to give effect to the submission.

Decision Reasons:

- Amendments are required to the general subdivision rules (22.4.1.2) to provide for subdivision associated with the proposed retirement village at 180 Horsham Downs Road as a Restricted Discretionary Activity.

Point Number

761.12

Summary of Decision Requested:

Amend Section 5.1- The Rural Environment, Section 5.2- Productive Versatility of Rural Resources and Section 5.3- Rural Character and Amenity to provide for Retirement Village Development within the Rural Zone, only at 180 Horsham Downs Road, Horsham Downs.

AND

Amend the Proposed District Plan to make any consequential amendments that are required to give effect to the submission.

Decision Reasons:

- The Rural Zone is considered an appropriate zone for a Retirement Village.
- Amendments are required to the Rural Zone policy framework for the Rural Zone to recognize and provide for the Retirement Village development at 180 Horsham Downs Road.

Point Number

761.13

Summary of Decision Requested:

Amend the definition of "Residential Activity" in Chapter 13: Definitions to specifically include (and refer to) a Retirement Village.

AND

Amend the Proposed District Plan to make any consequential amendments that are required to give effect to the submission.

Decision Reasons:

- A retirement village is clearly a residential activity and should be expressly stated within the definition.

Point Number

761.14

Summary of Decision Requested:

Delete the definition of "Rest home" from Chapter 13- Definitions.

AND

Amend the Proposed District Plan to make any consequential amendments that are required to give effect to the submission.

Decision Reasons:

- There are no rules relating to the definition.
- There are no reasons to differentiate between a "retirement village" and a "rest home."
- The definition for rest home should be deleted in its entirety.

Point Number

761.15

Summary of Decision Requested:

Retain the definition for "Retirement Village" in Chapter 13-Definitions as notified.

Decision Reasons:

- No reasons provided.

Point Number

761.16

Summary of Decision Requested:

Amend Chapter 13-Definitions to include definitions for "habitable" and "non-habitable" buildings.

AND

Amend the Proposed District Plan to make any consequential amendments that are required to give effect to the submission.

Decision Reasons:

- Rule 22.3.7.1 differentiates between "habitable" and "non-habitable" buildings," yet neither of these terms are defined in Chapter 13 of the Proposed District Plan.
- A retirement village has a range of shared buildings/facilities that could arguably be both habitable or non-habitable.
- Appropriate definitions are therefore required to provide certainty.
- Definitions are required to provide clarification with respect to the intended building setbacks.

Point Number 761.17

Summary of Decision Requested: **Delete** the following standards from Table 14.12.5.7- Required parking spaces and loading bays:

- Retirement Village: 1 car space per dwelling or unit.
- Housing for the elderly/residential care: 1 car space per 4 occupants.
- Hospital or care facilities associated with retirement village: 2 car spaces per 3 patients accommodated plus 1 per 2 full time staff equivalents.

AND

Add the following standard to Table 14.12.5.7- Required Parking spaces and loading bays:

Retirement Village: 1 car space per 4 occupants that the facility can accommodate and one per dwelling or freestanding unit.

AND

Amend the Proposed District Plan to make any consequential amendments that are required to give effect to the submission.

Decision Reasons:

- Provisions under Table 14.12.5.7 (Required parking spaces and loading bays) are confusing.
- Provisions are essentially 3 different standards for the same activity and all 3 could be applied to a retirement village.
- District Plan does not need to differentiate between the specified activities in Table 14.12.5.7.
- A single standard for a retirement village would suffice.
- The standards for "housing for the elderly/residential car" and "hospital and care facilities" should therefore be deleted.

Point Number 761.18

Summary of Decision Requested: **Amend** Rule 14.12.1.4(1)d)-Traffic Generation so that it does not apply to a retirement village at 180 Horsham Downs Road.

AND

Amend the Proposed District Plan to make any consequential amendments that are required to give effect to the submission.

Decision Reasons:

- Restrictions regarding vehicle movements should not apply to the proposed retirement village at 180 Horsham Downs Road.

Point Number 761.19

Summary of Decision Requested: **Amend** the Proposed District Plan to make any consequential amendments that are required to give effect to the submission.

Decision Reasons:

- Various reasons outline in the submission.

Point Number 761.20

Summary of Decision Requested: **Retain** Rule 22.3.4.1 P2 Height- Building-General insofar as it excludes the property at 180 Horsham Downs Road, Horsham Downs, which is not identified as having a Significant Amenity Landscape.

AND

Retain the property at 180 Horsham Downs Road, Horsham Downs as not having a Significant Amenity Landscape identified on it.

Decision Reasons:

- Rule P2 permits a maximum building height of 7.5m in a Significant Amenity Landscape.
- Property at 180 Horsham Downs not identified as an Significant Amenity Landscape
- Location of property at 180 Horsham Downs Road **outside** of a Significant Amenity Landscape is supported
- Any proposal to identify 180 Horsham Downs Road within a Significant Amenity Landscape would compromise the plans for the proposed Retirement Village and would therefore be opposed.

Point Number 761.21

Summary of Decision Requested: **Retain** the height to boundary requirement (37 degrees at 2.5m above ground level) in Rule 22.3.5 Daylight admission.

AND

Amend Rule 22.3.5 P1 Daylight admissions so the height control plane only applies to the external boundaries of Retirement Villages and not to any internal boundaries for individual certificate of title boundaries.

AND

Amend the Proposed District Plan to make any consequential amendments that are required to give effect to the submission.

Decision Reasons:

- Retention of existing height to boundary provision is supported.
- Height to boundary requirement should only be applicable to the external boundaries of a retirement village, not the boundaries of individuals titles within a Retirement Village.

Point Number 761.22

Summary of Decision Requested: **Retain** Rule 22.3.5 RD1-Daylight admission as notified.

Decision Reasons:

- Restricted Discretionary Activity status is supported.

Point Number 761.23

Summary of Decision Requested: **Amend** Rule 22.3.6- Building coverage so that the building coverage requirements do not apply to a Retirement Village.

AND

Amend the Proposed District Plan to make any consequential amendments that are required to give effect to the submission.

Decision Reasons:

- The rule relating to building coverage in Rule 22.3.6(P1) should not be applicable to a Retirement Village.
- Larger sized buildings form an integral part of a retirement village development, therefore are necessary to accommodate the shared services and specialized medical facilities essential for a retirement village.
- LFL are opposed to any restrictions regarding building coverage for a retirement village.

Point Number 761.24

Summary of Decision Requested: **Amend** Rule 22.3.7.1 Building setbacks- All boundaries as follows:

Rules P1, P2, P3, P4 and RD1 do not apply to the proposed Retirement Village at 180 Horsham Downs Road; and

Building setback requirements only apply to the external boundaries of a Retirement Village and there are no internal setback requirements; and there are no internal setback requirements; and

The different rules for "habitable and non-habitable" buildings do not apply to a Retirement Village; and

Site specific building setbacks are included for a Retirement Village.

AND

Amend the Proposed District Plan to make any consequential amendments that are required to give effect to the submission.

Decision Reasons:

- The submitter opposes building setback provisions that are proposed in Rule 22.3.7.1.
- Proposed building setback provisions do not provide certainty with respect to the proposed Retirement Village Development at 180 Horsham Downs Road.
- The provisions don't include a building setback from the Waikato Expressway.
- The provisions do not include any activity specific setbacks for a Retirement Village.
- Building setback provisions stated in Rule P1, P2, P3 and P4 and RD1 should not apply to a Retirement Village.
- Provisions in Rules P3 and P4 would currently apply to 80 Horsham Downs Road.
- The size and number of certificates of title is likely to change, as a result of the subdivision associated with the proposed Retirement Village.
- Existing building setback rules do not provide for Retirement village development.
- The building setbacks for a Retirement Village (P1-P4) should not refer to the size of the Record of Title.
- References to "habitable" and "non-habitable" buildings are not defined and not relevant to retirement villages.

Submitter Number: 762 **Submitter:** Simon Thomson

Point Number 762.1

Summary of Decision Requested: **Amend** the Proposed District Plan to include a resource management framework for the management of Genetically Modified Organisms that is regionally specific taking into account environmental, economic and social wellbeing considerations.

Decision Reasons:

- Provisions allowed under the Resource Management Act 1991 and pursuant to the ruling in Federated Farmers of New Zealand v Northland Regional Council [2015] NZEnC 89.
- Submitter concerned about potential risks posed by release of Genetically Modified Organisms into environment.
- Release of Genetically Modified Organisms has the potential to cause significant adverse effects on the environment, including the following:
 1. Biological or ecosystem harm
 2. Harm to Tangata whenua cultural values such as mauri and tikanga
 3. Harm to the cultural values and lifestyle decisions of people and communities at a local level concerning what constitutes their wellbeing
 4. Harm from Genetically Modified Organism contamination to existing or potential forms of land use including farming, forestry and other primary production activities dependent on an uncontaminated environmental brand.
 5. Adverse effects to these land uses could include: loss of organic and Genetically Modified Organism-free certification, reputational damage, loss of markets and premiums paid for Genetically Modified Organism free produce and loss of livelihood.
- Conditions of consent may be breached by poor management, human error, natural events.
- Once Genetically Modified Organisms have been released they would be very difficult, if not impossible to eradicate.
- Application of integrated management and precautionary approach to Genetically Modified Organisms under the Resource Management Act is the best technique for managing potential adverse effects.
- It is consistent with the sustainable management purpose and Part II of the Resource Management Act to establish district plan provisions that manage the release, location and management of Genetically Modified Organisms where they have the potential to adversely affect the environment.

Point Number 762.2

Summary of Decision Requested: **Amend** the Proposed District Plan to include strong precautionary and prohibitive provisions, policies and rules relating to Genetically Modified Organisms that are the same (or similar) as those in the Far North District Plan, the Whangarei District Plan and the Auckland Unitary Plan.

Decision Reasons:

- Provisions allowed under the Resource Management Act 1991 and pursuant to the ruling in Federated Farmers of New Zealand v Northland Regional Council [2015] NZEnC 89.
- Precautionary approach would place liability with creators and owners of genetic material.
- Submitter concerned about potential risks posed by release of Genetically Modified Organisms into environment.
- Ensures a consistent approach across Northland, Auckland and Waikato.
- Eliminates cross boundary issues.
- Release of Genetically Modified Organisms has the potential to cause significant adverse effects on the environment, including the following:
 1. Biological or ecosystem harm
 2. Harm to Tangata whenua cultural values such as mauri and tikanga
 3. Harm to the cultural values and lifestyle decisions of people and communities at a local level concerning what constitutes their wellbeing
 4. Harm from Genetically Modified Organism contamination to existing or potential forms of land use including farming, forestry and other primary production activities dependent on an uncontaminated environmental brand.
 5. Adverse effects to these land uses could include: loss of organic and Genetically Modified Organism-free certification, reputational damage, loss of markets and premiums paid for Genetically Modified Organism free produce and loss of livelihood.
- Conditions of consent may be breached by poor management, human error, natural events.
- Once Genetically Modified Organisms have been released they would be very difficult, if not impossible to eradicate.
- Application of integrated management and precautionary approach to Genetically Modified Organisms under the Resource Management Act is the best technique for managing potential adverse effects.
- It is consistent with the sustainable management purpose and Part II of the Resource Management Act to establish district plan provisions that manage the release, location and management of Genetically Modified Organisms where they have the potential to adversely affect the environment.

Point Number 762.3

Summary of Decision Requested: **Amend** the Proposed District Plan to include that liability for spread and damage caused by Genetically Modified Organism's be with the owners of that genetic material, and secondly local and regional councils.

Decision Reasons:

- Provisions allowed under the Resource Management Act 1991 and pursuant to the ruling in Federated Farmers of New Zealand v Northland Regional Council [2015] NZEnC 89.
- Submitter is concerned about liability of introduction of Genetically Modified Organisms.
- Submitter also concerned about potential risks posed by release of Genetically Modified Organisms into environment.
- A precautionary approach would place the liability with the creators and owners of genetic material.
- Would allow farmers and individuals to take legal action against companies and corporates, and against councils for negligence.
- Release of Genetically Modified Organisms has the potential to cause significant adverse effects on the environment, including the following:
 1. Biological or ecosystem harm
 2. Harm to Tangata whenua cultural values such as mauri and tikanga
 3. Harm to the cultural values and lifestyle decisions of people and communities at a local level concerning what constitutes their wellbeing
 4. Harm from Genetically Modified Organism contamination to existing or potential forms of land use including farming, forestry and other primary production activities dependent on an uncontaminated environmental brand.
 5. Adverse effects to these land uses could include: loss of organic and Genetically Modified Organism-free certification, reputational damage, loss of markets and premiums paid for Genetically Modified Organism free produce and loss of livelihood.
- Conditions of consent may be breached by poor management, human error, natural events.
- Once Genetically Modified Organisms have been released they would be very difficult, if not impossible to eradicate.

Point Number

762.4

Summary of Decision Requested:

Amend the Proposed District Plan to require those who introduce Genetically Modified Organism material into the environment be required to pay a bond to council equal in order of magnitude greater than any possible clean-up to eradicate at the genetic material.

Decision Reasons:

- Provisions allowed under the Resource Management Act 1991 and pursuant to the ruling in Federated Farmers of New Zealand v Northland Regional Council [2015] NZEnC 89.
- Submitter concerned about potential risks posed by release of Genetically Modified Organisms into environment.
- Release of Genetically Modified Organisms has the potential to cause significant adverse effects on the environment, including the following:
 1. Biological or ecosystem harm
 2. Harm to Tangata whenua cultural values such as mauri and tikanga
 3. Harm to the cultural values and lifestyle decisions of people and communities at a local level concerning what constitutes their wellbeing
 4. Harm from Genetically Modified Organism contamination to existing or potential forms of land use including farming, forestry and other primary production activities dependent on an uncontaminated environmental brand.
 5. Adverse effects to these land uses could include: loss of organic and Genetically Modified Organism-free certification, reputational damage, loss of markets and premiums paid for Genetically Modified Organism free produce and loss of livelihood.
- Conditions of consent may be breached by poor management, human error, natural events.
- Once Genetically Modified Organisms have been released they would be very difficult, if not impossible to eradicate.
- Application of integrated management and precautionary approach to Genetically Modified Organisms under the Resource Management Act is the best technique for managing potential adverse effects.
- It is consistent with the sustainable management purpose and Part II of the Resource Management Act to establish district plan provisions that manage the release, location and management of Genetically Modified Organisms where they have the potential to adversely affect the environment.

Submitter Number:

763

Submitter:

Fiona Jones

Point Number

763.1

Summary of Decision Requested:

Amend the Proposed District Plan to enable subdivision of 25 Renown Road, Waikokowai and 22 McDonald Mine Road, Waikokowai into two.

Decision Reasons:

- 25 Renown Road is a house, tank, septic tank and separate road/fences/driveway access.
- Small Significant Natural Area in between both properties.
- 25 Renown Road was on two titles historically.
- Subdivision would allow submitter to protect Significant Natural Area and keep the public out.
- 5 Kauri trees located on 22 McDonald Mine Road side.
- Unique subdivision as the site was an old school (120 years old).

Submitter Number:

764

Submitter:

Ambury Properties Limited

Point Number

764.1

Summary of Decision Requested:

Amend the zoning of the property at 231 Tahuna Road and 52, 56 and 58 Lumsden Road, Ohinewai from Rural Zone to Industrial, Business and Residential Zone as shown on the plan attached to the submission (see Attachment 1 of the submission).

AND

Add the Ohinewai Structure Plan attached to the original submission in a new 'Appendix 13' within the Proposed District Plan.

AND

Amend the Proposed District Plan as necessary to support the relief set out in the submission.

Decision Reasons:

- To be consistent with the purpose and principles of the Resource Management Act.
- Promote the sustainable management of natural and physical resources.
- Enable people and communities to provide for their social and economic wellbeing.
- Meet the foreseeable needs of future generations.
- Provide industrial, business and residential land to give effect to the National Policy Statement on Urban Development Capacity.
- Consistent with sound resource management practice.
- Will enable a standalone manufacturing facility that will have road and rail connections.
- An area of 9.5ha is proposed to be allocated to business use and shall principally be used as a bulk factory outlet centre associated with the manufacturing business.
- The property is well suited to a service centre type development as it is accessible from the Waikato Expressway.
- The site is intended to include a group of neighbourhood shops of a scale to service the local residents.
- This will result in a residential yield of approximately 900 dwellings to assist staff into affordable housing, that will be a mix of medium to high density. Some of the housing will be offered to the private market.
- Residential activity and industrial activity will be separated by an open space/recreational buffer area with a width of 100m.
- Residential area will adjoin Lake Rotokawau and provides connections to Lake Waikare and Te Kauwhata.
- Waikato District Council have indicated that they are investigating options for reticulated wastewater and water supply to Ohinewai and the submitter is investigating stormwater options.
- The investment in this location will encourage reinvestment and growth in Huntly.
- The development provides an opportunity to provide for this anticipated future growth in a strategic location close to transport routes and will provide employment opportunities whilst encouraging redevelopment and planned growth for Huntly.

- The Waikato Regional Policy Statement recognizes alternative land release and timing where criteria and development principles are met.

Point Number 764.2

Summary of Decision Requested: **Amend** Objective 4.1.2 Urban growth and development as follows:
 (a) Future settlement pattern is consolidated in and around existing and planned towns and villages in the district.
 AND

Amend the Proposed District Plan as necessary to support the relief set out in the submission.

Decision Reasons:

- To be consistent with the purpose and principles of the Resource Management Act.
- Promote the sustainable management of natural and physical resources.
- Enable people and communities to provide for their social and economic wellbeing.
- Meet the foreseeable needs of future generations.
- Provide industrial, business and residential land to give effect to the National Policy Statement on Urban Development Capacity.
- Consistent with sound resource management practice.
- The objectives of the Proposed District Plan are supportive of economic growth and new development and therefore support the rezoning of the property.
- This submission demonstrates that it is not always possible for a large industrial development with requirements for long term expansion to be located within an existing township.
- There is a need to recognise that development is also to be consolidated in new towns and villages where this is planned for.

Point Number 764.3

Summary of Decision Requested: **Amend** Policy 4.1.3(a) Location of development as follows:
 (a) Subdivision and development of a residential, commercial and industrial nature is to occur within existing and planned towns and villages where infrastructure and services can be efficiently and economically provided for.
 AND

Amend the Proposed District Plan as necessary to support the relief set out in the submission.

Decision Reasons:

- To be consistent with the purpose and principles of the Resource Management Act.
- Promote the sustainable management of natural and physical resources.
- Enable people and communities to provide for their social and economic wellbeing.
- Meet the foreseeable needs of future generations.
- Provide industrial, business and residential land to give effect to the National Policy Statement on Urban Development Capacity.
- Consistent with sound resource management practice.
- The policies of the Proposed District Plan are supportive of economic growth and new development and therefore support the rezoning of the property.
- This submission demonstrates that it is not always possible for a large industrial development with requirements for long term expansion to be located within an existing township.
- There is a need to recognise that development is also to be consolidated in new towns and villages where this is planned for.

Point Number 764.4

Summary of Decision Requested: **Add** a new policy for Ohinewai to provide a policy framework for the subdivision, use and development of the Industrial, Business and Residential zoned land at 231 Tahuna Road, 52, 56 and 58 Lumsden Road, Ohinewai, as sought in the submission.
 OR
Amend Policy 4.1.13 Huntly to provide a policy framework for the subdivision, use and development of the Industrial, Business and Residential zoned land at 231 Tahuna Road, 52, 56 and 58 Lumsden Road, Ohinewai, as sought in the submission.
 AND

Amend the Proposed District Plan as necessary to support the relief set out in the submission.

Decision Reasons:

- To provide a framework for the subdivision, use and development of the Industrial, Business and Residential land within the submitter's property.

Point Number 764.5

Summary of Decision Requested: **Amend** objectives and policies to enable the subdivision, use and development of the property at 231 Tahuna Road, 52, 56 and 58 Lumsden Road, Ohinewai as sought within the submission.
 OR
Add objectives and policies to enable the subdivision, use and development of the property at 231 Tahuna Road, 52, 56 and 58 Lumsden Road, Ohinewai as sought within the submission.
 AND

Amend the Proposed District Plan as necessary to support the relief set out in the submission.

Decision Reasons:

- To provide for the subdivision, use and development of the Property.

Point Number 764.6

Summary of Decision Requested: **Add** an Ohinewai Structure Plan such as Attachment 2 within the submission as a new Appendix 13 in Chapter 29 Appendices.
 AND

Amend the Proposed District Plan as necessary to support the relief set out in the submission.

Decision Reasons:

- To be consistent with the purpose and principles of the Resource Management Act.
- Promote the sustainable management of natural and physical resources.
- Enable people and communities to provide for their social and economic wellbeing.
- Meet the foreseeable needs of future generations.
- Provide industrial, business and residential land to give effect to the National Policy Statement on Urban Development Capacity.
- Consistent with sound resource management practice.
- Will enable a standalone manufacturing facility that will have road and rail connections.

- An area of 9.5ha is proposed to be allocated to business use and shall principally be used as a bulk factory outlet centre associated with the manufacturing business.
- The property is well suited to a service centre type development as it is accessible from the Waikato Expressway.
- The site is intended to include a group of neighbourhood shops of a scale to service the local residents.
- This will result in a residential yield of approximately 900 dwellings to assist staff into affordable housing, that will be a mix of medium to high density. Some of the housing will be offered to the private market.
- Residential activity and industrial activity will be separated by an open space/recreational buffer area with a width of 100m.
- Residential area will adjoin Lake Rotokawau and provides connections to Lake Waikare and Te Kauwhata.
- Waikato District Council have indicated that they are investigating options for reticulated wastewater and water supply to Ohinewai and the submitter is investigating stormwater options.
- The investment in this location will encourage reinvestment and growth in Huntly.
- The development provides an opportunity to provide for this anticipated future growth in a strategic location close to transport routes and will provide employment opportunities whilst encouraging redevelopment and planned growth for Huntly.
- The Waikato Regional Policy Statement recognizes alternative land release and timing where criteria and development principles are met.

Submitter Number: 765 **Submitter:** Tamahere Eventide Home Trust
On behalf of: Atawhai Assisi Retirement Village

Point Number 765.1
Summary of Decision Requested: **Retain** the Country Living Zoning of Tamahere Eventide Retirement Village and the surrounding land in the immediate area at 621 State Highway One (Lot 2 DPS 88165), 0 State Highway One (Lot 1 DPS 88165) and 597 State Highway One (Pt Lot 2 DPS 2182) as notified.

Decision Reasons:

- Entire Tamahere Eventide Retirement Village Site is zoned Country Living.

Point Number 765.2
Summary of Decision Requested: **Retain** the proposed overlays as notified identified in Planning Maps for Tamahere Eventide Retirement Village and the surrounding properties in the immediate area at 621 State Highway One (Lot 2 DPS 88165), 0 State Highway One (Lot 1 DPS 88165) and 597 State Highway One (Pt Lot 2 DPS 2182).

Decision Reasons:

- The submission identifies the following policy overlays/areas as applicable to Tamahere Eventide Site:
 - Significant Natural Area
 - Waikato River Catchment
 - Walkway Cycle way Bridleway
 - Airport Noise Subdivision Control Boundary,
 - Airport Obstacle Limitation Surface,
 - Airport Noise Outer Control Boundary,
 - Hamilton Basis Ecological Management.
- Land immediately west of Tamahere Eventide is a designated site (Waikato Expressway).

Point Number 765.3
Summary of Decision Requested: **Add** a new activity to Rule 23.1.1 Permitted Activity for Tamahere Eventide as follows:
P5. A retirement village (including alterations, expansions) at the Tamahere Eventide.

AND

Add activity specific conditions to Rule 23.1.1 P5 Permitted Activity for Tamahere Eventide as follows:

Any additions or expansion at the Tamahere Eventide Retirement Village

(a) Minimum living court or balcony area and dimensions:

(iv) Apartment- 10m2 area within minimum dimension horizontal and vertical of 2.5m;

(v) Studio unit or 1 bedroom unit- 12.5m2 area with minimum dimension horizontal and vertical of 2.5m; or

(vi) 2 or more bedroomed unit- 15m2 area with minimum dimension horizontal and vertical of 2.5m;

(a) Minimum service court is either:

(iii) Apartment- communal outdoor space (i.e. no individual service courts required); or

(iv) All other units- 10m2 for each unit;

(a) Building height does not exceed 8m, except 15% of total building coverage, where buildings may be up to 10m high;

(b) Building setbacks – a 7.5m setback is required from a local road, and a 12m setback is required from all other boundaries; except internal site boundaries where no setback shall apply.

(c) The following Land Use- Effects rule in Rule 23.2 do not apply;

(i) Rule 23.2.6 (Signs- General);

(ii) Rule 23.2.6.2 (Signs- Effects on traffic);

(a) The following Land Use- Building rules in Rule 23.3 do not apply;

(i) Rule 23.3.1 (Dwelling);

(ii) Rule 23.3.4.1 (Height- Building General);

(iii) 23.3.5 Daylight Admission

(iv) 23.3.6 Building Coverage

(v) Rule 23.3.7.2 Building Setback- Sensitive Land Use.

(a) The following Infrastructure and Energy Rule in Chapter 14 does not apply;

(i) Rule 14.12.1 P4 10 (a).

AND

Any consequential amendments that are required to give effect to the above submission.

Decision Reasons:

- Permitted Activity Table in Rule 23.1.1 does not include any provisions for existing and future retirement villages at Tamahere Eventide and is therefore opposed.
- Operative District Plan includes a site specific schedule for Tamahere Eventide Village and allows for a range of Retirement Village activities as a Permitted Activity.
- In the Proposed Plan, Tamahere Eventide is a Non-Complying in the Country Living Zone.
- Submitter recognises adoption of zone wide provisions for retirement villages provides appropriate certainty and guidance for operations establishing new retirement village developments, however it does not appropriately recognise or protect existing retirement village developments.
- The Proposed District Plan does not differentiate between establishment of a 'new' retirement village and/or minor alterations or additions to an 'existing' retirement village.
- Minor alterations/extensions would require resource consent for a non-complying activity under the Proposed Plan provisions and is opposed.

Point Number 765.4

Summary of Decision Requested: **Add** a restricted discretionary table into Rule 23.1 Land Use- Activities with a new restricted discretionary activity for retirement villages as follows:

RD1 (g) The following Retirement Village Activities are Restricted Discretionary in the Country Living Zone:

1. A new retirement village
2. Alterations to existing retirement villages (excluding Tamahere Eventide);
3. Alterations to Tamahere Eventide that do not comply with the Activity Specific Conditions in Rule 23.1.1.

AND

Any consequential amendments that are required to give effect to the above submission.

Decision Reasons:

- Activity Tables in Chapter 23 do not include any provisions for Restricted Discretionary Activities.
- Restricted Discretionary activity status is considered appropriate for the activities identified in 1-3.

Point Number 765.5

Summary of Decision Requested: **Delete** Rule 23.1.3 NC3- Non-Complying Activities.

AND

Any consequential amendments that are required to give effect to the above submission.

Decision Reasons:

- Opposes non-complying activity status for a 'retirement village' in the Country Living Zone.
- Under Operative District Plan, a retirement village activity is specifically provided for as a Permitted Activity at Tamahere Eventide.

Point Number 765.6

Summary of Decision Requested: **Add** a new rule to Rule 23.2.6 Signs as follows:

(3) Rules 23.2.6.1 and 23.2.6.2 do not apply to a retirement village.

OR

Add a new row to the activity table in Rule 23.2.6 Signs- General as follows:

(x) Rules P1, P2, P3 and RD1 above do not apply to a retirement village.

AND

Any consequential amendments that are required to give effect to the above submission.

Decision Reasons:

- Signage forms an integral part of a retirement village development and is necessary to clearly identify the various buildings, facilities and car parking areas within a retirement village.
- Opposed to any restrictions regarding signage for Tamahere Eventide.
- The rules relating to signage (particularly those limiting the number, area and height of signage in Rule 23.3.6.1 P2) should not be applicable to Tamahere Eventide.

Point Number 765.7

Summary of Decision Requested: **Add** a new rule to Rule 23.2.6 Signs as follows:

(3) Rule 23.2.6.1 and 23.2.6.2 do not apply to a retirement village

OR

Add a new rule to Rule 23.3.6.2 Signs-Effects on traffic as follows:

(x) Rules P1, P2, P3 and RD1 above do not apply to a retirement village.

AND

Any consequential amendments that are required to give effect to the above submission.

Decision Reasons:

- Signage forms an integral part of a retirement village development and is necessary to clearly identify the various buildings, facilities and car parking areas within a retirement village.
- Opposed to any restrictions regarding signage for Tamahere Eventide.
- The rules relating to signage (particularly those preventing signs from imitating the content, colour or appearance of any traffic control sign and those restricting the location of the sign and the number of character or symbols) in Rule 23.2.6.2 should not be applicable to Tamahere Eventide.

Point Number 765.8

Summary of Decision Requested: **Amend** Rule 23.3.4.1- Height- Building Control so that it does not apply to Tamahere Eventide.

AND

Any consequential amendments that are required to give effect to the above submission.

Decision Reasons:

- An alternative height standard is proposed for Tamahere Eventide (in activity specific conditions elsewhere in the submission).

- The maximum permitted building height (7.5m) shouldn't be applicable to a retirement village development.
- Modern retirement village developments typically comprise of multi-level buildings that are often greater than 7.5m in height.
- Retirement village sites are of sufficient size and area so that buildings higher than 7.5m can be appropriately positioned within the site to comply with the building setback and height-boundary requirements.
- A height rule is proposed for 'a new retirement village or alterations to an existing retirement village' should apply, similar to Residential Zone Rule 16.1.2 P3 (f).

Point Number 765.9

Summary of Decision Requested: **Retain** Rule 23.3.5 PI Daylight admission

AND

Amend Rule 23.3.5- Daylight Admission so that it only applies to the external boundaries of Tamahere Eventide (not internal boundaries between the individual certificates of title that collectively make up the retirement village site).

AND

Any consequential amendments that are required to give effect to the above submission.

Decision Reasons:

- Retention of existing height-boundary provision (37 degrees at 2.5m above ground level) is supported, however proposed minor amendments ensure the that rule is only applied to the external site boundaries of Tamahere Eventide.
- Existing rest home and retirement village development at Tamahere Eventide comprise 3 separate adjacent certificates of titles.
- The height to boundary requirement should only be applicable to the external boundaries of the village, not the boundaries of each title.

Point Number 765.10

Summary of Decision Requested: **Amend** Policy 5.6.2- Country Living Character as follows:

(a) Any building and activity within the Country Living Zone are designed, located, scaled and serviced in a manner that does not detract from the character of the area by:

(i) Maintaining the existing open space character;

(ii) Maintaining existing low density residential development;

(iii) Recognizing the absence of Council wastewater services and lower levels of other infrastructure.

(b) Maintain existing views and vistas of the rural hinterland beyond, including, where applicable, Waikato River, wetlands, lakes and the coast.

(c) Maintain an existing road pattern that follows the natural contour of the landform.

AND

Any consequential amendments that are required to give effect to the above submission.

Decision Reasons:

- Amendments are required to also recognise the existing open space and development.

Point Number 765.11

Summary of Decision Requested: **Retain** Policy 5.6.4- Building setbacks, insofar as it seeks to maintain the existing spaciousness between adjoining sites (as opposed to the internal boundaries within a development).

Decision Reasons:

- Approach is consistent with the other submission points in relation to Rule 23.3.7, which seeks amendments so that the building setbacks only apply to the external boundaries of the Tamahere Eventide site.

Point Number 765.12

Summary of Decision Requested: **Amend** Policy 5.6.5- Scale and intensity of development as follows:

Minimise the adverse effects of development created by excessive building scale, overshadowing, building bulk, excessive site coverage or loss of privacy, except where such development correlates to existing site development.

OR

Add a new policy for Tamahere Eventide.

AND

Any consequential amendments that are required to give effect to the above submission.

Decision Reasons:

- Amendments are required to Policy 5.6.5 so that it does not apply to existing development or an existing Retirement Village.

Point Number 765.13

Summary of Decision Requested: **Add** a new policy for Tamahere Eventide after policy 5.6.8 Non-residential activities as follows:

Policy 5.6.X: Tamahere Eventide

(a) Permit additions and expansions at Tamahere Eventide where they:

(i) Have functional need to locate within the Country Living Zone; and

(ii) Provide for the health and wellbeing of the community,

AND

Any consequential amendments that are required to give effect to the above submission.

Decision Reasons:

- The intent of the proposed policy 5.6.8 is also applicable to Tamahere Eventide Retirement Village, but would not apply because a Retirement Village is not considered a 'non-residential activity.'

Point Number 765.14

Summary of Decision Requested:	Amend the definition of "Residential activity" in Chapter 13: Definitions to specifically include and refer to a Retirement Village. AND Any consequential amendments that are required to give effect to the above submission.
Decision Reasons:	<ul style="list-style-type: none"> A retirement village is clearly a residential activity and should be expressly stated within the definition.
Point Number	765.15
Summary of Decision Requested:	Delete the definition of "Rest home" from Chapter 13: Definitions. AND Any consequential amendments that are required to give effect to the above submission.
Decision Reasons:	<ul style="list-style-type: none"> There are no rules relating to this definition. No reason to differentiate between a "retirement village" and a "rest home."
Point Number	765.16
Summary of Decision Requested:	Retain the definition for "Retirement Village" in Chapter 13: Definitions as notified.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	765.17
Summary of Decision Requested:	Delete the following from Table 14.12.5.7- Required parking spaces and loading bays: <ul style="list-style-type: none"> Retirement Village: 1 car space per dwelling or unit. Housing for the elderly/residential care: 1 car space per 4 occupants. Hospital or care facilities associated with retirement village: 2 car space per 3 patients accommodated plus 1 per 2 full time staff equivalents. AND Any consequential amendments that are required to give effect to the above submission.
Decision Reasons:	<ul style="list-style-type: none"> Provisions are confusing. There are essentially 3 different standards for the same activity; and all 3 could be applied to existing retirement village activities at Tamahere Eventide. The District Plan does not need to differentiate between the various activities. A single standard for a retirement village would suffice. A single car parking standard should apply to the overall site (as opposed to different car parking requirements for each of the retirement village related activities).
Point Number	765.18
Summary of Decision Requested:	Add parking standards to Table 14.12.5.7- Required parking spaces and loading bays as follows: <ul style="list-style-type: none"> <u>Retirement Village: 1 car space per 4 occupants.</u> AND Any consequential amendments that are required to give effect to the above submission.
Decision Reasons:	<ul style="list-style-type: none"> Provisions are confusing. There are essentially 3 different standards for the same activity; and all 3 could be applied to existing retirement village activities at Tamahere Eventide. The District Plan does not need to differentiate between the various activities. A single standard for a retirement village would suffice. A single car parking standard should apply to the overall site (as opposed to different car parking requirements for each of the retirement village related activities).
Point Number	765.19
Summary of Decision Requested:	Add new Policy 5.6.X (a) Tamahere Eventide as follows: <i>(g) Enable the existing Tamahere Eventide activities to continue and support their redevelopment and expansion, provided they do not have a significant adverse effect on the character and amenity of the Country Living Zone.</i> AND Any consequential amendments that are required to give effect to the above submission.
Decision Reasons:	<ul style="list-style-type: none"> The intent of the proposed policy 5.6.8 is also applicable to Tamahere Eventide Retirement Village, but would not apply because a Retirement Village is not considered a 'non-residential activity.'
Point Number	765.20
Summary of Decision Requested:	Retain Building Rule 23.3.5 RD1 - Daylight Admission.
Decision Reasons:	<ul style="list-style-type: none"> Restricted Discretionary Activity status is supported.
Point Number	765.21

Summary of Decision Requested: Amend Rule 23.3.6- Building Coverage so that the building coverage rules do not apply to Tamahere Eventide.
AND
Any consequential amendments that are required to give effect to the above submission.

Decision Reasons:

- Rules relating to building coverage in 23.3.6 (P1) should not be applicable to Tamahere Eventide.
- Larger sized buildings (greater than 300m²) form an integral part of a retirement village development and are necessary to accommodate the shared services and specialised medical facilities that are essential for a retirement village.

Point Number 765.22

Summary of Decision Requested: Amend Rule 23.3.7.1- Building setbacks - All boundaries so that the setback requirements do not apply to Tamahere Eventide.
AND
Any consequential amendments that are required to give effect to the above submission.

Decision Reasons:

- Requirements for building setbacks and height-boundary should only apply to the external boundaries of the submitter's site, not the internal boundaries of the individual certificates of title that collectively apply to the site.
- Site specific building setbacks are proposed for Tamahere Eventide elsewhere in the submission.

Point Number 765.23

Summary of Decision Requested: Amend Rule 23.3.7.2 Building setback- Sensitive Land Use so that the setback requirements do not apply to Tamahere Eventide.
AND
Any consequential amendments that are required to give effect to the above submission.

Decision Reasons:

- P1 (a)(iii) requires a 35m setback from the designated boundary of the Waikato Expressway, which is larger than what currently exists at the site (as per the existing Operative District Plan)
- Site specific setbacks are proposed for Tamahere Eventide elsewhere in the submission.

Point Number 765.24

Summary of Decision Requested: Amend Objective 5.6.1 (a)- Country Living Zone to recognise the existing character and abutting character/amenity, not just amenity and character of the zone.
AND
Any consequential amendments that are required to give effect to the above submission.

Decision Reasons:

- Character of existing retirement village activities at Tamahere Eventide should be considered.

Submitter Number: 766 **Submitter:** Nicky Hogarth

Organisation: Holcim (New Zealand) Limited

Point Number 766.1

Summary of Decision Requested: Retain Policy 6.2.5 Environmental effects insofar as it gives effect to submitters relief sought.

Decision Reasons:

- Submitter supports the intention of the objective to recognise and provide for protection of the National Grid.
- Provisions relating to the National Grid yard are too restrictive and should be amended as per relief sought to Chapter 14.4 provisions.

Point Number 766.2

Summary of Decision Requested: Retain Policy 6.2.6 Reverse sensitivity and the National Grid insofar as it gives effect to submitter's relief sought.

Decision Reasons:

- Submitter supports the intention of the objective to recognise and provide for protection of the National Grid.
- Provisions relating to the National Grid yard are too restrictive and should be amended as per relief sought to Chapter 14.4 provisions.

Point Number 766.3

Summary of Decision Requested: Retain Objective 6.4.1 Integration of infrastructure with subdivision, land use and development insofar as it gives effect to the relief sought.

Decision Reasons:

- Submitter supports the intention of the objective, subject to the relief sought elsewhere in the submission.

Point Number 766.4

Summary of Decision Requested: Amend Policy 6.4.5 (i) and (ii) Roading Infrastructure to provide an exclusion for Industrial Zones.
AND

Any additional or consequential relief to give effect to the matters raised in the submission.

Decision Reasons:

- As Industrial areas are subject to less pedestrian thoroughfare or recreational cyclist facilities, there is no reason to require industrial areas to adhere to the same amenity standards as residential and higher amenity zones.

Point Number

766.5

Summary of Decision Requested:

Amend the definition of "National Grid" in Chapter 13 Definitions so that yard setbacks are reduced to align with decisions on appeals and consents orders on Auckland Unitary Plan and the current Auckland Unitary Plan rules.

AND

Any additional or consequential relief to give effect to the matters raised in the submission.

Decision Reasons:

- The overlay and its provisions should reflect the minimums allowed under the Auckland Unitary Plan, whereby the 'Yard' is measured at 12m in any direction from outer edge of a National Grid support structure and 12m either side of the centerline of any overhead National Grid line rather than up to 37m either side of a 220kV transmission line.
- There is no reason for Waikato District Plan to have a wider restriction buffer than Auckland when effect on the National Grid would be the same regardless of region.
- Auckland rules apply immediately adjoining the submitter's site.
- Since Auckland has the most recent case law on the National Grid network through Auckland Unitary Plan appeals process, it is not unreasonable to consider that its provisions are suitable to meet the NPS for Electricity Transmission.

Point Number

766.6

Summary of Decision Requested:

Amend Rule 14.4.1 Permitted Activities by reducing yard setbacks to align with the decisions on appeals and consent orders on the current Auckland Unitary Plan rules which allow for carparking or hard stand surfaces (and in associated drainage) with limited storage height on Industrial zoned land within the National Grid Yard.

AND

Any additional or consequential relief to give effect to the matters raised in the submission.

Decision Reasons:

- The Overlay and its provisions should reflect the minimums allowed under the Auckland Unitary Plan, whereby the 'Yard' is measured at 12m in any direction from the outer edge of a National Grid support structure and 12m either side of the centerline of any overhead National Grid line, rather than up to 37m either side of 220kV transmission line.
- There is no reason for Waikato District Plan to have a wider restriction buffer than Auckland when the effect on the National Grid would be the same regardless of region.
- Auckland rules apply immediately adjoining the submitter's site.
- Since Auckland has the most recent case law on the National Grid network through the Auckland Unitary Plan appeals process, it is not unreasonable to consider that its provisions are suitable to meet the NPS for Electricity Transmission.

Point Number

766.7

Summary of Decision Requested:

Amend Rule 14.4.2 Restricted Discretionary Activities by reducing yard setbacks to align with the decisions on appeals and consent orders, in the current Auckland Unitary Plan rules which allow for car parking or hard stand surfaces (and associated drainage) with limited storage height on Industrial zoned land within the National Grid Yard.

AND

Any additional or consequential relief to give effect to the matters raised in the submission.

Decision Reasons:

- The Overlay and its provisions should reflect the minimums allowed under the Auckland Unitary Plan, whereby the 'Yard' is measured at 12m in any direction from the outer edge of a National Grid support structure and 12m either side of the centerline of any overhead National Grid line, rather than up to 37m for a 220kV transmission line.
- There is no reason for Waikato District Plan to have a wider restriction buffer than Auckland when effect on the National Grid would be the same regardless of region.
- Auckland rules apply immediately adjoining the submitter's site.
- Since Auckland has the most recent case law on the National Grid network through the Auckland Unitary Plan appeals process, it is not unreasonable to consider that its provisions are suitable to meet the NPS for Electricity Transmission.

Point Number

766.8

Summary of Decision Requested:

Amend Rule 14.4.3 Discretionary Activities by reducing yard setbacks to align with the decisions on appeals and consent orders, in the current Auckland Unitary Plan rules which allow for carparking or hard stand surfaces (and associated drainage) with limited storage height on Industrial zoned land within the National Grid Yard.

AND

Any additional or consequential relief to give effect to the matters raised in the submission.

Decision Reasons:

- The Overlay and its provisions should reflect the minimums allowed under the Auckland Unitary Plan, whereby the 'Yard' is measured at 12m in any direction from the outer edge of a National Grid support structure and 12m either side of the centerline of any overhead National Grid line, rather than up to 37m for a 220kV transmission line.
- There is no reason for Waikato District Plan to have a wider restriction buffer than Auckland when effect on the National Grid would be the same regardless of region.
- Auckland rules apply immediately adjoining the submitter's site.
- Since Auckland has the most recent case law on the National Grid network through the Auckland Unitary Plan appeals process, it is not unreasonable to consider that its provisions are suitable to meet the NPS for Electricity Transmission.

Point Number

766.9

Summary of Decision Requested:

Amend Rule 14.4.4 Non-Complying Activities by reducing yard setbacks to align with decisions on appeals and consent orders, in the current Auckland Unitary Plan rules which allow for carparking or hard stand surfaces (and associated drainage) with limited storage height on Industrial zoned land within the National Grid Yard.

AND

Any additional or consequential relief to give effect to the matters raised in the submission.

Decision Reasons:

- The Overlay and its provisions should reflect the minimums allowed under the Auckland Unitary Plan, whereby the 'Yard' is measured at 12m in any direction from the outer edge of a National Grid support structure and 12m either side of the centerline of any overhead National Grid line, rather than up to 37m for a 220kV transmission line.
- There is no reason for Waikato District Plan to have a wider restriction buffer than Auckland when effect on the National Grid would be the same regardless of region.
- Auckland rules apply immediately adjoining the submitter's site.
- Since Auckland has the most recent case law on the National Grid network through the Auckland Unitary Plan appeals process, it is not unreasonable to consider that its provisions are suitable to meet the NPS for Electricity Transmission.

Point Number 766.10

Summary of Decision Requested: Delete Rule 14.12.1 P4(e) Permitted Activities.
AND

Any additional or consequential relief to give effect to the matters raised in the submission.

Decision Reasons:

- Concerned at traffic generation threshold allowable for Light Industrial Zone (Maximum 250 per day and no more than 15% of these heavy vehicle).
- The Industrial zones are characterised by heavy vehicle movements and to limit these to only 15% of the trip generations unnecessarily restrictive on industrial operations.
- The objectives and policies in Chapter 6.5 do not support this restriction on transportation.

Point Number 766.11

Summary of Decision Requested: Add the following activities as a minimum to Rule 20.1.1 Permitted Activities:

(a) Hire Centers

(b) Wholesale

(c) Trade Supply Outlet

(d) Transport depot

(e) Garden Centers

(f) Retailing of agricultural and industrial motor vehicles and machinery

(g) Processing, storage, distribution and sale (wholesale or retail) of aggregates

AND

Any additional or consequential relief to give effect to the matters raised in the submission.

Decision Reasons:

- Under the Proposed District Plan there is no activity distinction between those activities provide for in the Heavy Industrial Zone and the Industrial Zone whereby the listed permitted activities are the same.
- This is inconsistent with Policy 4.6.2 which seeks to provide for different functions within the zones but also a 'range of activities,' as the range of permitted activities is too constrained and does not take into account activities which are more land intrusive and of lower amenity value, which should be located in a Industrial Zone rather than the Business Zone.
- The area of Business Zoned land nearby in the vicinity of Pokeno is very limited and in close proximity to more services areas (i.e. residential).
- Activities could reasonably locate in an Industrial Zone and not be incompatible with surrounding activities.
- As they are not considered under P1-P6 they would default to Non-Complying (NC1).

Point Number 766.12

Summary of Decision Requested: Delete any restriction on gross floor area in Rule 20.1.1- Permitted Activities.

AND

Amend Rule 20.1.1 Permitted Activities to allow for any office which is ancillary to a permitted activity.

AND

Any additional or consequential relief to give effect to the matters raised in the submission.

Decision Reasons:

- There is no reason to arbitrary restrict offices associated with permitted activities where these support the efficient and effective operation of a permitted activity.

Point Number 766.13

Summary of Decision Requested: Add a new permitted activity to Rule 20.1.1 Permitted Activities as follows:

The construction of a building for any permitted activity, (which complies with the development controls).

AND

Any additional or consequential relief to give effect to the matters raised in the submission.

Decision Reasons:

- The Activity status of building is unclear.
- The Amendment is needed to clarify activity status.

Point Number 766.14

Summary of Decision Requested: Delete Rule 20.2.1 Servicing and hours.

AND

Any additional or consequential relief to give effect to the matters raised in the submission.

Decision Reasons:

- This control is without precedent and represents a restrictive and inappropriate regime.

Point Number	766.15
Summary of Decision Requested:	Amend Rule 20.2.2 Landscape planting by modifying the Controlled Activity requirement for landscape planting to be a Permitted Activity instead. AND Any additional or consequential relief to give effect to the matters raised in the submission.
Decision Reasons:	<ul style="list-style-type: none"> This control is without precedent and represents a restrictive and inappropriate regime.
Point Number	766.16
Summary of Decision Requested:	Delete Rule 20.2.2 C1(b) in its entirety. AND Any additional or consequential relief to give effect to the matters raised in the submission.
Decision Reasons:	<ul style="list-style-type: none"> This control creates a mandatory requirement for planting of streams irrespective of what the proposal is (e.g. carpark shortfall) and without any consideration of costs associated.
Point Number	766.17
Summary of Decision Requested:	Retain Rule 20.2.3 Noise as notified.
Decision Reasons:	<ul style="list-style-type: none"> The control is appropriate in managing effects between zones.
Point Number	766.18
Summary of Decision Requested:	Amend Rule 20.2.4 Glare and Artificial Light Spill to insert an exclusion so that the rule does not apply between sites in the Industrial Zones. AND Any additional or consequential relief to give effect to the matters raised in the submission.
Decision Reasons:	<ul style="list-style-type: none"> Rules should only apply to sites adjoining a residential, reserve or countryside living zone and should not be applicable between Industrial sites.
Point Number	766.19
Summary of Decision Requested:	Retain the Earthworks standards in Rule 20.2.5.1 Earthworks - General as notified.
Decision Reasons:	<ul style="list-style-type: none"> The control is appropriate in managing effects.
Point Number	766.20
Summary of Decision Requested:	Amend Rule 20.2.7.1 P2(a) Signs- General by inserting clarification that (a) applies to free standing signs only. AND Any additional or consequential relief to give effect to the matters raised in the submission.
Decision Reasons:	<ul style="list-style-type: none"> There is no valid reason to restrict signage of buildings to the criteria in (a).
Point Number	766.21
Summary of Decision Requested:	Amend Rule 20.2.7.1 P2 Signs- General by increasing the signage rules to allow for at least 10m2 per site. AND Any additional or consequential relief to give effect to the matters raised in the submission.
Decision Reasons:	<ul style="list-style-type: none"> The signage rules are unnecessarily restrictive in terms of free standing sign size being limited to one sign per site at 3m2. Does not take into account the use of a site for more than 1 activity. Combined with the allowance for all other signs to be 1m2 would create more visual clutter than allowing a larger free standing sign in the first instance.
Point Number	766.22
Summary of Decision Requested:	Amend Rule 20.2.7.1 Signs- General so that Signs are excluded from yard setbacks. AND Amend Rule 20.3.3 Daylight admission to exclude signs, if the amendments sought on Daylight Admission are not granted. OR Amend the definition of "Building" in Chapter 13 Definitions to exclude free-standing signs. AND

Any additional or consequential relief to give effect to the matters raised in the submission.

Decision Reasons:

- Without the proposed exclusions, signs will not be easily visible from road as they would be classified as a "building" creating significant costs of compliance to achieve signage for site identification purposes.

Point Number 766.23

Summary of Decision Requested: Amend Rule 20.2.7.2 Signs-Effects on traffic to specify that the Rule does not apply to site identification signs.

AND

Any additional or consequential relief to give effect to the matters raised in the submission.

Decision Reasons:

- It is unclear what is meant by "any sign directed at road users" as arguably any sign for identification of a business could be deemed to be directed at a road user, however effects associated with identification signs are already managed by rule 20.2.7.1.

Point Number 766.24

Summary of Decision Requested: Delete Rule 20.2.8 PI (a)(iv) Outdoor storage of goods or materials.

AND

Any additional or consequential relief to give effect to the matters raised in the submission.

Decision Reasons:

- Opposes any restriction on the percentage of the site allowable to be used for storage.
- Should be deleted as storage activities are permitted.
- Any associated visual effects with outdoor storage are already mitigated by maximum height, set back and screening requirements contained in this rule.

Point Number 766.25

Summary of Decision Requested: Retain 15m as the maximum height or greater in Rule 20.3.1 Building height.

Decision Reasons:

- A height of 15m is similar to that which has already started to develop/establish in the Pokeno Light Industrial 2 Zone, and there is no reason for this height to be decreased.

Point Number 766.26

Summary of Decision Requested: Amend Rule 20.3.3 Daylight Admission to increase the height from 2.5m to 3m.

AND

Amend Rule 20.3.3 Daylight Admission to specifically exclude roads from any daylight admission plane.

AND

Any additional or consequential relief to give effect to the matters raised in the submission.

Decision Reasons:

- There is no justification to reduce the height to boundary recession plane, to a height which is lower than the previous Franklin provisions when the maximum heights have been kept the same.
- There is no reason to apply a daylight recession plane against roads in Industrial Zones as these areas are generally of a lower amenity and have less pedestrian traffic.

Point Number 766.27

Summary of Decision Requested: Retain Rule 20.3.4.1 PI (a)(i) Building setbacks, which should not be increased.

OR

Amend Rule 20.3.4.1 PI (a)(i) Building setbacks to be less than 5m.

AND

Any additional or consequential relief to give effect to the matters raised in the submission.

Decision Reasons:

- A front yard setback of 5m is similar to that which has already started to develop/establish in the Pokeno Light Industrial 2 Zone, and there is no reason for setback to be increased.
- Submitter would support a decrease in setback.

Point Number 766.28

Summary of Decision Requested: Retain Rule 20.3.4.1 PI (a)(ii) Building setbacks so that the setback requirement does not apply to boundaries of other Industrial Zone sites.

Decision Reasons:

- Submitter supports provisions for side yards to only apply to zones other than Industrial and Heavy Industrial Zones.
- This is consistent with daylight provisions which also do not apply to adjoining industrial zoned sites.

Point Number 766.29

Summary of Decision Requested: Amend Rule 20.3.4.1 PI (a)(ii) Building setbacks to reduce the setback between sites with other zones to 3m.

AND

Any additional or consequential relief to give effect to the matters raised in the submission.

Decision Reasons:

- There is no justification to increase the yard setbacks between the Industrial Zones and other zones to 7.5m, when previous Franklin provisions were more permissive.
- The 3m landscape buffer is sufficient and therefore there is no reason to have an additional 4.5m building setback.

Point Number 766.30

Summary of Decision Requested: **Retain** Rule 20.4.1 RD1(a)(i) General subdivision requiring new lots to have a minimum net site area of 1000m2
OR
Amend Rule 20.4.1 RD1(a)(i) General subdivision to have a minimum net site area of less than 1000m2
AND
Any additional or consequential relief to give effect to the matters raised in the submission.

Decision Reasons:

- Proposed lot sizes are considered an efficient use of land for industrial activities.
- Submitter would also support a decrease in minimum area and average.

Point Number 766.31

Summary of Decision Requested: **Retain** Rule 20.4.1 RD1(a)(ii) general subdivision requiring new lots to have an average area of at least 2000m2
OR
Amend Rule 20.4.1 RD1(a)(ii) General subdivision to have an average lot size of less than 2000m2.
AND
Any additional or consequential relief to give effect to the matters raised in the submission.

Decision Reasons:

- Proposed lot sizes are considered an efficient use of land for industrial activities.
- Submitter would also support a decrease in minimum area and average.

Point Number 766.32

Summary of Decision Requested: **Retain** the Industrial Zoning of the property at 611 Ridge Road, Bombay as notified (see submission for map of site).

Decision Reasons:

- The Proposed Industrial Zone best recognises the best development potential for the site, once aggregate resource is depleted and quarrying activities cease.
- The Zoning recognises the ability of the site to provide for Industrial activities and future ongoing needs of Waikato District to support economic growth and employment.

Point Number 766.33

Summary of Decision Requested: **Delete** the Aggregate Extraction Area Overlay once quarrying activities have ceased, including the site at 611 Ridge Road, Bombay.
AND
Any additional or consequential relief to give effect to the matters raised in the submission.

Decision Reasons:

- The Overlay affects future subdivision/building platforms only within the vicinity of the overlay and is not associated with any more enabling provisions for extraction itself.
- Overlay applies to part Waikato Pit, which has currently ceased extraction.
- Submitter is in the process of winding down aggregate extraction on its landholdings and is moving towards rehabilitation, therefore it is requested that the Aggregate Extraction Area is 'lifted' or no longer applies once extraction activities cease to ensure future activities are not unnecessarily restricted by the overlay.

Point Number 766.34

Summary of Decision Requested: **Retain** Objective 4.6.1 Economic growth of industry insofar as it gives effect to the relief sought.

Decision Reasons:

- Submitter supports objective to the extent that its land retains proposed Industrial Zone.
- Land Use provisions are missing the enabling provisions to support economic growth.

Point Number 766.35

Summary of Decision Requested: **Retain** Policy 4.6.2 Provide Industrial Zones with different functions insofar as it gives effect to the relief sought.

Decision Reasons:

- Submitter supports intention of the policy to enable a range of activities however this is not reflected in the Land Use provisions.
- Supports the policy insofar as it gives effect to the relief sought.

Point Number 766.36

Summary of Decision Requested: **Retain** Policy 4.6.3 Maintain a sufficient supply of industrial land as notified insofar as it gives effect to the relief sought.

Decision Reasons:

- Submitter supports intention of the policy to enable a sufficient supply of Industrial Zoned land.
- Support the policy insofar as it gives effect to the relief sought.

Point Number 766.37

Summary of Decision Requested:	Retain Policy 4.6.4 Maintain industrial land for industrial purposes as notified insofar as it gives effect to the relief sought.
Decision Reasons:	<ul style="list-style-type: none"> • Submitter supports the intention of the policy to enable ancillary activities related to industrial activities, however this is not reflected in land use provisions. • Support the policy insofar as it gives effect to the relief sought.
Point Number	766.38
Summary of Decision Requested:	Retain Policy 4.6.5 Recognition of industrial activities outside of urban areas as notified insofar as it gives effect to the relief sought.
Decision Reasons:	<ul style="list-style-type: none"> • Submitter supports intention of policy to recognise and provide for existing industrial activities, however this is not reflected in land use provisions. • Support the policy insofar as it gives effect to the relief sought.
Point Number	766.39
Summary of Decision Requested:	Retain Objective 4.6.6 Manage adverse effects as notified insofar as it gives effect to the relief sought.
Decision Reasons:	<ul style="list-style-type: none"> • Submission supports the intention of the objective to manage adverse effects on sensitive activities in other zones and ecosystems; however, the provisions are unnecessarily restrictive and could be modified as per the submitter's relief to achieve the same outcome.
Point Number	766.40
Summary of Decision Requested:	Retain Policy 4.6.7 Management of adverse effects within industrial zones insofar as it gives effect to the relief sought.
Decision Reasons:	<ul style="list-style-type: none"> • Submitter supports the intention of this objective to manage adverse effects on sensitive activities in other zones and ecosystems, however provisions are unnecessarily restrictive and could be modified as per the submitter's relief to achieve the same outcome.
Point Number	766.41
Summary of Decision Requested:	Amend Policy 4.7.2 Subdivision location and design to provide an exclusion for Industrial Zones. AND Any additional or consequential relief to give effect to the matters raised in the submission.
Decision Reasons:	<ul style="list-style-type: none"> • The features of Policy 4.7.2 are unnecessarily restrictive for industrial development. • Industrial areas are generally of a lower amenity than town centre/residential areas, and subject to less pedestrian thoroughfare, therefore there is no reason to require industrial areas to adhere to the same amenity standards as residential and higher amenity zones.
Point Number	766.42
Summary of Decision Requested:	Amend Policy 4.7.5 Servicing requirements to provide an exclusion for Industrial Zones for provision of cycle ways/pedestrian connections. AND Any additional or consequential relief to give effect to the matters raised in the submission.
Decision Reasons:	<ul style="list-style-type: none"> • As Industrial areas are subject to less pedestrian thoroughfare/recreational cyclist facilities, there is no reason to require industrial areas to adhere to same amenity standards as residential and higher amenity zones.
Point Number	766.43
Summary of Decision Requested:	Retain Policy 4.7.7(a) Achieving sufficient development density to support the provision of infrastructure services, to the extent that the industrial lot sizes are retained or reduced.
Decision Reasons:	<ul style="list-style-type: none"> • Policy 4.7.7(a) supports maximising yield for subdivision, of which submitter supports to the extent industrial lot sizes are retained or reduced. • Proposed lot sizes are considered as a minimum for the efficient use of land designated for industrial activities, whilst enabling provision for industrial subdivision. • The Policy in its current form would also support a reduction in the average or minimum lot size.
Point Number	766.44
Summary of Decision Requested:	Amend Policy 4.7.9 Connected neighborhoods to provide an exclusion for Industrial zones for provision of cycle ways/pedestrian connections. AND Any additional or consequential relief to give effect to the matters raised in the submission.
Decision Reasons:	<ul style="list-style-type: none"> • As Industrial areas are subject to less pedestrian thoroughfare or recreational cyclist facilities, there is no reason to require industrial areas to adhere to the same amenity standards as residential and higher amenity zones.
Point Number	766.45
Summary of Decision Requested:	Amend Policy 4.7.10 Recreation and access to provide an exclusion for Industrial zones for provision of cycle ways/pedestrian connections.

AND

Any additional or consequential relief to give effect to the matters raised in the submission.

Decision Reasons:

- As Industrial areas are subject to less pedestrian thoroughfare or recreational cyclist facilities, there is no reason to require industrial areas to adhere to the same amenity standards as residential and higher amenity zones.

Point Number 766.46

Summary of Decision Requested: Retain Objective 6.2.1 National Grid insofar as it gives effect to the relief sought.

Decision Reasons:

- Submitter supports the intention of the objective to recognise and provide for protection of the National Grid.
- Provisions relating to the National Grid yard are too restrictive and should be amended as per relief sought to Chapter 14.4 provisions.

Point Number 766.47

Summary of Decision Requested: Retain Policy 6.2.2- Recognise the national grid insofar it give effects to submitters relief sought.

Decision Reasons:

- Submitter supports intention of policy to recognize and provide for protection of the National Grid.
- Provisions relating to National Grid yard are too restrictive and should be amended as per the relief sought under Chapter 14.4 provisions.

Point Number 766.48

Summary of Decision Requested: Retain Policy 6.2.3 Operation and development of the National grid insofar as it give effect to the submitters relief sought.

Decision Reasons:

- Submitter supports the intention of the objective to recognise and provide for protection of the National Grid.
- Provisions relating to the National Grid yard are too restrictive and should be amended as per relief sought to Chapter 14.4 provisions.

Point Number 766.49

Summary of Decision Requested: Retain Policy 6.2.4 Maintenance and minor upgrade the National Grid insofar as it gives effect to the submitters relief sought.

Decision Reasons:

- Submitter supports the intention of the objective to recognise and provide for protection of the National Grid.
- Provisions relating to the National Grid yard are too restrictive and should be amended as per relief sought to Chapter 14.4 provisions.

Point Number 766.50

Summary of Decision Requested: Delete Rule 20.4.1 RDI (a)(iii) General subdivision requiring no more than 20% rear lots to be created.

AND

Any additional or consequential relief to give effect to the matters raised in the submission.

Decision Reasons:

- The 20% restriction on rear sites creation results in inefficiencies of land resources, which are already scarce, as it will significantly reduce the amount of land available for industrial activities.
- These areas are generally of a lower amenity than town centre/residential areas and subject to less pedestrian thoroughfare therefore there is no reason for such restrictions.

Point Number 766.51

Summary of Decision Requested: Delete Rule 22.3.6 Building Coverage.

AND

Any additional or consequential relief to give effect to the matters raised in the submission.

Decision Reasons:

- A restriction on building coverage and particularly one as low as the proposed 500m2 is not consistent with a working rural environment, requiring storage shed, hay barns etc.

Point Number 766.52

Summary of Decision Requested: Amend Rule 22.3.7 Building setbacks by reducing the yard separation between sites (other than a road) to 12m or less in all instances.

AND

Any additional or consequential relief to give effect to the matters raised in the submission.

Decision Reasons:

- Opposes yard setbacks (of up to 22m) as they are too onerous.
- Setbacks could be reduced and still achieve sufficient separation between activities and maintain an open landscape character.

Point Number 766.53

Summary of Decision Requested: Delete all references to the title date within Rules 22.4 Subdivision.
AND
Any additional or consequential relief to give effect to the matters raised in the submission.

Decision Reasons:

- No justification to have an arbitrary title date for further subdivision or boundary adjustments.
- Potential fragmentation issues can be dealt via other less arbitrary mechanisms.

Point Number 766.54

Summary of Decision Requested: Delete Rule 22.4.1.1 Prohibited Subdivision.
AND
Any additional or consequential relief to give effect to the matters raised in the submission.

Decision Reasons:

- Effects on soil classification can be managed in other ways (i.e. objectives and policies) which are far more consistent with an effects based approach to resource management.
- There should be no prohibited activity subdivisions.

Point Number 766.55

Summary of Decision Requested: Amend Rule 22.4.1.6 Conservation lot subdivision to take into account enhancement planting for the total area to be protected.
AND
Any additional or consequential relief to give effect to the matters raised in the submission.

Decision Reasons:

- There is a significant environmental benefit to be obtained from enhancement planting, particularly to 'join up' areas of SEA (and other non-identified features).

Point Number 766.56

Summary of Decision Requested: No specific decision sought, but the submission expresses the following concerns with the Industrial Zone:

- The use of outdated Waikato Section controls in the former Franklin Section, and these are more conservative and less enabling than the provisions of the current Franklin Section.
- The proposed Industrial Zone is significantly more restrictive than the Light Industrial Zone being applied by Auckland Council in Pukekohe, Waiuku and Drury South.
- The proposed Industrial Zone is less enabling than the existing Operative Industrial Zones are applied at Tuakau and Pokeno.
- Rules are outdated and less effective and efficient when compared with Industrial Zones applying to the current Franklin Section and other Districts where industrial activities are enabled.

Decision Reasons:

- If the rules for development are too onerous, industrial development and hence employment will move to a more enabling Industrial Zone in Auckland or another region.
- Does not support economic development, employment and the provision of wellbeing in the Waikato District.
- Council is placing industrial zoned land at a competitive disadvantage when compared with Auckland.

Point Number 766.57

Summary of Decision Requested: Amend the proposed provisions be amended to address the concerns set out in the submission to ensure on-going sustainable management of the Waikato District' natural and physical resources and thereby achieving the principles and purpose of the Resource Management Act.
AND
Any additional or consequential relief to give effect to the matters raised in the submission.

Decision Reasons:

- For those provisions of the Proposed Plan that the submitter opposes, those provisions require amendment, as per the relief sought in Attachment 1. This is because, without the amendments proposed by the submitter, the provisions:
- Will not promote sustainable management of resources,
- Will not Achieve the purpose of the RMA and are contrary to Part 2 and other provisions of the RMA;
- Will not enable the social and economic wellbeing of the community in the District;
- Will not sustain the potential of the physical resource represented by the submitter's assets in the District for the future;
- Are not adequate to protect and enable the submitter's operations in the District generally;
- Do not have sufficient regard to the efficient use and development of the submitter's assets and of those resources which are dependent on, or benefit from, the submitter's assets and operations; and
- Do not represent the most appropriate means of exercising the Council's functions, having regard to the efficiency and effectiveness of the provisions relative to other means, and do not discharge the Council's duty under section 32 of the RMA.

Submitter Number: 767 **Submitter:** Simon Clark

Point Number 767.1

Summary of Decision Requested: Retain Chapter 9.2 Te Kowhai Airpark, as notified.

Decision Reasons:

- No reasons provided.

Point Number 767.2

Summary of Decision Requested: Retain Chapter 27 Te Kowhai Airpark Zone, as notified.

Decision Reasons:

- No reasons provided.

Submitter Number:	768	Submitter:	Don Jacobs
Point Number	768.1		
Summary of Decision Requested:	Amend the zoning of the entire property at 7 Uenuku Street, Ngaruawahia, to Residential Zone.		
Decision Reasons:	<ul style="list-style-type: none"> • The current and proposed zoning of the site is inappropriate. • There is an opportunity to formalise the current stormwater drainage reserve and to accommodate residential land use such as that surrounding the property. As a result of the stormwater discharge on the site, oil, contaminants and debris from the road reserve has entered the land and prevented the use of the land for the grazing of livestock due to the risk of contaminant ingestion. • An appropriate engineering assessment has been undertaken and is attached as Attachment A to the submission. The engineering assessment concludes that the site is suitable to contain residential land use activities. • The rezoning of the site to Residential Zone would integrate the land with the surrounding residential character. • A conceptual land use development plan has been undertaken and is attached to the submission. The plan shows potential transportation linkages and functionality with the wider Residential Zone as well as formalisation of the drainage reserve. • An assessment of the Proposed Waikato District Plan objectives and policies for the proposed rezoning shows that it is not contrary to them. The assessment is contained within the submission. • Will provide for new warm, dry and affordable housing. • Property has been used as a wreckers previously but this will be remediated with residential development and thus contribute to a better residential character and amenity that matches the surrounding residential area. • The Proposed Waikato District Plan process acts as an appropriate mechanism to notify the local community in advance. • Consultation has been undertaken with KiwiRail and is attached to the submission as Attachment C. • The request is not out of scope for the Proposed District Plan. • The residential land use and storm water Management purposes will not be contrary to the Objectives and Policies of the District Plan. • The matters arising from reverse sensitivity and the operation of the section of Kiwi Rail NIMT rail corridor do not prevent residential use of the subject property. 		
Point Number	768.2		
Summary of Decision Requested:	No specific decision sought, but submission supports the intent of the supporting information behind residential plan change density in the Proposed Waikato District Plan.		
Decision Reasons:	<ul style="list-style-type: none"> • No reasons provided. 		
Point Number	768.3		
Summary of Decision Requested:	No specific decision sought, but the submission objects to the current location, allocation and distribution of the district's residential zones as proposed in the Proposed Waikato District Plan.		
Decision Reasons:	<ul style="list-style-type: none"> • No reasons provided. 		

Submitter Number:	769	Submitter:	Tamahere Eventide Trust
On behalf of:	Tamahere Eventide Retirement Village		
Point Number	769.1		
Summary of Decision Requested:	<p>Amend the zoning of Atawhai Assisi at 158 Matangi Road (Lot 1 DPS 21156, CTS20A/1259) from Rural Zone to Country Living Zone.</p> <p>AND</p> <p>Amend the zoning of 168 Matangi Road (Lot DPS 6744 and Part Allotment 54 Parish of Tamahere (CT SA3A/912) from the Rural to Country Living Zone.</p> <p>AND</p> <p>Amend the zoning of 174 Matangi Road (Section 1 Survey Office Plan 457326 CT 610816) from Rural Zone to Country Living zone.</p> <p>AND</p> <p>No specific decision sought, but submission opposes the Rural policy overlays/areas for the Atawhai Assisi property and the two adjoining properties.</p> <p>AND</p> <p>Amend the Proposed District Plan to make consequential amendments to give effect to the submission.</p>		
Decision Reasons:	<ul style="list-style-type: none"> • Tamahere Eventide Home Trust oppose both the rural zoning and Rural Policy overlays/areas proposed for Atawhai Assisi site (Designation NZ (Airways Corporation of NZ Limited), Airport Obstacle Limitation Surface, Rural SNA, Designation J17 to east of Assisi site). • Land in the immediate surrounding area is zoned Country Living Zone. • All land on western side of Designation J17 (Waikato Expressway) and southern side of Matangi Road should be zoned Country Living. • Country Living Zone is more appropriate for the following reasons: <ol style="list-style-type: none"> 1. It is more appropriate for existing land use activities and density of Atawhai development than rural zoning. 2. More compatible with zoning in immediate surrounding area (to west and south). 3. Rural Zone doesn't include any provisions for Retirement villages, whereas Country Living zone does. 4. It is more consistent with Country Living zoning at TEH's other retirement village nearby (Tamahere Eventide). • Extending the Country Living zone boundary to align with Waikato Expressway designation to the east and Matangi Road to north considered a practical and logical expansion of zone boundary. • Waikato Expressway and Matangi Road form a suitable zone boundary between Country Living and Rural zones. • Abutting property east of main Atawhai Site (158 Matangi Road) also zoned rural. • Tamahere Eventide Home Trust (TEH) oppose both the rural zoning and Rural Policy overlays/areas proposed for Atawhai Assisi site (Designation NZ (Airways Corporation of NZ Limited), Airport Obstacle Limitation Surface, Rural SNA, Designation J17 (NZTA)). • Land in the immediate surrounding area (i.e. West and South of Atawhai Assisi) all zoned Country Living. • All land on Western side of Designation J17 and Southern side of Matangi Road should be zoned Country Living. • Country Living zone more appropriate as it is a small title and therefore not suitable for future rural development and zoning. 		

- Extending Country Living zone boundary to align with Waikato Expressway Designation boundary to the east and Matangi Road to the North considered a practical and logical expansion of zone boundary.
- Waikato Expressway and Matangi Road form a suitable zone boundary.

Point Number 769.2

Summary of Decision Requested: **Delete** all references to Designation NI Airways Corporation of NZ Ltd insofar as it relates to the Atawhai Assisi site at 158 Matangi Road, Tamahere (Lot 1 DPS 21156, CTSA20A/1259) from Section E Designations and the Planning Maps.

AND

Amend the Proposed District Plan to make consequential amendments to give effect to the submission.

Decision Reasons:

- There should be no designations on 158 Matangi Road.
- Submitter opposes identification of airport related Designation (NI) on the Atawhai Assisi site.
- The Airport related designation is not relevant to subject property utilised as existing Retirement Village activities.
- The property at 158 Matangi Road utilised is a private retirement village and therefore doesn't form part of the airport runway for Hamilton Airport, nor has the property been designated for any other purpose.
- The notation appears to be an error on Councils part.

Point Number 769.3

Summary of Decision Requested: **Amend** the Country Living Zone provisions in Chapter 23 to include specific provisions for existing and future Retirement Village activities and expansion at Atawhai Assisi (if the request to rezone the sites is accepted).

OR

Amend the Rural Zone provisions in Chapter 22 to include specific provisions for existing and future Retirement Village activities and expansion at Atawhai Assisi (if the request to rezone the sites is rejected).

AND

Amend the Proposed District Plan to make consequential amendments to give effect to the submission.

Decision Reasons:

- The submitter has limited scope of this submission point to their existing (and future) retirement village activities at the property located at 158 Matangi Road (Lot 1 DPS 21156, CTSA20A/1259).
- If the request to rezone the sites is accepted, the submitter will have no further submissions with respect to Chapter 22 of the Proposed District Plan because they would no longer be applicable to Atawhai Assisi. Instead Chapter 23 provisions would apply.
- If Council does not accept the rezoning request the submitter requests that Rural Zone provisions are amended to also address those points/matters relating to the Country Living Zone.
- Similar amendments would be required to the Rural Zone provisions to include suitable provisions for existing Retirement Village activities at the existing Atawhai Assisi site.

Point Number 769.4

Summary of Decision Requested: **Add** a new activity rule to Rule 23.1.1 Permitted Activities as follows:

P5. A retirement village including alterations and expansions at Atawhai Assisi.

AND

Add activity specific conditions for the new Rule 23.1.1 P5 as follows:

Any additions or expansion at the Atawhai Assisi Retirement village

(a) Minimum living court or balcony area and dimensions;

(iv) Apartment- 10m² area within minimum dimension horizontal and vertical of 2.5m;

(v) Studio unit or 1 bedroom unit- 12.5m² area with minimum dimension horizontal and vertical of 2.5m; or

(vi) 2 or more bedroomed unit- 15m² area with minimum dimension horizontal and vertical of 2.5m;

(b) Minimum service court is either:

(iii) Apartment- communal outdoor space (i.e. no individual service courts required); or

(iv) All other units- 10m² for each unit;

(c) Building height does not exceed 8m, except for 15% of the total building coverage, where buildings may be up to 10m high;

(d) Building setbacks- a 7.5m setback is required from a local road, and 12m setback is required from all other boundaries; except internal site boundaries where no setback shall apply. A 12m setback is required from the Waikato Expressway.

(e) The following Land Use- Effects rule in Rule 23.2 do not apply;

i. Rule 23.2.6 (Signs-General);

ii. Rule 23.2.6.2 (Signs- effects on traffic);

(f) The following Land Use- Building rules in Rule 23.3 do not apply;

i. Rule 23.3.1 (Dwelling);

ii. Rule 23.3.4.1 (Height- Building General);

iii. 23.3.5 Daylight Admission

iv. 23.3.6 Building Coverage

v. Rule 23.3.7.1 Building Setbacks- all boundaries

vi. Rule 23.3.7.2 Building Setback- Sensitive land use

(g) The following Infrastructure and Energy Rule in Chapter 14 does not apply;

i. Rule 14.12.1 P4(10), (a) Traffic Generation

AND

Amend the Proposed District Plan to make consequential amendments to give effect to the submission.

Decision Reasons:

- Retirement village is specifically identified as a Non-Complying activity in the Country Living Zone.
- The submitter seeks to retain existing permitted activity status for a retirement village activity, including any future alterations or expansion at Atawhai Assisi and include site specific standard for retirement village activities for Atawhai Assisi.
- Adoption of zone wide provisions for retirement villages provides appropriate certainty and guidance for those establishing new retirement developments, however it doesn't recognize/protect existing developments.
- The Proposed District Plan does not differentiate between establishment of a 'new' and 'existing' retirement village and/or minor alterations.

- Minor alterations/extensions would require resource consent as a non-complying activity.
- The Permitted Activity Table in Rule 23.1.1 requires amending to include activity specific conditions for a retirement village.
- While the Residential Zone rules contain activity specific standards for a retirement village, there are no equivalent rules for the Country Living Zone.

Point Number 769.5

Summary of Decision Requested: **Add** a new restricted discretionary rule into Rule 23.1 Land Use Activities as follows:

(g) RD1 The following Retirement Village Activities are Restricted Discretionary in the Country Living Zone

1. *A new retirement village;*
2. *Alterations to existing retirement villages (excluding Atawhai Assisi);*
3. *Alterations to Atawhai Assisi that do not comply with the Activity Specific Conditions in Rule 23.1.1*

Decision Reasons:

- A restricted discretionary activity is considered appropriate for the three activities.
- Activity tables in Chapter 23: Country Living Zone do not include any provisions for Restricted Discretionary Activities.

Point Number 769.6

Summary of Decision Requested: **Delete** Rule 23.1.3 NC3- Non-Complying Activities.

AND

Amend the Proposed District Plan to make consequential amendments to give effect to the submission.

Decision Reasons:

- The submitter opposes non-complying activity status in Rule NC3 for a "retirement village" in the Country Living Zone.
- Existing Retirement Village and Hospital Activities at Atawhai Assisi are well established and provide an essential service to the local community.
- Non-complying activity status for any future additions, redevelopment or expansion is also opposed.
- The activities associated with retirement villages are sought by the submission to become permitted or restricted discretionary activities.

Point Number 769.7

Summary of Decision Requested: **Amend** Signs Rule 23.2.6 so that signage provisions in Rules 23.2.6.1- General and 23.3.6.2- Effects on Traffic don't apply to a retirement village as follows:

(3) Rules 23.2.6.1 and 23.2.6.2 do not apply to a retirement village.

OR

Add a new row to Rule 23.2.6.1 Signs General as follows:

(x) Rules P1, P2, P3 and RD1 above do not apply to a retirement village.

AND

Add a new row to Rule 23.2.6.2 Signs- effects on traffic as follows:

(x) Rules P1, P2, P3 and RD1 above do not apply to a retirement village.

AND

Amend the Proposed District Plan to make consequential amendments to give effect to the submission.

Decision Reasons:

- Rules relating to signage should not be applicable to Atawhai Assisi.
- Signage forms an integral part of a retirement village development and is necessary to clearly identify the various buildings, facilities and car parking areas.
- Private internal roads are often sign posted with signage that imitates traffic signs.

Point Number 769.8

Summary of Decision Requested: **Amend** Building Rule 23.3.4.1-Height - Building General so that it does not apply to Atawhai Assisi.

AND

Amend the Proposed District Plan to make consequential amendments to give effect to the submission.

Decision Reasons:

- The submitter opposes 7.5 maximum height (7.5m) proposed under Rule 23.2.4.1 P1.
- Should not be applicable to a retirement village development.
- Modern retirement village developments typically comprise of multi-level buildings that are often greater than 7.5m in height.
- Retirement village sites are of sufficient size and area so that buildings higher than 7.5m can be appropriately positioned within the site to comply with building setback and height to boundary requirements.
- Height rule proposed for in 16.1.2 P3 (f) should also apply to retirement villages in the Country Living Zone.
- An alternative height is proposed as an activity specific condition elsewhere in the submission.

Point Number 769.9

Summary of Decision Requested: **Retain** Rule 23.3.5 P1 Daylight admission, except for amendments sought below

AND

Amend Rule 23.3.5- Daylight admission so that it only applies to the external boundaries of Atawhai Assisi, not the internal boundaries between the individual certificates of title.

AND

Amend the Proposed District Plan to make consequential amendments to give effect to the submission.

Decision Reasons:

- Retention of existing height-boundary provision (37 degrees at 2.5m above ground level) is supported.
- Existing rest home and retirement village development at Atawhai Assisi currently comprises of a single certificate of title, however the site may be expanded in future.

- In order to future proof the site, height-boundary requirement should only be applicable to the external boundaries of the retirement village.

Point Number 769.10

Summary of Decision Requested: **Retain** Policy 5.6.4- Building setbacks.

Decision Reasons:

- The submitter supports Policy 5.6.4 insofar as it seeks to maintain the existing spaciousness between adjoining sites.
- The approach is consistent with submission in relation to Rule 23.3.7 elsewhere in the submission.

Point Number 769.11

Summary of Decision Requested: **Amend** Policy 5.6.5- Scale and intensity of development to include the additional wording as follows:

Except where such development correlates to existing site development.

AND

Amend the Proposed District Plan to make consequential amendments to give effect to the submission.

Decision Reasons:

- Amendments are required to Policy 5.6.5 so that it does not apply to existing development or an existing Retirement Village.

Point Number 769.12

Summary of Decision Requested: **Add** a new Policy to Section 5.6 Country Living Zone for Atawhai Assisi as follows:

Policy 5.6.8 (g); Atawhai Assisi

(g) Permit additions and expansions at Atawhai Assisi where they:

(i) Have a functional need to locate within the Country Living Zone; and

(ii) Provide for the health and well-being of the community.

AND

Amend the Proposed District Plan to make consequential amendments to give effect to the submission.

Decision Reasons:

- The intent of current Country Living Zone Policy 5.6.8- Non-residential activities is also applicable to Atawhai Assisi Retirement, but would not apply because a Retirement Village is not considered a 'non-residential activity.'

Point Number 769.13

Summary of Decision Requested: **Add** a new Policy to Section 5.6 Country Living Zone as follows:

Policy 5.6.9 (g); Atawhai Assisi

(g) Enable the existing Atawhai Assisi activities to continue and support their redevelopment and expansion, provided they do not have a significant adverse effect on the character and amenity of the Country Living Zone.

AND

Amend the Proposed District Plan to make consequential amendments to give effect to the submission.

Decision Reasons:

- The intent of Country Living Zone Policy 5.6.9- Existing non-residential activities is also applicable to Atawhai Assisi Retirement Village, but would not apply because it is not considered a 'non-residential activity.'

Point Number 769.14

Summary of Decision Requested: **Amend** the definition of "Residential Activity" in Chapter 13: Definitions to specifically include, and refer to, a retirement village.

AND

Amend the Proposed District Plan to make consequential amendments to give effect to the submission.

Decision Reasons:

- A retirement village is clearly a residential activity and should be expressly stated within the definition.

Point Number 769.15

Summary of Decision Requested: **Delete** the definition of "Rest home" from Chapter 13: Definitions.

AND

Amend the Proposed District Plan to make consequential amendments to give effect to the submission.

Decision Reasons:

- There are no rules relating to Rest home definition.
- There is no reason to differentiate between a "retirement village" and "rest home."

Point Number 769.16

Summary of Decision Requested: **Retain** the definition of "Retirement Village" definition in Chapter 13: Definitions as notified.

Decision Reasons:

- No reasons provided.

Point Number 769.17

Summary of Decision Requested: **Delete** the following parking standards from Table 14.12.5.7- Required parking spaces and loading bays:

- Retirement Village: 1 car space per dwelling or unit.
- Housing for the elderly/residential care: 1 car space per 4 occupants.
- Hospital or care facilities associated with retirement village: 2 car spaces per 3 patients accommodated plus 1 per 2 full time staff equivalents.

AND

Amend the Proposed District Plan to make consequential amendments to give effect to the submission.

Decision Reasons:

- The provisions are confusing as there are essentially 3 different standards for the same activity and all 3 could be applied to existing retirement village activities at Atawhai Assisi.
- The District Plan doesn't need to differentiate between the specified activities.

Point Number 769.18

Summary of Decision Requested: **Add** a parking standard for Table 14.12.5.7- Required parking space and loading bays as follows:

- Retirement Village: 1 car space per 4 occupants.

AND

Amend the Proposed District Plan to make consequential amendments to give effect to the submission.

Decision Reasons:

- A single standard for a retirement village would suffice.
- A single car parking standard should apply to the overall site, as opposed to different car parking requirements for each of the retirement village related activities.

Point Number 769.19

Summary of Decision Requested: **Retain** Rule 23.3.5 RD1-Daylight admission.

Decision Reasons:

- Restricted Discretionary Activity Status is supported.

Point Number 769.20

Summary of Decision Requested: **Amend** Rule 23.3.6 P1- Building coverage so that the building coverage requirements do not apply to Atawhai Assisi.

AND

Amend the Proposed District Plan to make consequential amendments to give effect to the submission.

Decision Reasons:

- Rule relating to building coverage in Rule 23.3.6 P1 should not be applicable to Atawhai Assisi.
- Larger sized buildings (greater than 300m²) form an integral part of a retirement village development and are necessary to accommodate the shared services and specialised medical facilities essential for a retirement village.
- The submitter is opposed to any restrictions regarding building coverage for Atawhai Assisi.

Point Number 769.21

Summary of Decision Requested: **Amend** Rule 23.3.7.1- Building setbacks - All boundaries so that the building set back requirements do not apply to Atawhai Assisi.

AND

Amend the Proposed District Plan to make consequential amendments to give effect to the submission.

Decision Reasons:

- Setbacks should only apply to a external boundaries, not internal boundaries between individual certificates of title.
- While the existing retirement village currently comprises of a single certificate of title, this could change in the future (either by subdividing the existing site or acquiring additional land in the future).
- Alternate setback standards are sought as an activity specific condition elsewhere in the submission.

Point Number 769.22

Summary of Decision Requested: **Amend** Objective 5.6.1 (a)- Country Living Zone to recognise character and abutting character/amenity, not just amenity and character of the zone.

AND

Amend the Proposed District Plan to make consequential amendments to give effect to the submission.

Decision Reasons:

- The character of existing retirement village activities at Atawhai Assisi should be considered.

Point Number 769.23

Summary of Decision Requested: **Amend** Policy 5.6.2 (a)- Country Living Character as follows:

(a)Any building and activity within the Country Living Zone are designed, located, scaled and serviced in a manner that does not detract from the character of the area by:

(i)Maintaining the existing open space character;

(ii)Maintaining existing low density residential development;

(iii)Recognising the absence of Council wastewater services and lower levels of other infrastructure.

(b)Maintain existing views and vistas of the rural hinterland beyond, including, where applicable, Waikato River, wetlands, lakes, and the coast.

(c) Maintain existing road pattern that follows the natural contour of the landform.

AND

Amend the Proposed District Plan to make consequential amendments to give effect to the submission.

Decision Reasons:

- Amendments required to wording of Policy 5.6.2 to also recognise the existing open space and development.

Submitter Number: 770 **Submitter:** Gordon Sanders

Point Number 770.1

Summary of Decision Requested: **Retain** Chapter 9.2 Te Kowhai Airpark, as notified.

Decision Reasons:

- Te Kowhai Aerodrome provides a safe emergency landing option, convenient refueling place, recreation and educational resources, safe training airfield.
- Development as a residential airpark would provide a valuable community amenity similar to popular overseas developments, create additional income for local businesses and rates for Council and show that the district is concentrating on increasing quality of life.

Point Number 770.2

Summary of Decision Requested: **Retain** Chapter 27 Te Kowhai Airpark Zone, as notified.

Decision Reasons:

- Te Kowhai Aerodrome provides a safe emergency landing option, convenient refueling place, recreation and educational resources, safe training airfield.
- Development as a residential airpark would provide a valuable community amenity similar to popular overseas developments, create additional income for local businesses and rates for Council and show that the district is concentrating on increasing quality of life.

Submitter Number: 771 **Submitter:** Alison Brown

Organisation: Bathurst Resources Ltd and BT Mining Ltd

Point Number 771.1

Summary of Decision Requested: **Retain** the continued recognition of existing coal mining operations in the Proposed District Plan.

AND

Amend the Proposed District Plan to provide for the continuation of existing coal mine operations.

AND

Any consequential amendments necessary to address the matters raised in the submission.

Decision Reasons:

- While coal is a transitional fuel source, it is an essential ingredient of the steel making process.
- There is no reason why coal should not be productively mined for the next 20-30 years.
- The Proposed District Plan is unnecessarily pessimistic about the future of coal mining in the District.

Point Number 771.2

Summary of Decision Requested: **Amend** Section 1.4.2.3 (viii) Challenges as follows:

(a) Economic development challenges facing the district are as follows:

...

(viii) A perceived decline in the mining sector which needs to be addressed by making provision for existing mining activities to expand into areas outside the existing Coal Mining and Aggregate Extraction Areas while addressing with coal resources in particular becoming increasingly difficult and expensive to access, as well as public concerns about the ground environmental impacts of coal and mineral mining in the region, are a concern, considering its share of the district's GDP.

AND

Any consequential amendments necessary to address the matters raised in the submission.

Decision Reasons:

- Rotowaro coalfield is currently subject to exploration permits held by BT Mining Ltd and where the resource is currently drilled.
- The submitter does not accept that there is a decline in the coal mining sector and provided no absolute barriers are put in the way, the submitter expects to be able to continue to economically mine coal in the district.
- The past record of rehabilitation of areas subject to coal mining shows that it is a transitory activity on the land, which can be returned to other productive uses post mining.
- The controls placed on coal mining through various permissions required, provide appropriate controls to ensure that effects on the environment are properly managed.

Point Number 771.3

Summary of Decision Requested: **Retain** Section 1.4.3(a) The Rural Environment as notified.

Decision Reasons:

- Supports the recognition of mineral resources in the rural areas, the need to site mining operations where the mineral resources are located.
- Supports the recognition of the fact that the introduction of other activities may have the potential to curtail these activities.

Point Number	771.4
Summary of Decision Requested:	Retain Section 1.4.3.1 Rural activities as notified.
Decision Reasons:	<ul style="list-style-type: none"> • Supports the recognition of mineral resources in the rural areas, the need to site mining operations where the mineral resources are located. • Supports the recognition of the fact that the introduction of other activities may have the potential to curtail these activities.
Point Number	771.5
Summary of Decision Requested:	Retain Section 1.4.3.2 Protecting the rural environment as notified.
Decision Reasons:	<ul style="list-style-type: none"> • Supports the recognition of mineral resources in the rural areas, the need to site mining operations where the mineral resources are located. • Supports the recognition of the fact that the introduction of other activities may have the potential to curtail these activities.
Point Number	771.6
Summary of Decision Requested:	<p>Amend Section 1.5.7.7 Energy as follows:</p> <p><i>(a) The district plan recognises the national and regional importance of existing energy resources and infrastructure, which include coalfields, coal mines, Huntly Power Station, gas, electricity transmission, and coal conveyance facilities, as well as renewable energy. The plan addresses the positive and adverse effects of energy infrastructure and development and makes provision for the continued supply of coal by recognising and making provision for future expansion of existing coal mines.</i></p> <p>AND</p> <p>Any consequential amendments necessary to address the matters raised in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> • There should be adequate recognition in the Proposed District Plan for the expansion of existing coal mines into adjacent known coalfields. • Supports the recognition of existing coalfields and coalmines.
Point Number	771.7
Summary of Decision Requested:	<p>Delete the Significant Natural Area overlay from areas within the Rotowaro coal mining licence 37 355, ancillary coal mining licence 37 155/01, mining permit 60 422, exploration permits 40 698 and 56 220 and the extended Rotowaro coalfield areas.</p> <p>AND</p> <p>Any consequential amendments necessary to address the matters raised in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> • The identification of Significant Natural Areas within the areas, is not warranted. • These areas are already mined or consented to be mined and for other areas will have the effect of sterilising the future extraction of the coal resource.
Point Number	771.8
Summary of Decision Requested:	<p>Amend the Proposed District Plan to ensure that where an activity is regionally significant and cannot be located other than where it is proposed, provisions for offsets should be considered as mitigation for adverse effects on areas of Significant Natural Areas which cannot be avoided.</p> <p>AND</p> <p>Any consequential amendments necessary to address the matters raised in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> • Where there is a regionally significant mineral resource consideration of a significant natural area should be given to balancing the needs of the community by allowing offsets to mitigate the temporary effects of any mineral extraction.
Point Number	771.9
Summary of Decision Requested:	Retain Policy 4.7.1 (b) Reverse Sensitivity as notified.
Decision Reasons:	<ul style="list-style-type: none"> • Supports the recognition of reverse sensitivity issues.
Point Number	771.10
Summary of Decision Requested:	<p>Amend Policy 5.3.7(a)(iii) Reverse sensitivity effects as follows:</p> <p><i>(a) Recognise the following features are typical of the rural environment and the effects are accepted and able to be managed:</i></p> <p>....</p> <p><i>(iii) Existing mineral extraction and processing activities <u>and future extraction and processing activities within Coal Mining Resource Areas:</u></i></p> <p>AND</p> <p>Any consequential amendments necessary to address the matters raised in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> • Consider that this should not apply not only to existing coal mining operations but also to future coal mining operations, particularly within those areas identified as coal mining resource areas.
Point Number	771.11

Summary of Decision Requested: **Add** a new clause (iii) to Policy 5.4.2(b) Access to minerals and extractive industries as follows:

(b) Protect access to, and extraction of, mineral resources by:

...

(iii) Identifying the site of a potential coal extractive industry within the Coal Mining Resource Area on the planning maps.

AND

Add a definition for "Coal Mining Resource Area" to Chapter 13: Definitions as follows:

Coal Mining Resource Area means an area identified on the planning maps.

AND

Add a Coal Mining Resource Area Overlay to the Planning Maps to areas subject to significant coal deposits in the Waikato District and as a minimum this should cover the indicative Rotowaro Coalfield as attached in the original submission.

AND

Any consequential amendments necessary to give effect to Coal Mining Resource Areas.

Decision Reasons:

- To enable the continuation of coal mining in the district, it is appropriate to identify Coal Mining Resource Areas, as has been done for aggregates, to provide for future expansion of coal mining particularly into the Rotowaro coalfield.

Point Number 771.12

Summary of Decision Requested: **Delete** Rule 22.1.5 NC2 Non-Complying Activities, thus making all extractive industries in the Rural Zone a discretionary activity (Rule 22.1.5 D8 Discretionary Activities).

AND

Any consequential amendments necessary to address the matters raised in the submission.

Decision Reasons:

- Do not support the classification of extractive activities in the rural zone as non-complying activity.
- This would make all extractive industries in the Rural Zone discretionary as Rule 22.1.5 D8 Discretionary Activities.

Point Number 771.13

Summary of Decision Requested: **Add** provisions enabling exploration and prospecting in the Rural Zone as a permitted activity where effects are minor and restricted discretionary activity otherwise.

AND

Any consequential amendments necessary.

Decision Reasons:

- Prospecting and exploration are appropriately defined in the Proposed District Plan but do not appear to be any rules in the Rural Zone relating to these activities.

Point Number 771.14

Summary of Decision Requested: **Retain** Section 5.4 Minerals and extractive industries, except for the amendments sought elsewhere in the submission.

Decision Reasons:

- Supports the recognition of the importance of mining to the district (and indeed Waikato Region).
- To enable the continuation of coal mining in the district it is appropriate to identify Coal Mining Resource Areas, as has been done for aggregates, to provide for future expansion of coal mining particularly in the Rotowaro coalfield.

Submitter Number: 772 **Submitter:** The House Movers

Organisation: House Movers Section of New Zealand Heavy Haulage Association (Inc)

Point Number 772.1

Summary of Decision Requested: **Add** provisions including objectives, policies, rules, assessment criteria, definitions, methods and reasons to regulate the removal, re-siting and relocation of buildings;

AND

Add a rule which expressly providing for relocated buildings as a permitted activity in all zones subject to the following performance standards:

(i) compliance with the relevant standards for permitted activities in the District Plan;

(ii) Any relocated dwelling must have been previously designed, built and used as a dwelling;

(iii) A building inspection report shall accompany the building consent that identifies all reinstatement work required to the exterior of the building/dwelling (refer to Schedule 1 attached to the submission which provides an example of such a report);

(iv) The building shall be located on permanent foundations approved by building consent, no later than 2 months of the building being moved to the site;

(v) All work required to reinstate the exterior of any relocated building/dwelling, including the siting of the building/dwelling on permanent foundations, shall be completed within 12 months of the building being delivered to the site.

AND

Add a default rule for a restricted discretionary activity for non-compliance with performance standards, expressly provided for as a non-notification/non-service application. Assessment criteria (or similar) include:

(i) proposed landscaping

(ii) proposed timetable for completion of the work required to reinstate the exterior of the building and connections to services

(iii) the appearance of the building following reinstatement.

AND

Amend the Proposed District Plan to make consequential amendments to give effect to the submission, including definitions, objectives, policies, other matters and reasons to give appropriate recognition to the positive effects of removal, re-siting and relocation of dwellings.

Decision Reasons:

- A policy and rule framework is required that expressly provides for relocated buildings (including their removal and re-siting) as a permitted activity subject to performance standards in order to retain a degree of regulatory control and achieve, in the most appropriate way, the purpose of the RMA.
- The requested restricted discretionary activity default rule reflects the Environment Court's decision in *New Zealand Heavy Haulage Association Inc v The Central Otago District Council (C45/2004)* which held that there was no difference in effect and amenity value terms between the in situ construction of a new dwelling and relocation of a second-hand dwelling, subject to appropriate permitted activity performance standards.

Submitter Number: 773 **Submitter:** Michael Hayman

Point Number 773.1

Summary of Decision Requested: Retain Chapter 9.2 Te Kowhai Airpark, as notified.

Decision Reasons:

- Te Kowhai Airpark would be a valuable asset for the community.

Point Number 773.2

Summary of Decision Requested: Retain Chapter 27 Te Kowhai Airpark Zone, as notified.

Decision Reasons:

- Te Kowhai Airpark would be a valuable asset for the community.

Submitter Number: 774 **Submitter:** Stuart Cummings

Organisation: Surrey Chambers

Point Number 774.1

Summary of Decision Requested: No specific decision sought, however the submission opposes the adoption of the identification of landscapes and natural character if that means that existing use rights regarding height and boundary are affected.

Decision Reasons:

- If this were allowed, it would amount to retrospective imposition of restrictions on property rights to the detriment of the previously uninformed owner. For example, if an existing height use is allowed to continue, these cannot logically be any increase in the "lost" amenity value or vision disturbance.

Point Number 774.2

Summary of Decision Requested: Amend the zoning of the property at 593A Wainui Road, Raglan, the other properties on the driveway and the adjacent properties in Earl's Place or between the subject property and Raglan Township from Rural Zone to Country Living Zone or a similar zone.

Decision Reasons:

- The site is characterised by 11 different structures and is not used for rural or agricultural purposes.
- There is nothing on the site or any of the other properties on Earl's Place that has anything to do with farming or agriculture.
- The current use of the subject site and the developments on it are inconsistent with the zoning of rural.
- The whole area is comparative to the surrounding land relatively intensely developed and not considered to be Rural.

Submitter Number: 775 **Submitter:** Sanderson Group Limited

Point Number 775.1

Summary of Decision Requested: Amend the activity status for retirement villages within the Rural Zone to a Discretionary Activity, rather than a Non-Complying Activity as currently provided for under Rule 22.1.5 Non-Complying Activities.

AND

Any further relief and/or amendments necessary to support the relief as set out in the submission.

Decision Reasons:

- The submitter has lodged a resource consent application with the Waikato District Council to establish and operate a retirement village at 650 Airport Road, 618 Airport Road, 608 Airport Road and 46 Tamahere Drive (LUC0023/19).
- The site is an ideal location for those who have lived in the rural environment and do not desire to live in an urban environment upon retirement.
- Consultation with surrounding landowners has been undertaken.
- The retirement village will be developed with minor and environmental effects.
- The aging population and concept of retirement villages is evolving, and this is recognised in the proposed retirement village.
- Retirement villages are currently a discretionary activity within the Operative District Plan and is a good fit for assessing proposed retirement villages.
- The objectives and policies for development in Rural Zones are similar in both the Operative and Proposed District Plans and therefore should retain the Discretionary activity status within the Proposed District Plan.
- The increasing importance of retirement villages supports the activity being recognised as a discretionary activity.

Submitter Number: 776 **Submitter:** GE Free Northland (in food & environment)

Point Number 776.1

Summary of Decision Requested: Add a resource management framework for the management of genetically modified organisms that is region specific, taking into account environmental, economic, cultural and social well-being considerations.

Decision Reasons:

- The requested framework of issues, objectives, policies, rules and methods is consistent with the sustainable management purpose and Part 2 of the Resource Management Act to manage the release, location and management of genetically modified organisms where they have the potential to adversely affect the environment and other land use activities. Refer to original submission for various hyperlinks to supporting documents.
- Wish to keep unwanted organisms out of Taitokerau and Auckland regions.
- There are potential risks posed by outdoor GE experiments, field trials or the release of GMOs into the environment.
- GMOs have the potential to adversely affect ecological, economic, and resource management, shared values, social, cultural well-being of all communities.

Point Number 776.2

Summary of Decision Requested: Add strong precautionary and prohibitive provisions, policies and rules relating to genetically modified organisms that are aligned with those in the Far North District Plan, the Whangarei District Plan, the Auckland Unitary Plan and Northland Regional Policy Statement.

Decision Reasons:

- The requested framework of issues, objectives, policies, rules and methods is consistent with the sustainable management purpose and Part 2 of the Resource Management Act to manage the release, location and management of genetically modified organisms where they have the potential to adversely affect the environment and other land use activities. Refer to original submission for various hyperlinks to supporting documents.
- Wish to keep unwanted organisms out of Taitokerau and Auckland regions.
- There are potential risks posed by outdoor GE experiments, field trials or the release of GMOs into the environment.
- GMOs have the potential to adversely affect ecological, economic, and resource management, shared values, social, cultural well-being of all communities.

Submitter Number: 777 **Submitter:** Radio New Zealand Limited

Point Number 777.1

Summary of Decision Requested: Retain Objective 5.1.1 The rural environment, especially Objective 5.1.1 (a)(iii), except for the amendments sought below;
AND
Amend 5.1.1 Objective - The rural environment as follows:
Subdivision, use and development is provided for within the rural environment where:
...

Decision Reasons:

- Supports the policy.
- The requested text results in this objective being expressed more clearly.

Point Number 777.2

Summary of Decision Requested: Retain Policy 5.3.4(a) Density of dwelling and buildings within the rural environment, as notified.

Decision Reasons:

- The submitter supports the retention of open spaces to ensure that rural character is maintained.

Point Number 777.3

Summary of Decision Requested: Retain Policy 5.3.7 Reverse sensitivity effects, except for the amendments sought below;
AND
Amend Policy 5.3.7(a)(ii) Reverse sensitivity effects, as follows:
Recognise the following features are typical of the rural environment and the effects are accepted and able to be managed:
...
(ii) Noise, odour, dust, traffic and visual effects associated with the use of land for farming, horticulture, forestry, farm quarries, and infrastructure;
AND
Add a new clause to Policy 5.3.7 Reverse Sensitivity effects, as follows:
(j) Avoid any adverse effects of reverse sensitivity to ensure the ongoing and efficient operation of infrastructure is not compromised.

Decision Reasons:

- Infrastructure which is typical of the rural environment may have associated noise, odour, dust and traffic effects with land use. For example, Radio NZ operates a back-up generator for testing and emergency purposes and this makes noise.
- Greater consistency is required with Policy 6.1.7 Reverse sensitivity and infrastructure, due to the submitter's concern with reverse sensitivity effects on its transmission in terms of their civil defence role.

Point Number 777.4

Summary of Decision Requested: Amend Policy 5.3.8(e) and (f) Effects on rural character and amenity from rural subdivision, as follows:
(e) ~~Ensure~~ Subdivision, use and development does not compromise opportunities ensure that rural character and amenity values are maintained.
(f) Subdivision, use and development ~~ensures that~~ the effects on public infrastructure are ~~minimised~~ avoided.

Decision Reasons:

- The addition of the requested text in clause (e) expresses this policy more clearly.
- In respect to clause (f), greater consistency is required with Policy 6.1.7 Reverse sensitivity and infrastructure, due to the submitter's concern with reverse sensitivity effects on its transmission in terms of its civil defence role.

Point Number 777.5

Summary of Decision Requested: **Amend** Policy 5.3.15(a)(v) Noise and vibration, as follows:
(v) ~~Managing the location of sensitive land uses~~ noise-sensitive activities, particularly in relation to lawfully-established activities:

Decision Reasons:

- It is more appropriate to use the notified definition of "noise-sensitive activities" than "sensitive land use".

Point Number 777.6

Summary of Decision Requested: **Retain** Policy 6.1.2 Development, operation and maintenance, as notified.

Decision Reasons:

- The submitter supports the recognition, development and maintenance of infrastructure.

Point Number 777.7

Summary of Decision Requested: **Retain** Policy 6.1.4 Infrastructure benefits as notified, particularly clause (a)(vii) which identifies the benefits provided for lifeline utility services.

Decision Reasons:

- The submitter supports the recognition of the benefits of infrastructure and particularly the importance of infrastructure to provide for lifeline utility services.

Point Number 777.8

Summary of Decision Requested: **Retain** Objective 6.1.6 Reverse sensitivity, as notified.

Decision Reasons:

- The submitter supports the protection of infrastructure from reverse sensitivity effects.

Point Number 777.9

Summary of Decision Requested: **Retain** Policy 6.1.7 Reverse sensitivity and infrastructure, as notified.

Decision Reasons:

- The submitter supports the protection of infrastructure from the reverse sensitivity effects of subdivision, use and development.

Point Number 777.10

Summary of Decision Requested: **Amend** Policy 5.3.8(f) Effects on rural character and amenity from rural subdivision to replace the term "public infrastructure" with "infrastructure", and all other instances where this term is used;
OR
Add a new definition for "public infrastructure" to Chapter 13 Definitions, which includes Radio New Zealand.

Decision Reasons:

- It is not clear what kind of infrastructure Policy 5.3.8(f) refers to.

Point Number 777.11

Summary of Decision Requested: **Add** a new definition for "rural hamlet" to Chapter 13 Definitions.

Decision Reasons:

- It is not clear what is meant by "rural hamlet" and a definition would be useful to district plan users.

Point Number 777.12

Summary of Decision Requested: **Add** a new definition for "urban subdivision" to Chapter 13 Definitions.

Decision Reasons:

- A definition of "urban subdivision" would provide clarity.

Point Number 777.13

Summary of Decision Requested: **Add** a new setback requirement to Rule 22.3.7.2 PI(a) Building setback - sensitive land use as follows:
(a) Any building for a sensitive land use must be set back a minimum of:
...
(x) 800m from the boundary of any radio transmitter owned and operated by Radio New Zealand, as defined in section 2(1) of the Radiocommunications Act 1989.

Decision Reasons:

- The submitter is concerned with any reverse sensitivity effects on its transmission in terms of its civil defence role.
- The requested 800m building setback is an effective way of mitigating and avoiding adverse effects.

Point Number 777.14
Summary of Decision Requested: Retain the S1 designation for Radio New Zealand Limited and the wording for this designation as notified.

Decision Reasons:

- No reasons provided.

Point Number 777.15
Summary of Decision Requested: Retain clause (c) in the definition of "infrastructure" in Chapter 13 Definitions, as notified.

Decision Reasons:

- No reasons provided.

Point Number 777.16
Summary of Decision Requested: Retain the definition of "Minor upgrading of existing infrastructure" in Chapter 13 Definitions as notified.

Decision Reasons:

- No reasons provided.

Point Number 777.17
Summary of Decision Requested: Retain the definition of "Network utility operator" in Chapter 13 Definitions as notified.

Decision Reasons:

- No reasons provided.

Point Number 777.18
Summary of Decision Requested: Retain the definition of "Noise-sensitive activity" in Chapter 13 Definitions as notified.

Decision Reasons:

- No reasons provided.

Point Number 777.19
Summary of Decision Requested: Amend the definition of "sensitive land use" in Chapter 13 Definitions as follows:

~~Means an education facility including a childcare facility, waananga and koohanga roa, a residential activity, papakainga building, rest home, retirement village, travellers' accommodation, home stay, health facility or hospital.~~

Means:

(a) an education facility including a childcare facility and waananga and koohanga roa;

(b) buildings used for residential activities including a papakainga building, rest home, retirement village, travellers' accommodation and home stay; and

(c) a health facility or hospital.

AND

Amend the definitions of "sensitive land use" and "noise-sensitive activity" in Chapter 13 Definitions to consider combining into a single defined term.

Decision Reasons:

- The notified definition implies that all "sensitive land uses" are education facilities, yet it expands to include places and activities that are not strictly 'educational'.
- The definitions for "noise-sensitive activity" and "sensitive land use" are very similar and may therefore be able to be merged into a single definition.

Submitter Number: 778 **Submitter:** Shand Properties Limited

Point Number 778.1
Summary of Decision Requested: Amend Policy 4.1.13 - Huntly as follows:

4.1.3 Policy - Huntly

(a) Huntly is developed to ensure:

(i) infill and redevelopment of existing sites occurs;

(ii) Reverse sensitivity effects from the strategic transport infrastructure networks are avoided or minimised;

(iii) Development of areas where there are hazard and geotechnical constraints is managed to ensure the associated risks do not exceed acceptable levels.

(iv) Development is avoided on areas with ~~hazard, geotechnical and ecological constraints~~ significant hazard and geotechnical constraints that are unable to be remedied or sufficiently mitigated to achieve an acceptable level of risk.

(v) Ecological values are maintained or enhanced.

(vi) Development of areas with significant ecological value is avoided.

AND

Any further relief and/or amendments to other provisions as necessary to support the relief sought.

Decision Reasons:

-

- This policy should acknowledge that some constraints will be able to be safely mitigated or managed without causing undue risk.
- Ecological and geotechnical constraints need to be separately addressed because of their differing effects.
- Areas 1 and 2 are located within the urban limits identified in the Waikato Regional Policy Statement and the Future Proof Strategy.
- Ecological constraints or values vary widely and therefore avoiding all development where these are present is overly onerous.
- A framework is therefore required that manages the avoidance of development where there are high ecological values or the mitigation or offsetting of effects where ecological values are lower.

Point Number 778.2

Summary of Decision Requested: Amend the zoning of approximately 74.06ha in Huntly located between Great South Road and East Mine Road from Rural Zone to Industrial Zone (see submission for map and list of legal descriptions).

AND

Any further relief and/or amendments to the Proposed District Plan as necessary to support the relief sought.

Decision Reasons:

- There is a projected demand for industrial land in Huntly over and above the available supply in the medium and long term when the National Policy Statement - Urban Development Capacity is taken into account.
- Areas 1 and 2 are located within the urban limits identified in the Waikato Regional Policy Statement and the Future Proof Strategy.
- The Waikato Regional Policy Statement identifies that approximately 23ha of industrial land is needed for the long-term growth of Huntly through to 2061.
- Areas 1 and 2 are in close proximity to key transport networks including the North Island Main Trunk railway, Great South Road and the Huntly Bypass which provide ideal connections for industrial activities that involve freight movements.
- Greenfield industrial land at Huntly is a scarce resource because of flooding, subsidence or topographical limitations.
- A number of future growth changes are anticipated throughout the Waikato Corridor.
- Areas 1 and 2 adjoin the existing extent of urban development at the northern end of Huntly.

Point Number 778.3

Summary of Decision Requested: Amend the zoning of approximately 22.95ha in Huntly, south of East Mine Road from Rural Zone to Residential Zone (see submission for map and list of legal descriptions).

AND

Any further relief and/or amendments to the Proposed District Plan as necessary to support the relief sought in the submission.

Decision Reasons:

- The area provides an opportunity for additional residential growth in Huntly.
- The area is contiguous with the existing residential environment and represents a logical extension of Huntly's Residential Zone.
- There is demand for residential development in Huntly over the short, medium and long term.
- Full uptake of infill and redevelopment subdivision is unlikely and it is therefore appropriate to provide more opportunities for greenfill development.
- The area is located within the urban limits identified in the Waikato Regional Policy Statement and the Future Proof Strategy.
- The area is in close proximity to key transport networks including Great South Road and the Huntly Bypass.
- The land is in the indicative urban limit within the Future Proof Strategy.
- The RPS predicts that the residential population of Huntly will grow by 12,275 by 2061. Additional residentially zoned land will be required to accommodate the additional housing demand. This 23ha provides an opportunity to provide for Huntly's residential growth.

Submitter Number: 780 **Submitter:** John Lawson (Whaingaroa Environmental Defence Incorporated)

On behalf of: Whaingaroa Environmental Defence Incorporated Society

Point Number 780.1

Summary of Decision Requested: Add areas of Significant indigenous vegetation or habitat through the use of LENZ and in consultation with conservation and environment groups.

AND

Add rules for Significant indigenous vegetation and habitat as follows:

In a significant indigenous vegetation or habitat area the following are discretionary activities:-

- Cultivation.
- Spreading soil or other material (including fertilizer or lime) in excess of existing routine application rates.
- Drainage works apart from routine maintenance.
- Land reclamation from estuary or other wetlands.
- Modifications to watercourses apart from routine maintenance.
- Flood defences.
- Infilling ditches, ponds, pits, pools, marshes or historic earthwork features.
- Clearing vegetation or land (by physical removal, burning, application of herbicides, or deliberate overgrazing, trampling, or rooting by livestock) in preparation for cultivation.
- Introducing livestock (including poultry) at intensive stocking rates, or increasing stocking rates to intensive levels.

Decision Reasons:

- Large amount of indigenous forest and scrub in the Waikato District and that up to 50% of it is threatened and most of that is not legally protected.
- The NZ Biodiversity Strategy (page 33) set the 2020 goal as, "A net gain has been made in the extent and condition of natural habitats and ecosystems important for indigenous biodiversity. Scarce and fragmented habitats (such as lowland forests and grasslands, wetlands and dunelands) have increased in area and are in better ecological health due to improved connections and the sustainable management of surrounding areas. Some modified habitats are restored."

Point Number 780.2

Summary of Decision Requested: Add rules to Chapter 16 Residential Zone to provide for protection of defined views from public places to the harbour, coast and natural backdrops and to include at least the following defined views:

- (a) from SH23 (north of Maungatawhiri Rd) to Kaitoke Creek
- (b) all existing views of the bar from Main Road, Bow St and Norrie Avenue
- (c) all existing views of Karioi from Raglan CBD
- (d) from Wainui Rd to the coast between the Bryant Reserve and the Bible Crusade Camp
- (e) from SH23 summit to Karioi

(f) AroAro salt marsh from Wallis St.

AND

Amend the planning maps for any consequential relief required to give effect to this submission.

Decision Reasons:

- Rules in each zone are required to give effect to Policies 3.3.3 (a) and 4.5.14 (a) (iii).
- Views are a part of Raglan's character. Raglan Naturally makes various references to 'view'. The original submission notes these references in detail.
- RMA (Section 5) includes "well being" which was included in Raglan Naturally and this clearly includes protection of views.
- Raglan Naturally needs to be considered as a part of the district plan review.
- Other district plans protect views (Auckland and Hastings).

Point Number

780.3

Summary of Decision Requested:

Add rules to Chapter 18 Business Town Centre Zone to provide for protection of defined views from public places to the harbour, coast and natural backdrops and to include at least the following defined views:-

- (a) from SH23 (north of Maungatawhiri Rd) to Kaitoke Creek
- (b) all existing views of the bar from Main Road, Bow St and Norrie Avenue
- (c) all existing views of Karioi from Raglan CBD
- (d) from Wainui Rd to the coast between the Bryant Reserve and the Bible Crusade Camp
- (e) from SH23 summit to Karioi
- (f) AroAro salt marsh from Wallis St.

AND

Amend the planning maps for any consequential relief required to give effect to this submission.

Decision Reasons:

- Rules in each zone are required to give effect to Policies 3.3.3 (a) and 4.5.14 (a) (iii).
- Views are a part of Raglan's character. Raglan Naturally makes various references to 'view'. The original submission notes these references in detail.
- RMA (Section 5) includes "well being" which was included in Raglan Naturally and this clearly includes protection of views.
- Raglan Naturally needs to be considered as a part of the district plan review.
- Other district plans protect views (Auckland and Hastings).

Point Number

780.4

Summary of Decision Requested:

Add rules to Chapter 22 Rural Zone to provide for protection of defined views from public places to the harbour, coast and natural backdrops and to include at least the following defined views:

- (a) from SH23 (north of Maungatawhiri Rd) to Kaitoke Creek
- (b) all existing views of the bar from Main Road, Bow St and Norrie Avenue
- (c) all existing views of Karioi from Raglan CBD
- (d) from Wainui Rd to the coast between the Bryant Reserve and the Bible Crusade Camp
- (e) from SH23 summit to Karioi
- (f) AroAro salt marsh from Wallis St.

AND

Amend the planning maps for any consequential relief required to give effect to this submission.

Decision Reasons:

- Rules in each zone are required to give effect to Policies 3.3.3 (a) and 4.5.14 (a) (iii).
- Views are a part of Raglan's character. Raglan Naturally makes various references to 'view'. The original submission notes these references in detail.
- RMA (Section 5) includes "well being" which was included in Raglan Naturally and this clearly includes protection of views.
- Raglan Naturally needs to be considered as a part of the district plan review.
- Other district plans protect views (Auckland and Hastings).

Point Number

780.5

Summary of Decision Requested:

Add new rules for all zones as follows:

Construction of a building or other structure and planting of trees and other vegetation is a permitted activity, if:

(a) it can be shown that it will not significantly block views of sea, river, bush or hills from neighbouring properties, or

(b) neighbouring property owners confirm in writing that any loss of view does not concern them, or

(c) it can be shown that the planted vegetation is of native plants and likely to contribute to reduction of river, or coastal erosion, or

(d) it can be shown that the planting would improve views from public places.

Any activity that does not comply with a condition for a permitted activity is a discretionary activity.

Decision Reasons:

- Sea and other views add monetary value to properties.
- Property rights of owners should take precedence over developers. Developers should be required to obtain written agreement from neighbours that the development does not concern them in terms of views lost, unless it is native planting to protect land from erosion, hides unsightly developments or will not significantly affect views.
- While no requirement under the RMA to protect views, no provisions against either. Feasible to protect views as shown by other district plans.
- Only 4.7.2 requires view sharing and this will not apply to most developments as they do not require consent.

Point Number 780.6

Summary of Decision Requested: **Add** provisions to Chapter 16 – Residential Zone, to restrict further holiday accommodation in Raglan's residential and business areas.

AND

Add provisions for an area of high density development near the cement silos, of similar height to them and to the density and design of a traditional European fishing village, available for low cost purchase and rental by permanent residents for leases of no less than a year.

Decision Reasons:

- Raglan is very short of permanent accommodation and the Plan makes no provision for affordable properties protected from use for holiday occupation.

Point Number 780.7

Summary of Decision Requested: **Add** provisions to Chapter 17 – Business Zone, to restrict further holiday accommodation in Raglan's residential and business areas.

AND

Add provisions for an area of high density development near the cement silos, of similar height to them and to the density and design of a traditional European fishing village, available for low cost purchase and rental by permanent residents for leases of no less than a year.

Decision Reasons:

- Raglan is very short of permanent accommodation and the Plan makes no provision for affordable properties protected from use for holiday occupation.

Point Number 780.8

Summary of Decision Requested: **Add** provisions to Chapter 18 – Business Town Centre Zone, to restrict further holiday accommodation in Raglan's residential and business areas.

AND

Add provisions for an area of high density development near the cement silos, of similar height to them and to the density and design of a traditional European fishing village, available for low cost purchase and rental by permanent residents for leases of no less than a year.

Decision Reasons:

- Raglan is very short of permanent accommodation and the Plan makes no provision for affordable properties protected from use for holiday occupation.

Point Number 780.9

Summary of Decision Requested: **Add** a Raglan structure plan

AND

Consider postponing the application of the Proposed Waikato District Plan to Raglan ward until such structure plan is in place.

Decision Reasons:

- Plan is missing important sections, marked with "placeholders".
- Website is difficult to load/read and compare to existing plan.
- Issues with online submission process.
- Structure Plan for Raglan is still incomplete.
- Good case for not applying the Plan to Raglan until more complete and better consultation methods have been devised.
- Most other growth areas have Structure Plans. Without a Structure Plan it is not apparent that the proposed Plan will work for Raglan ward. Raglan increased by 40% over the period 1991-2001 and could more than double over the next 10 years if all the development options are taken up.
- The Plan does not estimate population might be and services required. Without estimates hard to know what areas to set aside or what environmental problems might arise.
- Structure Plan is needed to take account of Raglan Naturally (2001) and to expand on it, including any revisions. The submission goes into detail as to what the Raglan Naturally document entails, including aspirations and priorities for action.

Point Number 780.10

Summary of Decision Requested: **Add** rules for each catchment to Section C Rules - to provide to support the following:

- on-site stormwater disposal
- sufficient capacity to enable disposal of stormwater
- best-practice low impact design
- on-site treatment
- minimises impervious surfaces
- retains pre-development hydrological conditions
- not increase the flow of stormwater runoff
- not reduce storage capacity on-site
- stormwater catchment management plan
- promotes clean water reuse and groundwater recharge

AND

Amend Section C Rules to provide rules for individual limits to suit each catchment, rather than permitted up to 70% impermeable cover everywhere.

AND

No specific decision sought but submission opposes Policy 4.2.7 Site coverage and permeable surfaces, Policy 6.4.7 Storm water and Rule 14.1.1.1.2 RD2.

Decision Reasons:

- The submitter opposes policies 4.2.7 and 6.4.7, as the only rules implementing them in Raglan are discretionary and ill-defined. For example, "where appropriate" is not defined.
- No scientific stormwater plan for Raglan has been completed, though a settling pond at AroAro was designed in 2011 as a filtration wetland for the stormwater. Pollutants such as copper are at or near their limits and addition of more sites with 70% impermeable cover will exacerbate the pollution. Application of Rule 14.1.1.2 RD2's discretion without clear scientific evidence of effects will make pollution even worse.

Point Number 780.11

Summary of Decision Requested: **Add** rules to support Policy 4.2.7 - Site Coverage and Permeable Surfaces.

Decision Reasons:

- The submitter supports the policies of having sufficient open space to provide for landscaping, on-site stormwater disposal in the Residential Zone, but objects that they do not appear to have any corresponding rules, except for Te Kowhai Airpark Zone Rule 27.3.3.

Point Number 780.12

Summary of Decision Requested: **Retain** Activity specific standard 14.11.1 (a)(iii)- Permitted Activities pertaining to P3 waste water servicing which requires wastewater to comply with AS/NZS 1547:2012

Decision Reasons:

- AS/NZS 1547:2012 covers the whole range of options which may be appropriate, including Waterless composting toilets, covered in the related AS/NZS 1546.2:2008. I support investigation of such systems to minimise water consumption and sewage volumes, thus making it more possible to treat sewage as a valuable resource, rather than an expensive waste.

Point Number 780.13

Summary of Decision Requested: **Amend** Table 14.12.5.7 Required parking spaces and loading bays - to provide for an option for developments to meet much lower standards of provision for parking, etc, depending on the extent to which they provide for use of public transport, walking, or cycling by people using the site. Submission makes reference to 7.3.1(4) of the Christchurch Plan as an example.

Decision Reasons:

- For reasons of climate change, resource use, safety and congestion, the current average of roughly one car per person needs to be reduced. Maintenance of inflexible rules on parking, etc perpetuates the current problem and requires developers to subsidise car transport. Alternatives should be encouraged, as they already are in Auckland, Christchurch, Queenstown, etc.

Point Number 780.14

Summary of Decision Requested: **Amend** the Planning Maps to differentiate between Business Town Centre, Business and Industrial Zone. Submission references Appendix 2.30 Raglan Map, and seeks clarification of the term "Commercial Area".

Decision Reasons:

- Commercial Area is indicated in purple, yet in the text of the Plan the term is only used to define land at Tamahere. Submitter opposes use of this map until the meaning of Commercial Area is clarified.

Point Number 780.15

Summary of Decision Requested: **Amend** Rule 16.5.8.7 Building setbacks - All boundaries to provide for variable setbacks to suit the character of each road

OR

Amend Rule 16.5.8.7 Building setbacks - All boundaries to require a minimum 6m setback from the road boundary for all developments in the Residential Zone.

Decision Reasons:

- There are locations where there is no need for any setback, but it is not clear that any generic rule can be set to identify them.
- A 6m setback will generally retain the village character of Raglan and protect many views.
- The submitter does not understand why Council is not accounting for the Environment Court decision (NZEVC 411 - paragraph 59, page 17) and there is no reference to it in the s32 documents.
- The 2017 Infrastructure Issues and Options report for item 21.49 - Building set back, makes no mention of the environment court decision and only mentions the Roading Team's view on technical matters, not amenity.
- The s32 – 12 – residential zone – setback report lists assertions that the 6m setback is odd, doesn't work and is generally not practical due to topography, set against other assertions that setback should reflect the character of the roads within Raglan, protect Raglan views and retain Raglan's existing character. None of these seems to have been evaluated by the s32 report, which is silent about the Environment Court.

Point Number 780.16

Summary of Decision Requested: **Amend** Policy 4.1.5 Density to identify density ranges for each street.

Decision Reasons:

- A minimum density of 12-15 households per hectare is imprecise (is it 12, 15, or what, where and why?) and not suitable for parts of the Residential Zone. Some streets could take much more and some less. Submitter opposes the policy unless sites are assessed for wildlife, stormwater, visual attraction and transport factors.

Point Number 780.17

Summary of Decision Requested: **Amend** Policy 4.1.18 Raglan, as follows:

(a) Raglan is developed to ensure:

(i) Infill and redevelopment of existing sites occurs, subject to development of a Structure Plan to identify where this can be done without loss of character, trees, or other natural features.

(ii) A variety of housing densities is provided for and adequate housing reserved for low cost rentals and purchases by permanent residents;

(iii) Rangitahi is the only area that provides for the medium term future growth and is developed in a manner that connects has cycle, footway and public transport connections to the existing town and maintains and enhances the natural environment; and

(iv) There are good quality cycle, footway and public transport connections between the town centre, the Papahua Reserve and Raglan Wharf.

Decision Reasons:

- 2009 Raglan Structure Plan Issues and Options report said; "In simple terms the existing District Plan already zones enough land in the immediate Raglan area to provide for around 1.6 times the amount of land that will be needed up to 2061."

- Rangitahi development will add 500 houses.
- There is a lack of detailed population figures but it is apparent that Raglan needs infill and redevelopment. Without the detailed analysis of sites, it is likely that some would lose their character, trees and other features. Opposes Policy unless sites are differentiated.
- There is a housing shortage in Raglan, but the shortage is for housing available to local people at affordable prices. Providing more holiday homes will not solve housing problem.
- Rangitahi will provide for future growth and will have good walking and cycle links within it, but not to the CBD and no ferry/bus service. CBD has parking and congestion issues at peak times without adding cars from Rangitahi. Therefore good alternatives to cars are needed.
- Papahua Reserve and Raglan Wharf need to account for 4.1.12 (b)(v) "particularly walking and cycling" provision, along with the proposal in Raglan Naturally to provide for a free shuttle.

Point Number 780.18

Summary of Decision Requested: Add a new clause (iii) to Policy 7.1.4 Matangi and Huntly Heritage precinct for Raglan and policies similar to those for Matangi and Huntly.

Decision Reasons:

- In 2017, Waikato District Council often used the phrase "Raglan is the jewel in the crown of the Waikato". The proposed Waikato District Plan still mentions Raglan's "seaside village character" but reduced from 12 in the current plan to 3 in the proposed one and that is only for Rangitahi.
- The original submission makes reference to 1.6.1 of the current plan ("Raglan will retain its seaside village character as it grows, while protecting the harbour."), as well as a description of Raglan from Lonely Planet. The submission wants "Raglan will retain its seaside village character as it grows, while protecting the harbour." from the current plan included in the proposed.
- Submitter is of the opinion that Policy 7.1.4 also applies to Raglan.

Point Number 780.19

Summary of Decision Requested: Amend the Proposed Waikato District Plan by making the Coastal Overlay a conservation area and including provisions where all major changes and consents which infringe District Plan rules, or which exceed one storey, are publicly notified.

AND

Delete Policy 4.5.14(f) Raglan Town Centre

Decision Reasons:

- In 2017, Waikato District Council often used the phrase "Raglan is the jewel in the crown of the Waikato". The proposed Waikato District Plan still mentions Raglan's "seaside village character" but reduced from 12 in the current plan to 3 in the proposed one and that is only for Rangitahi.
- The original submission makes reference to 1.6.1 of the current plan ("Raglan will retain its seaside village character as it grows, while protecting the harbour."), as well as a description of Raglan from Lonely Planet.
- The Lonely Planet comment that "It's small enough to have escaped mass development" is of value and should be enforced by limiting developments to one storey and features in accordance with the Waikato District Council 2003 design guide.
- Developments can occur but needs to avoid changing Raglan's character which can be done by public notification (of consents).
- Most of the coast is visible from Raglan and as such, is a part of its character and should be protected.
- Most street corners have single storey buildings which are or should be listed as historic heritage buildings.
- As the character statement for Raglan Town Centre says it is characterised by "Small scale (one to two level, narrow frontages) buildings". It also says "Encourage new development that is sympathetic to the existing main street built form (height, scale, form) and the surrounding context, whilst still promoting the eclectic and artistic nature of the town".
- A possible alternative could be similar to Hamilton's Special Character areas.

Point Number 780.20

Summary of Decision Requested: Delete Rule 18.3.5 P1(a)(vi) Verandahs

Decision Reasons:

- It is inconsistent with Policy 4.5.14 (v)(B) which refers to post supported verandahs (for the Raglan Town Centre)

Point Number 780.21

Summary of Decision Requested: Add policies and rules to protect ridgelines from development.

AND

Amend Policy 3.3.2 (a0(i) to not just recognise but to protect.

Decision Reasons:

- Policy 3.3.2 (a) (i) only recognises the attributes. Ridgelines are widely visible, so development of them has a disproportionate effect.

Point Number 780.22

Summary of Decision Requested: Amend Rule 16.1.2 P9 Permitted Activities to provide for the registration of Homestay or Visitor accommodation.

Decision Reasons:

- Raglan needs a plan similar to that of Queenstown to avoid more residential accommodation becoming available only to visitors. As residents tend to move to and from the surrounding country areas, the same policy needs to apply there. Queenstown has rules requiring registration as a Homestay, or a Holiday Home and, for larger properties, resource consent for change of use. Raglan needs similar rules.

Point Number 780.23

Summary of Decision Requested: Amend Rule 22.1.2 P10 Permitted Activities to provide for the registration of Homestay or Visitor accommodation.

Decision Reasons:

- Raglan needs a plan similar to that of Queenstown to avoid more residential accommodation becoming available only to visitors. As residents tend to move to and from the surrounding country areas, the same policy needs to apply there. Queenstown has rules requiring registration as a Homestay, or a Holiday Home and, for larger properties, resource consent for change of use. Raglan needs similar rules.

Point Number 780.24

Summary of Decision Requested: Amend Rule 23.1.1 P2 Permitted Activities to provide for the registration of Homestay or Visitor accommodation.

Decision Reasons:

- Raglan needs a plan similar to that of Queenstown to avoid more residential accommodation becoming available only to visitors. As residents tend to move to and from the surrounding country areas, the same policy needs to apply there. Queenstown has rules requiring registration as a Homestay, or a Holiday Home and, for larger properties, resource consent for change of use. Raglan needs similar rules.

Point Number 780.25

Summary of Decision Requested: Delete Policy 4.2.22 Bankart Street and Wainui
AND
Add provision for Wi Neera Street.

Decision Reasons:

- The area behind the corrugated iron on Wi Neera St is still be developed and residents will be forced out of their homes by rate rises, overlooking, noise, etc. Raglan needs housing for locals far more than extra holiday apartments.

Point Number 780.26

Summary of Decision Requested: Amend Rule 17.1.3 RD1 (a)(i) Restricted Discretionary activities as follows:
The extent to which the development is consistent with 4.5.3 Policy - Commercial purpose: Business Town Centre Zone, in strengthening those areas as the primary retail, administration, commercial service and civic centre for each town and with Town Centre Guidelines contained in Appendix 3.3

Decision Reasons:

- The 2006 Supporting Information for Lorenzen Bay Business Zone said at 4.4.3 that "It is likely that a Service Centre would comprise convenience shops such as a dairy or fruit and vegetable shop." It was on that basis that the area was rezoned from Residential to Business. By specifying a minimum lot size of 225m² it is unlikely that such small shops are going to occupy the site. A large supermarket is more likely, which would affect the viability of Raglan CBD.

Point Number 780.27

Summary of Decision Requested: Amend Rule 17.4.1 RD1 (a)(i) General subdivision as follows:
(a) Subdivision of land must comply with all of the following conditions:
(i) Proposed lots must have a minimum size of 225m² net site area with the exception of access or utility allotments or reserves to vest;
(ii) Proposed lots must be connected to public-reticulated water supply and wastewater.

Decision Reasons:

- It is inconsistent with Policy 4.5.3 - Commercial purpose: Business Town Centre Zone, which aims to strengthen town centres as the primary retail, administration, commercial service and civic centre for each town.

Point Number 780.28

Summary of Decision Requested: Retain Rule 18.3.1.1 Height – Building general.

Decision Reasons:

- Submitter is pleased that note was taken of objections to the proposed increase to 12m. However, 10m should not become a target and most buildings should remain single storey.

Point Number 780.29

Summary of Decision Requested: Delete the Raglan navigation beacon rules from Zone rules to which they have no relevance.

Decision Reasons:

- Although the Raglan navigation beacons are only in Business Town Centre, Reserve and Residential Zones, this policy applies also to Business and Rural zones! Only policies relevant to zones should be included in their chapters. There is already too much repetition in the Plan, which makes it hard to comprehend.

Point Number 780.30

Summary of Decision Requested: Amend the Proposed District Plan to require consents requiring exemption from plan rules to be automatically publicly notified, whether the rule is on genetically modified organisms or not.

Decision Reasons:

- Several Councils have passed resolutions that there should be no further development and field-testing of transgenic organisms envisaged for agriculture, horticulture and forestry in their areas until the risk potential has been adequately identified and evaluated and a strict liability regime put in place.
- The submission raises concern regarding liability and potential cost to ratepayers as well as the implications under the Resource Management Act.
- Submission also raises concerns regarding harm to farmers, clean green image, irreversible impacts from GMO's, scientific uncertainty, lack of demand for GE food from main markets, transgenic pollution.
- Wants GE experiments and releases prohibited except in Ruakura.
- Conventional and organic reproductive crops must be protected and integrity of heritage seeds is critical.
- No mention is made of the hazards of genetically modified substances in the Proposed District Plan.
- GE poses risks to our environment, economy and public health.
-

Point Number 780.31

Summary of Decision Requested: Retain Chapter 22 Rural Zone.

Decision Reasons:

- Considers it appropriate that the provisions for Marae and papakāinga are recognised and provided for in the Waikato Proposed District plan as it gives effect to a range of policies.
- The New Zealand Coastal Policy Statement 2010 (policy d)
- The Waikato Regional Policy Statement (Policy 6.4)
- Future Proof Strategy (Priority 15)

Point Number 780.32

Summary of Decision Requested: Amend the earthworks rules for all zones that prescribe limits over a specified timeframe e.g. 12 month period to add limits to total development, consistent with maintaining the values of the site.

Decision Reasons:

- Incremental annual changes can amount to significant destruction of areas which should be protected.

Point Number 780.33

Summary of Decision Requested: Amend Rule 17.2.9 P2 Indigenous vegetation clearance inside a Significant Natural Area as follows:

Removing of up to 5m³ of manuka and/or kanuka outside of the Coastal Environment per single consecutive 12 month period per property for domestic firewood purposes or arts and craft, provided the removal will not directly result in the death, destruction or irreparable damage to any other tree, bush or plant.

Decision Reasons:

- Manuka/Kanuka are important environments and 3m³ is adequate for heating a well insulated house.

Point Number 780.34

Summary of Decision Requested: Add policies and rules to all zones for energy efficiency (refer to the original submission for details)

Decision Reasons:

- The Resource Management Act requires Council's to have regard to effects of climate change and benefits of renewable energy. The Proposed Waikato District Plan only makes passing reference to climate change and makes no mention of the drivers of climate change. There is also no commitment to solar and wind energy and micro-hydro reference has been removed.
- The submitter is disappointed on timing of Stage 2 and wants adequate considerations for energy and climate change and noted that the IPCC report came out 24 hours before close of submissions.

Point Number 780.35

Summary of Decision Requested: Add a new requirement to Rule 16.5.8.6 RD1(b)(iv) Living Court that windows and balconies overlooking adjacent outdoor spaces and living areas have been avoided so as to respect the amenity and comfort of neighbouring properties.

Decision Reasons:

- This follows Housing NZ's Simple Guide expectation that buildings and spaces should relate well to each other.

Point Number 780.36

Summary of Decision Requested: Add provision for new cycle/walkways to implement Council's Walking, Cycling and Bridle Trails Strategy, not only in major new developments. Submission makes reference to Policies 8.1.3 Esplanade reserves and walkways and Rule 16.5.3 Restricted Discretionary activities.

Decision Reasons:

- 1.10.2.3 of the Proposed Waikato District Plan includes the Strategy as relevant, yet there is no timeframe for implementation of the Strategy. Without support from the District Plan it is unlikely that most of the Strategy will be achieved. The submission goes on further to quote the relevant sections of Policy 4.1.8. Refer to original submission for details.
- 4.1.10 Policy - Tuakau, 4.1.11 Policy - Pokeno, 4.1.12 Policy - Te Kauwhata, 4.1.14 Policy - Taupiri, 4.1.15 Policy - Ngaruawahia, 4.1.16 Policy - Horotiu and 4.1.17 Policy - Te Kowhai all mention walking and cycling provision, though leave the means and locations unclear.
- 4.1.18 Policy - Raglan is the only town policy not to mention cycling and walking, despite a May 2018 staff report to Council saying, "Raglan has the district's highest walking/cycling communities".
- The Proposed Waikato District Plan has a disproportionate amount of rules relating to roading and vehicles, compared to public transportation and cycling.
- On page 42 Raglan Naturally says, "There is strong public support for harbour and coastal walkways." and "Create coastal walkways, eg Raglan to Whale Bay, Whale Bay to Te Toto Gorge." This local support reflects national trends; time use surveys show walking as being ahead of all other active sports and pursuits. European surveys have similar results, so that environmental tourism, encouraging tourists to spend more time walking than driving, could be made a much more valuable asset, giving an economic, as well as health and recreation, impetus to the need to implement policies in recognition of the importance of walking and cycling as noted at 1.4.3.1. The lack of progress indicates that opportunities are not taken with subdivisions and that more detail needs to be included in the District Plan.

Point Number 780.37

Summary of Decision Requested: Add the following to the planning maps:

- The planned Wainui Rd to Te Hutewai Rd walk/cycle track.
- All the tracks shown on the Strategy maps and walkways through the residential zones linking Lorenzen Bay with Kaitoke Walkway, allowing a circular walk around Raglan.
- A cycle track from Wallis St to Violet St.
- A link to the national Te Araroa walkway using paper roads, etc (via Karioi, Bridal Veil).
- Walkways (and where possible cycleways) along the whole coast.
- A track from Raglan to the summit of Karioi using esplanades, reserves and unformed roads.
- A link along Wainui Stream from Wainui Reserve to Bryant Reserve.

Decision Reasons:

- 1.10.2.3 of the Proposed Waikato District Plan includes the Strategy as relevant, yet there is no timeframe for implementation of the Strategy. Without support from the District Plan it is unlikely that most of the Strategy will be achieved. The submission goes on further to quote the relevant sections of Policy 4.1.8. Refer to original submission for details.
- 4.1.10 Policy - Tuakau, 4.1.11 Policy - Pokeno, 4.1.12 Policy - Te Kauwhata, 4.1.14 Policy - Taupiri, 4.1.15 Policy - Ngaruawahia, 4.1.16 Policy - Horotiu and 4.1.17 Policy - Te Kowhai all mention walking and cycling provision, though leave the means and locations unclear.
- 4.1.18 Policy - Raglan is the only town policy not to mention cycling and walking, despite a May 2018 staff report to Council saying, "Raglan has the district's highest walking/cycling communities".
- The Proposed Waikato District Plan has a disproportionate amount of rules relating to roading and vehicles, compared to public transportation and cycling.
- On page 42 Raglan Naturally says, "There is strong public support for harbour and coastal walkways." and "Create coastal walkways, eg Raglan to Whale Bay, Whale Bay to Te Toto Gorge." This local support reflects national trends; time use surveys show walking as being ahead of all other active sports and pursuits. European surveys have similar results, so that environmental tourism, encouraging tourists to spend more time walking than driving, could be made a much more valuable asset, giving an economic, as well as health and recreation, impetus to the need to implement policies in recognition of the importance of walking and cycling as noted at 1.4.3.1. The lack of progress indicates that opportunities are not taken with subdivisions and that more detail needs to be included in the District Plan.

Point Number 780.38

Summary of Decision Requested: **Amend** the Proposed District Plan to require housing for the elderly in all new developments, not just Te Kauwhata (e.g. Policy 4.1.12(b)(i) Te Kauwhata).

Decision Reasons:

- Wants the former Lazarus village restored for use of the elderly and thinks that without protection, the only non-hospital housing for elderly people in Raglan will be permanently lost.
- Refers to Section 1.12.3 "A district which provides a wide variety of housing forms which reflect the demands of its ageing population".

Point Number 780.39

Summary of Decision Requested: **Add** a new chapter that provides the following:

- A resource management framework for the management of Genetically Modified Organisms that is regionally specific taking into account environmental, economic and social well-being considerations.
- Strong precautionary and prohibitive provisions, policies and rules relating to Genetically Modified Organisms that are the same (or similar) as those in the Far North District Plan, the Whangarei District Plan and the Auckland Unitary Plan, to ensure a consistent approach across Northland, Auckland and the Waikato and to eliminate cross boundary issues.

Decision Reasons:

- Several Councils have passed resolutions that there should be no further development and field-testing of transgenic organisms envisaged for agriculture, horticulture and forestry in their areas until the risk potential has been adequately identified and evaluated and a strict liability regime put in place.
- The submission raises concern regarding liability and potential cost to ratepayers as well as the implications under the Resource Management Act.
- Submission also raises concerns regarding harm to farmers, clean green image, irreversible impacts from GMO's, scientific uncertainty, lack of demand for GE food from main markets, transgenic pollution.
- Wants GE experiments and releases prohibited except in Ruakura.
- Conventional and organic reproductive crops must be protected and integrity of heritage seeds is critical.
- No mention is made of the hazards of genetically modified substances in the Proposed District Plan.
- GE poses risks to our environment, economy and public health.

Point Number 780.40

Summary of Decision Requested: **Undertake** a survey of notable trees;

AND

Add the following trees in Raglan to Schedule 30.2 - Notable Trees:

- trees within 30m of the high water mark between Bow St jetty and Helen Pl
- trees adjacent to the airfield
- trees within 10m of Marine Parade
- trees between the recreation ground and Lily St
- trees on Wallis St at the foot of Government Rd
- trees in the gully between Rose St and Lily St
- trees to the south west of SH23 between Hills Rd and Greenslade Rd
- trees in the Lorenzen Bay reserve
- large trees should all be protected.

Decision Reasons:

- Schedule 30.2 clearly doesn't cover every notable tree, as there are only 160 listings for the whole District. Tree protection is clearly inadequate, as unauthorised removal of listed trees by council has shown. Trees are important for landscape, nature and carbon storage.

Point Number 780.41

Summary of Decision Requested: **Retain** Policy 2.16.1 Whaanga Coast Specific Area as notified.

Decision Reasons:

- Considers it appropriate that the provisions for Marae and papakāinga are recognised and provided for in the Waikato Proposed District plan as it gives effect to a range of policies.
- The New Zealand Coastal Policy Statement 2010 (policy d)
- The Waikato Regional Policy Statement (Policy 6.4)
- Future Proof Strategy (Priority 15)

Point Number 780.42

Summary of Decision Requested: **Retain** Policy 2.16.2 Aahuatanga Motuhake (special features) as notified.

Decision Reasons:

- Considers it appropriate that the provisions for Marae and papakāinga are recognised and provided for in the Waikato Proposed District plan as it gives effect to a range of policies.
- The New Zealand Coastal Policy Statement 2010 (Policy d)
- The Waikato Regional Policy Statement (Policy 6.4)
- Future Proof Strategy (Priority 15)

Point Number 780.43

Summary of Decision Requested: Retain Rule 22.1.2 Permitted Activities as notified.

Decision Reasons:

- Considers it appropriate that the provisions for Marae and papakāinga are recognised and provided for in the Waikato Proposed District plan as it gives effect to a range of policies.
- The New Zealand Coastal Policy Statement 2010 (Policy d)
- The Waikato Regional Policy Statement (Policy 6.4)
- Future Proof Strategy (Priority 15)

Point Number 780.44

Summary of Decision Requested: Retain Section 22.7 Specific Area – Whaanga Coast Development Areas as notified.

Decision Reasons:

- Considers it appropriate that the provisions for Marae and papakāinga are recognised and provided for in the Waikato Proposed District plan as it gives effect to a range of policies.
- The New Zealand Coastal Policy Statement 2010 (Policy d)
- The Waikato Regional Policy Statement (Policy 6.4)
- Future Proof Strategy (Priority 15)

Point Number 780.45

Summary of Decision Requested: Add a rule to Section 16.3 Land Use - Building to the effect that:

- (a) Construction of a building or other structure within sight of SH23 at Raglan is a permitted activity if it will be screened from SH23 by planting with indigenous species that will achieve an average height of 3m after 5 years, mature to over 9m in the residential zone and 12m in the Business Zone and be of sufficient density to visually screen the activity from SH23.
- (b) Any activity that does not comply with a condition for a permitted activity is a discretionary activity.

Decision Reasons:

- The zone extensions have increased the extent of urban development along the main approach to Raglan. That could be mitigated by screening further development.

Point Number 780.46

Summary of Decision Requested: Add a rule to Section 17.3 Land Use - Building to the effect that:

- (a) Construction of a building or other structure within sight of SH23 at Raglan is a permitted activity if it will be screened from SH23 by planting with indigenous species that will achieve an average height of 3m after 5 years, mature to over 9m in the residential zone and 12m in the business zone and be of sufficient density to visually screen the activity from SH23.
- (b) Any activity that does not comply with a condition for a permitted activity is a discretionary activity.

Decision Reasons:

- The zone extensions have increased the extent of urban development along the main approach to Raglan. That could be mitigated by screening further development.

Point Number 780.47

Summary of Decision Requested: Amend Rule 17.3.5 Horotiu Acoustic Area, to also apply to the Raglan business zones.

Decision Reasons:

- The SH23 business zone is next to the Lorenzen Bay residential zone.

Point Number 780.48

Summary of Decision Requested: Amend the Proposed District Plan so that all resource consents for vegetation clearance are publicly notified, including informing adjoining authorities and the regional council. The submission makes reference to Section 1.5.7 Natural Environment, Chapter 3 and Maps.

Decision Reasons:

- As per Section 1.5.7 which ensures Council will inform adjoining authorities and the regional council are informed of all resource consent applications received for vegetation clearance, this requirement should be extended to public notification of all such applications.

Point Number 780.49

Summary of Decision Requested: Add to the planning maps areas such as Hauroto Bay and other sites of indigenous vegetation, as recorded in Estuarine vegetation survey - Raglan (Vhaingaroa) Harbour.

Decision Reasons:

- No reasons provided.

Point Number 780.50

Summary of Decision Requested: Retain Rule 22.7.1.1 Permitted Activities as notified.

Decision Reasons:

- Considers it appropriate that the provisions for Marae and papakāinga are recognised and provided for in the Waikato Proposed District plan as it gives effect to a range of policies.
- The New Zealand Coastal Policy Statement 2010 (policy d)
- The Waikato Regional Policy Statement (Policy 6.4)
- Future Proof Strategy (Priority 15)

Point Number 780.51

Summary of Decision Requested: No specific decision sought, but submission states that it is not clear that the policies and rules sufficiently identify and protect Significant Natural Areas. The submission refers to section 1.5.7 Natural Environment, Chapter 3 Natural Environment and Maps.

Decision Reasons:

- The 2005 WDC State of Environment Report states that over 50% of remaining indigenous cover is classified as threatened and much of this land is not legally protected. An average of 2 consents for vegetation clearance are issued each year.
- The NZ Biodiversity Strategy set a 2020 goal of "A net gain has been made in the extent and condition of natural habitats and ecosystems important for indigenous biodiversity. Scarce and fragmented habitats (such as lowland forests and grasslands, wetlands and dune lands) have increased in area and are in better ecological health due to improved connections and the sustainable management of surrounding areas. Some modified habitats are restored."

Submitter Number: 781 **Submitter:** Ministry of Education

Point Number 781.1

Summary of Decision Requested: Amend Chapter 13 Definitions, by deleting the definition of 'Education facility' and replacing with a new definition as follows:

Education facility

~~Means premises where groups of people are given tuition and training on a formal basis and includes childcare facilities, schools, tertiary education institutions and specialised training facilities, and their ancillary administrative, cultural and health facilities.~~

Education facilities: means land and/or buildings used to provide regular instruction or training and includes schools, community education, early childhood education, tertiary education institutions, work skills training centres, outdoor education centres and sports training establishments and includes their ancillary administrative and support facilities (including cultural, recreational, communal or accommodation).

Decision Reasons:

- The Ministry of Education supports the principle that education facilities are defined. However, in order to comprehensively recognise the range of activities that may be provided at an education facility, the relief sought will accurately reflect the activities that may be required to support the efficient and effective provision of this education.
- The proposed definition is consistent with what the Ministry has provided for other district plans and is in line with the Ministry's national standards for all education facilities.

Point Number 781.2

Summary of Decision Requested: Delete the definition of "Child care facility" from Chapter 13: Definitions.

Decision Reasons:

- The notified definition does not accurately reflect the broad range of activities associated with a child care facility, including other education facilities. The requested definition of 'education facility' includes facilities for early childhood education as addressed elsewhere in the submission.

Point Number 781.3

Summary of Decision Requested: Amend 4.1.6 Policy - Commercial and industrial activities, so that education facilities are included as follows:

4.1.6 Policy - Education, commercial and industrial activities

(a) Provide for education facilities, commercial and industrial development in the following zones:

...

Decision Reasons:

- There are no policies that currently provide for education facilities.
- Education facilities such as tertiary education institutions, work skill training centres and early childhood education centres may need to be located within commercial and industrial areas for the convenience of parents and students.

Point Number 781.4

Summary of Decision Requested: Add a new policy in Chapter 5: Rural Environment to provide for education facilities in the rural environment as follows:

Policy - Education Facilities within the Rural Environment

To allow activities which are compatible with the role, function and predominant character of the Rural Environment, while managing the effects of the activities on the environment, including;

Education facilities

Decision Reasons:

- There are no policies that currently provide for education facilities in the rural environment.
- Education facilities such as schools, community education, early childhood education, tertiary education institutions, work skills training centres, outdoor education centres and sports training establishments located within rural areas are essential social infrastructure required to support rural areas.

Point Number 781.5

Summary of Decision Requested: Add a new policy to Chapter 8: Reserves to provide for education facilities in reserves as follows:

Policy - Education Facilities and Reserves

Allow activities which are compatible with the role, function and predominant character of the Reserves, while managing the effects of the activities on the environment, including;

Education facilities

Decision Reasons:

- There are no policies that currently provide for education facilities in the reserves.
- Education facilities such as schools, community education, early childhood education, tertiary education institutions, work skills training centres, outdoor education centres and sports training establishments located within reserves are essential social infrastructure.

Point Number

781.6

Summary of Decision Requested:

Add a new policy to Chapter 9: Specific Zones that provides for education facilities in Specific Zones as follows:

Policy - Education Facilities and Specific Zones

Allow activities which are compatible with the role, function and predominant character of Specific Zones, while managing the effects of the activities on the environment in the following zones:

(i) Hampton Downs motor sport and recreation

(ii) Te Kowhai Airpark

(iii) Rangitahi Peninsula; and

(iv) Business Zone Tamahere

Decision Reasons:

- There are no policies that currently provide for education facilities in Specific Zones.
- Education facilities such as schools, community education, early childhood education, tertiary education institutions, work skills training centres, outdoor education centres and sports training establishments located in various areas are essential social infrastructure to support district growth. Examples include:
 - driver training (including motor racing)
 - pilot training
 - schools
 - tertiary education work skills training centres

Point Number

781.7

Summary of Decision Requested:

Amend Table 14.12.5.7 - Required parking spaces and loading bays, so that it reads as follows:

~~Child care~~ Early Childhood Education facility 1 car space per every full-time staff equivalent plus 1 car space per 5 children that the facility is designed to accommodate

2.5 car parks per new classroom or classroom equivalent (to be allocated as visitor parking, plus one 99% car loading bay, (or pick-up/drop-off bay), per 100 pupils.

School: Primary 1 car space for every full-time staff equivalent plus 2 for every 50 students accommodated. Secondary 1 car space for every full-time staff equivalent plus 1 per 10 students accommodated in Years 11 to 13

2.5 car parks per new classroom or classroom equivalent (to be allocated as visitor parking, plus one 99% car loading bay, (or pick-up/drop-off bay), per 100 pupils.

Tertiary education facilities: 1 car space per every full-time staff equivalent plus 1 per every 2 full-time equivalent students provided for by the institution 1 space per 50m² of GFA; plus 1 space per staff.

Except where the Council accepts, on the basis of a specifically commissioned parking study by an appropriate qualified engineer and/or transportation planner, that a lesser level is appropriate.

Decision Reasons:

- The requested amendments are in line with the Ministry's national standards for all education facilities and are consistent with their requested definition for 'education facilities'.
- For consistency, "childcare facility" is replaced with "Early childhood education facility."

Point Number

781.8

Summary of Decision Requested:

Amend Table 14.12.5.13 - Traffic generation rates as follows:

Table 14.12.5.13 - Traffic ~~generation~~ movement rates

...

~~Childcare~~ Early childhood education and day care facility

AND

Amend the note in Rule 14.12.1 Permitted Activities P4 Traffic Generation as follows:

Note: Table 14.12.5.13 provides indicative traffic ~~generation~~ movements rates for various activities

Decision Reasons:

- The term 'traffic generation' is unclear and does not accurately reflect the activity. Consistency is required with the Ministry's requested definition of 'Education Facilities'.

Point Number

781.9

Summary of Decision Requested:

Amend Rule 17.1.2 P5 Permitted Activities as follows:

P5 Education ~~facility~~ facilities

Decision Reasons:

- Submitter requests consistency with their requested definition of 'Education facilities'.

Point Number

781.10

Summary of Decision Requested:

Add a new activity for Education Facilities in Rule 16.1.3 Restricted Discretionary Activities as follows:

Activity

RD2 Education Facilities

Council's discretion shall be restricted to the following matters:

- a. The extent to which the location, bulk, scale and built form of building(s) impacts on natural, ecological, landscape and/or historic heritage values.
- b. The extent to which the activity may adversely impact on the transport network.

- c. Ability to soften the visual impact of buildings from adjoining residential properties.
- d. The extent to which the activity may adversely impact on the streetscape.
- e. The extent to which the activity may adversely impact on the noise environment.

Decision Reasons:

- Education facilities are not listed in the Residential Zone and are therefore a non-complying activity in terms of Rule 16.1.5. However, the majority of education facilities including community education, early childhood education, tertiary education institutions, work skills training centres, outdoor education centres and sports training establishments located within residential areas are essential social infrastructure that supports these areas.

Point Number 781.11

Summary of Decision Requested: Add new noise standards for education facilities to Rule 16.2.1 Noise as follows:

16.2.1.2 Noise - Education facilities

The operation of any education facilities shall comply with the following noise limits at the boundary of any site within the residential zone, at a point 20m from the facade of any dwelling, or the site boundary, whichever is closest to the dwelling;

- Mon-Sun, 7.00am-10.00pm (0700-2200) 55dBA (Leg)

- Mon-Sun, 10.00pm-7.00am (2200-0700) 45 dBA (Leg)

- LMAX= 75dBA

These noise levels shall not apply to noise from outdoor school activities occurring between 0800 and 1800 hours Monday to Saturday.

Noise levels shall be measured and assessed in accordance with NZS 6801:2008 "Measurement of Environmental Sound" and NZS 6802:2008 "Environmental Noise".

Decision Reasons:

- Noise standards for education facilities in the Residential Zone are needed to enable them to operate without hindrance while recognising the surrounding residential environment.

Point Number 781.12

Summary of Decision Requested: Add a rule for education facilities to Rule 18.1.3 Restricted Discretionary Activities as follows:

Activity

RD3 Education Facilities

Council's discretion shall be restricted to the following matters:

- a. The extent to which it is necessary to locate the activity within the Business Town Centre Zone
- b. Reverse sensitivity effects of adjacent activities
- c. The extent to which the activity may adversely impact on the transport network
- d. The extent to which the activity may adversely impact on the streetscape
- e. The extent to which the activity may adversely impact on the noise environment

Decision Reasons:

- Education facilities are not listed in the Business Town Centre Zone and are therefore a non-complying activity in terms of Rule 18.1.5. Education facilities such as tertiary education institutions, work skills training centres and early childhood education centres may need to be located within this zone for the convenience of parents and students.

Point Number 781.13

Summary of Decision Requested: Add a rule for education facilities to Rule 19.1.2 Restricted Discretionary Activities as follows:

Activity

RD2 Education Facilities

Council's discretion shall be restricted to the following matters:

- a. The extent to which it is necessary to locate the activity within the Business Zone Tamahere.
- b. Reverse sensitivity effects of adjacent activities.
- c. The extent to which the activity may adversely impact on the transport network.
- d. The extent to which the activity may adversely impact on the streetscape.
- e. The extent to which the activity may adversely impact on the noise environment.

Decision Reasons:

- Education facilities are not listed in the Business Zone Tamahere and are therefore a non-complying activity in terms of Rule 19.1.4. Education facilities such as tertiary education institutions, work skills training centres and early childhood education centres may need to be located within this zone for the convenience of parents and students.

Point Number 781.14

Summary of Decision Requested: Delete Rule 22.8.4 D6 Discretionary Activities for an education facility.

AND

Amend Rule 22.8.3 Restricted Discretionary Activities as follows:

Activity

RD3 Education facilities

Council's discretion shall be restricted to the following matters:

- a. The extent to which it is necessary to locate the activity in the Lakeside Te Kauwhata Precinct.

- b. Reverse sensitivity effects of adjacent activities.
- c. The extent to which the activity may adversely impact on the transport network.
- d. The extent to which the activity may adversely impact on the streetscape.
- e. The extent to which the activity may adversely impact on the noise environment.

Decision Reasons:

- Opposes the activity status given to education facilities in this zone.
- Education facilities such as schools, community education, tertiary education institutions, work skills training centres, outdoor education centres and sports training establishments within rural areas are essential social infrastructure.
- The submitter requests consistency with their requested definition of 'Education facilities'.

Point Number 781.15

Summary of Decision Requested: Delete Rule 23.1.2 D5 Discretionary Activities for an education facility
AND
Add a Restricted Discretionary activity rule that provides for education facilities in Rule 23.1.2 as follows:

23.1.2 Restricted Discretionary Activities

(1) The activities listed below are restricted discretionary activities

Activity

RD1 Education facilities

Council's discretion shall be restricted to the following matters:

- a. The extent to which it is necessary to locate the activity in the Country Living Zone.
- b. Reverse sensitivity effects of adjacent activities.
- c. The extent to which the activity may adversely impact on the transport network.
- d. The extent to which the activity may adversely impact on the streetscape.
- e. The extent to which the activity may adversely impact on the noise environment.

Decision Reasons:

- Opposes the activity status of education facilities in this zone.
- Education facilities such as schools, community education, tertiary education institutions, work skills training centres, outdoor education centres and sports training establishments within rural areas are essential social infrastructure.
- The submitter requests consistency with their requested definition of 'Education facilities'.

Point Number 781.16

Summary of Decision Requested: Add a new restricted activity rule to Rule 24.1 Land Use - Activities as follows:

24.1.2 Restricted Discretionary Activities

(1) The activities listed below are restricted discretionary activities

(2) Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in the following table:

Activity

RD1 Education facilities

Council's discretion shall be restricted to the following matters:

- a. The extent to which it is necessary to locate the activity in the Village Zone.
- b. Reverse sensitivity effects of adjacent activities.
- c. The extent to which the activity may adversely impact on the transport network.
- d. The extent to which the activity may adversely impact on the streetscape.
- e. The extent to which the activity may adversely impact on the noise environment.

Decision Reasons:

- Education facilities are not listed in the Village Zone.
- Opposes the non-complying activity status.
- Education facilities such as schools, community education, tertiary education institutions, work skills training centres, outdoor education centres and sports training establishments within village areas are essential social infrastructure.
- The submitter requests consistency with their requested definition of 'Education facilities'.

Point Number 781.17

Summary of Decision Requested: Add a new Restricted Discretionary Activity rule to Rule 25.1 Land Use - Activities as follows:

25.1.3 Restricted Discretionary Activities

(1) The activities listed below are restricted discretionary activities

(2) Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in the following table:

Activity

RD1 Education facilities

Council's discretion shall be restricted to the following matters:

- a. The extent to which it is necessary to locate the activity in the Reserve Zone.
- b. Reverse sensitivity effects of adjacent activities.
- c. The extent to which the activity may adversely impact on the transport network.
- d. The extent to which the activity may adversely impact on the streetscape.
- e. The extent to which the activity may adversely impact on the noise environment.

Decision Reasons:

- Education facilities are not listed in the Reserve Zone. Education facilities such as schools, community education, tertiary education institutions, work skills training centres, outdoor education centres and sports training establishments within village areas are essential social infrastructure.
- The submitter requests consistency with their requested definition of 'Education facilities'.

Point Number 781.18

Summary of Decision Requested: **Add** a restricted discretionary activity rule to Rule 26.1 Land Use - Activities, as follows:

26.1.3 Restricted Discretionary Activities

(1) The activities listed below are restricted discretionary activities.

(2) Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in the following table:

Activity

RD1 Education facilities

Matters of discretion

a. The extent to which it is necessary to locate the activity in the Hampton Downs Sport and Recreation Zone (including Precinct B)

b. Reverse sensitivity effects of adjacent activities

c. The extent to which the activity may adversely impact on the transport network

d. The extent to which the activity may adversely impact on the streetscape

e. The extent to which the activity may adversely impact on the noise environment

Decision Reasons:

- Education facilities are not listed in the Hampton Downs Motor Sport and Recreation Zone.
- Education facilities such as outdoor education centres, sports training establishments and driving schools may need to be located within this zone. The inference is that the submitter requests consistency with their requested definition of 'Education facilities'.
- Opposes the non-complying status.

Point Number 781.19

Summary of Decision Requested: **Amend** Rule 27.1.1 Activity Status Table as follows:

27.1.1 Activity Status Table

~~Teaching and Conference Education Facilities~~

Precinct A: ~~Non-complying~~ Restricted Discretionary

Precinct B: Permitted

Precinct C: ~~Discretionary~~ Restricted Discretionary

Precinct D: ~~Discretionary~~ Restricted Discretionary

AND

Add the following matters of discretion to Rule 27.1 Land Use Activities as follows:

27.1.2 Restricted Discretionary Activities

(1) The activities listed below are restricted discretionary activities

(2) Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in the following table:

Activity

RD1 Education facilities

Matters of discretion

a. The extent to which it is necessary to locate the activity in the Te Kowhai Airpark Zone

b. Reverse sensitivity effects of adjacent activities

c. The extent to which the activity may adversely impact on the transport network

d. The extent to which the activity may adversely impact on the streetscape

e. The extent to which the activity may adversely impact on the noise environment

Decision Reasons:

- Opposes the activity status for education facilities.
- Teaching facilities such as tertiary education institutions, work skills training centres, flight schools and early childhood education centres may need to be located within the Te Kowhai Airpark Zone for the convenience of parents and students.
- The submitter requests consistency with their requested definition of 'Education facilities'.

Point Number 781.20

Summary of Decision Requested: **Add** a new rule for education facilities to Rule 28.1.3 Specific Activities - Restricted Discretionary Activities as follows:

Activity

RD4 Education Facilities

Council's discretion shall be restricted to the following matters:

a. The extent to which the location, bulk, scale and built form of building(s) impacts on natural, ecological, landscape and/or historic heritage values.

b. The extent to which the activity may adversely impact on the transport network.

c. Ability to soften the visual impact of buildings from adjoining residential properties.

d. The extent to which the activity may adversely impact on the streetscape.

e. The extent to which the activity may adversely impact on the noise environment.

Decision Reasons:

- Opposes the non-complying activity status.

- Education facilities are not listed in the Rangitahi Peninsula Zone. The majority of education facilities including community education, early childhood education, tertiary education institutions, work skills training centres, outdoor education centres and sports training establishments are located within residential areas like the Rangitahi Peninsula and are essential social infrastructure.
- The submitter requests consistency with their requested definition of 'Education facilities'.

Point Number 781.21

Summary of Decision Requested: Delete the Te Mata School building (ID 184) from Appendix 30.1 Historic Heritage Items.

Decision Reasons:

- As a requiring authority under section 176.1.a of the RMA, the Ministry is not required to give effect to, or consider the rules of, the district plan. Including the site can unreasonably raise the expectations of school communities that the school site is protected under the district plan.
- Removal of these items will avoid confusion.

Point Number 781.22

Summary of Decision Requested: Delete Harrisville School Teacher's house (ID7) from Appendix 30.1 Historic Heritage Items.

Decision Reasons:

- As a requiring authority under s176 (1) (a) of the RMA 1991 the Ministry is not required to give effect to or consider the rules of the District Plan. By including the site in the Proposed District Plan this can unreasonably raise the expectations of school communities that the school site is protected under the District Plan.
- Removal of these items will avoid confusion.

Point Number 781.23

Summary of Decision Requested: Delete Tamahere School Building (ID 177) from Appendix 30.1 Historic Heritage Items.

Decision Reasons:

- As a requiring authority under a176 (1) (a) of the RMA 1991 the Ministry is not required to give effect to or consider the rules of the District Plan. By including the site in the Proposed District Plan this can unreasonably raise the expectations of school communities that the school site is protected under the District Plan.
- Removal of these items will avoid confusion.

Point Number 781.24

Summary of Decision Requested: Amend Rule 20.1.1 P2 Permitted Activities as follows:

P2 Trade and industry training activity

Any education facility which is not incidental to a trade and industry training activity is a restricted discretionary activity.

AND

Add a new restricted discretionary activity rule for educational facilities in the Industrial Zone as follows:

20.1.2 Restricted Discretionary Activities

(1) The activities listed below are restricted discretionary activities.

(2) Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in the following table.

Activity

RD1 Education Facilities

Matters of discretion

- The extent to which it is necessary to locate the activity within the Industrial Zone.
- Reverse sensitivity effects of adjacent activities.
- The extent to which the activity may adversely impact on the transport network.
- The extent to which the activity may adversely impact on the streetscape.
- The extent to which the activity may adversely impact on the noise environment.

AND

Amend Rule 20.1.3 Non-Complying Activities as follows:

NC1 Any activity that is not listed as a permitted, restricted discretionary, or discretionary activity.

Decision Reasons:

- The Ministry supports the permitted activity status for trade and industry training activities, although education facilities that are not incidental to these activities may need to be located in industrial areas as a convenience to parents and students and should not be non-complying activities.
- Education facilities that are not incidental to trade and industry training need to be considered as a restricted discretionary activity rather than a non-complying activity.

Point Number 781.25

Summary of Decision Requested: Amend Rule 20.5.2 P10 Permitted Activities as follows:

Activity

~~P10~~ Education facilities

Activity-specific conditions

For no more than 10 students

Any education facility which exceeds this number of staff or students is a restricted discretionary activity.

AND

Add a new restricted discretionary activity rule to provide for educational facilities in the Nau Mai Business Park as follows:

20.5.3 Restricted Discretionary Activities

(1) The activities listed below are restricted discretionary activities.

(2) Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in the following table.

Activity

RD1 Education facilities

Matters of discretion

- a. The extent to which it is necessary to locate the activity within the Nau Mai Business Park Specific Area.
- b. Reverse sensitivity effects of adjacent activities.
- c. The extent to which the activity may adversely impact on the transport network.
- d. The extent to which the activity may adversely impact on the streetscape.
- e. The extent to which the activity may adversely impact on the noise environment.

AND

Amend Rule 20.5.4 Non-Complying Activities as follows:

NCI Any activity that is not listed as a permitted activity Rule 20.5.2 or restricted discretionary.

Decision Reasons:

- Many education facilities may need to be located within the Nau Mai Business Park that will exceed the maximum of 10 students and a non-complying activity status is not appropriate. The inference is that the submitter requests consistency with their requested definition of 'Education facilities'.
- Education facilities in the Nau Mai Business Park that involve more than 10 students need to be considered as a restricted discretionary activity rather than a non-complying activity.

Point Number

781.26

Summary of Decision Requested:

Amend Rule 21.1.1 P2 Permitted Activities as follows:

P2 Trade and industry training activity

Any education facility which is not incidental to a trade and industry training activity is a restricted discretionary activity.

AND

Add a new restricted discretionary activity rule for educational facilities as follows:

21.1.2 Restricted Discretionary Activities

(1) The activities listed below are restricted discretionary activities.

(2) Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in the following table.

Activity

RD1 Education Facilities

Matters of discretion

- a. The extent to which it is necessary to locate the activity within the Industrial Zone Heavy.
- b. Reverse sensitivity effects of adjacent activities.
- c. The extent to which the activity may adversely impact on the transport network.
- d. The extent to which the activity may adversely impact on the streetscape.
- e. The extent to which the activity may adversely impact on the noise environment.

AND

Amend Rule 21.1.3 NCI Non-Complying Activities as follows:

NCI: Any activity that is not listed as a permitted, restricted discretionary, or discretionary activity.

Decision Reasons:

- Supports the activity status for trade and industry training programs.
- Education facilities in the Industrial Zone Heavy that involve more than 10 students need to be considered as a restricted discretionary activity rather than a non-complying activity. Other education facilities such as tertiary education institutions and early childhood education centres may need to be located in industrial areas for the convenience of parents and student.
- Education facilities in the Industrial Zone Heavy that are not incidental to a trade and industry training activity need to be considered as a restricted discretionary activity.

Point Number

781.27

Summary of Decision Requested:

Delete Rule 22.1.5 D6 Discretionary Activities relating to an education facility.

AND

Amend Rule 22.1.3 Restricted Discretionary Activities as follows:

Rule 22.1.3 Restricted Discretionary Activities

(1) The activities listed below are restricted discretionary activities

(2) Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in the following table:

Activity

RD3 Education facilities

Council's discretion shall be restricted to the following matters:

- a. The extent to which it is necessary to locate the activity within the Rural Zone.
- b. Reverse sensitivity effects of adjacent activities.
- c. The extent to which the activity may adversely impact on the transport network.
- d. The extent to which the activity may adversely impact on the streetscape.
- e. The extent to which the activity may adversely impact on the noise environment.

Decision Reasons:

- Education facilities such as schools, community education, tertiary education institutions, work skills training centres, outdoor education centres and sports training establishments within rural areas are essential social infrastructure.
- Submitter requests consistency with their requested definition of 'Education facilities'.

Point Number 781.28

Summary of Decision Requested: Amend Rule 22.5.2 P2 Permitted Activities - Agricultural and Horticultural Research as follows:

P2 An education facilities that is incidental to agricultural or horticultural research.

Any education facilities which are not incidental to agricultural or horticultural research is a restricted discretionary activity.

AND

Add a new Rule 22.5.3 Restricted Discretionary Activities as follows:

22.5.3 Restricted Discretionary Activities

(1) The activities listed below are restricted discretionary activities

Activity

RD3 Education facilities

Council's discretion shall be restricted to the following matters:

- a. *The extent to which it is necessary to locate the activity within the Rural Zone.*
- b. *Reverse sensitivity effects of adjacent activities.*
- c. *The extent to which the activity may adversely impact on the transport network.*
- d. *The extent to which the activity may adversely impact on the streetscape.*
- e. *The extent to which the activity may adversely impact on the noise environment.*

Decision Reasons:

- The submitter supports the permitted activity status for agricultural and horticultural research in the Rural Zone.
- However, other education facilities such as schools, community education, early childhood education, tertiary education institutions, outdoor education centres and sports training establishments locate within rural areas are an essential social infrastructure.
- A restricted discretionary activity status is therefore requested for education facilities that are not incidental to agricultural and horticultural research.

Submitter Number: 782

Submitter: Jack Macdonald

Point Number 782.1

Summary of Decision Requested: Amend Chapter 22.4 Subdivision by enabling transferable rural lot right subdivision as a restricted discretionary activity and discretionary activity throughout the Waikato District.

Decision Reasons:

- The transferable Rural Lot process allows for the transfer of existing titles or consented conservation lots to more appropriate areas in the district.
- There is no net increase in the overall number of development rights across the district.
- On the whole the submitter believes that the process has been working well for many years in the Former Franklin area and is an effective mechanism for promoting development in more appropriate areas whilst protecting high quality versatile soils.
- To remove the provision for Transferable Rural Lot subdivisions and making it a prohibited activity is unnecessary and compromises the current and proposed objectives for the rural area.
- The natural outcome of the Transferable Rural Lot process is to transfer existing/consented titles from less intensively developed outlying areas to the more intensively developed central areas.
- It seeks to manage growth in the rural zones and to avoid the wide dispersal of lots and protection of larger rural blocks.
- The Transferable Rural Lot provisions of the former Franklin District Plan were designed to protect and enhance the potential use of high quality versatile soils by encouraging the transfer of surplus titles to more environmentally sustainable locations.
- This is consistent with the draft District Plan objectives and policies and the objectives of the Resource Management Act 1991.
- The fact that the former Franklin District is now administered by Waikato District Council does not remove the underlying objectives of wiser use of resources.
- The same resources remain in the same district. The fact that the administering authority may want a consistent set of subdivision rules across the district is not relevant.
- By prohibiting the transfer of lots within the District, the proposed objectives and policies may not be able to be met.
- In particular the removal of the process:
 - Will prevent the consolidation of existing titles
 - Will not promote the protection of productive land or versatile soils within the District;
 - Will not assist in the reorganisation of the wide dispersal of and reduction in rural titles, and will negate opportunities for the retention of land versatility and larger lot sizes in rural areas and for productive farming units to better manage the use of soils and rural land;
 - Will not promote positive effects on the rural environment, rural character and rural amenity;
 - Will not reduce reverse sensitivity effects when existing title rights are developed in rural production areas of the District; and
 - Will not promote positive effects on the rural environment, rural character and rural amenity;
 - Will not reduce reverse sensitivity effects when existing title rights are developed in rural production areas of the District; and
 - Will not promote outcomes that are consistent with the rural objectives and policies.
- The majority of transferable rural lot subdivision applications in the Waikato District are removing titles for the larger productive land holdings, thus reducing or eliminating adverse effects on unplanned and scattered rural residential development in the more remote rural Waikato, and reducing the burden on infrastructure, particularly in more remote areas.
- If these rights are now restricted to where they currently are within the Waikato District, they will result in the uptake and development of latent capacity in outlying areas of the District, which is inconsistent with and contrary to the objectives and policies.

Point Number 782.2

Summary of Decision Requested: Amend Rule 22.4.1.2 RD1 (a) (iv) General subdivision, as follows:

RD1 (a) Subdivision must comply with all of the following conditions:

...

(iv) The additional lot must have a proposed area of between ~~0,000m²~~ 4000m² and 1.6 ha;

Decision Reasons:

- A lot area range of 8000m²-1.6ha will result in a lifestyle block that is too large and will force developers to turn potentially productive farming paddocks into areas that will not be used for farming and become neglected.
- The best maintenance of open pasture (all classes of soils) is grazing animals.
- The lots created will be too small to be productive or grazed, yet they are too big to be easily managed as lifestyle properties.
- If a landowner is subdividing off an existing farm cottage, the house and curtilage area will be approximately 2000m².
- This will result in at least 6000m² of potentially productive farming land being wasted or not utilised.
- The high class soil rule will restrict this to some degree because an area of land is not classified as 'high class soil', it doesn't mean that it can't be used for productive purposes or add valuable support to a farming operation.

Point Number 782.3

Summary of Decision Requested: Delete Rule 22.4.1.4 (a)(i) Boundary relocation.
OR
Amend Rule 22.4.1.4 (a)(i) Boundary relocation to allow application of this rule to more than two existing Records of Title.

Decision Reasons:

- The rule needs to allow for two or more existing titles as many landholdings in the Waikato District are comprised of several titles and the proposed rule will therefore restrict logical layouts.
- Titles created after 18 July 2018 may be the result of a minor boundary adjustment or the balance of a general subdivision application and it is unreasonable to a discretionary activity test to apply in this instance if rural land use is to be supported and better environmental outcomes achieved.
- Boundary relocations are a legitimate way to adjust legal boundaries and the potential adverse effects of moving a boundary or title are generally minimal.
- The assumption is that the intent of Rule (a)(i) is to prevent making new conservation lots or the additional title created from the General subdivision rule, larger in size.
- This intent will now potentially restrict or make boundary adjustments tougher for larger rural blocks that may have a title created after 18 July 2018 for whatever reason.
- These newer titles could have been subject to another minor boundary adjustment or could be the larger balance lot of a General subdivision application.
- The submitter does not think that a further boundary relocation of these larger lots should be a discretionary activity as it then becomes too restrictive on larger land holdings that may be relocating boundaries for legitimate reasons.
- Rule (a)(i) does not recognise the legitimate need to adjust rural lot boundaries to support rural land use and create a better environmental outcome.
- It also doesn't allow for the logical restructure of landholdings with more than two existing larger titles.
- It also doesn't allow for the logical restructure of landholdings with more than two existing larger titles.
- What if the two titles subject to the boundary relocation are less than 8000m² to begin with?

Point Number 782.4

Summary of Decision Requested: Delete the maximum number of titles from Rule 22.4.1.5 Rural Hamlet Subdivision.

Decision Reasons:

- The current Rural Hamlet subdivision rule will not be a wholesale provision for better restructuring existing titles on many rural properties, especially larger landholdings.
- The rural zone varies drastically throughout the district from open flat countryside predominantly used for dairy farming, to more undulating hilly terrain with scattered mature vegetation predominantly used for dry-stock farming.
- Often the most logical subdivision layout on rural properties that preserve the largest area of land for productive purposes and have the least potential for adverse effects on the surrounding environment, are influenced by the site specific characteristics such as topography, vegetation, road frontage and existing building development on that particular property.
- Ideally, all new lots clustered together as a hamlet styled subdivision would be great but (unlike the residential zoned land) planning ideology such as the proposed only works on a small minority of the rural zoned land in the District and provision or more desecration needs to be allowed to cater for these other landholdings.
- In the rural environment, especially in the upper Waikato, these physical restraints greatly restrict such a logical layout. Often it may be a far better result for that particular environment to position the existing titles around existing development on the property or at other ends of the property from each other which could be km's apart and even accessed off different public roads.
- Making a rural subdivision application a Non-Complying activity for creating a better overall result for that particular environment is too restrictive and needs to be at least a Discretionary activity.

Point Number 782.5

Summary of Decision Requested: **Amend** Rule 22.4.1.6 Conservation lot subdivision, so that this rule provides for riparian planting and clarification on enhancement planting for Significant Natural Areas.

Decision Reasons:

- Allowing conservation lots to be created in exchange for riparian planting will incentivise farms to produce significant ecological gains for the district and increase the amount of native vegetation.
- The cost of planting, fencing and on-going maintenance is substantial and needs to be offset in order to incentivise ecological enhancement.
- The Auckland Unitary Plan has resulted in a significant drop in riparian planting and Waikato District Council should not follow this example.
- The rules imply that the current amount of native vegetation is adequate.
- A sign-off from an ecologist to certify that the riparian planting is self-sustaining would be necessary.

Point Number 782.6

Summary of Decision Requested: **Amend** Rule 22.3.2 P1(b)(i) Minor dwelling, as follows:
(i) The minor dwelling must be located within ~~20m~~ 150m of the dwelling;

Decision Reasons:

- Submitter supports specifying a separation distance.
- The proposed 20m separation distance is too small as it does not allow for existing site constraints such as curtilage area, effluent disposal fields and other ancillary buildings.
- The requested 150m distance will make a huge difference in terms of functionality of the property while providing some degree of privacy between the main dwelling and minor dwelling.

Point Number 782.7

Summary of Decision Requested: **Amend** Rule 22.3.7.1 Building Setbacks - All boundaries, by deleting P1 (a)(iii) and amending P1 (a)(iv) as shown below:
P1 (a) A habitable building located on a site less than 1.6ha must be set back a minimum of
...
~~(iii) 25m from the boundary of an adjoining site that is 6ha or more;~~
(iv) 12m from the boundary of an adjoining site that is less than 6ha.

Decision Reasons:

- The operative rule in the Franklin Section which requires a 10m setback has worked well.
- A 25m setback is too restrictive and not justified.
- There is no discernible difference between a 25m setback and 12m setback.
- A 25m setback restricts houses from being built on more appropriate sites.

Point Number 782.8

Summary of Decision Requested: **Amend** Rule 22.3.7.1 P2 (a)(iii) Building Setbacks - All boundaries, as follows:

P2 (a) A non-habitable building located on a Record of Title less than 1.6ha must be set back a minimum of:

...

(iii) ~~12m~~ 5m from every boundary other than a road boundary.

Decision Reasons:

- The proposed 12m setback is too restrictive for a non-habitable building and many people move to rural blocks so that they have space for a garage or shed.

Point Number 782.9

Summary of Decision Requested: **Amend** Rule 22.3.7.1 P3 (a)(iii) Building Setbacks - All boundaries, as follows:

P3 (a) A habitable building located on a Record of Title 1.6ha or more must be set back a minimum of:

...

(iii) ~~25m~~ 12m from every boundary other than a road boundary.

Decision Reasons:

- The proposed 25m setback is too restrictive and not justified.
- Small rural blocks are usually created on undulating land with low class soils and a 25m setback will restrict the location of a dwelling.

Point Number 782.10

Summary of Decision Requested: **Amend** Rule 16.4.1 RD1 (a)(i) Subdivision - General, as follows:

RD1 (a) Subdivision must comply with all of the following conditions:

(i) Proposed lots must have a minimum net site area of ~~450m²~~ 400m², except where the proposed lot is an access allotment or utility allotment or reserve to vest;

Decision Reasons:

- The proposed minimum net site area of 450m² is too large and restrictive.
- Smaller lots are generally more popular for easy maintenance and the request for 400m² will still be large enough to fit a decent sized dwelling.

Point Number 782.11

Summary of Decision Requested: **Amend** Rule 16.4.1 RD1 (a)(iv) Subdivision - General, to include an area requirement before triggering a "rear lot" rule, e.g. 1 hectare.

Decision Reasons:

- The proposed rule is not fully workable for smaller infill subdivisions and should only apply to larger sites.
- The submitter suggests that a threshold of over 1 ha is appropriate.

Point Number 782.12

Summary of Decision Requested: **Amend** Rule 22.4.1.5 Rural Hamlet Subdivision to be a discretionary activity rather than a non-complying activity if there is non-compliance with Rule 22.4.1.5 RD1 (a)(i)-(v).

Decision Reasons:

- The default activity status of non-complying is too restrictive and it is more appropriate for applications that breach this rule to be considered as a discretionary activity when there is logic for the final title layout.

Point Number 782.13

Summary of Decision Requested: **Delete** Rule 22.4.1.2 (v) General Subdivision regarding high class soils.

Decision Reasons:

- Land Use Capability Assessments are expensive and the 80%/20% requirement is difficult to understand given the objective of retaining high class soil.
- It would be more appropriate for the rule to refer to the actual size of the high class soils. For instance, a larger rural property that only has 10% high class soils may have significantly more of these soils than a smaller property that has 80% high class soils.
- The rule is open to interpretation.
- This rule will be difficult to administer.
- This rule makes compliance harder with no actual gain.

Point Number 782.14

Summary of Decision Requested: **Amend** Rule 22.3.7.1 Building Setbacks - All boundaries, so that P4 (a)(iii) reads as follows:

P4 (a) A non-habitable building located on a Record of Title 1.6ha or more must be set back a minimum of:

...

(iii) ~~12m~~ 5m from every boundary other than a road boundary.

Decision Reasons:

- The proposed 12m setback is too restrictive for a non-habitable building.
- Many people move to rural properties to have space for a garage or shed.
- Having these 12m from the boundary is going to be too restrictive.

Point Number 782.15

Summary of Decision Requested: **Amend** Rule 22.3.7.2 Building setback - sensitive land use, by adding text to P1 (a) (iv) and (v) to confirm that the specified separation distances

are measured from the identified Aggregate Extraction Area rather than the title boundaries that contain this extraction area

OR

Amend the definition of 'Aggregate Extraction Area' in Chapter 13: Definitions so that it refers to the consented extraction area, rather than the title boundary of the subject site.

Decision Reasons:

- The submitter has stated that some resource consent applications involving an Aggregate Extraction Area have been incorrectly assessed by Council staff and expensive legal opinions have had to be sought in order to confirm how the separation distance is to be calculated.

Point Number 782.16

Summary of Decision Requested: **Amend** Rule 22.3.7.2 P1 (a)(vii) Building setback - sensitive land use, as follows:

(a) Any building for a sensitive land use must be set back a minimum of:

...

(vii) 300m from the actual boundary of another site containing an intensive farming activity;

Decision Reasons:

- This rule needs to be clarified so that the 300m buffer distance applies to the intensive farming activity rather than the boundary of a title that contains that activity. For example, an intensive farming activity may be located at one end of a very large site. It would then be unfair to require an owner of an opposite property, which may be several hundred metres away, to locate their buildings at least 300m from the site that contains the intensive farming activity.

Point Number 782.17

Summary of Decision Requested: **Amend** Rule 22.4.9 RD1 (a)(iii) Subdivision - Building platform, as follows:

(a) Subdivision, other than an access or utility allotment, must provide a building platform on the proposed lot that:

...

(ii) Has an average gradient not steeper than ~~1:8~~ 1:6;

Decision Reasons:

- The proposed maximum gradient of 1:8 is too restrictive for the Rural Zone, particularly in the upper Waikato District where building sites are more likely to be on undulating topography.
- The objectives and policies promote the location of new lots away from high class soils and the rule will therefore force new lots and building sites to locate on steeper topography.
- A grade of 1:6 is still workable and as long as a geotechnical report supports the location.

Point Number 782.18

Summary of Decision Requested: **Delete** Rule 23.4.2 RD1 (a)(i) General Subdivision

AND

Amend the zoning of properties from Country Living Zone to Village Zone

AND

Amend Rule 24.4.1 RD1 (a) General Subdivision, as follows:

(a) Proposed lots must have a minimum net site area of ~~3,000m²~~ 2000m², except where the proposed lot is an access allotment, utility allotment or reserve to vest.

Decision Reasons:

- The submitter states that all Village zoned lots must have a minimum net site area of 2000m².
- The Country Living Zone which requires a minimum lot size of 5000m² creates lots too small to be productive or grazed and too big to be easily managed for lifestyle purposes.
- A smaller lot of 2000m² is efficient and it still retains an open rural residential character which can be planted, fenced, mowed and easily maintained.
- New houses are generally no larger than 3000m² and with an effluent disposal field of approximately 600m², this would leave more than 1000m² for additional curtilage.
- This outcome would remain consistent with the objectives and policies for the Country Living Zone.

Submitter Number: 783

Submitter: Reid Investment Trust

Point Number 783.1

Summary of Decision Requested: **Amend** Rule 26.2.9 P1 (a) (i) Hazardous Substances - All Precincts as follows:

(a) The use, storage or disposal of hazardous substances where:

(i) The aggregate quantity of hazardous substances of any hazardous substances of any hazard classification on a site is less than the quantity specified for the Motorsport and Recreation Zone in Table ~~26.1~~ 26 contained within Appendix ~~26~~ (Hazardous Substances).

AND

Any consequential amendments or further relief to give effect to the matters raised in the submission.

Decision Reasons:

- Minor referencing correction.

Point Number 783.2

Summary of Decision Requested: **Amend** Rule 26.3.2 P2 (a) (iv) Height - All Precincts as follows:

(a) A building or structure in:

...

(iv) Precinct E (Industrial Units) as identified on the planning maps shall not exceed 15.0m in height.

AND

Any consequential amendments or further relief to give effect to the matters raised in the submission.

Decision Reasons:

- The building height of 10m is considered too restrictive for industrial units.
- In the Industrial Zone, the permitted building height is 15m.
- There are economic benefits of aligning the permitted building height within the Hampton Downs Motorsport and Recreation zone with the Industrial Zone.
- The interface between the zone and Rural Zone will be managed by building setback and daylight admission standards.

Point Number

783.3

Summary of Decision Requested:

Amend Rule 26.3.3 P1 Daylight admission - All precincts as follows:

A building in all precincts identified on the planning maps must not protrude through a height control plane rising at an angle of 37 degrees commencing at an elevation of 2.5m above ground level at every point along the Motorsport and Recreation Zone boundary. Where the zone boundary adjoins a public road, the standard applies from the farthest boundary of that road.

AND

Any consequential amendments or further relief to give effect to the matters raised in the submission.

Decision Reasons:

- Where the Motorsport and Recreation Zone boundary abuts a road corridor, daylight admission to adjoining sites is not being compromised.
- The control can be taken from the farthest boundary of the road without creating potential effects on adjoining sites.

Point Number

783.4

Summary of Decision Requested:

Delete Rule 26.3.4 P5 Site Coverage;

OR

Amend Rule 26.3.4 P5 Site Coverage as follows:

A building or structure in Precinct E (Industrial Units) identified on the planning maps shall not exceed ~~60~~⁴⁵% site coverage of any site area

AND

Any consequential amendments or further relief to give effect to the matters raised in the submission.

Decision Reasons:

- Building coverage of 45% is too onerous for industrial land use activities.
- The rule should be relaxed to 60% to allow for greater design flexibility or deleted to align with the Industrial Zone rules

Point Number

783.5

Summary of Decision Requested:

Amend the zoning of the property with the legal description of Lot 6 DP 411257 at Hampton Downs Road from Rural Zone to Hampton Downs Motorsport and Recreation Zone, Precinct E or a similar relief (see Figure 1 of the submission for the location of the site).

AND

Any consequential amendments or further relief to give effect to the matters raised in the submission.

Decision Reasons:

- The Rural Zone does not reflect the nature and opportunity of the site and its close proximity and association with the Hampton Downs Motorsport Park.
- The site has been earthworked and been used for overflow parking during the events at Hampton Downs Motorsport Park. The association is reflected in the Operative District Plan through inclusion of the site in the Hampton Downs Motorsport Park subdivision scheme in schedule 25D.
- The objectives and policies for the Hampton Downs Motorsport and Recreation Zone aim to enable the continued operation and development of activities within the Zone and introduce a precinct based approach.
- The site is located in close proximity to Precinct E which allows for industrial activities. Therefore, it is considered that the site be included in Precinct E
- The site is intended to be developed for industrial purposes such as warehousing.
- Including the site in Precinct E will complement and expand industrial uses in the vicinity of the site.

Point Number

783.6

Summary of Decision Requested:

Amend Policy 9.1.1.1 (ii) Operation and development, as follows:

(a) Enable the continued operation and development of activities, facilities and events within the Motor Sport and Recreation Zone by providing for:

...

(ii) The development of activities and facilities to support the motor sport and recreation activities and events.

AND

Any consequential amendments or further relief to give effect to the matters raised in the submission.

Decision Reasons:

- The addition broadens the meaning of the policy to include land use activities as well as facilities.

Point Number

783.7

Summary of Decision Requested:

Amend Policy 9.1.1.2 (v) Precinct-based development as follows:

(a) A precinct-based approach enables the ongoing operation and development of the Hampton Downs Motorsport Park by:

...

(v) Precinct E providing for industrial activities and other land uses that support the continued development and operation of the Hampton Downs Motorsport Park ~~within the industrial units.~~

AND

Any consequential amendments or further relief to give effect to the matters raised in the submission.

Decision Reasons:

- The struck out words are superfluous and imply that industrial activities can only be undertaken in existing buildings rather than enabling new industrial buildings and activities.

- The proposed amendments links the policy to the zones primary objective of enabling continued development and operation.
- Enables a wider range of activities in support of zone's objective.

Point Number 783.8

Summary of Decision Requested: **Amend** Rule 26.1.1.5 Permitted activities - Industrial Units - Precinct E as follows:
~~An Industrial activities, car parking, y within the industrial units~~ automotive and non-automotive activities.
 AND
 Any consequential amendments or further relief to give effect to the matters raised in the submission.

Decision Reasons:

- The proposed changes enable car parking, automotive and non-automotive activities to be established within Precinct E, in addition to industrial activities.
- This is considered congruent with the zone's primary objective of continued development and operation of the Motorsport Park and allows a wider range of compatible activities to be established within Precinct E, similar to Precinct B.

Point Number 783.9

Summary of Decision Requested: **Amend** Rule 26.2.5 P1 (a)(ii) Earthworks - All Precincts as follows:
 (a) Earthworks within a site must meet the following conditions:
 ...
 (ii) Not exceed a volume of more than ~~250m³~~ 1,000m³ and an area of more than ~~+000m³~~ 2,000m³ within a site...
 AND
 Any consequential amendments or further relief to give effect to the matters raised in the submission.

Decision Reasons:

- The proposed thresholds for requiring earthworks consent in the Hampton Downs Motorsport and Recreation Zone are considered too onerous, given the surrounding rural land uses.
- Amend to align the thresholds for earthworks consents with those of the Rural Zone. These are considered appropriate to adequately manage the effects of earthworks.

Point Number 783.10

Summary of Decision Requested: **Amend** Rule 26.3.5 P1 (a) (iii) Building Setback as follows:
 (a) A building or structure in all precincts identified on the planning maps must be set back at least...
 AND
 Any consequential amendments or further relief to give effect to the matters raised in the submission.

Decision Reasons:

- The addition seeks to clarify that the building setback standard does not apply along road boundaries.
- This increases design flexibility and allows buildings to address the street whilst maintaining the amenity of adjoining rural zoned sites.

Point Number 783.11

Summary of Decision Requested: **Amend** Attachments A, E and L within Appendix 12 Hampton Downs Motor Sport and Recreation to remove references and annotations of "car parking" from the property at Lot 6 DP 411257 Hampton Downs Road, Hampton Downs, including deleting the site from Area B and deleting the annotation of 233 spaces from the site.
 AND
Amend Rule 26.2.8 P1 (a) Car parking access and Roading as necessary as a consequential amendment.
 AND
 Any consequential amendments or further relief to give effect to the matters raised in the submission.

Decision Reasons:

- These changes reflect that the site is no longer used for event car parking, and in anticipation of the site's inclusion into the Hampton Downs Motorsport and Recreation Zone, Precinct E.

Point Number 783.12

Summary of Decision Requested: **Delete** Attachment M of Appendix 12 Hampton Downs Motor Sport and Recreation
 AND
Amend Rule 14.12.5.7 Required parking spaces and loading bays as a consequential amendment.
 AND
 Any consequential amendments or further relief to give effect to the matters raised in the submission.

Decision Reasons:

- The need for car parking and loading bay standards specific to the Hampton Downs Motorsport and Recreation Zone, with the exemption of event parking appears superfluous and is not assessed in the section 32 report

Point Number 783.13

Summary of Decision Requested: **Amend** the extent of Designation J11a as contained within Figure 2 in Annexure 2 of the submission.
 AND
 Any consequential amendments or further relief to give effect to the matters raised in the submission.

Decision Reasons:

- The construction of the Waikato Expressway has been completed in the Hampton Downs area.
- A petrol station has recently been constructed on the land north-east of the subject site (20 Hampton Downs Road) that indicates that the extent of Designation J11a is no longer required for State Highway purposes.

Submitter Number: 784 **Submitter:** Bryan Morris

Point Number 784.1

Summary of Decision Requested: Add a "Kimihi Lakes Recreation and Events Zone" and associated provisions to the former Huntly East mine complex to enable lake-associated activities and education, recreation and economic development. (Refer to the attachment to the submission prepared by Chow Hill which illustrates the area subject to this submission and the range of potential activities.)

Decision Reasons:

- The Huntly community needs a new direction and a game changing plan to lead the way forward for the revitalisation of Huntly.
- It is an opportunity to restore the opencast mine to an accessible lake and shoreline.
- Restoration funds have been set aside by Solid Energy to kick start the rehabilitation effort.

Submitter Number: 785 **Submitter:** Z Energy Limited, BP Oil NZ Limited and Mobil Oil NZ Limited

Organisation: 'Oil Companies'

Point Number 785.1

Summary of Decision Requested: Delete Rule 21.2.6 – Hazardous Substances.
AND
Any consequential amendments or further relief to give effect to the submission.

Decision Reasons:

- The proposed provisions are opposed and the submitter seeks the deletion of all proposed hazardous substances controls relating to storage, use, disposal or transportation of hazardous substances at service station sites (as broadly defined) or refuelling sites.
- The submitter also supports the deletion of all rules pertaining to control hazardous substances where such controls are inappropriate, unnecessary, ineffective, inefficient and unable to be justified via a Section 32 analysis.
- These rules are all designed to address risk associated with hazardous substances. Risk is appropriately managed via other legislation and the Section 32 Report fails to identify why additional controls are required.
- The Resource Legislation Amendment Act 2017 removed the explicit function of district and regional councils to control adverse effects of the storage, use, disposal, or transportation of hazardous substances under sections 30 and 31 of the Resource Management Act 1991 (RMA).
- The changes came into effect on 19 April 2017 and are intended to ensure councils only place controls on hazardous substances where necessary to control effects under the RMA that are not covered by Hazardous Substance New Organisms Act 1996 or Health and Safety At Work Act 2015.
- The purpose of the Hazardous Substances New Organisms Act is to protect the environment, and the health and safety of people and communities, by preventing or managing the adverse effects of hazardous substances and new organisms. The Hazardous Substances New Organisms Act covers a range of matters including:
 - a. site and building requirements for where a hazardous substance may be used, including requirements for storage and primarily requiring primary and secondary containment;
 - b. the safe transportation of hazardous substances;
 - c. emergency management requirements in relation to the substance in the event of a spill or other emergency; and
 - d. how the substance may be disposed of.
- The Health and Safety At Work Act 2015 provides a framework to secure the health and safety of works and workplaces and integrates the regulation of workplace use of hazardous substances.
- The Resource Legislation Amendment Act 2017 followed the decision of the Independent Hearing Panel on the Christchurch Replacement District Plan. That decision was to reject Christchurch City Council's hazardous substance controls (which were based on an activity status table (AST) approach and to only retain controls relating to hazardous substances in close proximity to the National Grid.
- The Ministry for the Environment considers that in most cases the Hazardous Substances New Organisms Act and the Health and Safety At Work Act 2015 controls will be adequate to avoid, remedy or mitigate adverse environmental effects of hazardous substances and that RMA controls may be used if existing HSNO or Work safe controls are not adequate to address the environmental effects of hazardous substances in any particularly case. The submitter strongly supports the Ministry for the Environment's position in this regard.
- The submitter seeks that any proposed controls around hazardous substances do not duplicate those controls addressed under other legislation. Any duplication is considered unnecessary and inefficient.
- The section 32 report for Hazardous Substances acknowledges the removal of Council's functions in regards to hazardous substances and recognizes the "Resource Management Plans should not be in conflict with HSNO requirements and should not repeat them".
- The report further recognizes that "rationale for a higher level of protection through additional land use controls under the Act may be appropriate for substances both controlled by the Hazardous Substances New Organisms Act or for issues which are not within the scope of the Hazardous Substances New Organisms Act, such as reverse sensitivity".
- However there is a significant disconnect between the overview and purpose sections of the Section 32 Report and the regulatory provisions in the Proposed District Plan.
- As an example, in regard to service stations the Section 32 Report concludes that, "the controlled activity status has been assigned to the storage and retail sale of fuel within service stations above a certain level in some zones to recognize that these substances are well managed through standards and industry practice. However, above these thresholds, the opportunity to consider potential adverse effects on the surrounding environment is considered.
- No rational/analysis is provided within the section 32 report to justify why specific volume thresholds apply to service stations or why the opportunity to consider potential adverse effects on the surrounding environment is considered reasonable if quantities are above those limits.
- The Section 32 Report does not provide analysis to justify why hazardous substances associated with service stations are only addressed in certain zones and in what way the Council considers the Hazardous Substances New Organisms Act to not adequately control potential adverse effects associated with hazardous substances at service station - for example, why the Council considers site design, layout and monitoring and reporting of incidents are matters that the Council should reserve control over.
- In light of the Resource Legislation Amendment Act 2017 and controls under other legislation and the lack of rationale/analysis within the Section 32 Report for hazardous substances, it is considered the proposed hazardous substance controls are largely unnecessary and should therefore be deleted.

Point Number	785.2
Summary of Decision Requested:	Delete Rule 22.2.4 – Hazardous Substances. AND Any consequential amendments or further relief to give effect to the submission.
Decision Reasons:	<ul style="list-style-type: none"> • The proposed provisions are opposed and the submitter seeks the deletion of all proposed hazardous substances controls relating to storage, use, disposal or transportation of hazardous substances at service station sites (as broadly defined) or refuelling sites. • The submitter also supports the deletion of all rules pertaining to control hazardous substances where such controls are inappropriate, unnecessary, ineffective, inefficient and unable to be justified via a Section 32 analysis. • These rules are all designed to address risk associated with hazardous substances. Risk is appropriately managed via other legislation and the Section 32 Report fails to identify why additional controls are required. • The Resource Legislation Amendment Act 2017 removed the explicit function of district and regional councils to control adverse effects of the storage, use, disposal, or transportation of hazardous substances under sections 30 and 31 of the Resource management Act 1991 (RMA). • The changes came into effect on 19 April 2017 and are intended to ensure councils only place controls on hazardous substances where necessary to control effects under the RMA that are not covered by Hazardous Substance New Organisms Act 1996 or Health and Safety At Work Act 2015. • The purpose of the Hazardous Substances New Organisms Act is to protect the environment, and the health and safety of people and communities, by preventing or managing the adverse effects of hazardous substances and new organisms. The Hazardous Substances New Organisms Act covers a range of matters including: <ul style="list-style-type: none"> a. site and building requirements for where a hazardous substance may be used, including requirements for storage and primarily requiring primary and secondary containment; b. the safe transportation of hazardous substances; c. emergency management requirements in relation to the substance in the event of a spill or other emergency; and d. how the substance may be disposed of. • The Health and Safety At Work Act 2015 provides a framework to secure the health and safety of works and workplaces and integrates the regulation of workplace use of hazardous substances. • The Resource Legislation Amendment Act 2017 followed the decision of the Independent Hearing Panel on the Christchurch Replacement District Plan. That decision was to reject Christchurch City Council's hazardous substance controls (which were based on an activity status table (AST) approach and to only retain controls relating to hazardous substances in close proximity to the National Grid. • The Ministry for the Environment considers that in most cases the Hazardous Substances New Organisms Act and the Health and Safety At Work Act 2015 controls will be adequate to avoid, remedy or mitigate adverse environmental effects of hazardous substances and that RMA controls may be used if existing HSNO or Work safe controls are not adequate to address the environmental effects of hazardous substances in any particularly case. The submitter strongly supports the Ministry for the Environment's position in this regard. • The submitter seeks that any proposed controls around hazardous substances do not duplicate those controls addressed under other legislation. Any duplication is considered unnecessary and inefficient. • The section 32 report for Hazardous Substances acknowledges the removal of Council's functions in regards to hazardous substances and recognizes the "Resource Management Plans should not be in conflict with HSNO requirements and should not repeat them". • The report further recognizes that "rationale for a higher level of protection through additional land use controls under the Act may be appropriate for substances both controlled by the Hazardous Substances New Organisms Act or for issues which are not within the scope of the Hazardous Substances New Organisms Act, such as reverse sensitivity". • However there is a significant disconnect between the overview and purpose sections of the Section 32 Report and the regulatory provisions in the Proposed District Plan. • As an example, in regard to service stations the Section 32 Report concludes that, "the controlled activity status has been assigned to the storage and retail sale of fuel within service stations above a certain level in some zones to recognize that these substances are well managed through standards and industry practice. However, above these thresholds, the opportunity to consider potential adverse effects on the surrounding environment is considered. • No rationale/analysis is provided within the section 32 report to justify why specific volume thresholds apply to service stations or why the opportunity to consider potential adverse effects on the surrounding environment is considered reasonable if quantities are above those limits. • The Section 32 Report does not provide analysis to justify why hazardous substances associated with service stations are only addressed in certain zones and in what way the Council considers the Hazardous Substances New Organisms Act to not adequately control potential adverse effects associated with hazardous substances at service station - for example, why the Council considers site design, layout and monitoring and reporting of incidents are matters that the Council should reserve control over. • In light of the Resource Legislation Amendment Act 2017 and controls under other legislation and the lack of rationale/analysis within the Section 32 Report for hazardous substances, it is considered the proposed hazardous substance controls are largely unnecessary and should therefore be deleted.

Point Number	785.3
Summary of Decision Requested:	Delete Rule 23.2.4 – Hazardous Substances. AND Any consequential amendments or further relief to give effect to the submission.
Decision Reasons:	<ul style="list-style-type: none"> • The proposed provisions are opposed and the submitter seeks the deletion of all proposed hazardous substances controls relating to storage, use, disposal or transportation of hazardous substances at service station sites (as broadly defined) or refuelling sites. • The submitter also supports the deletion of all rules pertaining to control hazardous substances where such controls are inappropriate, unnecessary, ineffective, inefficient and unable to be justified via a Section 32 analysis. • These rules are all designed to address risk associated with hazardous substances. Risk is appropriately managed via other legislation and the Section 32 Report fails to identify why additional controls are required. • The Resource Legislation Amendment Act 2017 removed the explicit function of district and regional councils to control adverse effects of the storage, use, disposal, or transportation of hazardous substances under sections 30 and 31 of the Resource management Act 1991 (RMA). • The changes came into effect on 19 April 2017 and are intended to ensure councils only place controls on hazardous substances where necessary to control effects under the RMA that are not covered by Hazardous Substance New Organisms Act 1996 or Health and Safety At Work Act 2015. • The purpose of the Hazardous Substances New Organisms Act is to protect the environment, and the health and safety of people and communities, by preventing or managing the adverse effects of hazardous substances and new organisms. The Hazardous Substances New Organisms Act covers a range of matters including: <ul style="list-style-type: none"> a. site and building requirements for where a hazardous substance may be used, including requirements for storage and primarily requiring primary and secondary containment; b. the safe transportation of hazardous substances;

- c. emergency management requirements in relation to the substance in the event of a spill or other emergency; and
- d. how the substance may be disposed of.
- The Health and Safety At Work Act 2015 provides a framework to secure the health and safety of works and workplaces and integrates the regulation of workplace use of hazardous substances.
- The Resource Legislation Amendment Act 2017 followed the decision of the Independent Hearing Panel on the Christchurch Replacement District Plan. That decision was to reject Christchurch City Council's hazardous substance controls (which were based on an activity status table (AST) approach and to only retain controls relating to hazardous substances in close proximity to the National Grid.
- The Ministry for the Environment considers that in most cases the Hazardous Substances New Organisms Act and the Health and Safety At Work Act 2015 controls will be adequate to avoid, remedy or mitigate adverse environmental effects of hazardous substances and that RMA controls may be used if existing HSNO or Work safe controls are not adequate to address the environmental effects of hazardous substances in any particularly case. The submitter strongly supports the Ministry for the Environment's position in this regard.
- The submitter seeks that any proposed controls around hazardous substances do not duplicate those controls addressed under other legislation. Any duplication is considered unnecessary and inefficient.
- The section 32 report for Hazardous Substances acknowledges the removal of Council's functions in regards to hazardous substances and recognizes the "Resource Management Plans should not be in conflict with HSNO requirements and should not repeat them".
- The report further recognizes that "rationale for a higher level of protection through additional land use controls under the Act may be appropriate for substances both controlled by the Hazardous Substances New Organisms Act or for issues which are not within the scope of the Hazardous Substances New Organisms Act, such as reverse sensitivity".
- However there is a significant disconnect between the overview and purpose sections of the Section 32 Report and the regulatory provisions in the Proposed District Plan.
- As an example, in regard to service stations the Section 32 Report concludes that, "the controlled activity status has been assigned to the storage and retail sale of fuel within service stations above a certain level in some zones to recognize that these substances are well managed through standards and industry practice. However, above these thresholds, the opportunity to consider potential adverse effects on the surrounding environment is considered.
- No rational/analysis is provided within the section 32 report to justify why specific volume thresholds apply to service stations or why the opportunity to consider potential adverse effects on the surrounding environment is considered reasonable if quantities are above those limits.
- The Section 32 Report does not provide analysis to justify why hazardous substances associated with service stations are only addressed in certain zones and in what way the Council considers the Hazardous Substances New Organisms Act to not adequately control potential adverse effects associated with hazardous substances at service station - for example, why the Council considers site design, layout and monitoring and reporting of incidents are matters that the Council should reserve control over.
- In light of the Resource Legislation Amendment Act 2017 and controls under other legislation and the lack of rationale/analysis within the Section 32 Report for hazardous substances, it is considered the proposed hazardous substance controls are largely unnecessary and should therefore be deleted.

Point Number 785.4

Summary of Decision Requested: Delete Rule 24.2.5 – Hazardous Substances.

AND

Any consequential amendments or further relief to give effect to the submission.

Decision Reasons:

- The proposed provisions are opposed and the submitter seeks the deletion of all proposed hazardous substances controls relating to storage, use, disposal or transportation of hazardous substances at service station sites (as broadly defined) or refuelling sites.
- The submitter also supports the deletion of all rules pertaining to control hazardous substances where such controls are inappropriate, unnecessary, ineffective, inefficient and unable to be justified via a Section 32 analysis.
- These rules are all designed to address risk associated with hazardous substances. Risk is appropriately managed via other legislation and the Section 32 Report fails to identify why additional controls are required.
- The Resource Legislation Amendment Act 2017 removed the explicit function of district and regional councils to control adverse effects of the storage, use, disposal, or transportation of hazardous substances under sections 30 and 31 of the Resource management Act 1991 (RMA).
- The changes came into effect on 19 April 2017 and are intended to ensure councils only place controls on hazardous substances where necessary to control effects under the RMA that are not covered by Hazardous Substance New Organisms Act 1996 or Health and Safety At Work Act 2015.
- The purpose of the Hazardous Substances New Organisms Act is to protect the environment, and the health and safety of people and communities, by preventing or managing the adverse effects of hazardous substances and new organisms. The Hazardous Substances New Organisms Act covers a range of matters including:
 - a. site and building requirements for where a hazardous substance may be used, including requirements for storage and primarily requiring primary and secondary containment;
 - b. the safe transportation of hazardous substances;
 - c. emergency management requirements in relation to the substance in the event of a spill or other emergency; and
 - d. how the substance may be disposed of.
- The Health and Safety At Work Act 2015 provides a framework to secure the health and safety of works and workplaces and integrates the regulation of workplace use of hazardous substances.
- The Resource Legislation Amendment Act 2017 followed the decision of the Independent Hearing Panel on the Christchurch Replacement District Plan. That decision was to reject Christchurch City Council's hazardous substance controls (which were based on an activity status table (AST) approach and to only retain controls relating to hazardous substances in close proximity to the National Grid.
- The Ministry for the Environment considers that in most cases the Hazardous Substances New Organisms Act and the Health and Safety At Work Act 2015 controls will be adequate to avoid, remedy or mitigate adverse environmental effects of hazardous substances and that RMA controls may be used if existing HSNO or Work safe controls are not adequate to address the environmental effects of hazardous substances in any particularly case. The submitter strongly supports the Ministry for the Environment's position in this regard.
- The submitter seeks that any proposed controls around hazardous substances do not duplicate those controls addressed under other legislation. Any duplication is considered unnecessary and inefficient.
- The section 32 report for Hazardous Substances acknowledges the removal of Council's functions in regards to hazardous substances and recognizes the "Resource Management Plans should not be in conflict with HSNO requirements and should not repeat them".
- The report further recognizes that "rationale for a higher level of protection through additional land use controls under the Act may be appropriate for substances both controlled by the Hazardous Substances New Organisms Act or for issues which are not within the scope of the Hazardous Substances New Organisms Act, such as reverse sensitivity".
- However there is a significant disconnect between the overview and purpose sections of the Section 32 Report and the regulatory provisions in the Proposed District Plan.
- As an example, in regard to service stations the Section 32 Report concludes that, "the controlled activity status has been assigned to the storage and retail sale of fuel within service stations above a certain level in some zones to recognize that these substances are well managed through standards and industry practice. However, above these thresholds, the opportunity to consider potential adverse effects on the surrounding environment is considered.
- No rational/analysis is provided within the section 32 report to justify why specific volume thresholds apply to service stations or why the opportunity to consider potential adverse effects on the surrounding environment is considered reasonable if quantities are above those limits.

- The Section 32 Report does not provide analysis to justify why hazardous substances associated with service stations are only addressed in certain zones and in what way the Council considers the Hazardous Substances New Organisms Act to not adequately control potential adverse effects associated with hazardous substances at service station - for example, why the Council considers site design, layout and monitoring and reporting of incidents are matters that the Council should reserve control over.
- In light of the Resource Legislation Amendment Act 2017 and controls under other legislation and the lack of rationale/analysis within the Section 32 Report for hazardous substances, it is considered the proposed hazardous substance controls are largely unnecessary and should therefore be deleted.

Point Number 785.5

Summary of Decision Requested: Delete Rule 25.2.5 – Hazardous Substances.

AND

Any consequential amendments or further relief to give effect to the submission.

Decision Reasons:

- The proposed provisions are opposed and the submitter seeks the deletion of all proposed hazardous substances controls relating to storage, use, disposal or transportation of hazardous substances at service station sites (as broadly defined) or refuelling sites.
- The submitter also supports the deletion of all rules pertaining to control hazardous substances where such controls are inappropriate, unnecessary, ineffective, inefficient and unable to be justified via a Section 32 analysis.
- These rules are all designed to address risk associated with hazardous substances. Risk is appropriately managed via other legislation and the Section 32 Report fails to identify why additional controls are required.
- The Resource Legislation Amendment Act 2017 removed the explicit function of district and regional councils to control adverse effects of the storage, use, disposal, or transportation of hazardous substances under sections 30 and 31 of the Resource Management Act 1991 (RMA).
- The changes came into effect on 19 April 2017 and are intended to ensure councils only place controls on hazardous substances where necessary to control effects under the RMA that are not covered by Hazardous Substance New Organisms Act 1996 or Health and Safety At Work Act 2015.
- The purpose of the Hazardous Substances New Organisms Act is to protect the environment, and the health and safety of people and communities, by preventing or managing the adverse effects of hazardous substances and new organisms. The Hazardous Substances New Organisms Act covers a range of matters including:
 - a. site and building requirements for where a hazardous substance may be used, including requirements for storage and primarily requiring primary and secondary containment;
 - b. the safe transportation of hazardous substances;
 - c. emergency management requirements in relation to the substance in the event of a spill or other emergency; and
 - d. how the substance may be disposed of.
- The Health and Safety At Work Act 2015 provides a framework to secure the health and safety of works and workplaces and integrates the regulation of workplace use of hazardous substances.
- The Resource Legislation Amendment Act 2017 followed the decision of the Independent Hearing Panel on the Christchurch Replacement District Plan. That decision was to reject Christchurch City Council's hazardous substance controls (which were based on an activity status table (AST) approach and to only retain controls relating to hazardous substances in close proximity to the National Grid.
- The Ministry for the Environment considers that in most cases the Hazardous Substances New Organisms Act and the Health and Safety At Work Act 2015 controls will be adequate to avoid, remedy or mitigate adverse environmental effects of hazardous substances and that RMA controls may be used if existing HSNO or Work safe controls are not adequate to address the environmental effects of hazardous substances in any particularly case. The submitter strongly supports the Ministry for the Environment's position in this regard.
- The submitter seeks that any proposed controls around hazardous substances do not duplicate those controls addressed under other legislation. Any duplication is considered unnecessary and inefficient.
- The section 32 report for Hazardous Substances acknowledges the removal of Council's functions in regards to hazardous substances and recognizes the "Resource Management Plans should not be in conflict with HSNO requirements and should not repeat them".
- The report further recognizes that "rationale for a higher level of protection through additional land use controls under the Act may be appropriate for substances both controlled by the Hazardous Substances New Organisms Act or for issues which are not within the scope of the Hazardous Substances New Organisms Act, such as reverse sensitivity".
- However there is a significant disconnect between the overview and purpose sections of the Section 32 Report and the regulatory provisions in the Proposed District Plan.
- As an example, in regard to service stations the Section 32 Report concludes that, "the controlled activity status has been assigned to the storage and retail sale of fuel within service stations above a certain level in some zones to recognize that these substances are well managed through standards and industry practice. However, above these thresholds, the opportunity to consider potential adverse effects on the surrounding environment is considered.
- No rationale/analysis is provided within the section 32 report to justify why specific volume thresholds apply to service stations or why the opportunity to consider potential adverse effects on the surrounding environment is considered reasonable if quantities are above those limits.
- The Section 32 Report does not provide analysis to justify why hazardous substances associated with service stations are only addressed in certain zones and in what way the Council considers the Hazardous Substances New Organisms Act to not adequately control potential adverse effects associated with hazardous substances at service station - for example, why the Council considers site design, layout and monitoring and reporting of incidents are matters that the Council should reserve control over.
- In light of the Resource Legislation Amendment Act 2017 and controls under other legislation and the lack of rationale/analysis within the Section 32 Report for hazardous substances, it is considered the proposed hazardous substance controls are largely unnecessary and should therefore be deleted.

Point Number 785.6

Summary of Decision Requested: Delete Rule 26.2.9 – Hazardous Substances- All Precincts.

AND

Any consequential amendments or further relief to give effect to the submission.

Decision Reasons:

- The proposed provisions are opposed and the submitter seeks the deletion of all proposed hazardous substances controls relating to storage, use, disposal or transportation of hazardous substances at service station sites (as broadly defined) or refuelling sites.
- The submitter also supports the deletion of all rules pertaining to control hazardous substances where such controls are inappropriate, unnecessary, ineffective, inefficient and unable to be justified via a Section 32 analysis.
- These rules are all designed to address risk associated with hazardous substances. Risk is appropriately managed via other legislation and the Section 32 Report fails to identify why additional controls are required.
- The Resource Legislation Amendment Act 2017 removed the explicit function of district and regional councils to control adverse effects of the storage, use, disposal, or transportation of hazardous substances under sections 30 and 31 of the Resource Management Act 1991 (RMA).
- The changes came into effect on 19 April 2017 and are intended to ensure councils only place controls on hazardous substances where necessary to control effects under the RMA that are not covered by Hazardous Substance New Organisms Act 1996 or Health and

Safety At Work Act 2015.

- The purpose of the Hazardous Substances New Organisms Act is to protect the environment, and the health and safety of people and communities, by preventing or managing the adverse effects of hazardous substances and new organisms. The Hazardous Substances New Organisms Act covers a range of matters including:
 - a. site and building requirements for where a hazardous substance may be used, including requirements for storage and primarily requiring primary and secondary containment;
 - b. the safe transportation of hazardous substances;
 - c. emergency management requirements in relation to the substance in the event of a spill or other emergency; and
 - d. how the substance may be disposed of.
- The Health and Safety At Work Act 2015 provides a framework to secure the health and safety of works and workplaces and integrates the regulation of workplace use of hazardous substances.
- The Resource Legislation Amendment Act 2017 followed the decision of the Independent Hearing Panel on the Christchurch Replacement District Plan. That decision was to reject Christchurch City Council's hazardous substance controls (which were based on an activity status table (AST) approach and to only retain controls relating to hazardous substances in close proximity to the National Grid.
- The Ministry for the Environment considers that in most cases the Hazardous Substances New Organisms Act and the Health and Safety At Work Act 2015 controls will be adequate to avoid, remedy or mitigate adverse environmental effects of hazardous substances and that RMA controls may be used if existing HSNO or Work safe controls are not adequate to address the environmental effects of hazardous substances in any particularly case. The submitter strongly supports the Ministry for the Environment's position in this regard.
- The submitter seeks that any proposed controls around hazardous substances do not duplicate those controls addressed under other legislation. Any duplication is considered unnecessary and inefficient.
- The section 32 report for Hazardous Substances acknowledges the removal of Council's functions in regards to hazardous substances and recognizes the "Resource Management Plans should not be in conflict with HSNO requirements and should not repeat them".
- The report further recognizes that "rationale for a higher level of protection through additional land use controls under the Act may be appropriate for substances both controlled by the Hazardous Substances New Organisms Act or for issues which are not within the scope of the Hazardous Substances New Organisms Act, such as reverse sensitivity".
- However there is a significant disconnect between the overview and purpose sections of the Section 32 Report and the regulatory provisions in the Proposed District Plan.
- As an example, in regard to service stations the Section 32 Report concludes that, "the controlled activity status has been assigned to the storage and retail sale of fuel within service stations above a certain level in some zones to recognize that these substances are well managed through standards and industry practice. However, above these thresholds, the opportunity to consider potential adverse effects on the surrounding environment is considered.
- No rational/analysis is provided within the section 32 report to justify why specific volume thresholds apply to service stations or why the opportunity to consider potential adverse effects on the surrounding environment is considered reasonable if quantities are above those limits.
- The Section 32 Report does not provide analysis to justify why hazardous substances associated with service stations are only addressed in certain zones and in what way the Council considers the Hazardous Substances New Organisms Act to not adequately control potential adverse effects associated with hazardous substances at service station - for example, why the Council considers site design, layout and monitoring and reporting of incidents are matters that the Council should reserve control over.
- In light of the Resource Legislation Amendment Act 2017 and controls under other legislation and the lack of rationale/analysis within the Section 32 Report for hazardous substances, it is considered the proposed hazardous substance controls are largely unnecessary and should therefore be deleted.

Point Number 785.7

Summary of Decision Requested: Delete Rule 27.2.1.1 – Hazardous Substances.

AND

Any consequential amendments or further relief to give effect to the submission.

Decision Reasons:

- The proposed provisions are opposed and the submitter seeks the deletion of all proposed hazardous substances controls relating to storage, use, disposal or transportation of hazardous substances at service station sites (as broadly defined) or refuelling sites.
- The submitter also supports the deletion of all rules pertaining to control hazardous substances where such controls are inappropriate, unnecessary, ineffective, inefficient and unable to be justified via a Section 32 analysis.
- These rules are all designed to address risk associated with hazardous substances. Risk is appropriately managed via other legislation and the Section 32 Report fails to identify why additional controls are required.
- The Resource Legislation Amendment Act 2017 removed the explicit function of district and regional councils to control adverse effects of the storage, use, disposal, or transportation of hazardous substances under sections 30 and 31 of the Resource Management Act 1991 (RMA).
- The changes came into effect on 19 April 2017 and are intended to ensure councils only place controls on hazardous substances where necessary to control effects under the RMA that are not covered by Hazardous Substance New Organisms Act 1996 or Health and Safety At Work Act 2015.
- The purpose of the Hazardous Substances New Organisms Act is to protect the environment, and the health and safety of people and communities, by preventing or managing the adverse effects of hazardous substances and new organisms. The Hazardous Substances New Organisms Act covers a range of matters including:
 - a. site and building requirements for where a hazardous substance may be used, including requirements for storage and primarily requiring primary and secondary containment;
 - b. the safe transportation of hazardous substances;
 - c. emergency management requirements in relation to the substance in the event of a spill or other emergency; and
 - d. how the substance may be disposed of.
- The Health and Safety At Work Act 2015 provides a framework to secure the health and safety of works and workplaces and integrates the regulation of workplace use of hazardous substances.
- The Resource Legislation Amendment Act 2017 followed the decision of the Independent Hearing Panel on the Christchurch Replacement District Plan. That decision was to reject Christchurch City Council's hazardous substance controls (which were based on an activity status table (AST) approach and to only retain controls relating to hazardous substances in close proximity to the National Grid.
- The Ministry for the Environment considers that in most cases the Hazardous Substances New Organisms Act and the Health and Safety At Work Act 2015 controls will be adequate to avoid, remedy or mitigate adverse environmental effects of hazardous substances and that RMA controls may be used if existing HSNO or Work safe controls are not adequate to address the environmental effects of hazardous substances in any particularly case. The submitter strongly supports the Ministry for the Environment's position in this regard.
- The submitter seeks that any proposed controls around hazardous substances do not duplicate those controls addressed under other legislation. Any duplication is considered unnecessary and inefficient.
- The section 32 report for Hazardous Substances acknowledges the removal of Council's functions in regards to hazardous substances and recognizes the "Resource Management Plans should not be in conflict with HSNO requirements and should not repeat them".
- The report further recognizes that "rationale for a higher level of protection through additional land use controls under the Act may be appropriate for substances both controlled by the Hazardous Substances New Organisms Act or for issues which are not within the scope of the Hazardous Substances New Organisms Act, such as reverse sensitivity".

- However there is a significant disconnect between the overview and purpose sections of the Section 32 Report and the regulatory provisions in the Proposed District Plan.
- As an example, in regard to service stations the Section 32 Report concludes that, “the controlled activity status has been assigned to the storage and retail sale of fuel within service stations above a certain level in some zones to recognize that these substances are well managed through standards and industry practice. However, above these thresholds, the opportunity to consider potential adverse effects on the surrounding environment is considered.
- No rational/analysis is provided within the section 32 report to justify why specific volume thresholds apply to service stations or why the opportunity to consider potential adverse effects on the surrounding environment is considered reasonable if quantities are above those limits.
- The Section 32 Report does not provide analysis to justify why hazardous substances associated with service stations are only addressed in certain zones and in what way the Council considers the Hazardous Substances New Organisms Act to not adequately control potential adverse effects associated with hazardous substances at service station - for example, why the Council considers site design, layout and monitoring and reporting of incidents are matters that the Council should reserve control over.
- In light of the Resource Legislation Amendment Act 2017 and controls under other legislation and the lack of rationale/analysis within the Section 32 Report for hazardous substances, it is considered the proposed hazardous substance controls are largely unnecessary and should therefore be deleted.

Point Number 785.8

Summary of Decision Requested: Delete Rule 28.2.5 – Hazardous Substances.
AND
Any consequential amendments or further relief to give effect to the submission.

Decision Reasons:

- The proposed provisions are opposed and the submitter seeks the deletion of all proposed hazardous substances controls relating to storage, use, disposal or transportation of hazardous substances at service station sites (as broadly defined) or refuelling sites.
- The submitter also supports the deletion of all rules pertaining to control hazardous substances where such controls are inappropriate, unnecessary, ineffective, inefficient and unable to be justified via a Section 32 analysis.
- These rules are all designed to address risk associated with hazardous substances. Risk is appropriately managed via other legislation and the Section 32 Report fails to identify why additional controls are required.
- The Resource Legislation Amendment Act 2017 removed the explicit function of district and regional councils to control adverse effects of the storage, use, disposal, or transportation of hazardous substances under sections 30 and 31 of the Resource Management Act 1991 (RMA).
- The changes came into effect on 19 April 2017 and are intended to ensure councils only place controls on hazardous substances where necessary to control effects under the RMA that are not covered by Hazardous Substance New Organisms Act 1996 or Health and Safety At Work Act 2015.
- The purpose of the Hazardous Substances New Organisms Act is to protect the environment, and the health and safety of people and communities, by preventing or managing the adverse effects of hazardous substances and new organisms. The Hazardous Substances New Organisms Act covers a range of matters including:
 - a. site and building requirements for where a hazardous substance may be used, including requirements for storage and primarily requiring primary and secondary containment;
 - b. the safe transportation of hazardous substances;
 - c. emergency management requirements in relation to the substance in the event of a spill or other emergency; and
 - d. how the substance may be disposed of.
- The Health and Safety At Work Act 2015 provides a framework to secure the health and safety of works and workplaces and integrates the regulation of workplace use of hazardous substances.
- The Resource Legislation Amendment Act 2017 followed the decision of the Independent Hearing Panel on the Christchurch Replacement District Plan. That decision was to reject Christchurch City Council's hazardous substance controls (which were based on an activity status table (AST) approach and to only retain controls relating to hazardous substances in close proximity to the National Grid.
- The Ministry for the Environment considers that in most cases the Hazardous Substances New Organisms Act and the Health and Safety At Work Act 2015 controls will be adequate to avoid, remedy or mitigate adverse environmental effects of hazardous substances and that RMA controls may be used if existing HSNO or Work safe controls are not adequate to address the environmental effects of hazardous substances in any particularly case. The submitter strongly supports the Ministry for the Environment's position in this regard.
- The submitter seeks that any proposed controls around hazardous substances do not duplicate those controls addressed under other legislation. Any duplication is considered unnecessary and inefficient.
- The section 32 report for Hazardous Substances acknowledges the removal of Council's functions in regards to hazardous substances and recognizes the “Resource Management Plans should not be in conflict with HSNO requirements and should not repeat them”.
- The report further recognizes that “rationale for a higher level of protection through additional land use controls under the Act may be appropriate for substances both controlled by the Hazardous Substances New Organisms Act or for issues which are not within the scope of the Hazardous Substances New Organisms Act, such as reverse sensitivity”.
- However there is a significant disconnect between the overview and purpose sections of the Section 32 Report and the regulatory provisions in the Proposed District Plan.
- As an example, in regard to service stations the Section 32 Report concludes that, “the controlled activity status has been assigned to the storage and retail sale of fuel within service stations above a certain level in some zones to recognize that these substances are well managed through standards and industry practice. However, above these thresholds, the opportunity to consider potential adverse effects on the surrounding environment is considered.
- No rational/analysis is provided within the section 32 report to justify why specific volume thresholds apply to service stations or why the opportunity to consider potential adverse effects on the surrounding environment is considered reasonable if quantities are above those limits.
- The Section 32 Report does not provide analysis to justify why hazardous substances associated with service stations are only addressed in certain zones and in what way the Council considers the Hazardous Substances New Organisms Act to not adequately control potential adverse effects associated with hazardous substances at service station - for example, why the Council considers site design, layout and monitoring and reporting of incidents are matters that the Council should reserve control over.
- In light of the Resource Legislation Amendment Act 2017 and controls under other legislation and the lack of rationale/analysis within the Section 32 Report for hazardous substances, it is considered the proposed hazardous substance controls are largely unnecessary and should therefore be deleted.

Point Number 785.9

Summary of Decision Requested: Retain Objective 10.2.1 – Contaminated Land as notified.

Decision Reasons:

- It is appropriate to recognise the potential adverse effects of the subdivision, use and development of contaminated land on both human health and the environment.
- The submitter supports the proposed approach to allow the activity status of activities involving contaminated or potentially contaminated land (i.e. HAIL sites) to be governed by the National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health – rather than duplicating the National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health within the Proposed District Plan rule framework.

Point Number 785.10

Summary of Decision Requested: **Retain** Policy 10.2.2 – Managing the use of contaminated land, except for the amendments sought below

AND

Amend Policy 10.2.2 Managing the use of contaminated land as follows:

a. ~~Contaminated land is managed, which may include remediation, or remediated to ensure that contaminants are at a level acceptable for the proposed land use.~~

...

d. *Ensure that the use, subdivision and development of contaminated land management approaches include:*

i. *Undertaking a site investigation of any land identified as actually or potentially contaminated, prior to any new subdivision or change of use of land, that could result in an increase in any adverse effects from the contamination of a piece of land;*

ii. **Remedial action plans;**

iii. *Site validation reports;*

iv. *Site management plans as appropriate for identifying, monitoring and managing contaminated land.*

AND

Any consequential amendments or additional relief to give effect to the submission.

Decision Reasons:

- The submitter supports the inclusion of a contaminated land policy framework given the absence of objectives and policies within the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health.
- Any applications that may require consent pursuant to the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health can therefore be assessed against the proposed policy provisions.
- The submitter understands that remediation is a form of management and seeks clause (a) be amended to reflect this.
- The submitter notes that a remedial action plan will only be required if necessary i.e. no remediation may actually be required/necessary for works on contaminated land.
- Remedial action plans can be considered in any event through clause (d)(iv). Therefore the submitter seeks the deletion of clause (d)(ii).

Point Number 785.11

Summary of Decision Requested: **Retain** Rule 17.2.5.1 PI Earthworks - General, except for the amendments sought below

AND

Amend Rule 17.2.5.1 PI Earthworks - General as follows:

PI

a. *Earthworks within a site must meet the following conditions:*

i. *Be located more than 1.5m from a public sewer, open drain, overland overland flow path or other public service pipe;*

ii. *Not exceed a volume of more than 250m³ and an area of more than 1000m² within a site;*

iii. *The height of the resulting cut, filled areas or fill batter face in stable ground, not including any surcharge, does not exceed 1.5m, with a maximum slope of 1:2 (1 vertical to 2 horizontal);*

iv. *Areas exposed by earthworks are re-vegetated to achieve 80% ground cover within 6 months of the commencement, or otherwise stabilised as soon as practicable at the completion of the earthworks;*

v. *Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls;*

vi. *Do not divert or change the nature of natural water flows, water bodies or established drainage paths.*

AND

Any consequential amendments or additional relief to give effect to the submission.

Decision Reasons:

- The submitter supports in part the General Earthworks rules for the Business Zone, except for the amendments sought.
- The submitter seeks the retention of Rules 17.2.5.1. PI Earthworks - General, subject to ensuring that the separation distances required are clearly from public service pipes and not pipes per se, and clarifying that earthworks areas need to be stabilised appropriately (which may include re-vegetation, but which may also include an alternative form of reinstatement) in order to improve clarity and practical application.
- The submitter notes there is no specific Section 32 Report for earthworks. While earthworks are discussed within the Section 32 report for Infrastructure, this relates to earthworks associated with subdivision activities only.
- The submitter seeks that PI (a) (i) only applies to public infrastructure and will not capture earthworks within 1.5m of on-site service pipes (such as onsite storm water pipes within the forecourt of a service station).
- A 'service pipe' is not defined within the proposed definition and therefore earthworks undertaken within 1.5m of onsite stormwater infrastructure could be interpreted to require restricted discretionary activity consent.
- This is not considered appropriate in the context of earthworks within 1.5m of private service pipes (i.e. onsite stormwater pipes) or considered to be the intent of the proposed control.
- The submitter supports the requirement to re-vegetate groundcover within 6 months of the commencement of earthworks as PI(a) (iv).
- Earthworks undertaken in areas of hardstanding cannot be 're'-vegetated. Given there are no proposed controls to require the general reinstatement of areas disturbed by earthworks that are not vegetated, such areas are not required to be reinstated as a permitted activity.
- The submitter considers it appropriate to include additional wording to clause PI (a) (iv) to ensure areas disturbed by earthworks without vegetation are still reinstated to avoid potential erosion and sediment issues effects.

Point Number 785.12

Summary of Decision Requested: **Retain** Rule 18.2.4.1 PI Earthworks - General, except for the amendments sought below

AND

Amend Rule 18.2.4.1 PI Earthworks – General as follows:

PI

a. *Earthworks within a site must meet the following conditions:*

i. *Be located more than 1.5m from a public sewer, open drain, overland overland flow path or other public service pipe;*

ii. *Not exceed a volume of more than 250m³ and an area of more than 1000m² within a site;*

- iii. The height of the resulting cut, filled areas or fill batter face in stable ground, not including any surcharge, does not exceed 1.5m, with a maximum slope of 1:2 (1 vertical to 2 horizontal);
- iv. Areas exposed by earthworks are re-vegetated to achieve 80% ground cover within 6 months of the commencement, or otherwise stabilised as soon as practicable at the completion of the earthworks;
- v. Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls;
- vi. Do not divert or change the nature of natural water flows, water bodies or established drainage paths.

AND

Any consequential amendments or additional relief to give effect to the submission.

Decision Reasons:

- The submitter supports in part the General Earthworks rules for the Business Town Centre Zone.
- The submitter seeks the retention of Rule 18.2.4.1.P1 subject to ensuring that the separation distances required are clearly from public service pipes and not pipes per se, and clarifying that earthworks areas need to be stabilised appropriately (which may include re-vegetation, but which may also include an alternative form of reinstatement) in order to improve clarity and practical application.
- The submitter notes there is no specific Section 32 Report for earthworks. While earthworks are discussed within the Section 32 report for Infrastructure, this relates to earthworks associated with subdivision activities only.
- The submitter seeks that P1 (a) (i) only applies to public infrastructure and will not capture earthworks within 1.5m of on-site service pipes (such as onsite storm water pipes within the forecourt of a service station).
- A 'service pipe' is not defined within the proposed definition and therefore earthworks undertaken within 1.5m of onsite stormwater infrastructure could be interpreted to require restricted discretionary activity consent.
- This is not considered appropriate in the context of earthworks within 1.5m of private service pipes (i.e. onsite stormwater pipes) or considered to be the intent of the proposed control.
- The submitter supports the requirement to re-vegetate groundcover within 6 months of the commencement of earthworks as P1(a) (iv).
- Earthworks undertaken in areas of hardstanding cannot be 're'-vegetated. Given there are no proposed controls to require the general reinstatement of areas disturbed by earthworks that are not vegetated, such areas are not required to be reinstated as a permitted activity.
- The submitter considers it appropriate to include additional wording to clause P1 (a) (iv) to ensure areas disturbed by earthworks without vegetation are still reinstated to avoid potential erosion and sediment issues effects.

Point Number 785.13

Summary of Decision Requested: **Retain** Rule 17.2.5.1 P2 Earthworks – General, except for the amendments sought below

AND

Amend Rule 17.2.5.1 P2 (a)(i) Earthworks - General as follows:

P2

a. The importation of infill material to a site must meet all of the following conditions in addition to Rule 17.2.5.1 P1:

i. Does not exceed a total volume of 500m³ per site and a depth of 1m (excluding backfill);

...

AND

Any consequential amendments or additional relief to give effect to the submission.

Decision Reasons:

- The submitter seeks the retention of Rules 17.2.5.1.P2 subject to amendments to ensure that any cut to the permitted depth can be backfilled as a permitted activity.
- P1 (a) (iii) permits the maximum permitted cut in stable ground to a depth of 1.5m. P2 (a) (i) permits the maximum permitted fill to be 1m. It could be interpreted that a 1.5m cut cannot be backfilled to ground level as a permitted activity and therefore restricted discretionary activity consent is required.
- The submitter seeks inclusion for clean fill that is used as backfill within P2 (a) (i) to reflect the intent of the rule.

Point Number 785.14

Summary of Decision Requested: **Retain** Rule 18.2.4.1 P2 Earthworks – General, except for the amendments sought below

AND

Amend Rule 18.2.4.1 P2 Earthworks – General as follows:

P2

a. The importation of infill material to a site must meet all of the following conditions in addition to Rule 18.2.4.1 P1:

i. Does not exceed a total volume of 500m³ per site and a depth of 1m (excluding backfill);

...

AND

Any consequential amendments or additional relief to give effect to the submission.

Decision Reasons:

- The submitter seeks the retention of Rule 18.2.4.1.P2 subject to amendments to ensure that any cut to the permitted depth can be backfilled as a permitted activity.
- P1 (a) (iii) permits the maximum permitted cut in stable ground to a depth of 1.5m. P2 (a) (i) permits the maximum permitted fill to be 1m. It could be interpreted that a 1.5m cut cannot be backfilled to ground level as a permitted activity and therefore restricted discretionary activity consent is required.
- The submitter seeks inclusion for clean fill that is used as backfill within P2 (a) (i) to reflect the intent of the rule.

Point Number 785.15

Summary of Decision Requested: **Retain** Rule 17.2.5.1 RD1 Earthworks – General as notified.

Decision Reasons:

- The submitter supports the Restricted Discretionary activity status for earthworks that do not comply with the permitted activity criteria.

- Any potential adverse effects resulting from earthworks can be adequately managed and controlled by way of matters of discretion.

Point Number 785.16

Summary of Decision Requested: **Retain** Rule 18.2.4.1 RD1 Earthworks – General as notified.

Decision Reasons:

- The submitter supports the Restricted Discretionary activity status for earthworks that do not comply with the permitted activity criteria.
- Any potential adverse effects resulting from earthworks can be adequately managed and controlled by way of matters of discretion.

Point Number 785.17

Summary of Decision Requested: **Retain** Rule 20.2.5.1 P1 Earthworks - General, except for the amendments sought below;

AND

Amend Rule 20.2.5.1.P1 – Earthworks – General, as follows:

PI

(a) Earthworks (excluding the importation of fill material) within a site must meet all of the following conditions:

....

~~*(vi) earthworks are set back 1.5m from all boundaries;*~~

(vii) Areas exposed by earthworks are re-vegetated to achieve 80% ground cover within 6 months of the commencement, or stabilised as soon as practicable at the completion of the earthworks;

(viii) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls; and

(ix) Do not divert or change the nature of natural water flows, water bodies or established drainage paths.

AND

Any consequential amendments or additional relief to give effect to the submission.

Decision Reasons:

- The submitter seeks the retention of Rule 20.2.5.1.P1, subject to the deletion of the setback from boundaries standard and to clarify that earthwork areas must be stabilized, which may or may not include re-vegetation.
- There is no justification for setting all earthworks back 1.5m from the boundary.
- This control is not within the Business Zone or Business Town Centre Zone.
- The definition of earthworks would render a post hole within 1.5m of a boundary as a restricted discretionary activity (i.e earthworks within 1.5m of a boundary).
- In the absence of a Section 32 Report justifying its inclusion, it is considered that this control is unnecessary and unjustified and should be deleted.
- The submitter supports the intent of the requirement to re-vegetate exposed areas within 6 months of the commencement of earthworks as per P1 (a)(iv) – ie: to achieve stabilization of the exposed surface.
- However it is considered inappropriate to simply require areas exposed by earthworks to be re-vegetated. For example, earth-worked areas that are to be finished in hardstand will be stabilized, but will not be re-vegetated.
- Therefore, the submitter considers it appropriate to include additional wording to clause P1 (a) (vii) to ensure areas disturbed by earthworks are stabilized (which may or may not include re-vegetation) to avoid potential erosion and sediment issues effect.
- P1 (a) (iv) provides for the total depth of any excavation or filling at 1.5m above or below ground level.
- P2 (a) (ii) restricts imported fill material to 1m. This is contrary to the 1.5m maximum permitted depth provided through P1 (a) (iv).
- Therefore the submitter seeks the maximum permitted depth of imported fill material to 1.5m (from 1m).
- The intent of the difference in levels is not known in the absence of justification via a Section 32 Report.
- The control is unnecessary and unjustified and should be deleted.

Point Number 785.18

Summary of Decision Requested: **Retain** Rule 21.2.5.1 P1 Earthworks - General, except for the amendments sought below;

AND

Amend Rule 21.2.5.1 P1 Earthworks – General as follows:

PI

(a) Earthworks (excluding the importation of fill material) within a site must meet all of the following conditions:

...

~~*(vi) earthworks are set back 1.5m from all boundaries;*~~

(vii) Areas exposed by earthworks are re-vegetated to achieve 80% ground cover within 6 months of the commencement, or stabilised as soon as practicable at the completion of the earthworks;

(viii) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls; and

(ix) Do not divert or change the nature of natural water flows, water bodies or established drainage paths.

AND

Any consequential amendments or additional relief to give effect to the submission.

Decision Reasons:

- The submitter seeks the retention of Rules 20.2.5.1.P1 and 21.2.5.1.P1 subject to the deletion of the setback from boundaries standard and to clarify that earthwork areas must be stabilized, which may or may not include re-vegetation.
- There is no justification for setting all earthworks back 1.5m from the boundary. This control is not within the Business Zone or Business Town Centre Zone.
- The definition of earthworks would render a post hole within 1.5m of a boundary as a restricted discretionary activity (i.e earthworks within 1.5m of a boundary).

- In the absence of a Section 32 Report justifying its inclusion, it is considered that this control is unnecessary and unjustified and should be deleted.
- The submitter supports the intent of the requirement to re-vegetate exposed areas within 6 months of the commencement of earthworks as per P1 (a)(iv) – ie: to achieve stabilization of the exposed surface.
- It is considered inappropriate to simply require areas exposed by earthworks to be re-vegetated. For example, earth-worked areas that are to be finished in hardstand will be stabilized, but will not be re-vegetated.
- Therefore, the submitter considers it appropriate to include additional wording to clause P1 (a) (vii) to ensure areas disturbed by earthworks are stabilized (which may or may not include re-vegetation) to avoid potential erosion and sediment issues effect.
- P1 (a) (iv) provides for the total depth of any excavation or filling at 1.5m above or below ground level. P2 (a) (ii) restricts imported fill material to 1m.
- This is contrary to the 1.5m maximum permitted depth provided through P1 (a) (iv).
- The submitter seeks the maximum permitted depth of imported fill material to 1.5m (from 1m). The intent of the difference in levels is not known in the absence of justification via a Section 32 Report.
- The control is unnecessary and unjustified and should be deleted.

Point Number 785.19

Summary of Decision Requested: Delete Rule 20.2.5.1 P2 – Earthworks - General.
AND
Any consequential amendments or additional relief to give effect to the submission.

Decision Reasons:

- Rule 20.2.5.1.P2 permits earthworks for the purpose of creating a building platform for residential purposes within the Industrial Zone.
- Residential activities are non-complying activities in this zone and therefore it is not considered appropriate to include a permitted activity rule for residential activities within the zone.

Point Number 785.20

Summary of Decision Requested: Delete Rule 21.2.5.1 P2 – Earthworks – General.
AND
Any consequential amendments or additional relief to give effect to the submission.

Decision Reasons:

- Rule 21.2.5.1.P2 permits earthworks for the purpose of creating a building platform for residential purposes within the Industrial Zone Heavy.
- Residential activities are non-complying activities in this zone (a status that the Oil Companies support) and therefore it is not considered appropriate to include a permitted activity rule for residential activities within the zone.

Point Number 785.21

Summary of Decision Requested: Retain Rule 20.2.5.1 P3 Earthworks - General, except for the amendments sought below;
AND
Amend Rule 20.2.5.1 P3 Earthworks – General, as follows:
(a) Earthworks for purposes other than creating a building platform for residential purposes within a site, using imported fill material (excluding cleanfill) must meet all of the following conditions:

(i) not exceed a total volume of 500m³;

(ii) not exceed a depth of 1.5m;

(iii) the slope of the resulting filled area in stable ground must not exceed a maximum slope of 1:2 (1 vertical to 2 horizontal);

(iv) fill material is setback 1.5m from all boundaries;

(v) areas exposed by filling are re-vegetated to achieve 80% ground cover within 6 months of the commencement, or stabilised as soon as practicable at the completion of the earthworks;

(vi) sediment resulting from the filling is retained on the site through implementation and maintenance of erosion and sediment controls; and

Do not divert or change the nature of natural water flows, water bodies or established drainage paths.

AND
Any consequential amendments or additional relief to give effect to the submission.

Decision Reasons:

- The submitter seeks the retention of Rule 20.2.5.1.P3 subject to clarification that earthwork areas must be stabilized, (which may or may not include re-vegetation) and an increase in depth of fill allowed from 1m to 1.5m.
- The submitter supports the intent of the requirement to re-vegetate groundcover within 6 months of the commencement of earthworks as per P3 (a) (v) – ie: to achieve stabilization of the exposed surface.
- However, it is considered inappropriate to simply require areas exposed by earthworks to be re-vegetated. For example, earth-worked areas that are to be finished in hardstand will be stabilized, but will not be re-vegetated.
- The submitter considers it appropriate to include additional wording to clause P3 (a)(v) to ensure areas disturbed by earthworks are stabilized (which may include re-vegetation) to avoid potential erosion and sediment issues effects.
- P1 (a) (iv) provides for the total depth of any excavation or filling at 1.5m above or below ground level. P3 (a) (iii) restricts imported fill material to 1m. This is contrary to the 1.5m maximum permitted depth provided through P1 (a) (iv).
- Therefore the submitter seeks the maximum permitted depth of imported fill material to 1.5m (from 1m).
- The intent of the difference in levels is not known in the absence of justification via a Section 32 Report. The control is unnecessary and unjustified and should be deleted.

Point Number 785.22

Summary of Decision Requested: **Retain** Rule 21.2.5.1 P3 Earthworks - General, except for the amendments sought below;

AND

Amend Rule 21.2.5.1.P3 – Earthworks – General, as follows:

a. *Earthworks for purposes other than creating a building platform for residential purposes within a site, using imported fill material (excluding cleanfill) must meet all of the following conditions:*

i. *not exceed a total volume of 500m³;*
ii. *not exceed a depth of 1.5m;*
iii. *the slope of the resulting filled area in stable ground must not exceed a maximum slope of 1:2 (1 vertical to 2 horizontal);*
iv. *fill material is setback 1.5m from all boundaries;*
v. *areas exposed by filling are re-vegetated to achieve 80% ground cover within 6 months of the commencement, or stabilised as soon as practicable at the completion of the earthworks;*
vi. *sediment resulting from the filling is retained on the site through implementation and maintenance of erosion and sediment controls; and*

do not divert or change the nature of natural water flows, water bodies or established drainage paths.

AND

Any consequential amendments or additional relief to give effect to the submission.

Decision Reasons:

- The submitter seeks the retention of Rule 21.2.5.1.P3 subject to clarification that earthwork areas must be stabilized, (which may or may not include re-vegetation) and an increase in depth of fill allowed from 1m to 1.5m.
- The submitter supports the intent of the requirement to re-vegetate groundcover within 6 months of the commencement of earthworks as per P3 (a) (v) – ie: to achieve stabilization of the exposed surface.
- However, it is considered inappropriate to simply require areas exposed by earthworks to be re-vegetated. For example, earth-worked areas that are to be finished in hardstand will be stabilized, but will not be re-vegetated.
- Therefore, the submitter considers it appropriate to include additional wording to clause P3 (a)(v) to ensure areas disturbed by earthworks are stabilized (which may include re-vegetation) to avoid potential erosion and sediment issues effects.
- P1 (a) (iv) provides for the total depth of any excavation or filling at 1.5m above or below ground level. P3 (a) (iii) restricts imported fill material to 1m. This is contrary to the 1.5m maximum permitted depth provided through P1 (a) (iv).
- Therefore the submitter seeks the maximum permitted depth of imported fill material to 1.5m (from 1m).
- The intent of the difference in levels is not known in the absence of justification via a Section 32 Report. The control is unnecessary and unjustified and should be deleted.

Point Number 785.23

Summary of Decision Requested: **Retain** Rule 20.2.5.1 RD1 Earthworks – General as notified.

Decision Reasons:

- The submitter supports the Restricted Discretionary activity status for earthworks that do not comply with the permitted activity criteria.
- Any potential adverse effects resulting from earthworks can be adequately managed and controlled by way of matters of discretion.

Point Number 785.24

Summary of Decision Requested: **Retain** Rule 21.2.5.1 RD1 Earthworks – General as notified.

Decision Reasons:

- The submitter supports the Restricted Discretionary activity status for earthworks that do not comply with the permitted activity criteria.
- Any potential adverse effects resulting from earthworks can be adequately managed and controlled by way of matters of discretion.

Point Number 785.25

Summary of Decision Requested: **Retain** Rule 17.2.1.2 Noise – Construction as notified.

Decision Reasons:

- The submitter supports the measurement and assessment of construction noise against the limits in NZS 6803:1999 Acoustics – Construction Noise.
- The submitter supports a restricted discretionary activity requirement for construction noise which exceeds those limits identified within NZS 6803:1999.

Point Number 785.26

Summary of Decision Requested: **Retain** Rule 18.2.1.2 Noise – Construction as notified.

Decision Reasons:

- The submitter supports the measurement and assessment of construction noise against the limits in NZS 6803:1999 Acoustics – Construction Noise.
- The submitter supports a restricted discretionary activity requirement for construction noise which exceeds those limits identified within NZS 6803:1999.

Point Number 785.27

Summary of Decision Requested: **Retain** Rule 20.2.3.2 Noise – Construction as notified.

Decision Reasons:

- The submitter supports the measurement and assessment of construction noise against the limits in NZS 6803:1999 Acoustics – Construction Noise.

- The submitter supports a restricted discretionary activity requirement for construction noise which exceeds those limits identified within NZS 6803:1999.

Point Number 785.28

Summary of Decision Requested: **Retain** Rule 21.2.3.3 Noise – Construction as notified.

Decision Reasons:

- The submitter supports the measurement and assessment of construction noise against the limits in NZS 6803:1999 Acoustics – Construction Noise.
- The submitter supports a restricted discretionary activity requirement for construction noise which exceeds those limits identified within NZS 6803:1999.

Point Number 785.29

Summary of Decision Requested: **Retain** Rule 17.2.4 Glare and artificial light spill as notified.

Decision Reasons:

- The submitter supports the maximum permitted light spill standard (i.e. 10 lux).
- The submitter supports a restricted discretionary activity requirement for non-compliance with the permitted glare and artificial lighting standards.
- The potential adverse effects from glare and artificial lighting can adequately be managed and controlled through matters of discretion.

Point Number 785.30

Summary of Decision Requested: **Retain** Rule 18.2.3 Glare and Artificial light spill as notified.

Decision Reasons:

- The submitter supports the maximum permitted light spill standard (i.e. 10 lux).
- The submitter supports a restricted discretionary activity requirement for non-compliance with the permitted glare and artificial lighting standards.
- The potential adverse effects from glare and artificial lighting can adequately be managed and controlled through matters of discretion.

Point Number 785.31

Summary of Decision Requested: **Retain** Rule 20.2.4 Glare and artificial light spill as notified.

Decision Reasons:

- The submitter supports the maximum permitted light spill standard (i.e. 10 lux).
- The submitter supports a restricted discretionary activity requirement for non-compliance with the permitted glare and artificial lighting standards.
- The potential adverse effects from glare and artificial lighting can adequately be managed and controlled through matters of discretion.

Point Number 785.32

Summary of Decision Requested: **Amend** the definition of "commercial activity" in Chapter 13: Definitions to be more detailed and specific and based on the effects that the activity generates as opposed to being based on the nature of the consumer.

AND

Amend the definition of "commercial activity" in Chapter 13: Definitions to include service stations.

AND

Amend the definition of "commercial activity" in Chapter 13: Definitions to specifically exclude service stations if separate and specific provision is made for service stations as an activity.

OR

Amend the definition of "commercial activity" in Chapter 13: Definitions to specifically exclude service stations if separate and specific provision is made for service stations as an activity.

AND

Any consequential amendments or further relief to give effect to the submission.

Decision Reasons:

- The submitter opposes in part the definition of 'commercial activities' (*Means activities involving the sale or distribution of goods and services*) and 'retail activities' (*Means the sale or hire of goods or services or equipment directly to the public*) as these definitions are uncertain and ambiguous and service stations could be included within both.
- Submitter supports making specific provision for service stations and seeks to either specifically exclude service stations from either activity or to include them in both.
- As currently drafted commercial and retail activities can be interchangeable insofar as an activity that 'involves the sale of goods and services' falls under both definitions.
- While the definition of retail activity specifies that the sale is to be directly to the public, there is nothing stopping direct sales to the public as also being a commercial activity.
- There does not appear to be any particular effects based justification for differentiating between the two activities based on the consumer.

Point Number 785.33

Summary of Decision Requested: **Amend** the definition of "retail activity" in Chapter 13: Definitions to be more detailed and specific and one that is based on the effects that the activity generates as opposed to being based on the nature of the consumer.

AND

Amend the definition of "retail activity" in Chapter 13: Definitions to include service stations.

AND

Amend the definition of "retail activity" in Chapter 13: Definitions to specifically exclude service stations if separate and specific provision is made for service stations as an activity.

AND

Amend the definition of "retail activity" in Chapter 13: Definitions to specifically exclude service stations if separate and specific provision is made for service stations as an activity.

AND

Any consequential amendments or further relief to give effect to the submission.

Decision Reasons:

- The submitter opposes in part the definition of 'commercial activities' (Means activities involving the sale or distribution of goods and services) and 'retail activities' (Means the sale or hire of goods or services or equipment directly to the public) as these definitions are uncertain and ambiguous and service stations could be included within both.
- Submitter supports making specific provisions for service stations on that basis seeks to either specifically exclude service stations from either activity or to include them in both.
- As currently drafted commercial and retail activities can be interchangeable insofar as an activity that 'involves the sale of goods and services' falls under both definitions.
- While the definition of retail activity specifies that the sale is to be directly to the public, there is nothing stopping direct sales to the public as also being a commercial activity.
- There does not appear to be any particular effects based justification for differentiating between the two activities based on the consumer.

Point Number

785.34

Summary of Decision Requested:

Add a separate and specific definition for "service station activities" to Chapter 13 – Definitions that includes activities ordinarily considered to be ancillary to service stations as follows:

Service Stations: A facility where the primary business is selling motor vehicle fuels and can include the following accessory activities:

- Retail
- Administrative, storage and ablution facilities;
- Car wash facilities;
- Mechanical repair, servicing and testing of motor vehicles;
- Sale of lubricating oils, kerosene, LPG, or spare parts and accessories for motor vehicles;
- Trailer hire.

AND

Any consequential amendments or further relief to give effect to the submission.

Decision Reasons:

- The submitter considers that a separate and specific definition for service station activities should be included in the Proposed Plan.
- Such a definition would appropriately ensure service stations (including activities accessory to service stations) are explicitly provided for and would avoid ambiguity around whether service stations are considered to be a 'commercial activity' or a 'retail activity' (or both).

Point Number

785.35

Summary of Decision Requested:

Delete the definition for "cumulative risk" from Chapter 13: Definitions.

AND

Any consequential amendments or further relief to give effect to the submission.

Decision Reasons:

- In other submission points, the submitter seeks the deletion of Policy 10.1.3 as it is the only Policy which addresses "cumulative risk".
- In the absence of the Policy, it is not considered necessary to define the term "cumulative risk".

Point Number

785.36

Summary of Decision Requested:

Retain the definition for "earthworks" in Chapter 13: Definitions without further modification as follows:

Means modification of land surfaces by blading, contouring, ripping, moving, removing, placing, or replacing soil or earth, or by excavation, or by cutting or filling operations.

Decision Reasons:

- The submitter supports the definition of 'earthworks'.

Point Number

785.37

Summary of Decision Requested:

Retain the definition of "signs" in Chapter 13: Definitions, except for the amendments sought below

AND

Amend the definition of "signs" in Chapter 13: Definitions as follows:

Sign

Means any device, graphic or display of whatever nature that is ~~visible from~~ directed to and legible to a person in a public place, for the purposes of:

1. *Providing information to the general public;*
2. *Identifying and providing information about any activity, site or building;*
3. *Providing directions; or*
4. *Promoting goods, services or forthcoming events.*

A building or structure that is painted in whole or part in corporate colours does not, of itself, constitute a sign or signage.

AND

Any consequential amendments or further relief to give effect to the submission.

Decision Reasons:

- The submitter opposes in part the proposed definition of 'Sign' to the extent that the definition is exceptionally broad and could be read to include any face of a building or structure that is painted in recognizably "corporate colours".
- The definition could capture any sign necessary for traffic direction or instruction within a site (e.g. a sign identifying accessibility parking, opening hours inscribed onto a shop door or signs limiting parking to, say 120 mins, or internal traffic signs).
- The test of "visibility" from outside the site is too restrictive: the test should relate to whether the signage is directed to and clearly legible to people outside the site.

Point Number 785.38

Summary of Decision Requested: **Add** a new activity to Rule Chapter 17.1.2 – Permitted Activities as follows:

Service Station activity, Activity Specific Conditions Nil

OR

Retain commercial and retail activities as permitted activities in Rule 17.1.2 Permitted Activities, with service stations being clearly defined as one or both activities).

AND

Any consequential amendments or further relief to give effect to the submission.

Decision Reasons:

- The Submitter seeks to retain the activity status of Service Stations as permitted activities in the Business Zone, not subject to any Activity Specific Conditions.
- The submitter has sought to include a new definition for a 'service station activity' (refer to submission point 785.3)
- The submitter's service station activities are afforded to the following Business zonings under the Proposed District Plan:
 - Z Ngaruawahia
 - BP2Go Raglan and Hungry As Café
 - Mobil Mercer
 - Mobil Huntly
- In the Business Zone service stations are considered to be Permitted (as either a Retail or Commercial Activity).
- That activity status is supported, irrespective of whether service stations are provided for as commercial or retail activities or as separate service station activities.

Point Number 785.39

Summary of Decision Requested: **Add** a new activity to Rule 18.1.2 Permitted Activities; as follows:

Service Station activity, Activity Specific Conditions: Nil

OR

Retain commercial and retail activities as permitted activities, with service stations being clearly defined as one or both activities).

AND

Any consequential amendments or further relief to give effect to the submission.

Decision Reasons:

- The Submitter seeks to retain the activity status of Service Stations as permitted activities in the Business Town Centre Zone, not subject to any Activity Specific Conditions.
- The submitter has sought to include a new definition for a 'service station activity'.
- The submitter's service station activities are afforded the following zonings under the proposed District Plan:
 - Z Pokeno Truckstop
- In the Business Town Centre Zone service stations are considered to be Permitted (as either a Retail or Commercial Activity).
- That activity status is supported, irrespective of whether service stations are provided for as commercial or retail activities or as separate service station activities.

Point Number 785.40

Summary of Decision Requested: **Add** a new activity to Rule 20.1.1 Permitted Activities, as follows:

Service Station activity, Activity Specific Conditions: Nil

OR

Retain commercial and retail activities as permitted activities in Rule 20.1.1 Permitted Activities, with service stations being clearly defined as one or both activities.

AND

Any consequential amendments or further relief to give effect to the submission.

Decision Reasons:

- The activity status of service stations in the Industrial Zone is considered inappropriate and inefficient. Service stations are inappropriately categorised as discretionary or non-complying activities within the Industrial Zone (assuming they are considered to be a retail activity or commercial activity respectively). Service stations should be permitted activities in the Industrial Zone.
- The submitter has sought to include a new definition for a 'service station activity'.
- The submitter's service station activities are afforded the following Industrial zoning under the proposed District Plan:
 - Z Huntly
 - BP Ngaruawahia.

Point Number 785.41

Summary of Decision Requested: **Retain** Objective 10.1.1 Effects of hazardous substances, except for the amendments sought below

AND

Amend Objective 10.1.1 Effects of hazardous substances to recognise the benefits of the storage and disposal of hazardous substances, as follows:

Residual risk associated with the storage, use, or disposal of hazardous substances is managed to ensure that the effects on people, property and the environment are acceptable, while recognizing the benefits of facilities storing, using or disposing of hazardous substances.

AND

Any consequential amendments or further relief to give effect to the submission.

Decision Reasons:

- The submitter supports Objective 10.1.1 but also seeks to amend it to recognize the benefits of the storage and disposal of hazardous substances.
- The submitter supports the objective to 'manage' risk to a level that is 'acceptable' in the context of the activity and the surrounding uses, and also support the intent to recognize the benefits of facilities using hazardous substances should be similarly recognized.

Point Number 785.42

Summary of Decision Requested: Delete Policy 10.1.2 Location of new hazardous facilities.

AND

Any consequential amendments or further relief to give effect to the submission.

Decision Reasons:

- Policy 10.1.2 is not supported by the submitter insofar as it generally focusses on the minimisation of risk of hazardous facilities, which is largely a matter for HSN0 and the Health and Safety at Work Act.
- The Policy fails to focus on what additional controls on hazardous substance use (if any) are needed in the Proposed District Plan to address specific or potential environmental effects that are not covered by that other legislation.
- The adoption of the Policy is not justified by the Section 32 analysis. The policy fails to:
 - Address or recognise the issue of encroachment of sensitive activities;
 - Recognise that not all hazardous activities can be or need to be located away from sensitive activities, especially where the facility is part of a wider distribution network servicing the public or where the potential risks of the hazardous activity can be appropriately managed. As an example, many service stations are located adjacent to residential development;
 - Recognize that the RMA is not a zero risk statute and that risk does not need to be avoided (i.e. contained to within a site).

Point Number 785.43

Summary of Decision Requested: Delete Policy 10.1.3 – Residual risks of hazardous substances.

AND

Any consequential amendments or further relief to give effect to the submission.

Decision Reasons:

- The submitter opposes Policy 10.1.3.
- The Policy generically requires that any facility for the storage or disposal of hazardous substances identifies and assesses adverse effect and risk.
- The Policy fails to recognize that the Council no longer has general functions in respect of the control of hazardous through the RMA, unless there is an identified regulatory gap to be addressed.
- RMA policy should focus on providing guidance for the assessment of resource consents – which in the context of hazardous substances management under the RMA should be very specific and properly justified through a Section 32 analysis.

Point Number 785.44

Summary of Decision Requested: Amend Policy 10.1.4 – Reverse Sensitivity Effects as follows:

- ~~Separate-Ensure that the expansion and value of existing and future investment by hazardous facilities is recognized by avoiding reverse sensitivity effects between sensitive land use activities and lawfully established hazardous facilities;~~
- ~~Separate new hazardous facilities from existing sensitive land use activities; and~~
- ~~Avoid the storage, processing or disposal of hazardous waste in sensitive environments.~~

AND

Any consequential amendments or further relief to give effect to the submission.

Decision Reasons:

- The policy is supported in part subject to amending.
- The requirement for activities to be separated to a requirement for reverse sensitivity effects to be managed by avoidance and the deletion of clause (b) and (c).
- Reverse Sensitivity is not provided for in HSN0 and/or Health and Safety Legislation.
- It is considered appropriate for Council's to recognize and manage the potential reverse sensitivity effects that may be associated with the storage, use or disposal of hazardous substances.
- Policy 10.1.4 simply does this by requiring 'separation' between activities. Separation may be one means of managing reverse sensitivity effects but it may not be the only means.
- The policy should seek to avoid reverse sensitivity effects: to both recognize the value of the existing facilities and to provide for their future development.
- The storage, processing or disposal of hazardous waste in sensitive environments is not considered appropriate in the context of reverse sensitive effects and therefore should be detailed from the policy.

Point Number 785.45

Summary of Decision Requested: Delete Rule 16.2.5 – Hazardous Substances.

AND

Any consequential amendments or further relief to give effect to the submission.

Decision Reasons:

- The proposed provisions are opposed and the submitter seeks the deletion of all proposed hazardous substances controls relating to storage, use, disposal or transportation of hazardous substances at service station sites (as broadly defined) or refuelling sites.
- The submitter also supports the deletion of all rules pertaining to control hazardous substances where such controls are inappropriate, unnecessary, ineffective, inefficient and unable to be justified via a Section 32 analysis.
- These rules are all designed to address risk associated with hazardous substances. Risk is appropriately managed via other legislation and the Section 32 Report fails to identify why additional controls are required.
- The Resource Legislation Amendment Act 2017 removed the explicit function of district and regional councils to control adverse effects of the storage, use, disposal, or transportation of hazardous substances under sections 30 and 31 of the Resource management Act 1991 (RMA).
- The changes came into effect on 19 April 2017 and are intended to ensure councils only place controls on hazardous substances where necessary to control effects under the RMA that are not covered by Hazardous Substance New Organisms Act 1996 or Health and Safety At Work Act 2015.
- The purpose of the Hazardous Substances New Organisms Act is to protect the environment, and the health and safety of people and communities, by preventing or managing the adverse effects of hazardous substances and new organisms. The Hazardous Substances New Organisms Act covers a range of matters including:

- a. site and building requirements for where a hazardous substance may be used, including requirements for storage and primarily requiring primary and secondary containment;
 - b. the safe transportation of hazardous substances;
 - c. emergency management requirements in relation to the substance in the event of a spill or other emergency; and
 - d. how the substance may be disposed of.
- The Health and Safety At Work Act 2015 provides a framework to secure the health and safety of works and workplaces and integrates the regulation of workplace use of hazardous substances.
 - The Resource Legislation Amendment Act 2017 followed the decision of the Independent Hearing Panel on the Christchurch Replacement District Plan. That decision was to reject Christchurch City Council's hazardous substance controls (which were based on an activity status table (AST) approach and to only retain controls relating to hazardous substances in close proximity to the National Grid.
 - The Ministry for the Environment considers that in most cases the Hazardous Substances New Organisms Act and the Health and Safety At Work Act 2015 controls will be adequate to avoid, remedy or mitigate adverse environmental effects of hazardous substances and that RMA controls may be used if existing HSNO or Work safe controls are not adequate to address the environmental effects of hazardous substances in any particularly case. The submitter strongly supports the Ministry for the Environment's position in this regard.
 - The submitter seeks that any proposed controls around hazardous substances do not duplicate those controls addressed under other legislation. Any duplication is considered unnecessary and inefficient.
 - The section 32 report for Hazardous Substances acknowledges the removal of Council's functions in regards to hazardous substances and recognizes the "Resource Management Plans should not be in conflict with HSNO requirements and should not repeat them".
 - The report further recognizes that "rationale for a higher level of protection through additional land use controls under the Act may be appropriate for substances both controlled by the Hazardous Substances New Organisms Act or for issues which are not within the scope of the Hazardous Substances New Organisms Act, such as reverse sensitivity".
 - However there is a significant disconnect between the overview and purpose sections of the Section 32 Report and the regulatory provisions in the Proposed District Plan.
 - As an example, in regard to service stations the Section 32 Report concludes that, "the controlled activity status has been assigned to the storage and retail sale of fuel within service stations above a certain level in some zones to recognize that these substances are well managed through standards and industry practice. However, above these thresholds, the opportunity to consider potential adverse effects on the surrounding environment is considered.
 - No rationale/analysis is provided within the section 32 report to justify why specific volume thresholds apply to service stations or why the opportunity to consider potential adverse effects on the surrounding environment is considered reasonable if quantities are above those limits.
 - The Section 32 Report does not provide analysis to justify why hazardous substances associated with service stations are only addressed in certain zones and in what way the Council considers the Hazardous Substances New Organisms Act to not adequately control potential adverse effects associated with hazardous substances at service station - for example, why the Council considers site design, layout and monitoring and reporting of incidents are matters that the Council should reserve control over.
 - In light of the Resource Legislation Amendment Act 2017 and controls under other legislation and the lack of rationale/analysis within the Section 32 Report for hazardous substances, it is considered the proposed hazardous substance controls are largely unnecessary and should therefore be deleted.

Point Number 785.46

Summary of Decision Requested: Delete Rule 17.2.5.4 – Hazardous Substances.

AND

Any consequential amendments or further relief to give effect to the submission.

Decision Reasons:

- The proposed provisions are opposed and the submitter seeks the deletion of all proposed hazardous substances controls relating to storage, use, disposal or transportation of hazardous substances at service station sites (as broadly defined) or refuelling sites.
- The submitter also supports the deletion of all rules pertaining to control hazardous substances where such controls are inappropriate, unnecessary, ineffective, inefficient and unable to be justified via a Section 32 analysis.
 - These rules are all designed to address risk associated with hazardous substances. Risk is appropriately managed via other legislation and the Section 32 Report fails to identify why additional controls are required.
 - The Resource Legislation Amendment Act 2017 removed the explicit function of district and regional councils to control adverse effects of the storage, use, disposal, or transportation of hazardous substances under sections 30 and 31 of the Resource management Act 1991 (RMA).
 - The changes came into effect on 19 April 2017 and are intended to ensure councils only place controls on hazardous substances where necessary to control effects under the RMA that are not covered by Hazardous Substance New Organisms Act 1996 or Health and Safety At Work Act 2015.
 - The purpose of the Hazardous Substances New Organisms Act is to protect the environment, and the health and safety of people and communities, by preventing or managing the adverse effects of hazardous substances and new organisms. The Hazardous Substances New Organisms Act covers a range of matters including:
 - a. site and building requirements for where a hazardous substance may be used, including requirements for storage and primarily requiring primary and secondary containment;
 - b. the safe transportation of hazardous substances;
 - c. emergency management requirements in relation to the substance in the event of a spill or other emergency; and
 - d. how the substance may be disposed of.
 - The Health and Safety At Work Act 2015 provides a framework to secure the health and safety of works and workplaces and integrates the regulation of workplace use of hazardous substances.
 - The Resource Legislation Amendment Act 2017 followed the decision of the Independent Hearing Panel on the Christchurch Replacement District Plan. That decision was to reject Christchurch City Council's hazardous substance controls (which were based on an activity status table (AST) approach and to only retain controls relating to hazardous substances in close proximity to the National Grid.
 - The Ministry for the Environment considers that in most cases the Hazardous Substances New Organisms Act and the Health and Safety At Work Act 2015 controls will be adequate to avoid, remedy or mitigate adverse environmental effects of hazardous substances and that RMA controls may be used if existing HSNO or Work safe controls are not adequate to address the environmental effects of hazardous substances in any particularly case. The submitter strongly supports the Ministry for the Environment's position in this regard.
 - The submitter seeks that any proposed controls around hazardous substances do not duplicate those controls addressed under other legislation. Any duplication is considered unnecessary and inefficient.
 - The section 32 report for Hazardous Substances acknowledges the removal of Council's functions in regards to hazardous substances and recognizes the "Resource Management Plans should not be in conflict with HSNO requirements and should not repeat them".
 - The report further recognizes that "rationale for a higher level of protection through additional land use controls under the Act may be appropriate for substances both controlled by the Hazardous Substances New Organisms Act or for issues which are not within the scope of the Hazardous Substances New Organisms Act, such as reverse sensitivity".
 - However there is a significant disconnect between the overview and purpose sections of the Section 32 Report and the regulatory provisions in the Proposed District Plan.
 - As an example, in regard to service stations the Section 32 Report concludes that, "the controlled activity status has been assigned to the storage and retail sale of fuel within service stations above a certain level in some zones to recognize that these

substances are well managed through standards and industry practice. However, above these thresholds, the opportunity to consider potential adverse effects on the surrounding environment is considered.

- No rationale/analysis is provided within the section 32 report to justify why specific volume thresholds apply to service stations or why the opportunity to consider potential adverse effects on the surrounding environment is considered reasonable if quantities are above those limits.
- The Section 32 Report does not provide analysis to justify why hazardous substances associated with service stations are only addressed in certain zones and in what way the Council considers the Hazardous Substances New Organisms Act to not adequately control potential adverse effects associated with hazardous substances at service station - for example, why the Council considers site design, layout and monitoring and reporting of incidents are matters that the Council should reserve control over.
- In light of the Resource Legislation Amendment Act 2017 and controls under other legislation and the lack of rationale/analysis within the Section 32 Report for hazardous substances, it is considered the proposed hazardous substance controls are largely unnecessary and should therefore be deleted.

Point Number 785.47

Summary of Decision Requested: Delete Rule 18.2.5 – Hazardous Substances.

AND

Any consequential amendments or further relief to give effect to the submission.

Decision Reasons:

- The proposed provisions are opposed and the submitter seeks the deletion of all proposed hazardous substances controls relating to storage, use, disposal or transportation of hazardous substances at service station sites (as broadly defined) or refuelling sites.
- The submitter also supports the deletion of all rules pertaining to control hazardous substances where such controls are inappropriate, unnecessary, ineffective, inefficient and unable to be justified via a Section 32 analysis.
- These rules are all designed to address risk associated with hazardous substances. Risk is appropriately managed via other legislation and the Section 32 Report fails to identify why additional controls are required.
- The Resource Legislation Amendment Act 2017 removed the explicit function of district and regional councils to control adverse effects of the storage, use, disposal, or transportation of hazardous substances under sections 30 and 31 of the Resource Management Act 1991 (RMA).
- The changes came into effect on 19 April 2017 and are intended to ensure councils only place controls on hazardous substances where necessary to control effects under the RMA that are not covered by Hazardous Substance New Organisms Act 1996 or Health and Safety At Work Act 2015.
- The purpose of the Hazardous Substances New Organisms Act is to protect the environment, and the health and safety of people and communities, by preventing or managing the adverse effects of hazardous substances and new organisms. The Hazardous Substances New Organisms Act covers a range of matters including:
 - a. site and building requirements for where a hazardous substance may be used, including requirements for storage and primarily requiring primary and secondary containment;
 - b. the safe transportation of hazardous substances;
 - c. emergency management requirements in relation to the substance in the event of a spill or other emergency; and
 - d. how the substance may be disposed of.
- The Health and Safety At Work Act 2015 provides a framework to secure the health and safety of works and workplaces and integrates the regulation of workplace use of hazardous substances.
- The Resource Legislation Amendment Act 2017 followed the decision of the Independent Hearing Panel on the Christchurch Replacement District Plan. That decision was to reject Christchurch City Council's hazardous substance controls (which were based on an activity status table (AST) approach and to only retain controls relating to hazardous substances in close proximity to the National Grid.
- The Ministry for the Environment considers that in most cases the Hazardous Substances New Organisms Act and the Health and Safety At Work Act 2015 controls will be adequate to avoid, remedy or mitigate adverse environmental effects of hazardous substances and that RMA controls may be used if existing HSNO or Work safe controls are not adequate to address the environmental effects of hazardous substances in any particularly case. The submitter strongly supports the Ministry for the Environment's position in this regard.
- The submitter seeks that any proposed controls around hazardous substances do not duplicate those controls addressed under other legislation. Any duplication is considered unnecessary and inefficient.
- The section 32 report for Hazardous Substances acknowledges the removal of Council's functions in regards to hazardous substances and recognizes the "Resource Management Plans should not be in conflict with HSNO requirements and should not repeat them".
- The report further recognizes that "rationale for a higher level of protection through additional land use controls under the Act may be appropriate for substances both controlled by the Hazardous Substances New Organisms Act or for issues which are not within the scope of the Hazardous Substances New Organisms Act, such as reverse sensitivity".
- However there is a significant disconnect between the overview and purpose sections of the Section 32 Report and the regulatory provisions in the Proposed District Plan.
- As an example, in regard to service stations the Section 32 Report concludes that, "the controlled activity status has been assigned to the storage and retail sale of fuel within service stations above a certain level in some zones to recognize that these substances are well managed through standards and industry practice. However, above these thresholds, the opportunity to consider potential adverse effects on the surrounding environment is considered.
- No rationale/analysis is provided within the section 32 report to justify why specific volume thresholds apply to service stations or why the opportunity to consider potential adverse effects on the surrounding environment is considered reasonable if quantities are above those limits.
- The Section 32 Report does not provide analysis to justify why hazardous substances associated with service stations are only addressed in certain zones and in what way the Council considers the Hazardous Substances New Organisms Act to not adequately control potential adverse effects associated with hazardous substances at service station - for example, why the Council considers site design, layout and monitoring and reporting of incidents are matters that the Council should reserve control over.
- In light of the Resource Legislation Amendment Act 2017 and controls under other legislation and the lack of rationale/analysis within the Section 32 Report for hazardous substances, it is considered the proposed hazardous substance controls are largely unnecessary and should therefore be deleted.

Point Number 785.48

Summary of Decision Requested: Delete Rule 19.2.5 – Hazardous Substances.

AND

Any consequential amendments or further relief to give effect to the submission.

Decision Reasons:

- The proposed provisions are opposed and the submitter seeks the deletion of all proposed hazardous substances controls relating to storage, use, disposal or transportation of hazardous substances at service station sites (as broadly defined) or refuelling sites.
- The submitter also supports the deletion of all rules pertaining to control hazardous substances where such controls are inappropriate, unnecessary, ineffective, inefficient and unable to be justified via a Section 32 analysis.

- These rules are all designed to address risk associated with hazardous substances. Risk is appropriately managed via other legislation and the Section 32 Report fails to identify why additional controls are required.
- The Resource Legislation Amendment Act 2017 removed the explicit function of district and regional councils to control adverse effects of the storage, use, disposal, or transportation of hazardous substances under sections 30 and 31 of the Resource Management Act 1991 (RMA).
- The changes came into effect on 19 April 2017 and are intended to ensure councils only place controls on hazardous substances where necessary to control effects under the RMA that are not covered by Hazardous Substance New Organisms Act 1996 or Health and Safety At Work Act 2015.
- The purpose of the Hazardous Substances New Organisms Act is to protect the environment, and the health and safety of people and communities, by preventing or managing the adverse effects of hazardous substances and new organisms. The Hazardous Substances New Organisms Act covers a range of matters including:
 - a. site and building requirements for where a hazardous substance may be used, including requirements for storage and primarily requiring primary and secondary containment;
 - b. the safe transportation of hazardous substances;
 - c. emergency management requirements in relation to the substance in the event of a spill or other emergency; and
 - d. how the substance may be disposed of.
- The Health and Safety At Work Act 2015 provides a framework to secure the health and safety of works and workplaces and integrates the regulation of workplace use of hazardous substances.
- The Resource Legislation Amendment Act 2017 followed the decision of the Independent Hearing Panel on the Christchurch Replacement District Plan. That decision was to reject Christchurch City Council's hazardous substance controls (which were based on an activity status table (AST) approach and to only retain controls relating to hazardous substances in close proximity to the National Grid.
- The Ministry for the Environment considers that in most cases the Hazardous Substances New Organisms Act and the Health and Safety At Work Act 2015 controls will be adequate to avoid, remedy or mitigate adverse environmental effects of hazardous substances and that RMA controls may be used if existing HSNO or Work safe controls are not adequate to address the environmental effects of hazardous substances in any particularly case. The submitter strongly supports the Ministry for the Environment's position in this regard.
- The submitter seeks that any proposed controls around hazardous substances do not duplicate those controls addressed under other legislation. Any duplication is considered unnecessary and inefficient.
- The section 32 report for Hazardous Substances acknowledges the removal of Council's functions in regards to hazardous substances and recognizes the "Resource Management Plans should not be in conflict with HSNO requirements and should not repeat them".
- The report further recognizes that "rationale for a higher level of protection through additional land use controls under the Act may be appropriate for substances both controlled by the Hazardous Substances New Organisms Act or for issues which are not within the scope of the Hazardous Substances New Organisms Act, such as reverse sensitivity".
- However there is a significant disconnect between the overview and purpose sections of the Section 32 Report and the regulatory provisions in the Proposed District Plan.
- As an example, in regard to service stations the Section 32 Report concludes that, "the controlled activity status has been assigned to the storage and retail sale of fuel within service stations above a certain level in some zones to recognize that these substances are well managed through standards and industry practice. However, above these thresholds, the opportunity to consider potential adverse effects on the surrounding environment is considered.
- No rational/analysis is provided within the section 32 report to justify why specific volume thresholds apply to service stations or why the opportunity to consider potential adverse effects on the surrounding environment is considered reasonable if quantities are above those limits.
- The Section 32 Report does not provide analysis to justify why hazardous substances associated with service stations are only addressed in certain zones and in what way the Council considers the Hazardous Substances New Organisms Act to not adequately control potential adverse effects associated with hazardous substances at service station - for example, why the Council considers site design, layout and monitoring and reporting of incidents are matters that the Council should reserve control over.
- In light of the Resource Legislation Amendment Act 2017 and controls under other legislation and the lack of rationale/analysis within the Section 32 Report for hazardous substances, it is considered the proposed hazardous substance controls are largely unnecessary and should therefore be deleted.

Point Number 785.49

Summary of Decision Requested: Delete Rule 20.2.6 – Hazardous Substances.

AND

Any consequential amendments or further relief to give effect to the submission.

Decision Reasons:

- The proposed provisions are opposed and the submitter seeks the deletion of all proposed hazardous substances controls relating to storage, use, disposal or transportation of hazardous substances at service station sites (as broadly defined) or refuelling sites.
- The submitter also supports the deletion of all rules pertaining to control hazardous substances where such controls are inappropriate, unnecessary, ineffective, inefficient and unable to be justified via a Section 32 analysis.
- These rules are all designed to address risk associated with hazardous substances. Risk is appropriately managed via other legislation and the Section 32 Report fails to identify why additional controls are required.
- The Resource Legislation Amendment Act 2017 removed the explicit function of district and regional councils to control adverse effects of the storage, use, disposal, or transportation of hazardous substances under sections 30 and 31 of the Resource Management Act 1991 (RMA).
- The changes came into effect on 19 April 2017 and are intended to ensure councils only place controls on hazardous substances where necessary to control effects under the RMA that are not covered by Hazardous Substance New Organisms Act 1996 or Health and Safety At Work Act 2015.
- The purpose of the Hazardous Substances New Organisms Act is to protect the environment, and the health and safety of people and communities, by preventing or managing the adverse effects of hazardous substances and new organisms. The Hazardous Substances New Organisms Act covers a range of matters including:
 - a. site and building requirements for where a hazardous substance may be used, including requirements for storage and primarily requiring primary and secondary containment;
 - b. the safe transportation of hazardous substances;
 - c. emergency management requirements in relation to the substance in the event of a spill or other emergency; and
 - d. how the substance may be disposed of.
- The Health and Safety At Work Act 2015 provides a framework to secure the health and safety of works and workplaces and integrates the regulation of workplace use of hazardous substances.
- The Resource Legislation Amendment Act 2017 followed the decision of the Independent Hearing Panel on the Christchurch Replacement District Plan. That decision was to reject Christchurch City Council's hazardous substance controls (which were based on an activity status table (AST) approach and to only retain controls relating to hazardous substances in close proximity to the National Grid.
- The Ministry for the Environment considers that in most cases the Hazardous Substances New Organisms Act and the Health and Safety At Work Act 2015 controls will be adequate to avoid, remedy or mitigate adverse environmental effects of hazardous substances and

that RMA controls may be used if existing HSNO or Work safe controls are not adequate to address the environmental effects of hazardous substances in any particularly case. The submitter strongly supports the Ministry for the Environment's position in this regard.

- The submitter seeks that any proposed controls around hazardous substances do not duplicate those controls addressed under other legislation. Any duplication is considered unnecessary and inefficient.
- The section 32 report for Hazardous Substances acknowledges the removal of Council's functions in regards to hazardous substances and recognizes the "Resource Management Plans should not be in conflict with HSNO requirements and should not repeat them".
- The report further recognizes that "rationale for a higher level of protection through additional land use controls under the Act may be appropriate for substances both controlled by the Hazardous Substances New Organisms Act or for issues which are not within the scope of the Hazardous Substances New Organisms Act, such as reverse sensitivity".
- However there is a significant disconnect between the overview and purpose sections of the Section 32 Report and the regulatory provisions in the Proposed District Plan.
- As an example, in regard to service stations the Section 32 Report concludes that, "the controlled activity status has been assigned to the storage and retail sale of fuel within service stations above a certain level in some zones to recognize that these substances are well managed through standards and industry practice. However, above these thresholds, the opportunity to consider potential adverse effects on the surrounding environment is considered.
- No rational/analysis is provided within the section 32 report to justify why specific volume thresholds apply to service stations or why the opportunity to consider potential adverse effects on the surrounding environment is considered reasonable if quantities are above those limits.
- The Section 32 Report does not provide analysis to justify why hazardous substances associated with service stations are only addressed in certain zones and in what way the Council considers the Hazardous Substances New Organisms Act to not adequately control potential adverse effects associated with hazardous substances at service station - for example, why the Council considers site design, layout and monitoring and reporting of incidents are matters that the Council should reserve control over.
- In light of the Resource Legislation Amendment Act 2017 and controls under other legislation and the lack of rationale/analysis within the Section 32 Report for hazardous substances, it is considered the proposed hazardous substance controls are largely unnecessary and should therefore be deleted.

Point Number 785.50

Summary of Decision Requested: Retain Rule 21.2.4 Glare and artificial light spill as notified.

Decision Reasons:

- The submitter supports the maximum permitted light spill standard (i.e. 10 lux).
- The submitter supports a restricted discretionary activity requirement for non-compliance with the permitted glare and artificial lighting standards.
- The potential adverse effects from glare and artificial lighting can adequately be managed and controlled through matters of discretion.

Point Number 785.51

Summary of Decision Requested: Add a new Permitted Activity Rule to Chapter 17 – Business Zone as follows:

PX

Any Healthy and Safety signage required by legislation.

AND

Add an additional definition (if necessary) of 'health and safety' sign as follows:

Health and Safety sign means any sign necessary to meet other legislative requirements (e.g. HSNO/Work-safe).

AND

Any consequential amendments or additional relief to give effect to the submission.

Decision Reasons:

- There is no existing provision for Health and Safety signs – a new provision is sought by the submitter who opposes this omission.
- The submitter seeks a permitted activity rule in Chapter 17 to provide for health and safety required by legislation.
- The proposed policy framework does not exempt health and safety signage or signage required by legislation. It is not appropriate or necessary to require such signage to be assessed against the Proposed District Plan signage provisions and therefore a dedicated permitted activity rules is required.
- If further clarification of what is considered of what is considered as 'health and safety' signs is required then a definition that includes any signs required by other legislation, should be adopted.

Point Number 785.52

Summary of Decision Requested: Add a new Permitted Activity Rule to Chapter 18 – Business Town Centre Zone as follows:

PX

Any Healthy and Safety signage required by legislation.

AND

Add an additional definition (if necessary) of 'health and safety' sign as follows:

Health and Safety sign means any sign necessary to meet other legislative requirements (e.g. HSNO/Work-safe).

AND

Any consequential amendments or additional relief to give effect to the submission.

Decision Reasons:

- There is no existing provision for Health and Safety signs – a new provision is sought by the submitter who opposes this omission.
- The submitter seeks a permitted activity rule in Chapter 18 to provide for health and safety required by legislation.
- The proposed policy framework does not exempt health and safety signage or signage required by legislation. It is not appropriate or necessary to require such signage to be assessed against the Proposed District Plan signage provisions and therefore a dedicated permitted activity rules is required.
- If further clarification of what is considered of what is considered as 'health and safety' signs is required then a definition that includes any signs required by other legislation, should be adopted.

Point Number 785.53

Summary of Decision Requested: Add a new Permitted Activity Rule to Chapter 20 – Industrial Zone as follows:

PX

Any Healthy and Safety signage required by legislation.

AND

Add an additional definition (if necessary) of 'health and safety' sign as follows:

Health and Safety sign means any sign necessary to meet other legislative requirements (e.g. HSNO/Work-safe).

AND

Any consequential amendments or additional relief to give effect to the submission.

Decision Reasons:

- There is no existing provision for Health and Safety signs – a new provision is sought by the submitter who opposes this omission.
- The submitter seeks a permitted activity rule in Chapter 20 to provide for health and safety required by legislation.
- The proposed policy framework does not exempt health and safety signage or signage required by legislation. It is not appropriate or necessary to require such signage to be assessed against the Proposed District Plan signage provisions and therefore a dedicated permitted activity rules is required.
- If further clarification of what is considered of what is considered as 'health and safety' signs is required then a definition that includes any signs required by other legislation, should be adopted.

Point Number 785.54

Summary of Decision Requested: Add a new Permitted Activity Rule to Chapter 21 – Industrial Zone Heavy as follows:

PX

Any Healthy and Safety signage required by legislation.

AND

Add an additional definition (if necessary) of 'health and safety' sign as follows:

Health and Safety sign means any sign necessary to meet other legislative requirements (e.g. HSNO/Work-safe).

AND

Any consequential amendments or additional relief to give effect to the submission.

Decision Reasons:

- There is no existing provision for Health and Safety signs – a new provision is sought by the submitter who opposes this omission.
- The submitter seeks a permitted activity rule in Chapter 21 to provide for health and safety required by legislation.
- The proposed policy framework does not exempt health and safety signage or signage required by legislation. It is not appropriate or necessary to require such signage to be assessed against the Proposed District Plan signage provisions and therefore a dedicated permitted activity rules is required.
- If further clarification of what is considered of what is considered as 'health and safety' signs is required then a definition that includes any signs required by other legislation, should be adopted.

Point Number 785.55

Summary of Decision Requested: Add a new Permitted Activity Rule to any other Zone Chapters not covered by other submission points as follows:

PX

Any Healthy and Safety signage required by legislation.

AND

Add an additional definition (if necessary) of 'health and safety' sign as follows:

Health and Safety sign means any sign necessary to meet other legislative requirements (e.g. HSNO/Work-safe).

AND

Any consequential amendments or additional relief to give effect to the submission.

Decision Reasons:

- There is no existing provision for Health and Safety signs – a new provision is sought by the submitter who opposes this omission.
- The submitter seeks a permitted activity rule in all zone chapters to provide for health and safety required by legislation.
- The proposed policy framework does not exempt health and safety signage or signage required by legislation. It is not appropriate or necessary to require such signage to be assessed against the Proposed District Plan signage provisions and therefore a dedicated permitted activity rules is required.
- If further clarification of what is considered of what is considered as 'health and safety' signs is required then a definition that includes any signs required by other legislation, should be adopted.

Point Number 785.56

Summary of Decision Requested: Retain Policy 4.5.36 Signage, except for the amendments sought below;

AND

Amend Policy 4.5.36 (a)(i) Signage, to include health and safety signage as follows:

(a) In the Business Town Centre and Business Zone provide for:

(i) The establishment of signs where they are associated with the activity carried out on the site on which they are located;

(ii) Public information and Health and Safety signs that are of benefit to community well-being; and

...

AND

Any consequential amendments or additional relief to give effect to the submission.

Decision Reasons:

- Submitter seeks the retention of Policy 4.5.36 with amendments

- The proposed policy framework for signage within the Business zone and Business Town Centre Zone does not provide for Health and Safety signage.
- The submitter seeks a permitted activity rule for Health and Safety signage within the Business, Business Town Centre and Business Tamahere Zones.
- The submitter seeks that Health and Safety signage is provided for within the relevant policy framework.

Point Number 785.57

Summary of Decision Requested: Retain Policy 4.5.37 Managing the adverse effects of signs as notified.

Decision Reasons:

- The submitter supports the intent of the policy framework for signage within the Business Zone and the Business Town Centre Zone.

Point Number 785.58

Summary of Decision Requested: Add to Chapter 4.6 Industrial and Heavy Industrial Zones new policies as follows:

4.6.10 – Policy - Signage

(g) In the Industrial Zone and Industrial Heavy Zone, provided for:

(i) The establishment of signs where they are associated with the activity carried out on the site on which they are located;

(ii) Public information and Health and Safety signs that are of benefit to community well-being; and

(iii) Establishment of signage commensurate with the lower amenity and industrial function of the zones with controls on the size, location appearance and number of signs to ensure they do not detract from the visual amenity of the surrounding environment.

4.6.11 – Policy- Managing the adverse effects of signs

(g) In the Industrial Zone and Industrial Heavy Zone ensure that:

(i) The location, colour, content and appearance of signs directed at traffic are controlled to ensure signs do not distract, confuse or obstruct motorists, pedestrians and other road users;

(ii) Signs that generate adverse effects from illumination, light spill, flashing or reflection are avoided;

(iii) the placement of signs do not obstruct the free movement of:

A Pedestrians along the footpath;

B Vehicle use of the road carriageway.

AND

Any consequential amendments or additional relief to give effect to the submission.

Decision Reasons:

- The submitter seeks a similar Policy to 4.5.36 and 4.5.37 are incorporated into the Industrial and Heavy Zones, including the proposed amendment sought by the submitter with regards to Health and Safety signage and a reference to industrial rather than commercial function of the zone and the lower amenity of the industrial zone (as opposed to the 'commercial vibrancy' referenced in the policy relevant to the business zones), to complement the proposed signage rule framework.
- There is no proposed policy framework for signage within the Industrial and Heavy Industrial Zones framework. The submitter seeks that the policy framework proposed in the Business Zone and Business Town Centre Zone is carried across to the Industrial Heavy policy framework.

Point Number 785.59

Summary of Decision Requested: Retain Rule 17.2.7.1 P2 Signs – General as notified.

Decision Reasons:

- The submitter supports the rules pertaining to signage in the Business Zone, specifically the maximum height limit of 10m (noting that a prime sign is a standard and integral feature of service station sites and is important to ensure the safe and efficient movement of traffic from the surrounding road network).

Point Number 785.60

Summary of Decision Requested: Retain Rule 18.2.7.1 P2 Signs – General as notified.

Decision Reasons:

- The submitter supports the rules pertaining to signage in the Business Town Centre Zones, specifically the maximum height limit of 10m (noting that a prime sign is a standard and integral feature of service station sites and is important to ensure the safe and efficient movement of traffic from the surrounding road network).

Point Number 785.61

Summary of Decision Requested: Retain Rule 20.2.7.1 P2 Signs - General, except for the amendments sought below;

AND

Amend Rule 20.2.7.1.P2 – Signs – General, as follows:

P2

(a) A sign must comply with all of the following conditions:

(i) The sign height does not exceed 1.5m;

...

(c) Where the sign is a freestanding sign, it must:

(i) not exceed an area of 3m² for one sign per site, and 1m² for any other freestanding sign on the site; and

(ii) be set back at least 5m from the boundary of any site a Residential, Village or Country Living Zone; and

(iii) In addition to (A), above, one free standing sign not exceeding 1.5m per service station.

...

AND

Any consequential amendments or additional relief to give effect to the submission.

Decision Reasons:

- The submitter supports in part the rule pertaining to signage in the Industrial Zone.
- The submitter considers the maximum permitted height of signage in the Industrial Zone Heavy (i.e 15m) to similarly apply to the Industrial Zone, and therefore seeks the maximum height limit of the Industrial Zone be increased from 10m to 15m.
- There is no expressed reason why a sign (which meets the definition of building) should have to conform to a lower height than buildings per se.
- A prime sign is a standard and integral feature of service station sites and is important to ensuring the safe and efficient movement of traffic from the surrounding road network (as opposed to attracting attention from people across the street), it is considered that provision should be made for prime signs at service station sites in Industrial Zones.

Point Number

785.62

Summary of Decision Requested:

Retain Rule 21.2.7.1 P2 Signs - General, except for the amendments sought below;

AND

Amend Rule 21.2.7.1 P2 Signs General, as follows:

P2

(a) A sign must comply with all of the following conditions:

...

(iv) Where the sign is a freestanding sign, it must:

A. Not exceed an area of 3m² for one sign per site, and 1m² for any other freestanding sign on the site; and

B. Be set back at least 5m from the boundary of the Residential Zone or Reserve Zone; and

C. In addition to (A) above, one free standing sign not exceeding 1.5m² per service station.

...

AND

Any consequential amendments or additional relief to give effect to the submission.

Decision Reasons:

- The submitter supports Rule 21.2.7.1 P2 within the Industrial Zone Heavy, however notes that a prime sign is a standard and integral feature of service station sites and is important to ensuring the safe and efficient movement of traffic from the surrounding road network (as opposed to attracting attention from people across the street).
- It is considered that provision should be made for prime signs at service station sites in Industrial Heavy zones.

Point Number

785.63

Summary of Decision Requested:

Retain Rule 17.2.7.1 Signs – General, except for the amendments sought below

AND

Amend Rule 17.2.7.1 RD1 Signs – General to be consistent with equivalent rules in Chapter 18, 20 and 21 as follows:

RD1

(a) A sign that does not comply with Rule XXX PX or PX.

(b) Council's discretion shall be restricted to the following matters:

(i) Amenity values;

(ii) Character of the locality;

(iii) Effects on traffic safety;

(iv) Glare and artificial light spill;

(v) Effects on a notable tree;

(vi) Effects on the heritage values of any heritage item due to the size, location, design and appearance of the sign;

(vii) Effects on cultural values of any Maaori Site of Significance; and

(viii) Effects on notable architectural features of a building.

AND

Any consequential amendments or additional relief to give effect to the submission.

Decision Reasons:

- The submitter supports the rule and seeks a consistent approach to the RDA matters of discretion for signage across Chapters 17, 18, 20 and 21.
- There is no section 32 report which specifically addresses signage. The section 32 reports addressing the various zones do not include a specific section for signage.
- Signage that does not comply with the permitted activity criteria is considered Restricted Discretionary Activities. The submitter supports this activity status.
- The matters of discretion for signage which does not comply with the permitted activity criteria are inconsistent across the various zone chapters.
- There is not rationale provided by Council to justify these inconsistencies in the absence of a section 32 analysis.

Point Number

785.64

Summary of Decision Requested:

Retain Rule 18.2.7.1 Signs – General, except for the amendments sought below

AND

Amend Rule 18.2.7.1 RD1 Signs – General as follows:

RD1

a. A sign that does not comply with Rule XXX PX or PX.

b. Council's discretion shall be restricted to the following matters:

- i. Amenity values;
- ii. Character of the locality;
- iii. Effects on traffic safety;
- iv. Glare and artificial light spill;
- v. Effects on a notable tree;
- vi. Effects on the heritage values of any heritage item due to the size, location, design and appearance of the sign;
- vii. Effects on cultural values of any Maaori Site of Significance; and
- viii. Effects on notable architectural features of a building.

Decision Reasons:

- There is no section 32 report which specifically addresses signage.
- The section 32 reports addressing the various zones do not include a specific section for signage.
- Signage that does not comply with the permitted activity criteria is considered Restricted Discretionary Activities. The submitter supports this activity status.
- The matters of discretion for signage which does not comply with the permitted activity criteria are inconsistent across the various zone chapters.
- There is not rationale provided by Council to justify these inconsistencies in the absence of a section 32 analysis.
- The submitter supports the rule and seeks a consistent approach to the RDA matters of discretion for signage across Chapter 17, 18, 20 and 21.

Point Number

785.65

Summary of Decision Requested:

Retain Rule 20.2.7.1 Signs – General, except for the amendments sought below.

AND

Amend Rule 20.2.7.1 RD1 Signs – General to be consistent with the equivalent rules in Chapter 17, 18 and 21 as follows:

RD1

(g) A sign that does not comply with Rule XXX PX or PX.

(b) Council's discretion shall be restricted to the following matters:

(i) Amenity values;

(ii) Character of the locality;

(iii) Effects on traffic safety;

(iv) Glare and artificial light spill;

(v) Effects on a notable tree;

(vi) Effects on the heritage values of any heritage item due to the size, location, design and appearance of the sign;

(vii) Effects on cultural values of any Maaori Site of Significance; and

(viii) Effects on notable architectural features of a building.

AND

Any consequential amendments or additional relief to give effect to the submission.

Decision Reasons:

- The submitter supports the rule and seeks a consistent approach to the RDA including matters of discretion for signage across the Chapters 17, 18, 20 and 21
- There is no section 32 report which specifically addresses signage. The section 32 reports addressing the various zones do not include a specific section for signage.
- Signage that does not comply with the permitted activity criteria is considered Restricted Discretionary Activities. The submitter supports this activity status.
- The matters of discretion for signage which does not comply with the permitted activity criteria are inconsistent across the various zone chapters.
- There is not rationale provided by Council to justify these inconsistencies in the absence of a section 32 analysis.
- The submitter supports the rule and seeks a consistent approach to the RDA including matters of discretion for signage across the Chapters 17, 18, 20 and 21.

Point Number

785.66

Summary of Decision Requested:

Retain Rule 21.2.7.1 Signs – General, except for the amendments sought below

AND

Amend Rule 21.2.7.1 RD1 Signs – General to be consistent with the equivalent rules in Chapter 17, 18 and 20 as follows:

RD1

(g) A sign that does not comply with Rule XXX PX or PX.

(b) Council's discretion shall be restricted to the following matters:

(i) Amenity values;

(ii) Character of the locality;

(iii) Effects on traffic safety;

(iv) Glare and artificial light spill;

(v) Effects on a notable tree;

(vi) Effects on the heritage values of any heritage item due to the size, location, design and appearance of the sign;

(vii) Effects on cultural values of any Maaori Site of Significance; and

(viii) Effects on notable architectural features of a building.

AND

Any consequential amendments or additional relief to give effect to the submission.

Decision Reasons:

- The submitter supports the rule and seeks a consistent approach to the RDA including matters of discretion for signage across the Chapters 17, 18, 20 and 21.
- There is no section 32 report which specifically addresses signage. The section 32 reports addressing the various zones do not include a specific section for signage.
- Signage that does not comply with the permitted activity criteria is considered Restricted Discretionary Activities. The submitter supports this activity status.
- The matters of discretion for signage which does not comply with the permitted activity criteria are inconsistent across the various zone chapters.
- There is not rationale provided by Council to justify these inconsistencies in the absence of a section 32 analysis.

Point Number

785.67

Summary of Decision Requested:

Amend Rule 17.2.7.2 Signs – Effects on traffic as follows:

PL

(a) Any sign directed at road users must:

(i) Not imitate the content, colour or appearance of any traffic control sign;

(ii) Not obstruct sight lines of drivers turning into or out of a site entrance and intersections;

(iii) Contain no more than 40 characters and no more than 6 symbols;

(iv) Have lettering that is at least 150mm high;

DL

Any sign that does not comply with Rule XXXX PL.

AND

Any consequential amendments or additional relief to give effect to the submission.

Decision Reasons:

- The submitter supports the rule and seeks a consistent approach to the RDA including matters of discretion for signage across the Chapters 17, 18, 20 and 21.
- There is no specific section 32 report which specifically addresses signage. The section 32 reports addressing the various zones do not include a specific section for signage.
- The rules addressing the effects of signage on traffic are inconsistent across the various zone chapters and The current signage rules in the proposed zone chapters include controls that are considered inappropriate, such as:
 - Preventing signage directed at road users from locating within 60m of a controlled intersection, pedestrian crossing or any other sign as a permitted activity; and
 - Preventing signage directed at road users from locating within 130m of a site entrance (where the sign directs traffic to the entrance) as a permitted activity.
- There is not rationale provided by Council to justify these inconsistencies in the absence of a section 32 analysis.

Point Number

785.68

Summary of Decision Requested:

Amend Rule 18.2.7.2 Signs – Effects on Traffic to be consistent with the equivalent rules in Chapter 17, 20 and 21 as follows:

PL

(a) Any sign directed at road users must:

(i) Not imitate the content, colour or appearance of any traffic control sign;

(ii) Not obstruct sight lines of drivers turning into or out of a site entrance and intersections;

(iii) Contain no more than 40 characters and no more than 6 symbols;

(iv) Have lettering that is at least 150mm high;

DL

Any sign that does not comply with Rule XXXX PL.

AND

Any consequential amendments or additional relief to give effect to the submission.

Decision Reasons:

- Submitter seeks a consistent approach to signage across Chapters 17, 18, 20 and 21.
- There is no specific section 32 report which specifically addresses signage. The section 32 reports addressing the various zones do not include a specific section for signage.
- The rules addressing the effects of signage on traffic are inconsistent across the various zone chapters.
- There is not rationale provided by Council to justify these inconsistencies in the absence of a section 32 analysis and The current signage rules in the proposed zone chapters include controls that are considered inappropriate, such as:
 - Preventing signage directed at road users from locating within 60m of a controlled intersection, pedestrian crossing or any other sign as a permitted activity; and
 - Preventing signage directed at road users from locating within 130m of a site entrance (where the sign directs traffic to the entrance) as a permitted activity.

Point Number

785.69

Summary of Decision Requested:

Amend Rule 20.2.7.2 Signs – Effects on Traffic to be consistent with the equivalent rule in Chapters 17, 18 and 21 as follows:

PL

(a) Any sign directed at road users must:

(i) Not imitate the content, colour or appearance of any traffic control sign;

(ii) Not obstruct sight lines of drivers turning into or out of a site entrance and intersections;

(iii) Contain no more than 40 characters and no more than 6 symbols;

(iv) Have lettering that is at least 150mm high;

DI

Any sign that does not comply with Rule XXXX PL

AND

Any consequential amendments or additional relief to give effect to the submission.

Decision Reasons:

- Submitter seeks a consistent approach to signage across Chapters 17, 18, 20 and 21.
- There is no specific section 32 report which specifically addresses signage. The section 32 reports addressing the various zones do not include a specific section for signage.
- The rules addressing the effects of signage on traffic are inconsistent across the various zone chapters and The current signage rules in the proposed zone chapters include controls that are considered inappropriate, such as:
 - Preventing signage directed at road users from locating within 60m of a controlled intersection, pedestrian crossing or any other sign as a permitted activity; and
 - Preventing signage directed at road users from locating within 130m of a site entrance (where the sign directs traffic to the entrance) as a permitted activity.
- There is not rationale provided by Council to justify these inconsistencies in the absence of a section 32 analysis.

Point Number

785.70

Summary of Decision Requested:

Amend Rule 21.2.7.2 Signs – Effects on Traffic to be consistent with the equivalent rule in Chapters 17, 18 and 20 as follows:

PL

(g) Any sign directed at road users must:

(i) Not imitate the content, colour or appearance of any traffic control sign;

(ii) Not obstruct sight lines of drivers turning into or out of a site entrance and intersections;

(iii) Contain no more than 40 characters and no more than 6 symbols;

(iv) Have lettering that is at least 150mm high;

DI

Any sign that does not comply with Rule XXXX PL

AND

Any consequential amendments or additional relief to give effect to the submission.

Decision Reasons:

- Submitter seeks a consistent approach to signage across Chapter 17, 18, 20 and 21.
- There is no specific section 32 report which specifically addresses signage and the section 32 reports addressing the various zones do not include a specific section for signage.
- The rules addressing the effects of signage on traffic are inconsistent across the various zone chapters and The current signage rules in the proposed zone chapters include controls that are considered inappropriate, such as:
 - Preventing signage directed at road users from locating within 60m of a controlled intersection, pedestrian crossing or any other sign as a permitted activity; and
 - Preventing signage directed at road users from locating within 130m of a site entrance (where the sign directs traffic to the entrance) as a permitted activity.
- There is not rationale provided by Council to justify these inconsistencies in the absence of a section 32 analysis.

Point Number

785.71

Summary of Decision Requested:

Retain the mapping of the Coastal Environment, insofar the only relevant provisions are Objective 3.5.1 (a) and maximum permitted earthworks thresholds within mapped High or Outstanding Natural Character areas of the coastal environment.

AND

Retain Objective 3.5.1 (a) Natural Character as notified.

AND

Retain the maximum permitted earthwork thresholds of 50m² area and 250m³ volume within mapped High or Outstanding Natural Character areas of the coastal environment, noting these earthworks provisions apply to all zones with the exception of the Business Zone.

Decision Reasons:

- The submitter supports the mapping of the Coastal Environment, insofar as outlined in Objective 3.5.1 and the relevant earthworks thresholds.
- Given the sensitive nature of High or Outstanding Natural Character areas of the coastal environment and the fact that they are mapped in the proposed District Plan, the submitter supports a more conservative approach in regards to the permitted earthworks volumes within this overlay.
- The submitter notes that the earthwork volumes do not apply to the Business Zone.

Point Number

785.72

Summary of Decision Requested:

Delete the Hamilton Basin Ecological Management Area Overlay from the Planning Maps.

AND

Any consequential amendments or additional relief to give effect to the submission.

Decision Reasons:

- The submitter opposes the Hamilton Basin Ecological Management Area Overlay on the basis that no policy or regulatory framework has been included within the proposed District Plan to address this specific overlay.
- There is no definition for "Hamilton Basin Ecological Management Area" and the overlay is not considered to fall under the definition of "Significant Natural Area"
- The submitter cannot find any specific section 32 report which addresses the mapping overlays and is unable to establish the rationale for the inclusion and purpose of the overlay.
- Without any justification for its inclusion in the plan nor a proposed policy or regulatory framework to support the overlay, the submitter considers the removal of this overlay appropriate.

Point Number 785.73

Summary of Decision Requested: **Retain** the Waikato River Catchment overlay insofar as consultation with Iwi is to be determined on a case by case basis, as it relevant to the application and its associated effects.

Decision Reasons:

- The submitter supports the Waikato River Catchment overlay.

Point Number 785.74

Summary of Decision Requested: **Retain** the non-complying activity status for residential activities in the Industrial Zone (Rule 20.1.3 NCI Non-Complying Activities).

Decision Reasons:

- It is not considered appropriate to include a permitted activity rule for residential activities in this zone.

Point Number 785.75

Summary of Decision Requested: **Retain** the non-complying activity status for residential activities in the Industrial Heavy Zone (Rule 21.1.3 NCI Non-Complying Activities).

Decision Reasons:

- It is not considered appropriate to include a permitted activity rule for residential activities in this zone.

Submitter Number: 786 **Submitter:** Huntly Karioi Outdoor Trust Incorporated

Point Number 786.1

Summary of Decision Requested: **Add** a Kimihia Lakes Recreation and Events Zone and associated provisions to the former Huntly East mine complex to enable lake-associated activities and education, recreation and economic development (Refer to the attachment to the submission prepared by Chow Hill which illustrates the area subject to this submission and the range of potential activities).

Decision Reasons:

- Huntly community needs a new direction and game changing plan to lead the way forward for the towns revitalisation.
- The zone can serve as the catalyst for this sought after renaissance.

Submitter Number: 787 **Submitter:** Steve Doyle

Point Number 787.1

Summary of Decision Requested: **Add** provisions to enable development of an events and recreation facility at the former Huntly East Mine.

Decision Reasons:

- This is a positive development for Huntly.
- Add value to the community.
- Benefit to the town.

Submitter Number: 788 **Submitter:** Susan Hall

Point Number 788.1

Summary of Decision Requested: **Amend** the Coastal Environment Overlay to become a conservation area (including Raglan), where all major changes and consents which infringe District Plan rules, or which exceed one storey, are publicly notified.

Decision Reasons:

- The Proposed District Plan is hard to understand for the average person. The Raglan Naturally Plan is the 'true voice' of Raglan, and should form the basis of the planning in this area. Section 1.6.1 of the Proposed District Plan currently says "Raglan will retain its seaside village character as it grows, while protecting the harbour." Raglan Naturally has firm regulations around this.
- Most of the coast is visible from Raglan, is part of its character and should therefore have the same protection, e.g. no apartment style housing and no development of buildings that repeat the same shape and design along the front of a section.
- Views should be protected, not just from peoples house, but also as people walk around the town.
- The sea and mountain views are what makes Raglan special, not with the tall buildings.

Point Number 788.2

Summary of Decision Requested: **Delete** Policy 4.5.14 (a)(v)F Raglan Town Centre.

Decision Reasons:

- The Proposed District Plan is hard to understand for the average person. The Raglan Naturally Plan is the 'true voice' of Raglan, and should form the basis of the planning in this area. 1.6.1 of the Proposed District Plan currently says "Raglan will retain its seaside village character as it grows, while protecting the harbour." Raglan Naturally has firm regulations around this.
- Most of the coast is visible from Raglan, is part of its character and should therefore have the same protection, e.g. no apartment style housing and no development of buildings that repeat the same shape and design along the front of a section.
- Views should be protected, not just from peoples house, but also as people walk around the town.
- The sea and mountain views are what makes Raglan special, not with the tall buildings.

Point Number 788.3

Summary of Decision Requested: **Retain** Rule 16.1.2 P9 (a) Permitted Activities as notified, except for the amendments sought below.

AND

Amend Rule 16.1.2 P9 Permitted Activities for homestays, to be more regulated in Raglan, all homestays and holiday house accommodation to be registered with Council, and to prohibit new owners of existing houses or newly built houses from offering homestay accommodation or holiday rentals, unless they live onsite at the time of guests staying.

Decision Reasons:

- The submitter agrees with having no more than four temporary residents.
- The submitters had spoken with Waikato District Council regarding at least two residentially zoned properties having 15 or more short-term guests per night. However, the submitters were told that Council could investigate the complaints but not enter a property, nor had they any means to enforce the more than four persons per night rule. The submitters were told to bring this up at the next District Plan Review, hence this submission.
- Most 'Airbnb' and 'bookabach' listings in Raglan allow over five people to stay per night. It should be simple to regulate this as all of these are non-complying activities are listed online.
- This would allow the rules to be explained and therefore allow the Council to enforce these rules.
- As it is important for commercial businesses to have fire service and building warrants checked every year, it should be important for property owners running similar businesses out of residentially zoned properties.
- Raglan has a severe housing shortage for long-term tenants, but this can be helped by regulating the use of holiday houses, similar to what is done in Canada, European cities like Berlin, and other holiday towns in New Zealand like Queenstown.
- It would be easier to ban the use of new houses or new ownership from short-term rental use than retrospectively introducing this to those already relying on the income (as long as these existing house stick to the under five-person rule.)
- It should be possible for neighbours to complain if guest numbers and/or noise gets out of hand in a country living property as well.

Point Number 788.4

Summary of Decision Requested: **Amend** Rule 22.1.2 P10 Permitted Activities for homestays to be more regulated in Raglan, all homestays and holiday house accommodation to be registered with Council, to prohibit new owners of existing houses or newly built houses from offering homestay accommodation or holiday rentals, unless they live onsite at the time of guests staying, and a maximum of 4 temporary residents.

Decision Reasons:

- The submitters had spoken with Waikato District Council regarding at least two residentially zoned properties having 15 or more short-term guests per night. However, the submitters were told that Council could investigate the complaints but not enter a property, nor had they any means to enforce the more than four persons per night rule. The submitters were told to bring this up at the next District Plan Review, hence this submission.
- Most 'Airbnb' and 'bookabach' listings in Raglan allow over five people to stay per night. It should be simple to regulate this as all of these are non-complying activities are listed online.
- This would allow the rules to be explained and therefore allow the Council to enforce these rules.
- As it is important for commercial businesses to have fire service and building warrants checked every year, it should be important for property owners running similar businesses out of residentially zoned properties.
- Raglan has a severe housing shortage for long-term tenants, but this can be helped by regulating the use of holiday houses, similar to what is done in Canada, European cities like Berlin, and other holiday towns in New Zealand like Queenstown.
- It would be easier to ban the use of new houses or new ownership from short-term rental use than retrospectively introducing this to those already relying on the income (as long as these existing house stick to the under five-person rule.)
- It should be possible for neighbours to complain if guest numbers and/or noise gets out of hand in a country living property as well.

Point Number 788.5

Summary of Decision Requested: **Add** a new set of rules to Chapter 16 Residential Zone to provide for the protection of defined views from public places in Raglan to the harbour, coast and natural backdrops in the chapters on rural, residential, and business town centre zones, to include at least the following defined views:

(a) From SH23 (north of Maungatawhiri Road) to Kaitoke Creek;

(b) All existing views of the bar from Main Road, Bow Street, and Norrie Avenue;

(c) All existing views of Karioi from Raglan CBD;

(d) From Wainui Road to the coast between the Bryant Reserve and the Bible Crusade Camp;

(e) From SH23 summit to Karioi; and

(f) AroAro salt marsh from Wallis Street.

AND

Amend the planning maps to identify defined views.

Decision Reasons:

- Views are an inherent part of retention of Raglan's seaside Character.
- The Raglan Naturally community plan contains six references to views as follows:
 - "Relaxed lifestyles, a tranquil harbour, safe swimming beaches, black sand, internationally renowned surf and spectacular coastal views are characteristic – the Waikato District's only seaside resort."
 - "What We Don't Want – Buildings blocking views of harbour, coast and mountain."
 - "Priorities for Action – The retention of access to, and views of the harbour, coast, and mountain from within Raglan."
 - "What We Don't Want – Loss of access to or views of the harbour from parked cars, large trees or buildings."
 - "Safeguard coastal views from Wainui Reserve."
 - "Safeguarding the Environment – Maintain the coastal and harbour views, e.g. do not allow the planting of big trees, or the building of high fences or large buildings that destroy existing views."
- Section 5 of the RMA sets out the purpose (including District Plans) "protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing."
- Raglan Naturally sets out how the Raglan community has expressed its views on their well-beings. These very clearly include protection of views.
- At the last Plan revision, the Council accepted views as important, but said any change would need to occur through a variation to the District Plan. That has not happened, so it should be a part of this plan. To exclude such an important part of Raglan Naturally in the district plan review is to deny the value of public participation in which over 10% of Raglan's population took part.
- The plan protects views of the navigation beacons and district plans of other authorities, such as Auckland and Hastings show that protection of other views is possible.
- A policy should protect views, e.g. Auckland's protection of volcanic view shafts.

• Each chapter needs to apply Policy 3.3.3.

Point Number 788.6

Summary of Decision Requested: **Add** a resource management framework for the management of Genetically Modified Organisms that is regionally specific taking into account environmental, economic and social well-being considerations

Decision Reasons:

- Several councils have passed resolutions that there should be no further development and field-testing of transgenic organisms envisaged for agriculture, horticulture and forestry in their areas until the risk potential has been adequately identified and evaluated and a strict liability regime put in place. A report prepared for Whangarei, Far North, Kaipara and Rodney District Councils and Local Government

- New Zealand, and based on an opinion from Dr Royden Somerville QC, says "If an agent making use of GMOs has inadequate financial resources to cover environmental damage resulting from its activities, the burden will tend to fall on local government"
- As central government has failed to put in place a strict liability regime for Genetically Modified Organisms, liability for clean-ups, removal and elimination of escaped GE organisms, could lie with ratepayers. Ratepayers should not face the burden of paying for the clean-up of potential contaminated sites.
 - The Law Commission said "it is possible that environmental damage caused by GMOs could be dealt with under the RMA Section 17(1) states that "every person has a duty to avoid, remedy or mitigate any adverse effect on the environment arising from an activity carried on by or on behalf of that person, whether or not the activity is in accordance with a rule in a plan (or) resource consent...". That duty is not itself enforceable but in Part XII of the RMA there are powers to issue an abatement.
 - The continuing involvement with GE will harm all other farmers through tarnishing the 'clean green' image and could potentially end conventional farming, especially organic farmers.
 - Section 5 of the RMA refers to enabling people to provide for their economic wellbeing, so there should be no further development and field-testing of transgenic organisms envisaged for agriculture, horticulture, and forestry in the Waikato district until the risk potential has been adequately identified and evaluated and a strict liability regime put in place.
 - Section 5 of the RMA states "enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while (a) Sustaining the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations.
 - The Council is applying the precautionary principle in the case of high voltage transmission lines and global warming.
 - Section 5.2.9 of the RMA states "Development should be designed and located to avoid or mitigate the predicted effects of global climate change on natural hazards, especially increased flooding, erosion, fire, and storms. Where there is incomplete information, a precautionary approach should be taken."
 - Section 5.3.8 of the RMA states "Scientific opinion differs about the possible impacts of global climate change, but majority opinion predicts that the effects could include a greater frequency and intensity of extreme weather events. Increased storms, floods and droughts may occur. The extent of these is uncertain and a precautionary approach is taken, because of the high potential for harm"
 - Genetically modified organisms have potentially even more irreversible significant adverse impacts and the level of scientific uncertainty was recognised by the Law Commission, which states "It is difficult to estimate the level of risk posed by GMOs; it is difficult to assess the magnitude of the potential damage that could be caused; GMOs have the potential to create catastrophic levels of harm; GMOs have the potential to cause irreversible damage; Some of the potential negative effects of GMOs will likely manifest in the long term and be diffuse in nature."
 - If the benefits were significant, the risk might be worth taking. However, it is increasingly clear that the main markets do not want GE food.
 - The WISE group recognise the research employment and the value of better understanding GE, if only to minimise the extent of any disaster, so research contained within Ruakura should be exempt.
 - Any other GE experiments and releases should be prohibited in the Waikato District due to the risks to the environment, economy and the public health.
 - This is to protect finite resources including indigenous biodiversity from transgenic pollution.
 - Conventional and organic reproductive crops must be protected and the integrity of heritage seeds is critical.
 - The Hazard Risks chapter is 'under review', but, so far there is no mention in the Hazards draft of genetically modified organisms.
 - The submitter supports the response made by GE Free New Zealand.
 - Submissions were made on this in 2005 and January 2019, and the issue has not been addressed, therefore it is urgent that these are addressed before any risks or liabilities arise.

Point Number

788.7

Summary of Decision Requested:

Add a new set of rules to Chapter 18 Business Town Centre Zone to provide for the protection of defined views from public places in Raglan to the harbour, coast and natural backdrops in the chapters on rural, residential, and business town centre zones, to include at least the following defined views:

- (a) From SH23 (north of Maungatawhiri Road) to Kaitoke Creek;
- (b) All existing views of the bar from Main Road, Bow Street, and Norrie Avenue;
- (c) All existing views of Karioi from Raglan CBD;
- (d) From Wainui Road to the coast between the Bryant Reserve and the Bible Crusade Camp;
- (e) From SH23 summit to Karioi; and
- (f) AroAro salt marsh from Wallis Street.

AND

Amend the planning maps to identify defined views.

Decision Reasons:

- Views are an inherent part of retention of Raglan's seaside Character.
 - The Raglan Naturally community plan contains six references to views as follows:
 - "Relaxed lifestyles, a tranquil harbour, safe swimming beaches, black sand, internationally renowned surf and spectacular coastal views are characteristic – the Waikato District's only seaside resort."
 - "What We Don't Want – Buildings blocking views of harbour, coast and mountain."
 - "Priorities for Action – The retention of access to, and views of the harbour, coast, and mountain from within Raglan."
 - "What We Don't Want – Loss of access to or views of the harbour from parked cars, large trees or buildings."
 - "Safeguard coastal views from Wainui Reserve."
 - "Safeguarding the Environment – Maintain the coastal and harbour views, e.g. do not allow the planting of big trees, or the building of high fences or large buildings that destroy existing views."
 - Section 5 of the RMA sets out the purpose (including District Plans) "protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing."
 - Raglan Naturally sets out how the Raglan community has expressed its views on their well-beings. These very clearly include protection of views.
 - At the last Plan revision, the Council accepted views as important, but said any change would need to occur through a variation to the District Plan. That has not happened, so it should be a part of this plan. To exclude such an important part of Raglan Naturally in the district plan review is to deny the value of public participation in which over 10% of Raglan's population took part.
 - The plan protects views of the navigation beacons and district plans of other authorities, such as Auckland and Hastings show that protection of other views is possible.
 - A policy should protect views, e.g. Auckland's protection of volcanic view shafts.
- Each chapter needs to apply Policy 3.3.3.

Point Number

788.8

Summary of Decision Requested:

Add a new set of rules to Chapter 22 Rural Zone, to provide for the protection of defined views from public places in Raglan to the harbour, coast and natural backdrops in the chapters on rural, residential, and business town centre zones, to include at least the following defined views:

- (a) From SH23 (north of Maungatawhiri Road) to Kaitoke Creek;
- (b) All existing views of the bar from Main Road, Bow Street, and Norrie Avenue;
- (c) All existing views of Karioi from Raglan CBD;
- (d) From Wainui Road to the coast between the Bryant Reserve and the Bible Crusade Camp;
- (e) From SH23 summit to Karioi; and
- (f) AroAro salt marsh from Wallis Street.

AND

Amend the planning maps to identify defined views.

Decision Reasons:

- Views are an inherent part of retention of Raglan's seaside Character.
- The Raglan Naturally community plan contains six references to views as follows:

- o "Relaxed lifestyles, a tranquil harbour, safe swimming beaches, black sand, internationally renowned surf ad spectacular coastal views are characteristic – the Waikato District's only seaside resort."
- o "What We Don't Want – Buildings blocking views of harbour, coast and mountain."
- o "Priorities for Action – The retention of access to, and views of the harbour, coast, and mountain from within Raglan."
- o "What We Don't Want – Loss of access to or views of the harbour from parked cars, large trees or buildings."
- o "Safeguard coastal views from Wainui Reserve."
- o "Safeguarding the Environment – Maintain the coastal and harbour views, e.g. do not allow the planting of big trees, or the building of high fences or large buildings that destroy existing views."
- Section 5 of the RMA sets out the purpose (including District Plans) "protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing."
- Raglan Naturally sets out how the Raglan community has expressed its views on their well-beings. These very clearly include protection of views.
- At the last Plan revision, the Council accepted views as important, but said any change would need to occur through a variation to the District Plan. That has not happened, so it should be a part of this plan. To exclude such an important part of Raglan Naturally in the district plan review is to deny the value of public participation in which over 10% of Raglan's population took part.
- The plan protects views of the navigation beacons and district plans of other authorities, such as Auckland and Hastings show that protection of other views is possible.
- A policy should protect views, e.g. Auckland's protection of volcanic view shafts.
- Each chapter needs to apply Policy 3.3.3.

Point Number

788.9

Summary of Decision Requested:

Add strong precautionary and prohibitive provisions, policies and rules relating to Genetically Modified Organisms that are the same or similar to those in the Far North District Plan, the Whangarei District Plan and the Auckland Unitary Plan.

Decision Reasons:

- Several councils have passed resolutions that there should be no further development and field-testing of transgenic organisms envisaged for agriculture, horticulture and forestry in their areas until the risk potential has been adequately identified and evaluated and a strict liability regime put in place. A report prepared for Whangarei, Far North, Kaipara and Rodney District Councils and Local Government New Zealand, and based on an opinion from Dr Royden Somerville QC, says "If an agent making use of GMOs has inadequate financial resources to cover environmental damage resulting from its activities, the burden will tend to fall on local government"
- As central government has failed to put in place a strict liability regime for Genetically Modified Organisms, liability for clean-ups, removal and elimination of escaped GE organisms, could lie with ratepayers. Ratepayers should not face the burden of paying for the clean-up of potential contaminated sites.
- The Law Commission said "it is possible that environmental damage caused by GMOs could be dealt with under the RMA Section 17(1) states that "every person has a duty to avoid, remedy or mitigate any adverse effect on the environment arising from an activity carried on by or on behalf of that person, whether or not the activity is in accordance with a rule in a plan (or) resource consent...". That duty is not itself enforceable but in Part XII of the RMA there are powers to issue an abatement.
- The continuing involvement with GE will harm all other farmers through tarnishing the 'clean green' image and could potentially end conventional farming, especially organic farmers.
- Section 5 of the RMA refers to enabling people to provide for their economic wellbeing, so there should be no further development and field-testing of transgenic organisms envisaged for agriculture, horticulture, and forestry in the Waikato district until the risk potential has been adequately identified and evaluated and a strict liability regime put in place.
- Section 5 of the RMA states "enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while (a) Sustaining the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations.
- The Council is applying the precautionary principle in the case of high voltage transmission lines and global warming.
- Section 5.2.9 of the RMA states "Development should be designed and located to avoid or mitigate the predicted effects of global climate change on natural hazards, especially increased flooding, erosion, fire, and storms. Where there is incomplete information, a precautionary approach should be taken."
- Section 5.3.8 of the RMA states "Scientific opinion differs about the possible impacts of global climate change, but majority opinion predicts that the effects could include a greater frequency and intensity of extreme weather events. Increased storms, floods and droughts may occur. The extent of these is uncertain and a precautionary approach is taken, because of the high potential for harm"
- Genetically modified organisms have potentially even more irreversible significant adverse impacts and the level of scientific uncertainty was recognised by the Law Commission, which states "It is difficult to estimate the level of risk posed by GMOs; it is difficult to assess the magnitude of the potential damage that could be caused; GMOs have the potential to create catastrophic levels of harm; GMOs have the potential to cause irreversible damage; Some of the potential negative effects of GMOs will likely manifest in the long term and be diffuse in nature."
- If the benefits were significant, the risk might be worth taking. However, it is increasingly clear that the main markets do not want GE food.
- The WISE group recognise the research employment and the value of better understanding GE, if only to minimise the extent of any disaster, so research contained within Ruakura should be exempt.
- Any other GE experiments and releases should be prohibited in the Waikato District due to the risks to the environment, economy and the public health.
- This is to protect finite resources including indigenous biodiversity from transgenic pollution.
- Conventional and organic reproductive crops must be protected and the integrity of heritage seeds is critical.
- The Hazard Risks chapter is 'under review', but, so far there is no mention in the Hazards draft of genetically modified organisms.
- The submitter supports the response made by GE Free New Zealand.
- Submissions were made on this in 2005 and January 2019, and the issue has not been addressed, therefore it is urgent that these are addressed before any risks or liabilities arise.

Point Number

788.10

Summary of Decision Requested:

Amend the Proposed District Plan so that consents which would require exemption from plan rules should automatically be publicly notifiable, whether the rules are on Genetically Modified Organisms, or any other matter.

Decision Reasons:

- No reasons provided.

Point Number

788.11

Summary of Decision Requested:

Amend Rule 23.1.1 P2 Permitted Activities for homestays, to be more regulated in Raglan, all homestays and holiday house accommodation to be registered with Council, to prohibit new owners of existing houses or newly built houses from offering homestay accommodation or holiday rentals, unless they live onsite at the time of guests staying, and a maximum of 4 temporary residents.

Decision Reasons:

- The submitters had spoken with Waikato District Council regarding at least two residentially zoned properties having 15 or more short-term guests per night. However, the submitters were told that Council could investigate the complaints but not enter a property, nor had they any means to enforce the more than four persons per night rule. The submitters were told to bring this up at the next District Plan Review, hence this submission.
- Most 'Airbnb' and 'bookabach' listings in Raglan allow over five people to stay per night. It should be simple to regulate this as all of these are non-complying activities are listed online.
- This would allow the rules to be explained and therefore allow the Council to enforce these rules.
- As it is important for commercial businesses to have fire service and building warrants checked every year, it should be important for property owners running similar businesses out of residentially zoned properties.
- Raglan has a severe housing shortage for long-term tenants, but this can be helped by regulating the use of holiday houses, similar to what is done in Canada, European cities like Berlin, and other holiday towns in New Zealand like Queenstown.
- It would be easier to ban the use of new houses or new ownership from short-term rental use than retrospectively introducing this to those already relying on the income (as long as these existing house stick to the under five-person rule.)
- It should be possible for neighbours to complain if guest numbers and/or noise gets out of hand in a country living property as well.

Point Number

788.12

Summary of Decision Requested:**Amend Policy 4.1.18 Raglan, as follows:**

(a) Raglan is developed to ensure:

(i) Infill and redevelopment of existing sites occurs, subject to development of a Structure Plan to identify where this can be done without loss of character, trees, or other natural features.(ii) A variety of housing densities is provided for and adequate housing reserved for low cost rentals and purchases by permanent residents;(iii) Rangitahi is the only area that provides for the medium term future growth and is developed in a manner that ~~connects~~ has cycle, footway and public transport connections to the existing town and maintains and enhances the natural environment; and(iv) There are good quality cycle, footway and public transport connections between the town centre, the Papahua Reserve and Raglan Wharf.**Decision Reasons:**

- There is a housing shortage in Raglan, but that is a shortage of housing available to local people at affordable prices, not of buildings. About a quarter of houses were empty at the 2006 census and that had risen to a third at the 2013 census.
- Providing additional holiday homes will do nothing to solve the housing problem.
- Rangitahi will provide amply for foreseeable growth. Currently it is planned to have good walking and cycling links within Rangitahi, but no such links to Raglan CBD. Raglan CBD already has parking and congestion problems at peak times, without adding another 500 cars from Rangitahi. Therefore, good alternatives to cars need to be provided.
- The submitter bikes from home to work, however feels very unsafe on the roads.
- This policy needs to take account of Policy 4.1.12 (b) (v), "particularly walking and cycling" provision, especially for the connections between the town centre, the Papahua Reserve, and the beaches, and Raglan Wharf.
- This policy needs to take account Raglan Naturally's 2001 proposal "to provide a free shuttle service between the central business area and the beaches e.g. a free, council supported electric bus to run on the hour to the beach and back to town centre.
- Parking at the beach is overflowing out onto Wainui Road now in summer, as it has reached maximum capacity.

Submitter Number:

789

Submitter:

Graham Shepherd

Organisation:

BioAgriNomics Ltd

Point Number

789.1

Summary of Decision Requested:**Add** strong precautionary and prohibitive policies and rules relating to the management of Genetically Modified Organisms that are the same or similar to those in the Far North District Plan, the Whangarei District Plan and the Auckland Unitary Plan.**Decision Reasons:**

- Submitter supports submission by Simon Thomson for the Proposed Waikato District Plan (in particular Clause 8).
- Submitter has concerns about risks posed by GMO's into the environment.
- GMO's have potential to adversely affect ecological, economic, and resource management values, and the social wellbeing of people, communities and tangata whenua.
- Release of GMOs has potential to cause significant adverse effects on environment (e.g. biological or ecosystem harm, harm to tangata whenua cultural values such as mauri and tikanga, harm to cultural values and lifestyle decisions).
- Harm from GMO contamination to existing or potential land uses (e.g. farming, forestry, beekeeping, marine farming and other primary production activities dependant on an uncontaminated environmental brand).
- Adverse effects can include a loss of organic and GMO-free certification, reputational damage, loss of markets and premiums paid for GMO free produce, loss of livelihood, loss of food quality and the contamination of the food chain, development of increased pest resistance.
- There inevitably remains a risk that conditions of consent for GMOs are breached.
- Once GMOs are released into environment they are impossible to eradicate.
- Integrated management and a precautionary approach to GMOs under the Resource Management Act (RMA) is the best available technique for managing potential adverse effects.
- Establishing District Plan provisions to manage GMOs is consistent with Part 2 of RMA (sustainable management).

Point Number

789.2

Summary of Decision Requested:**Add** a resource management framework for the management of Genetically Modified Organisms that is regionally specific taking into account environmental, economic and social well-being considerations.**Decision Reasons:**

- Submitter supports submission by Simon Thomson for the Proposed Waikato District Plan (in particular Clause 8).
- Submitter has concerns about risks posed by GMO's into the environment.
- GMO's have potential to adversely affect ecological, economic, and resource management values, and the social wellbeing of people, communities and tangata whenua.
- Release of GMOs has potential to cause significant adverse effects on environment (e.g. biological or ecosystem harm, harm to tangata whenua cultural values such as mauri and tikanga, harm to cultural values and lifestyle decisions).
- Harm from GMO contamination to existing or potential land uses (e.g. farming, forestry, beekeeping, marine farming and other primary production activities dependant on an uncontaminated environmental brand).
- Adverse effects can include a loss of organic and GMO-free certification, reputational damage, loss of markets and premiums paid for GMO free produce, loss of livelihood, loss of food quality and the contamination of the food chain, development of increased pest resistance.
- There inevitably remains a risk that conditions of consent for GMOs are breached.
- Once GMOs are released into environment they are impossible to eradicate.
- Integrated management and a precautionary approach to GMOs under the Resource Management Act (RMA) is the best available technique for managing potential adverse effects.
- Establishing District Plan provisions to manage GMOs is consistent with Part 2 of RMA (sustainable management).

Point Number

789.3

Summary of Decision Requested:

Seeks Genetically Modified Organisms and all genetically engineered products completely banned from being introduced into New Zealand.

Decision Reasons:

- Claims by companies that GMO's and GE products increase yield and have greater resistance to insect pests and diseases is unsubstantiated.
- GMOs are scientifically proven to cause human health issues including cancer, bowel, liver and kidney disease, infertility and environmental pollution.
- GMOs and GE crops showed greater resistance to beneficial strains of micro-organisms resulting in resistant weeds, diseases and insect pests.
- There are no independent peer-reviewed scientific papers establishing the safety of GMO crops.
- Given the deleterious nature of GMOS and GEs, it is imperative that NZ is kept GMO and GE free.

Submitter Number:

790

Submitter:

Northgate Developments Ltd & Northgate Industrial Park Ltd

Point Number 790.1

Summary of Decision Requested: **Retain** the Industrial zoning as notified of land within the Horotiu Industrial Park, Horotiu as per Planning Map 26.1, comprising:

- Lot 1 DP 390831 (364687), Lot 18 DP 494347 (723133), Lot 1 DPS 61620 (SA50B/598), Lot 2 DPS 61260 (SA50B/599), Lot 3 DPS 61260 (SA50B/600), Lot 16 DP 494347 (723131), Lot 17 494347 (723132), Lot 1 DP 499692 (742155) and Lot 2 DP 499692 (822899); and
- The certificates of title that have frontage to Gateway Drive, Evolution Drive and Innovation Way.

Decision Reasons:

- Northgate Developments Ltd and Northgate Industrial Park (Northgate) owns significant portion of land within Horotiu Industrial Park located directly west of Great South Road and south of Horotiu Industrial Park.
- Also developed Northgate Business Park that uses vehicle access via Gateway Drive, Evolution Drive and Innovation Way.
- Existing zoning of Horotiu Industrial Park and associated rule framework established due to an appeal to amend zoning from Rural to Industrial under the previous Waikato District Plan.
- Chapter 24B of the Operative Waikato District Plan enables staged development through the provisions outlined for Horotiu Industrial Park.
- Aligns with sites current zoning and activities being developed on land.

Point Number 790.2

Summary of Decision Requested: **Amend** the zoning of approximately 48ha of the property at 139 Onion Road, Horotiu (Lot 3 DPS 76353 (SA60D/2) from Rural to Industrial (see Attachment A to the submission for the extent of rezoning).

OR

Any further amendments as necessary to support the Northgate position.

Decision Reasons:

- Horotiu Industrial Park rezoned Industrial since 2011 with development provided for in Schedule 24B of the ODP.
- Table 6-2 of the Regional Policy Statement (RPS) provides for up to 150ha of growth at Horotiu from 2010-20161.
- Policy 6.14 of the Future Proof Growth Strategy document provides specific policy direction for Horotiu, clause (C) most relevant to submission.
- Methods 6.14.1 and 6.14.2 of the RPS require District Plans to zone land and prepare structure plans to give effect to Industrial allocations provided in Table 6-2.
- Therefore District Plan provisions define land use zones with principles in Table 6-2 of the RPS specifying broad strategic location of land allocation.
- Land allocations and staging based on principles in the RPS such as ensuring land development does not outstrip infrastructure provisions, ensuring industrial development locations fit with strategic infrastructure and ensuring reasonable match of supply and demand.
- ODP has established land use zones based on land allocations in Table 6-2 of the RPS.
- Land use zones and related provisions in ODP aim to identify Horotiu as a strategic industrial node, enable 56ha of development until 2021 and enable 94ha of development after 2021.
- ODP prioritises development within the Horotiu Industrial Zone into stages 1, 2 and 3 to align with timing in Table 6-2 of the RPS.
- ODP gives effect to the RPS as land areas in ODP closely matched land areas contained in Table 6-2 of the RPS.
- 14ha of Industrial land within Stage 3C of the Horotiu Industrial Park Zone rezoned in 2017 as part of Plan Change 17, reducing industrial development enabled by the RPS by 14ha.
- Industrial land allocated by Hamilton City Council within the Te Rapa North strategic industrial node as per Table 6-2 of the RPS will affect the wider industrial land allocation.
- Perry's seeking for their industrial zoned land to be amended to allow for commercial and residential development across their site.
- Perry's site accounted for 30ha of the 85ha of land allocated under Table 6-2 of the RPS.
- Perry's site zoned Industrial under Hamilton City Council District Plan however a special housing area is proposed to allow for residential and commercial purposes.
- As a result these changes in development may create a shortfall of around 44ha of industrial land outlined in Table 6-2 of the RPS.
- 48ha of Dixon's land which neighbours Northgate could be suitable for Industrial development for the following reasons; sites are adjacent which enable contiguous industrial zoning to be established, most logical extension of Horotiu Industrial Zone, logical extensions to infrastructure and roading connections, topography relatively flat and land is generally away from any sensitive receivers.
- Refer to Attachment A for topographical maps.
- The land is directly adjacent to the existing Horotiu Industrial Park and would enable a contiguous industrial zoning to be established that adjoins land owned by Ports of Auckland and Northgate Developments Ltd.
- It is the most logical extension of the Horotiu Industrial Zone due to its location and the fact that it is owned by one landowner.
- Infrastructure and roading connections be extended into the site from the Horotiu Industrial Park.
- The topography of the land is relatively flat compared to the balance of the site; and
- The land is generally located away from any sensitive receivers.

Point Number 790.3

Summary of Decision Requested: **Amend** Rule 20.2.3.1 P2 Noise General, to revert back to Rule 24B.19 of the Operative Waikato District Plan for the Industrial Zone at Horotiu (Horotiu Industrial Park comprising the following titles:

- Lot 1 DP 390831 (364687), Lot 18 DP 494347 (723133), Lot 1 DPS 61620 (SA50B/598), Lot 2 DPS 61260 (SA50B/599), Lot 3 DPS 61260 (SA50B/600), Lot 16 DP 494347 (723131), Lot 17 494347 (723132), Lot 1 DP 499692 (742155) and Lot 2 DP 499692 (822899); and
- The certificates of title that have frontage to Gateway Drive, Evolution Drive and Innovation Way.)

OR

Any further amendments as necessary to support the submission.

Decision Reasons:

- Rule 24B.19 of the Operative District Plan enables noise limits up to 75dBA of noise 24hours per day. Rule 24B.19 requires noise levels to be less when received by other zones.
- Activities within Industrial zone which are near to other zone boundaries will need to constrain activities to achieve compliance with Rule 24B.19 of the Operative District Plan.
- Centralised Industrial activities are able to make higher noise levels over 24 hours as per Operative District plan Rule 24B.19.
- Rule 20.2.3.1 -P2 of the Operative District Plan seeks to reduce nighttime noise level limits from 75dB to 55dB between 10pm and 7am.
- Noise level limit changes may curtail industrial activities who were established because of current 24hour noise standard.
- Current landowners bought into industrial zoning knowing noise levels higher than other industrial environments.
- No justification in s32A analysis for noise level reduction limits in Proposed District Plan.
- It is not considered that 75dB noise level over 24hour period will increase external effects given adjoining zones will still need to comply with lower noise level limits such as the Living Zone.
- Define Horotiu Industrial Park in PDP and allow for current noise limits as per Rule 24B.19 of the Operative District Plan.

Point Number 790.4

Summary of Decision Requested: **Amend** Rule 20.2.3.1 P3 Noise General, to revert back to Rule 24B.19 of the Operative District Plan for the Industrial Zone at Horotiu (Horotiu Industrial Park comprising the following titles:

- Lot 1 DP 390831 (364687), Lot 18 DP 494347 (723133), Lot 1 DPS 61620 (SA50B/598), Lot 2 DPS 61260 (SA50B/599), Lot 3 DPS 61260 (SA50B/600), Lot 16 DP 494347 (723131), Lot 17 494347 (723132), Lot 1 DP 499692 (742155) and Lot 2 DP 499692 (822899); and
- The certificates of title that have frontage to Gateway Drive, Evolution Drive and Innovation Way.)

See submission for details of the rule.

OR

Any further relief or amendments as necessary to support the submission.

Decision Reasons:

- Rule 20.2.3.1 P3 requires noise to comply with noise standards in each Zone other than the Industrial Zone. This approach is generally consistent with current Horotiu Industrial Park Rule 24.19.1 (b) and (c).
- The land adjoining Horotiu Industrial Park is proposed to adjoin Rural or Residential land.
- The Proposed District Plan will introduce new noise levels between 7pm and 10pm. The Operative District Plan has continuous noise standard from 7am to 10pm, which drops after 7pm.
- The Proposed District Plan reduces day time noise from 55dBA (L10) to 50dB (LAeq) and introduces a 40dB (LAeq) noise level for activities between 10pm and 7am.
- The change may curtail Industrial activities established because of Horotiu Industrial Park or due to noise levels permitted at adjoining sites.
- Request Horotiu Industrial Park be defined in Proposed District Plan with noise standards for adjoining sites being consistent with current Rule 24B.19 (b) and (c) of the ODP.

Point Number

790.5

Summary of Decision Requested:

Delete Rule 20.2.5.1 P1 (a)(vi) Earthworks - General, or any further amendments.

OR

Any relief as necessary to support the submission.

Decision Reasons:

- It is likely earthworks undertaken within 1.5m of boundaries.
- Buildings can be built up to the boundary in Industrial Zone resulting in automatic resource consents required for earthworks even if volume and area are met in clauses (a)(ii) and (iii).
- It is unclear what environmental effect is proposed to be controlled as clause (a)(v) seeks to ensure appropriate fall is achieved. i.e. 1 vertical to 2 horizontal. This clause addresses stability issues for adjoining properties.
- The inclusion of this provision will have the consequence of requiring resource consents creating a time and cost disadvantage to landowners/developers.

Point Number

790.6

Summary of Decision Requested:

Delete reference to "residential purposes" in Rule 20.2.5.1 P3 Earthworks - General

OR

Any further amendments or relief as necessary to support the submission.

Decision Reasons:

- Clause (a) of Rule 20.2.5.1 - P3 states that "earthworks for purposes other than creating a building platform for residential purposes within the site...", but these are not residential purposes proposed for Industrial Zone.
- Reference to residential activities in Industrial Zone not considered appropriate, should be amended to refer to either 'development' or 'industrial land uses'.

Point Number

790.7

Summary of Decision Requested:

Amend Rule 20.2.7.1 P2(c)(i) Signs - General, to permit larger signage as site size increases

OR

Any further amendments or relief as necessary to support the submission.

Decision Reasons:

- Provision does not take into consideration site size and imposes a one size fits all rule.
- Acknowledge the purpose to avoid proliferation of signage while maintaining suitable visual, streetscape and amenity effects. Provision should enable increased signage as permitted activity when site size increases.
- Rule 20.4.1 of the PDP requires 1000m2 minimum for Industrial Subdivision. It would then follow that a site twice as large could have 6m2 signage for sites 2000m2 in size. This would not result in an unreasonable adverse effect when baseline is 3m2 per 1000m2.
- It is requested that the provision be amended to incrementally increase allowable signage on site as size of site increases. Would enable larger sites with larger buildings to have signage that reflects the size of activities.

Point Number

790.8

Summary of Decision Requested:

Add a clause to Rule 20.3.1 - P1 Building height that enables building height within Horotiu Industrial Park to be consistent with that provided for in Rule 24B.22 of the Operative District Plan. Horotiu Industrial Park comprises the following titles:

- Lot 1 DP 390831 (364687), Lot 18 DP 494347 (723133), Lot 1 DPS 61620 (SA50B/598), Lot 2 DPS 61260 (SA50B/599), Lot 3 DPS 61260 (SA50B/600), Lot 16 DP 494347 (723131), Lot 17 494347 (723132), Lot 1 DP 499692 (742155) and Lot 2 DP 499692 (822899).

OR

Any further amendments or relief as necessary to support the submission.

Decision Reasons:

- Northgate Developments Ltd and Northgate Industrial Park owns significant portion of land within Horotiu Industrial Park located west of Great South Road and south of Horotiu Road, Horotiu.
- Northgate developed Northgate Business Park that has access via Gateway Drive, Evolution Drive and Innovation Way.
- Land remaining Industrially zoned under PDP.
- Horotiu Industrial Park zoning and framework established as a result of an appeal to the previous Waikato District Plan. Consent order agreement enforced by Environment Court.
- Horotiu Industrial Park provisions provided as a permitted activity in Chapter 24B of the ODP subject to timing of land release, scale of activities and management of potential effects.
- Provisions provide Industrial development as Permitted activity given compliance with performance standards that govern timing land release, scale of activities and management of potential external effects such as noise, bulk, height, setbacks, landscaping and traffic.
- Rule 20.3.1 -P3 of PDP specifies 15m maximum building height.
- Rule differs from provisions for Horotiu Industrial Park as per Rule 24B.22 of the ODP which enables/restricts development to: 25m maximum height when located over 400m from Horotiu Road provided 15m maximum height for 15% of site for Stages 1, 2, 3A and 3B, and up to 15m or 10m when located within 50m of Horotiu Road or within 50m of Stage 3C boundaries as per Rule 24B.22.1(a) of the ODP.
- Operative provisions demonstrate the closer development to external boundaries of Horotiu Industrial Park the more stringent height is. Buildings 15-25m can be accommodated within Horotiu Industrial Park.
- Rule changes may curtail Industrial activities in Horotiu Industrial Park which have been bought due to higher height limits.
- All current landowners bought sites knowing height requirements. Consistent with amenity values for area.
- Requested Horotiu Industrial Park be defined in PDP while retaining existing height rules in Rule 24B.22 of the ODP.
- Northgate would accept further relief/amendments to the PDP to support the Northgate position.

Point Number	790.9
Summary of Decision Requested:	Delete Rule 20.4.1 RD1 (a)(ii) Subdivision General. OR Any further relief or amendments as necessary to support the submission.
Decision Reasons:	<ul style="list-style-type: none"> • Rule 20.4.1 (a) (ii) - RD1 imposes an averaging requirement of 2000m2 for subdivision within Industrial Zone being twice the size of minimum net site area enabled by clause (a)(i), reduces development potential. • It is unclear the effect of averaging standard trying to achieve when minimum lot size is 1000m2. • If issue was around suitable lot sizes and shapes to accommodate future land uses an alternative approach would be minimum shape factor requirements. • The lot size required for Industrial land is based on market demand as land is bought per m2 rate. • Purchasers set lot sizes based on what is most cost effective. Industrial subdivision follows sale and purchase agreements. • If subdivision standards require double minimum lot size as an average, it will lead to inefficient use of Industrial land.

Submitter Number:	791	Submitter:	Andrew Michael Basford Green
Organisation:	Meremere Dragway Inc		
Point Number	791.1		
Summary of Decision Requested:	Amend the area shown on the planning maps as "Meremere Dragway" to "Drag Way Park Specific Area". AND Any consequential amendments to the Proposed District Plan to give effect to the relief sought in this submission.		
Decision Reasons:	<ul style="list-style-type: none"> • The submitter seeks the name change as it better reflects the diverse range of non-motorised activities sought in the submission to take place at the site. 		

Point Number	791.2
Summary of Decision Requested:	Amend Activity specific condition 14.12.1.4 (1)(d)(i) relating to P4, to increase the maximum vehicle movements per day from 200 to 350 vehicle movements per day with no more than 15% of these vehicle movements being heavy vehicles. AND Any consequential amendments to the Proposed District Plan to give effect to the relief sought in this submission.
Decision Reasons:	<ul style="list-style-type: none"> • The submitter considers that 200 vehicle movements a day is overly restrictive within the Rural Zone. • Many activities within the Rural Zone are reliant upon vehicle movements and there are no other viable transport alternatives due to the distances involved. • The submitter considers that 350 vehicle movements a day is more appropriate and accordingly seeks relief.

Point Number	791.3
Summary of Decision Requested:	Add a new section to Chapter 22 Rural Zone entitled "22.9 Specific Area – Drag Way Park" (Drag Way Park Specific Area), based on Schedule 25E Meremere Dragway of the Operative District Plan, subject to amendments to provide for non-motorised activities. See Appendix A of the submission for provisions sought. AND Add the "Rule Table for Land Use Activities" from Schedule 25E of the Operative District Plan, subject to amendments to provide for non-motorised activities. See Appendix A of the submission for the table. AND Any consequential amendments to the Proposed District Plan to give effect to the relief sought in this submission.
Decision Reasons:	<ul style="list-style-type: none"> • The Proposed District Plan proposes that the Meremere Dragway remains zoned Rural. However, the Rural Zone fails to recognise nearly 50 years of use of the site for motorised activities, and does not identify all activities that may take place within a rural setting, subject to meeting appropriate performance standards, including recognising Meremere Dragway as a resource for non-motorised activities. • The proposed Rural Zone provisions do not adequately provide for the Meremere Dragway's social and economic contributions to the district, the region and the nation. • Appropriate provision should be made for the activities that are currently being undertaken on the site and future activities, which are not incompatible with the existing environment that includes Hampton Downs Motorsport Park, landfill and prison. • The Proposed District Plan does not take into account the industrial nature of the nearby landfill or the commercial nature of the prison complex and the Hampton Downs Motorsport Park. • The Proposed District Plan does not realise the potential of the Meremere Dragway as a multipurpose site, including for the provision of non-motorised activities. A number of organisations have approached the Meremere Dragway seeking to use the facility. • The Meremere Dragway is a specialist facility needed for the safe conduct of potentially harmful activities that may be inappropriate elsewhere. • The Meremere Dragway is an ideal location for motorsport activity that is not acceptable in an urban area. • The proposed approach of including the dragway in the rural Zone is contrary to Part 2 of the Resource Management Act, including: <ul style="list-style-type: none"> • It is contrary to Part 2 of the Resource Management Act. • It does not promote sustainable or integrated management. • It does not manage the use, development and protection of natural and physical resources. • It does not avoid, remedy or mitigate adverse effects. • It is not the most appropriate way to achieve the purpose of the Act. • It does not meet section 32 of the Act. • It does not represent sound resource management practice.

Point Number	791.4
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Summary of Decision Requested: Amend the definition of "Meremere Dragway activity" in Chapter 13 Definitions to read as "Drag Way Park Specific Activity".

AND

Amend the definition of "Meremere Dragway activity" in Chapter 13 Definitions to provide for the addition of non-motorised activities as follows (or a similar variation):

~~Meremere Dragway activity~~ Drag Way Park Specific Activity

~~Means an activity at Meremere Dragway activity~~ Drag Way Park Specific Area as shown on the planning maps that involves ~~motor propulsion to provide entertainment, education or training for the general public or to an individual participating in the activity, and includes but is not limited to driver training or education, police or security training, and vehicle testing~~ motorised recreational activity, non-motorised recreational activity, static-automotive activity and a film and advertising production activity.

AND

Any consequential amendments to the Proposed District Plan to give effect to the relief sought in this submission.

Decision Reasons:

- The submitter seeks the name change to provide consistency with the name change of the overlay sought in this submission.
- Appropriate provision should be made for the activities that are currently being undertaken on the site and future activities, which are not incompatible with the existing environment that includes Hampton Downs Motorsport Park, landfill and prison.
- The Proposed District Plan does not realise the potential of the Meremere Dragway as a multipurpose site, including for the provision of non-motorised activities. A number of organisations have approached the Meremere Dragway seeking to use the facility.
- The Meremere Dragway is a specialist facility needed for the safe conduct of potentially harmful activities that may be inappropriate elsewhere.
- The Meremere Dragway is an ideal location for motorsport activity that is not acceptable in an urban area.

Submitter Number: 792 **Submitter:** Lisa Kerrisk

Point Number 792.1

Summary of Decision Requested: Provide for free access to ride horses down beach track.

Decision Reasons:

- Really dangerous to take horses along the road which is the only other option.
- Opposes the restriction on horses down the beach track.

Submitter Number: 793 **Submitter:** Ohinewai Area Committee

Point Number 793.1

Summary of Decision Requested: Amend the zoning of the properties 10, 12, 14, 16 and 18 Ohinewai North Road, Ohinewai from Business Zone to Residential Zone.

Decision Reasons:

- The properties are being used for residential purposes.
- Neighbouring sites are zoned Residential.
- Rezoning land to Commercial may have a negative impact on residents surrounding it.
- Expansion of Auckland causing more commercial businesses moving south.
- Owners do not want to live next to a commercial operation.

Submitter Number: 794 **Submitter:** Middlemiss Farm Holdings Limited

Point Number 794.1

Summary of Decision Requested: Amend Section 1.4.2.3 Challenges as follows:

(a) Economic development challenges facing the district are as follows:

(i) Growth across the district is uneven. Population and associated economic growth is occurring predominantly in the north (Tuakau, Pokeno, Te Kawhata) and in the south around the Hamilton periphery. This challenge, which can be managed, is also an opportunity as new residents and businesses diversify and strengthen the economic base of the District.

...

(vi) Soil resources, including soil quality, are under threat ~~due to~~ where subdivision and intensification of land use is inappropriate.

...

(ix) With growth pressure in both the Urban and Rural sectors, maintaining and enhancing the natural , and ensuring the sustainability of ecosystem services.

AND

Amend the Proposed District Plan consequential or additional amendments as necessary to give effect to the submission.

Decision Reasons:

- Based on the Council's own evidence there is no doubt that a significant resource management issue for the District is biodiversity loss, which continues to be at risk due to vegetation clearance, stock intrusion, animal and pest degradation, degradation of the margins for estuarine wetlands by stock.
- The submitter is concerned that the Proposed District Plan is largely focused on only protecting existing Significant Natural Areas and ignores restoring, linking and expanding indigenous biodiversity that does not qualify as Significant Natural Areas.
- There is no regulatory framework to increase indigenous vegetation and wetlands to a target vegetation cover of 30%, actively manage areas that can be considered Significant Natural Areas in the future, increase vegetation cover on steep and erosion prone land, incentivize fencing of riparian areas, incentivize the creation of new corridors, pest control, enrichment planting and restoration.
- No comprehensive research supports the claim that incentive-based planting in the district has resulted in sporadic, adhoc development.
- There appears to be no robust analysis of the success or failures of the limited amount of enhancement subdivision that has previously been undertaken in the Franklin part of the District that had these provisions.
- Several court decisions including Di Andre Estates Ltd v Rodney District Council, Arrigato Investments v Auckland Regional Council, Omaha Park and Cabra v Auckland Council are useful for establishing current best practice to meet the requirements of Part 2 of the RMA.
- Cabra v Auckland Council case law notes that the Council could not use the fact that there may be issues with weeds, or poor fencing, as a reason to oppose the inclusion of incentive provisions in the Plan, because it had the authority and responsibility to monitor consent

conditions. There are a range of enforcement mechanisms available to a council, and the ability to recover costs from a consent holder, that mean managing compliance in these areas should not be onerous for a council.

- The court in the *Cabra* case has taken a far sighted and future oriented approach to the maintenance and enhancement of biodiversity.
- The Proposed District Plan does not give effect to the New Zealand Coastal Policy Statement.
- The Proposed District Plan does not give effect to the National Policy Statement for Freshwater Management.
- The Proposed District Plan does not adopt the vision of the Waikato River Settlement Act as there is not a strong emphasis in the vision on restoration.
- The Proposed District Plan does not give effect to the Waikato Regional Policy Statement.
- The submitter supports appropriate protection of high-class soils were practicable and where they are alternatives to using this land. However, sustainable land management may mean that subdivision on these soils is not always inappropriate.

Point Number

794.2

Summary of Decision Requested:

Amend Section 1.4.3 The Rural environment as follows:

(a) The district benefits from an extensive rural area which contains a range of attributes necessary for productive rural activities, including a variety of soils, mineral resource and landscapes that are able to sustain diverse range of economic activities. A productive rural area is important to the economic health of the district and wider subregion, and needs to be recognised as a productive resource.

(b) In addition, the rural parts of the district are valued for their landscape, character and amenity values and indigenous habitats and waterways.

AND

Amend the Proposed District Plan consequential or additional amendments as necessary to give effect to the submission.

Decision Reasons:

- Based on the Council's own evidence there is no doubt that a significant resource management issue for the District is biodiversity loss, which continues to be at risk due to vegetation clearance, stock intrusion, animal and pest degradation, degradation of the margins for estuarine wetlands by stock.
- The submitter is concerned that the Proposed District Plan is largely focused on only protecting existing Significant Natural Areas and ignores restoring, linking and expanding indigenous biodiversity that does not qualify as Significant Natural Areas.
- There is no regulatory framework to increase indigenous vegetation and wetlands to a target vegetation cover of 30%, actively manage areas that can be considered Significant Natural Areas in the future, increase vegetation cover on steep and erosion prone land, incentivize fencing of riparian areas, incentivize the creation of new corridors, pest control, enrichment planting and restoration.
- No comprehensive research supports the claim that incentive-based planting in the district has resulted in sporadic, adhoc development.
- There appears to be no robust analysis of the success or failures of the limited amount of enhancement subdivision that has previously been undertaken in the Franklin part of the District that had these provisions.
- Several court decisions including *Di Andre Estates Ltd v Rodney District Council*, *Arrigato Investments v Auckland Regional Council*, *Omaha Park and Cabra v Auckland Council* are useful for establishing current best practice to meet the requirements of Part 2 of the RMA.
- *Cabra v Auckland Council* case law notes that the Council could not use the fact that there may be issues with weeds, or poor fencing, as a reason to oppose the inclusion of incentive provisions in the Plan, because it had the authority and responsibility to monitor consent conditions. There are a range of enforcement mechanisms available to a council, and the ability to recover costs from a consent holder, that mean managing compliance in these areas should not be onerous for a council.
- The court in the *Cabra* case has taken a far sighted and future oriented approach to the maintenance and enhancement of biodiversity.
- The Proposed District Plan does not give effect to the New Zealand Coastal Policy Statement.
- The Proposed District Plan does not give effect to the National Policy Statement for Freshwater Management.
- The Proposed District Plan does not adopt the vision of the Waikato River Settlement Act as there is not a strong emphasis in the vision on restoration.
- The Proposed District Plan does not give effect to the Waikato Regional Policy Statement.
- The submitter supports appropriate protection of high-class soils were practicable and where they are alternatives to using this land. However, sustainable land management may mean that subdivision on these soils is not always inappropriate.

Point Number

794.3

Summary of Decision Requested:

Amend Section 1.4.3.1 Rural Activities as follows:

(a) Productive rural activities ~~are include~~ those activities that use rural resources for economic gain or which cannot be carried out easily or appropriately in an urban setting. Farming activities, including dairy, dry stock, horse breeding/training, honey production, horticulture, pig and poultry, mining, and forestry are all significant industries in economic terms for the Waikato district. Other productive rural activities include housing for people working in rural environments and ecosystem services that provide inputs for rural production (such as clean water) and assimilate output pollutants (such as nitrate and sediment run off).

(b) Rural-based activities that do not use rural resources directly include rural service industries and major facilities such as Hampton Downs. The recreational use of the rural environment is also important to the district, with activities such as hunting, fishing, tramping, and cycling being very important in terms of tourism. Lifestyle uses can be sensitive to the effects of mining, farming and horticulture operations and other significant activities. There is therefore potential for conflict between rural activities and other land uses. ~~Excessive~~ Lifestyle development in rural areas can have a number of adverse effects that need to be avoided/managed. These effects may include the loss of rural amenity, rural production, and high quality soils, resulting in the potential for reverse sensitivity conflicts, demands for improved rural infrastructure and services that are difficult to provide economically, and reduced growth in urban areas, which affects the prosperity of urban areas. However, through a design led site development process, and robust assessment criteria, rural residential development can be integrated into working rural environments in appropriate locations.

(c) ~~Rural areas are vulnerably to small scale change that, cumulatively, can have a profound effect on their efficient use for rural production and other rural activities. The continued modification of the rural environment through land use subdivision, and development as a result of residential and commercial growth, can adversely affect their natural and physical qualities and character. These qualities and character are important in maintaining investment in rural activities, which proportionally contribute the most to the district's GDP and provide a context to the development and sustainability of rural towns and villages.~~

AND

Amend the Proposed District Plan consequential or additional amendments as necessary to give effect to the submission.

Decision Reasons:

- No reasons provided.

Point Number

794.4

Summary of Decision Requested:

Amend Section 1.4.3.2 Protecting the rural environment as follows:

(a) The continued use of the rural areas for productive rural activities and other land and soil resource-dependent rural-based activities, as well as access to and the extraction of mineral resources, are important to the economic health and well-being of the district and wider subregion. It is therefore necessary to ensure that the continued, effective operations of farming activities or productive rural activities are not adversely affected by manage growth in lifestyle activities including rural residential development. A key focus is to ensure that resource does not become so fragmented that its attraction for activities that require a rural setting is diminished.

(b) Activities affecting landscape, historic and amenity values including rural character, recreational activities, high quality soils, significant mineral resources and ecological values need to be managed to avoid adverse effects on the environment, including cumulative effects. This should occur through ~~limiting~~ managing the extent to which non-rural activities are able to establish in the Rural Zone. ~~There is a need to uphold the increased level of control the Council has placed over subdivision activities in the Rural and Country Living Zones, particularly within the north Waikato and around the Hamilton City boundary. Any additional areas for rural residential development should be considered within identified growth areas of towns or villages. Non-rural activities must occur in towns, villages and defined growth areas, and the expansion of such areas should be managed so that adverse effects on rural areas are minimised.~~

(c) In line with the Regional Policy Statement, the district plan must ensure that rural-residential built development is directed away from natural hazard areas, regionally significant industry, high class soils, primary production activities on high class soils, electricity transmission, and locations identified as likely renewable energy generation sites and from identified significant mineral resources and their identified access routes.

(d) Rural areas also contain degraded natural and physical resources, including soil, water and indigenous habitats, because of inappropriate rural productive activities. For example, the loss of indigenous biodiversity and habitats in the Waikato District is significant, and the mauri of the Waikato River has been compromised and it is no longer a healthy and reliable food source for tangata whenua. Degraded natural and physical resources urgently need protection, enhancement and restoration, including the establishment of new ecological habitats. This work is expensive and labour intensive to undertake at the scale required to meet the Purpose of the Act. In situ incentivised subdivision is an important method to manage the demand for residential/lifestyle growth in rural areas, while at the same time achieving significant environmental restoration benefits.

AND

Amend the Proposed District Plan consequential or additional amendments as necessary to give effect to the submission.

Decision Reasons:

- Based on the Council's own evidence there is no doubt that a significant resource management issue for the District is biodiversity loss, which continues to be at risk due to vegetation clearance, stock intrusion, animal and pest degradation, degradation of the margins for estuarine wetlands by stock.
- The submitter is concerned that the Proposed District Plan is largely focused on only protecting existing Significant Natural Areas and ignores restoring, linking and expanding indigenous biodiversity that does not qualify as Significant Natural Areas.
- There is no regulatory framework to increase indigenous vegetation and wetlands to a target vegetation cover of 30%, actively manage areas that can be considered Significant Natural Areas in the future, increase vegetation cover on steep and erosion prone land, incentivize fencing of riparian areas, incentivize the creation of new corridors, pest control, enrichment planting and restoration.
- No comprehensive research supports the claim that incentive-based planting in the district has resulted in sporadic, adhoc development.
- There appears to be no robust analysis of the success or failures of the limited amount of enhancement subdivision that has previously been undertaken in the Franklin part of the District that had these provisions.
- Several court decisions including *Di Andre Estates Ltd v Rodney District Council*, *Arrigato Investments v Auckland Regional Council*, *Omaha Park and Cabra v Auckland Council* are useful for establishing current best practice to meet the requirements of Part 2 of the RMA.
- *Cabra v Auckland Council* case law notes that the Council could not use the fact that there may be issues with weeds, or poor fencing, as a reason to oppose the inclusion of incentive provisions in the Plan, because it had the authority and responsibility to monitor consent conditions. There are a range of enforcement mechanisms available to a council, and the ability to recover costs from a consent holder, that mean managing compliance in these areas should not be onerous for a council.
- The court in the *Cabra* case has taken a far sighted and future oriented approach to the maintenance and enhancement of biodiversity.
- The Proposed District Plan does not give effect to the New Zealand Coastal Policy Statement.
- The Proposed District Plan does not give effect to the National Policy Statement for Freshwater Management.
- The Proposed District Plan does not adopt the vision of the Waikato River Settlement Act as there is not a strong emphasis in the vision on restoration.
- The Proposed District Plan does not give effect to the Waikato Regional Policy Statement.
- The submitter supports appropriate protection of high-class soils were practicable and where they are alternatives to using this land. However, sustainable land management may mean that subdivision on these soils is not always inappropriate.

Point Number

794.5

Summary of Decision Requested:

Amend Objective 3.1.1 Biodiversity and ecosystems as follows:

(a) Indigenous biodiversity values and the life-supporting capacity of indigenous ecosystems are maintained or enhanced.

(b) New areas of indigenous biodiversity are established.

AND

Amend the Proposed District Plan consequential or additional amendments as necessary to give effect to the submission.

Decision Reasons:

- Based on the Council's own evidence there is no doubt that a significant resource management issue for the District is biodiversity loss, which continues to be at risk due to vegetation clearance, stock intrusion, animal and pest degradation, degradation of the margins for estuarine wetlands by stock.
- The submitter is concerned that the Proposed District Plan is largely focused on only protecting existing Significant Natural Areas and ignores restoring, linking and expanding indigenous biodiversity that does not qualify as Significant Natural Areas.
- There is no regulatory framework to increase indigenous vegetation and wetlands to a target vegetation cover of 30%, actively manage areas that can be considered Significant Natural Areas in the future, increase vegetation cover on steep and erosion prone land, incentivize fencing of riparian areas, incentivize the creation of new corridors, pest control, enrichment planting and restoration.
- No comprehensive research supports the claim that incentive-based planting in the district has resulted in sporadic, adhoc development.
- There appears to be no robust analysis of the success or failures of the limited amount of enhancement subdivision that has previously been undertaken in the Franklin part of the District that had these provisions.
- Several court decisions including *Di Andre Estates Ltd v Rodney District Council*, *Arrigato Investments v Auckland Regional Council*, *Omaha Park and Cabra v Auckland Council* are useful for establishing current best practice to meet the requirements of Part 2 of the RMA.
- *Cabra v Auckland Council* case law notes that the Council could not use the fact that there may be issues with weeds, or poor fencing, as a reason to oppose the inclusion of incentive provisions in the Plan, because it had the authority and responsibility to monitor consent conditions. There are a range of enforcement mechanisms available to a council, and the ability to recover costs from a consent holder, that mean managing compliance in these areas should not be onerous for a council.
- The court in the *Cabra* case has taken a far sighted and future oriented approach to the maintenance and enhancement of biodiversity.
- The Proposed District Plan does not give effect to the New Zealand Coastal Policy Statement.
- The Proposed District Plan does not give effect to the National Policy Statement for Freshwater Management.
- The Proposed District Plan does not adopt the vision of the Waikato River Settlement Act as there is not a strong emphasis in the vision on restoration.
- The Proposed District Plan does not give effect to the Waikato Regional Policy Statement.
- The submitter supports appropriate protection of high-class soils were practicable and where they are alternatives to using this land. However, sustainable land management may mean that subdivision on these soils is not always inappropriate.

Point Number

794.6

Summary of Decision Requested:

Amend Policy 3.1.2 Policies as follows:

(a) Enable activities that maintain or enhance indigenous biodiversity including:

(i) planting using indigenous species suitable to the habitat;

(ii) the removal or management of pest plant and animal species;

(iii) biosecurity works.

(iv) incentivised subdivision

(b) Consider the following when avoiding, remedying or mitigating adverse effects on indigenous biodiversity:

....

(x) ecological corridors, natural processes and buffer areas;

(xi) connections and linkages that integrate habitats and resources;

~~*(xii) the appropriateness of landuse activities, including primary production;*~~

~~*(xiii) legal and physical production of existing habitat;*~~

(c) Provide for the removal of manuka or kanuka on a sustainable basis.

AND

Amend the Proposed District Plan consequential or additional amendments as necessary to give effect to the submission.

Decision Reasons:

- Based on the Council's own evidence there is no doubt that a significant resource management issue for the District is biodiversity loss, which continues to be at risk due to vegetation clearance, stock intrusion, animal and pest degradation, degradation of the margins for estuarine wetlands by stock.
- The submitter is concerned that the Proposed District Plan is largely focused on only protecting existing Significant Natural Areas and ignores restoring, linking and expanding indigenous biodiversity that does not qualify as Significant Natural Areas.
- There is no regulatory framework to increase indigenous vegetation and wetlands to a target vegetation cover of 30%, actively manage areas that can be considered Significant Natural Areas in the future, increase vegetation cover on steep and erosion prone land, incentivize fencing of riparian areas, incentivize the creation of new corridors, pest control, enrichment planting and restoration.
- No comprehensive research supports the claim that incentive-based planting in the district has resulted in sporadic, adhoc development.
- There appears to be no robust analysis of the success or failures of the limited amount of enhancement subdivision that has previously been undertaken in the Franklin part of the District that had these provisions.
- Several court decisions including *Di Andre Estates Ltd v Rodney District Council*, *Arrigato Investments v Auckland Regional Council*, *Omaha Park and Cabra v Auckland Council* are useful for establishing current best practice to meet the requirements of Part 2 of the RMA.

- *Cabra v Auckland Council* case law notes that the Council could not use the fact that there may be issues with weeds, or poor fencing, as a reason to oppose the inclusion of incentive provisions in the Plan, because it had the authority and responsibility to monitor consent conditions. There are a range of enforcement mechanisms available to a council, and the ability to recover costs from a consent holder, that mean managing compliance in these areas should not be onerous for a council.
- The court in the *Cabra* case has taken a far sighted and future oriented approach to the maintenance and enhancement of biodiversity.
- The Proposed District Plan does not give effect to the New Zealand Coastal Policy Statement.
- The Proposed District Plan does not give effect to the National Policy Statement for Freshwater Management.
- The Proposed District Plan does not adopt the vision of the Waikato River Settlement Act as there is not a strong emphasis in the vision on restoration.
- The Proposed District Plan does not give effect to the Waikato Regional Policy Statement.
- The submitter supports appropriate protection of high-class soils where practicable and where they are alternatives to using this land. However, sustainable land management may mean that subdivision on these soils is not always inappropriate.

Point Number 794.7

Summary of Decision Requested: Retain Objective 3.2.1 Significant Natural Areas

Decision Reasons:

- No reasons provided.

Point Number 794.8

Summary of Decision Requested: Amend Policy 3.2.2 Identify and Recognise as follows:

(a) *Identify significant indigenous vegetation and habitats of indigenous fauna in accordance with the Waikato Regional Policy Statement and identify as Significant Natural Areas.*

(b) *Recognise and protect Significant Natural Areas by ensuring the characteristics that contribute to their significance are not adversely affected.*

(c) *Incentivise subdivision for ecological enhancement where it will maintain and support the viability of existing Significant Natural Areas.*

AND

Amend the Proposed District Plan consequential or additional amendments as necessary to give effect to the submission.

Decision Reasons:

- Based on the Council's own evidence there is no doubt that a significant resource management issue for the District is biodiversity loss, which continues to be at risk due to vegetation clearance, stock intrusion, animal and pest degradation, degradation of the margins for estuarine wetlands by stock.
- The submitter is concerned that the Proposed District Plan is largely focused on only protecting existing Significant Natural Areas and ignores restoring, linking and expanding indigenous biodiversity that does not qualify as Significant Natural Areas.
- There is no regulatory framework to increase indigenous vegetation and wetlands to a target vegetation cover of 30%, actively manage areas that can be considered Significant Natural Areas in the future, increase vegetation cover on steep and erosion prone land, incentivize fencing of riparian areas, incentivize the creation of new corridors, pest control, enrichment planting and restoration.
- No comprehensive research supports the claim that incentive-based planting in the district has resulted in sporadic, adhoc development.
- There appears to be no robust analysis of the success or failures of the limited amount of enhancement subdivision that has previously been undertaken in the Franklin part of the District that had these provisions.
- Several court decisions including *Di Andre Estates Ltd v Rodney District Council*, *Arrigato Investments v Auckland Regional Council*, *Omaha Park* and *Cabra v Auckland Council* are useful for establishing current best practice to meet the requirements of Part 2 of the RMA.
- *Cabra v Auckland Council* case law notes that the Council could not use the fact that there may be issues with weeds, or poor fencing, as a reason to oppose the inclusion of incentive provisions in the Plan, because it had the authority and responsibility to monitor consent conditions. There are a range of enforcement mechanisms available to a council, and the ability to recover costs from a consent holder, that mean managing compliance in these areas should not be onerous for a council.
- The court in the *Cabra* case has taken a far sighted and future oriented approach to the maintenance and enhancement of biodiversity.
- The Proposed District Plan does not give effect to the New Zealand Coastal Policy Statement.
- The Proposed District Plan does not give effect to the National Policy Statement for Freshwater Management.
- The Proposed District Plan does not adopt the vision of the Waikato River Settlement Act as there is not a strong emphasis in the vision on restoration.
- The Proposed District Plan does not give effect to the Waikato Regional Policy Statement.
- The submitter supports appropriate protection of high-class soils where practicable and where they are alternatives to using this land. However, sustainable land management may mean that subdivision on these soils is not always inappropriate.

Point Number 794.9

Summary of Decision Requested: Amend Policy 3.2.7 (a) (i) Managing Significant Natural Areas as follows:

(a) *Promote the management of Significant Natural Areas in a way that protects their long-term ecological functioning and indigenous biodiversity values, through such means as:*

(i) *permanently excluding stock through voluntary covenants and ~~conservation~~ incentive subdivisions*

AND

Amend the Proposed District Plan consequential or additional amendments as necessary to give effect to the submission.

Decision Reasons:

- Based on the Council's own evidence there is no doubt that a significant resource management issue for the District is biodiversity loss, which continues to be at risk due to vegetation clearance, stock intrusion, animal and pest degradation, degradation of the margins for estuarine wetlands by stock.
- The submitter is concerned that the Proposed District Plan is largely focused on only protecting existing Significant Natural Areas and ignores restoring, linking and expanding indigenous biodiversity that does not qualify as Significant Natural Areas.
- There is no regulatory framework to increase indigenous vegetation and wetlands to a target vegetation cover of 30%, actively manage areas that can be considered Significant Natural Areas in the future, increase vegetation cover on steep and erosion prone land, incentivize fencing of riparian areas, incentivize the creation of new corridors, pest control, enrichment planting and restoration.
- No comprehensive research supports the claim that incentive-based planting in the district has resulted in sporadic, adhoc development.
- There appears to be no robust analysis of the success or failures of the limited amount of enhancement subdivision that has previously been undertaken in the Franklin part of the District that had these provisions.
- Several court decisions including *Di Andre Estates Ltd v Rodney District Council*, *Arrigato Investments v Auckland Regional Council*, *Omaha Park* and *Cabra v Auckland Council* are useful for establishing current best practice to meet the requirements of Part 2 of the RMA.
- *Cabra v Auckland Council* case law notes that the Council could not use the fact that there may be issues with weeds, or poor fencing, as a reason to oppose the inclusion of incentive provisions in the Plan, because it had the authority and responsibility to monitor consent conditions. There are a range of enforcement mechanisms available to a council, and the ability to recover costs from a consent holder, that mean managing compliance in these areas should not be onerous for a council.
- The court in the *Cabra* case has taken a far sighted and future oriented approach to the maintenance and enhancement of biodiversity.
- The Proposed District Plan does not give effect to the New Zealand Coastal Policy Statement.
- The Proposed District Plan does not give effect to the National Policy Statement for Freshwater Management.
- The Proposed District Plan does not adopt the vision of the Waikato River Settlement Act as there is not a strong emphasis in the vision on restoration.
- The Proposed District Plan does not give effect to the Waikato Regional Policy Statement.
- The submitter supports appropriate protection of high-class soils where practicable and where they are alternatives to using this land. However, sustainable land management may mean that subdivision on these soils is not always inappropriate.

Point Number 794.10

Summary of Decision Requested: Amend Policy 3.2.8 Incentivise subdivision as follows:

(a) *Incentivise subdivision in the Rural Zone when there is the legal and physical protection of Significant Natural Areas, provided the areas are of a suitable size and quality to achieve a functioning ecosystem.*

(b) *Incentivise in situ subdivision in the Rural Zone where there are significant ecological benefits.*

AND

Amend the Proposed District Plan consequential or additional amendments as necessary to give effect to the submission.

Decision Reasons:

- Based on the Council's own evidence there is no doubt that a significant resource management issue for the District is biodiversity loss, which continues to be at risk due to vegetation clearance, stock intrusion, animal and pest degradation, degradation of the margins for estuarine wetlands by stock.
- The submitter is concerned that the Proposed District Plan is largely focused on only protecting existing Significant Natural Areas and ignores restoring, linking and expanding indigenous biodiversity that does not qualify as Significant Natural Areas.
- There is no regulatory framework to increase indigenous vegetation and wetlands to a target vegetation cover of 30%, actively manage areas that can be considered Significant Natural Areas in the future, increase vegetation cover on steep and erosion prone land, incentivize fencing of riparian areas, incentivize the creation of new corridors, pest control, enrichment planting and restoration.
- No comprehensive research supports the claim that incentive-based planting in the district has resulted in sporadic, adhoc development.
- There appears to be no robust analysis of the success or failures of the limited amount of enhancement subdivision that has previously been undertaken in the Franklin part of the District that had these provisions.
- Several court decisions including *Di Andre Estates Ltd v Rodney District Council*, *Arrigato Investments v Auckland Regional Council*, *Omaha Park and Cabra v Auckland Council* are useful for establishing current best practice to meet the requirements of Part 2 of the RMA.
- *Cabra v Auckland Council* case law notes that the Council could not use the fact that there may be issues with weeds, or poor fencing, as a reason to oppose the inclusion of incentive provisions in the Plan, because it had the authority and responsibility to monitor consent conditions. There are a range of enforcement mechanisms available to a council, and the ability to recover costs from a consent holder, that mean managing compliance in these areas should not be onerous for a council.
- The court in the *Cabra* case has taken a far sighted and future oriented approach to the maintenance and enhancement of biodiversity.
- The Proposed District Plan does not give effect to the New Zealand Coastal Policy Statement.
- The Proposed District Plan does not give effect to the National Policy Statement for Freshwater Management.
- The Proposed District Plan does not adopt the vision of the Waikato River Settlement Act as there is not a strong emphasis in the vision on restoration.
- The Proposed District Plan does not give effect to the Waikato Regional Policy Statement.
- The submitter supports appropriate protection of high-class soils were practicable and where they are alternatives to using this land. However, sustainable land management may mean that subdivision on these soils is not always inappropriate.

Point Number

794.11

Summary of Decision Requested:

Amend Objective 5.1.1 The rural environment as follows:

Objective 5.1.1 is the strategic objective for the rural environment and has primacy over all other objectives in Chapter 5.

(a) Subdivision, use and development within the rural environment where:

(i) high class soils are protected for ~~productive~~ rural activities;

(ii) ~~productive~~ rural activities are supported, while maintaining and enhancing the rural environment;

(iii) urban subdivision, use and development in the rural environment is avoided, and other subdivision is managed.

AND

Amend the Proposed District Plan consequential or additional amendments as necessary to give effect to the submission.

Decision Reasons:

- Based on the Council's own evidence there is no doubt that a significant resource management issue for the District is biodiversity loss, which continues to be at risk due to vegetation clearance, stock intrusion, animal and pest degradation, degradation of the margins for estuarine wetlands by stock.
- The submitter is concerned that the Proposed District Plan is largely focused on only protecting existing Significant Natural Areas and ignores restoring, linking and expanding indigenous biodiversity that does not qualify as Significant Natural Areas.
- There is no regulatory framework to increase indigenous vegetation and wetlands to a target vegetation cover of 30%, actively manage areas that can be considered Significant Natural Areas in the future, increase vegetation cover on steep and erosion prone land, incentivize fencing of riparian areas, incentivize the creation of new corridors, pest control, enrichment planting and restoration.
- No comprehensive research supports the claim that incentive-based planting in the district has resulted in sporadic, adhoc development.
- There appears to be no robust analysis of the success or failures of the limited amount of enhancement subdivision that has previously been undertaken in the Franklin part of the District that had these provisions.
- Several court decisions including *Di Andre Estates Ltd v Rodney District Council*, *Arrigato Investments v Auckland Regional Council*, *Omaha Park and Cabra v Auckland Council* are useful for establishing current best practice to meet the requirements of Part 2 of the RMA.
- *Cabra v Auckland Council* case law notes that the Council could not use the fact that there may be issues with weeds, or poor fencing, as a reason to oppose the inclusion of incentive provisions in the Plan, because it had the authority and responsibility to monitor consent conditions. There are a range of enforcement mechanisms available to a council, and the ability to recover costs from a consent holder, that mean managing compliance in these areas should not be onerous for a council.
- The court in the *Cabra* case has taken a far sighted and future oriented approach to the maintenance and enhancement of biodiversity.
- The Proposed District Plan does not give effect to the New Zealand Coastal Policy Statement.
- The Proposed District Plan does not give effect to the National Policy Statement for Freshwater Management.
- The Proposed District Plan does not adopt the vision of the Waikato River Settlement Act as there is not a strong emphasis in the vision on restoration.
- The Proposed District Plan does not give effect to the Waikato Regional Policy Statement.
- The submitter supports appropriate protection of high-class soils were practicable and where they are alternatives to using this land. However, sustainable land management may mean that subdivision on these soils is not always inappropriate.

Point Number

794.12

Summary of Decision Requested:

Retain Objective 5.2.1 Rural resources.

Decision Reasons:

- No reasons provided.

Point Number

794.13

Summary of Decision Requested:

Amend Policy 5.2.2 High class soils as follows:

(a) Soils, in particular high class soils, are retained for their ~~primary~~ productive value.

(b) Ensure the adverse effects of activities do not compromise the physical, chemical and biological properties of high class soils.

AND

Add the distinction between "elite" and "prime" high class soils into the Proposed District Plan (similar to the Auckland Unitary Plan) to better manage soil resources, including appropriate changes to the objectives, policies and rules.

AND

Amend the Proposed District Plan consequential or additional amendments as necessary to give effect to the submission.

Decision Reasons:

- Based on the Council's own evidence there is no doubt that a significant resource management issue for the District is biodiversity loss, which continues to be at risk due to vegetation clearance, stock intrusion, animal and pest degradation, degradation of the margins for estuarine wetlands by stock.
- The submitter is concerned that the Proposed District Plan is largely focused on only protecting existing Significant Natural Areas and ignores restoring, linking and expanding indigenous biodiversity that does not qualify as Significant Natural Areas.
- There is no regulatory framework to increase indigenous vegetation and wetlands to a target vegetation cover of 30%, actively manage areas that can be considered Significant Natural Areas in the future, increase vegetation cover on steep and erosion prone land, incentivize fencing of riparian areas, incentivize the creation of new corridors, pest control, enrichment planting and restoration.
- No comprehensive research supports the claim that incentive-based planting in the district has resulted in sporadic, adhoc development.
- There appears to be no robust analysis of the success or failures of the limited amount of enhancement subdivision that has previously been undertaken in the Franklin part of the District that had these provisions.

- Several court decisions including Di Andre Estates Ltd v Rodney District Council, Arrigato Investments v Auckland Regional Council, Omaha Park and Cabra v Auckland Council are useful for establishing current best practice to meet the requirements of Part 2 of the RMA.
- *Cabra v Auckland Council* case law notes that the Council could not use the fact that there may be issues with weeds, or poor fencing, as a reason to oppose the inclusion of incentive provisions in the Plan, because it had the authority and responsibility to monitor consent conditions. There are a range of enforcement mechanisms available to a council, and the ability to recover costs from a consent holder, that mean managing compliance in these areas should not be onerous for a council.
- The court in the *Cabra* case has taken a far sighted and future oriented approach to the maintenance and enhancement of biodiversity.
- The Proposed District Plan does not give effect to the New Zealand Coastal Policy Statement.
- The Proposed District Plan does not give effect to the National Policy Statement for Freshwater Management.
- The Proposed District Plan does not adopt the vision of the Waikato River Settlement Act as there is not a strong emphasis in the vision on restoration.
- The Proposed District Plan does not give effect to the Waikato Regional Policy Statement.
- The submitter supports appropriate protection of high-class soils were practicable and where they are alternatives to using this land. However, sustainable land management may mean that subdivision on these soils is not always inappropriate.

Point Number 794.14

Summary of Decision Requested: **Amend** Policy 5.3.8 Effects on rural character and amenity from rural subdivision as follows:

(a) Protect ~~productive~~ the amenity values of rural areas by directing urban forms of subdivision, use and development to within the boundaries of towns and villages.

...

(d) Rural hamlet subdivision, in situ environmental enhancement incentive subdivision, and boundary relocations ensure the following:

(i) ~~Protection of~~ Rural land can continue to be used for productive purposes.

...

AND

Amend the Proposed District Plan consequential or additional amendments as necessary to give effect to the submission.

Decision Reasons:

- Based on the Council's own evidence there is no doubt that a significant resource management issue for the District is biodiversity loss, which continues to be at risk due to vegetation clearance, stock intrusion, animal and pest degradation, degradation of the margins for estuarine wetlands by stock.
- The submitter is concerned that the Proposed District Plan is largely focused on only protecting existing Significant Natural Areas and ignores restoring, linking and expanding indigenous biodiversity that does not qualify as Significant Natural Areas.
- There is no regulatory framework to increase indigenous vegetation and wetlands to a target vegetation cover of 30%, actively manage areas that can be considered Significant Natural Areas in the future, increase vegetation cover on steep and erosion prone land, incentivize fencing of riparian areas, incentivize the creation of new corridors, pest control, enrichment planting and restoration.
- No comprehensive research supports the claim that incentive-based planting in the district has resulted in sporadic, adhoc development.
- There appears to be no robust analysis of the success or failures of the limited amount of enhancement subdivision that has previously been undertaken in the Franklin part of the District that had these provisions.
- Several court decisions including Di Andre Estates Ltd v Rodney District Council, Arrigato Investments v Auckland Regional Council, Omaha Park and Cabra v Auckland Council are useful for establishing current best practice to meet the requirements of Part 2 of the RMA.
- *Cabra v Auckland Council* case law notes that the Council could not use the fact that there may be issues with weeds, or poor fencing, as a reason to oppose the inclusion of incentive provisions in the Plan, because it had the authority and responsibility to monitor consent conditions. There are a range of enforcement mechanisms available to a council, and the ability to recover costs from a consent holder, that mean managing compliance in these areas should not be onerous for a council.
- The court in the *Cabra* case has taken a far sighted and future oriented approach to the maintenance and enhancement of biodiversity.
- The Proposed District Plan does not give effect to the New Zealand Coastal Policy Statement.
- The Proposed District Plan does not give effect to the National Policy Statement for Freshwater Management.
- The Proposed District Plan does not adopt the vision of the Waikato River Settlement Act as there is not a strong emphasis in the vision on restoration.
- The Proposed District Plan does not give effect to the Waikato Regional Policy Statement.
- The submitter supports appropriate protection of high-class soils were practicable and where they are alternatives to using this land. However, sustainable land management may mean that subdivision on these soils is not always inappropriate.

Point Number 794.15

Summary of Decision Requested: **Add** a new policy into Section 5.3 Rural Character and Amenity as follows:

Policy 5.3.8B - Environmental enhancement and restoration of ecosystem services

(a) Enable environmental enhancement and the restoration of degraded ecosystem services by the provision of in situ incentive subdivision opportunities;

(b) Avoid, remedy and mitigate any potential adverse effects of subdivision and development on other rural activities, soil and mineral resources, and rural amenity values;

(c) Ensure that areas identified and restored are properly protected for the long term through appropriate legal mechanisms.

AND

Amend the Proposed District Plan consequential or additional amendments as necessary to give effect to the submission.

Decision Reasons:

- Based on the Council's own evidence there is no doubt that a significant resource management issue for the District is biodiversity loss, which continues to be at risk due to vegetation clearance, stock intrusion, animal and pest degradation, degradation of the margins for estuarine wetlands by stock.
- The submitter is concerned that the Proposed District Plan is largely focused on only protecting existing Significant Natural Areas and ignores restoring, linking and expanding indigenous biodiversity that does not qualify as Significant Natural Areas.
- There is no regulatory framework to increase indigenous vegetation and wetlands to a target vegetation cover of 30%, actively manage areas that can be considered Significant Natural Areas in the future, increase vegetation cover on steep and erosion prone land, incentivize fencing of riparian areas, incentivize the creation of new corridors, pest control, enrichment planting and restoration.
- No comprehensive research supports the claim that incentive-based planting in the district has resulted in sporadic, adhoc development.
- There appears to be no robust analysis of the success or failures of the limited amount of enhancement subdivision that has previously been undertaken in the Franklin part of the District that had these provisions.
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- *Cabra v Auckland Council* case law notes that the Council could not use the fact that there may be issues with weeds, or poor fencing, as a reason to oppose the inclusion of incentive provisions in the Plan, because it had the authority and responsibility to monitor consent conditions. There are a range of enforcement mechanisms available to a council, and the ability to recover costs from a consent holder, that mean managing compliance in these areas should not be onerous for a council.
- The court in the *Cabra* case has taken a far sighted and future oriented approach to the maintenance and enhancement of biodiversity.
- The Proposed District Plan does not give effect to the New Zealand Coastal Policy Statement.
- The Proposed District Plan does not give effect to the National Policy Statement for Freshwater Management.
- The Proposed District Plan does not adopt the vision of the Waikato River Settlement Act as there is not a strong emphasis in the vision on restoration.
- The Proposed District Plan does not give effect to the Waikato Regional Policy Statement.
- The submitter supports appropriate protection of high-class soils were practicable and where they are alternatives to using this land. However, sustainable land management may mean that subdivision on these soils is not always inappropriate.

Point Number 794.16

Summary of Decision Requested: **Delete** Rule 22.3.1 Number of dwellings within a lot;

AND

Add a more enabling provision.

AND

Amend the Proposed District Plan consequential or additional amendments as necessary to give effect to the submission.

Decision Reasons:

- Based on the Council's own evidence there is no doubt that a significant resource management issue for the District is biodiversity loss, which continues to be at risk due to vegetation clearance, stock intrusion, animal and pest degradation, degradation of the margins for estuarine wetlands by stock.
- The submitter is concerned that the Proposed District Plan is largely focused on only protecting existing Significant Natural Areas and ignores restoring, linking and expanding indigenous biodiversity that does not qualify as Significant Natural Areas.
- There is no regulatory framework to increase indigenous vegetation and wetlands to a target vegetation cover of 30%, actively manage areas that can be considered Significant Natural Areas in the future, increase vegetation cover on steep and erosion prone land, incentivize fencing of riparian areas, incentivize the creation of new corridors, pest control, enrichment planting and restoration.
- No comprehensive research supports the claim that incentive-based planting in the district has resulted in sporadic, adhoc development.
- There appears to be no robust analysis of the success or failures of the limited amount of enhancement subdivision that has previously been undertaken in the Franklin part of the District that had these provisions.
- Several court decisions including *Di Andre Estates Ltd v Rodney District Council*, *Arrigato Investments v Auckland Regional Council*, *Omaha Park and Cabra v Auckland Council* are useful for establishing current best practice to meet the requirements of Part 2 of the RMA.
- *Cabra v Auckland Council* case law notes that the Council could not use the fact that there may be issues with weeds, or poor fencing, as a reason to oppose the inclusion of incentive provisions in the Plan, because it had the authority and responsibility to monitor consent conditions. There are a range of enforcement mechanisms available to a council, and the ability to recover costs from a consent holder, that mean managing compliance in these areas should not be onerous for a council.
- The court in the *Cabra* case has taken a far sighted and future oriented approach to the maintenance and enhancement of biodiversity.
- The Proposed District Plan does not give effect to the New Zealand Coastal Policy Statement.
- The Proposed District Plan does not give effect to the National Policy Statement for Freshwater Management.
- The Proposed District Plan does not adopt the vision of the Waikato River Settlement Act as there is not a strong emphasis in the vision on restoration.
- The Proposed District Plan does not give effect to the Waikato Regional Policy Statement.
- The submitter supports appropriate protection of high-class soils were practicable and where they are alternatives to using this land. However, sustainable land management may mean that subdivision on these soils is not always inappropriate.

Point Number

794.17

Summary of Decision Requested:

Delete Rule 22.3.2 PI (b)(i) Minor dwelling requiring the minor dwelling to be no more than 20m from the main dwelling.
AND
Amend the Proposed District Plan consequential or additional amendments as necessary to give effect to the submission.

Decision Reasons:

- To remove requirement for a dwelling to be no more than 20m from the main dwelling.

Point Number

794.18

Summary of Decision Requested:

Delete Rule 22.3.7.5 Building setback - water bodies;
AND
Amend rules to relax the setback distances.
AND
Amend the Proposed District Plan consequential or additional amendments as necessary to give effect to the submission.

Decision Reasons:

- Relax the rules for setback distances.

Point Number

794.19

Summary of Decision Requested:

Delete Rule 22.4.1.1 Prohibited subdivision;
AND
Add more enabling provisions for subdivision.
AND
Amend the Proposed District Plan consequential or additional amendments as necessary to give effect to the submission.

Decision Reasons:

- Based on the Council's own evidence there is no doubt that a significant resource management issue for the District is biodiversity loss, which continues to be at risk due to vegetation clearance, stock intrusion, animal and pest degradation, degradation of the margins for estuarine wetlands by stock.
- The submitter is concerned that the Proposed District Plan is largely focused on only protecting existing Significant Natural Areas and ignores restoring, linking and expanding indigenous biodiversity that does not qualify as Significant Natural Areas.
- There is no regulatory framework to increase indigenous vegetation and wetlands to a target vegetation cover of 30%, actively manage areas that can be considered Significant Natural Areas in the future, increase vegetation cover on steep and erosion prone land, incentivize fencing of riparian areas, incentivize the creation of new corridors, pest control, enrichment planting and restoration.
- No comprehensive research supports the claim that incentive-based planting in the district has resulted in sporadic, adhoc development.
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- Several court decisions including *Di Andre Estates Ltd v Rodney District Council*, *Arrigato Investments v Auckland Regional Council*, *Omaha Park and Cabra v Auckland Council* are useful for establishing current best practice to meet the requirements of Part 2 of the RMA.
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- The court in the *Cabra* case has taken a far sighted and future oriented approach to the maintenance and enhancement of biodiversity.
- The Proposed District Plan does not give effect to the New Zealand Coastal Policy Statement.
- The Proposed District Plan does not give effect to the National Policy Statement for Freshwater Management.
- The Proposed District Plan does not adopt the vision of the Waikato River Settlement Act as there is not a strong emphasis in the vision on restoration.
- The Proposed District Plan does not give effect to the Waikato Regional Policy Statement.
- The submitter supports appropriate protection of high-class soils were practicable and where they are alternatives to using this land. However, sustainable land management may mean that subdivision on these soils is not always inappropriate.

Point Number

794.20

Summary of Decision Requested:

Delete Rule 22.4.1.2 General subdivision;
AND
Add more enabling provisions as a replacement.
AND
Amend the Proposed District Plan consequential or additional amendments as necessary to give effect to the submission.

Decision Reasons:

- To enable appropriate subdivision.

Point Number 794.21

Summary of Decision Requested: **Delete** Rule 22.4.1.4 Boundary relocation;
AND
Add more enabling provisions as a replacement.
AND
Amend the Proposed District Plan consequential or additional amendments as necessary to give effect to the submission.

Decision Reasons:

- To enable appropriate subdivision.

Point Number 794.22

Summary of Decision Requested: **Delete** Rule 22.4.1.5 Rural Hamlet Subdivision;
AND
Add more enabling provisions as a replacement.
AND
Amend the Proposed District Plan consequential or additional amendments as necessary to give effect to the submission.

Decision Reasons:

- To enable appropriate subdivision.

Point Number 794.23

Summary of Decision Requested: **Delete** Rule 22.4.1.6 Conservation lot subdivision;
AND
Add more enabling provisions as a replacement.
AND
Amend the Proposed District Plan consequential or additional amendments as necessary to give effect to the submission.

Decision Reasons:

- To enable appropriate subdivision.

Point Number 794.24

Summary of Decision Requested: **Delete** Rule 22.4.6 Subdivision of land containing all or part of an Environmental Protection Area
and
Add more enabling provisions as a replacement.
AND
Amend the Proposed District Plan consequential or additional amendments as necessary to give effect to the submission.

Decision Reasons:

- To enable appropriate subdivision.

Point Number 794.25

Summary of Decision Requested: **Delete** Rule 22.4.9 Subdivision - Building platform
AND
Add more enabling subdivision as a replacement.
AND
Amend the Proposed District Plan consequential or additional amendments as necessary to give effect to the submission.

Decision Reasons:

- To enable appropriate subdivision.

Point Number 794.26

Summary of Decision Requested: **Add** a new rule to provide for in-situ incentive subdivision for environmental enhancement. Submission suggests the Auckland Unitary Plan could be used for guidance.
AND
Amend the Proposed District Plan consequential or additional amendments as necessary to give effect to the submission.

Decision Reasons:

- To enable appropriate subdivision.
- Based on the Council's own evidence there is no doubt that a significant resource management issue for the District is biodiversity loss, which continues to be at risk due to vegetation clearance, stock intrusion, animal and pest degradation, degradation of the margins for estuarine wetlands by stock.
- The submitter is concerned that the Proposed District Plan is largely focused on only protecting existing Significant Natural Areas and ignores restoring, linking and expanding indigenous biodiversity that does not qualify as Significant Natural Areas.
- There is no regulatory framework to increase indigenous vegetation and wetlands to a target vegetation cover of 30%, actively manage areas that can be considered Significant Natural Areas in the future, increase vegetation cover on steep and erosion prone land, incentivize fencing of riparian areas, incentivize the creation of new corridors, pest control, enrichment planting and restoration.
- No comprehensive research supports the claim that incentive-based planting in the district has resulted in sporadic, adhoc development.
- There appears to be no robust analysis of the success or failures of the limited amount of enhancement subdivision that has previously been undertaken in the Franklin part of the District that had these provisions.

- Several court decisions including *Di Andre Estates Ltd v Rodney District Council*, *Arrigato Investments v Auckland Regional Council*, *Omaha Park and Cabra v Auckland Council* are useful for establishing current best practice to meet the requirements of Part 2 of the RMA.
- *Cabra v Auckland Council* case law notes that the Council could not use the fact that there may be issues with weeds, or poor fencing, as a reason to oppose the inclusion of incentive provisions in the Plan, because it had the authority and responsibility to monitor consent conditions. There are a range of enforcement mechanisms available to a council, and the ability to recover costs from a consent holder, that mean managing compliance in these areas should not be onerous for a council.
- The court in the *Cabra* case has taken a far sighted and future oriented approach to the maintenance and enhancement of biodiversity.
- The Proposed District Plan does not give effect to the New Zealand Coastal Policy Statement.
- The Proposed District Plan does not give effect to the National Policy Statement for Freshwater Management.
- The Proposed District Plan does not adopt the vision of the Waikato River Settlement Act as there is not a strong emphasis in the vision on restoration.
- The Proposed District Plan does not give effect to the Waikato Regional Policy Statement.
- The submitter supports appropriate protection of high-class soils were practicable and where they are alternatives to using this land. However, sustainable land management may mean that subdivision on these soils is not always inappropriate.

Point Number 794.27

Summary of Decision Requested: **Add** a transferable development right subdivision regime, particularly to relocate lots from elite soils that are inappropriately located. The submission suggests the Auckland Unitary Plan could be used for guidance.

AND

Amend the Proposed District Plan consequential or additional amendments as necessary to give effect to the submission.

Decision Reasons:

- Potential inclusion of transferable development right subdivision regime, particularly to relocate small lots from elite soils that are inappropriately located.
- While not finally determined yet, and with spatial and temporal issues still to be finally addresses through the appeal process, the Auckland Unitary Plan provisions could be used for guidance.

Point Number 794.28

Summary of Decision Requested: **Amend** the Proposed District Plan by introducing provisions from the Auckland Unitary Plan, including incentivised subdivision rules for the General Rural Area for Ecological benefit.

AND

Amend the Proposed District Plan consequential or additional amendments as necessary to give effect to the submission.

Decision Reasons:

- The natural and physical environments of the Auckland Region, particularly in the southern part, and the Waikato District are reasonably similar.
- Issues such as the protection of high-class soils, Significant Ecological Areas, the need for ecological enhancement, and the need to manage growth in rural areas are common in both jurisdictions.
- The Auckland Unitary Provisions were developed by an expert Hearings Panel with the benefit of a substantial amount of expert evidence and legal submissions.
- The provisions have been recently tested in several appeals to the High Court and the Environment Court and have generally been found to be robust and meet the purposes of the Resource Management Act.

Point Number 794.29

Summary of Decision Requested: **Amend** the Proposed District Plan maps to include the riparian areas on the property at 95 Jericho Road, Pukekohe shown in Appendix 2 of the submission as an Ecological Corridor or a similar layer.

AND

Amend the Proposed District Plan consequential or additional amendments as necessary to give effect to the submission.

Decision Reasons:

- The site was granted a subdivision consent for the protection of some streams and ecological enhancement.
- The submitter would like to extend the planting over the rest of the property to exclude stock from accessing the waterways.
- Fencing and planting around streams is expensive.
- Submitter believes that a subdivision incentive mechanism is appropriate and necessary to afford the degraded stream protection.

Point Number 794.30

Summary of Decision Requested: **Amend** the Proposed District Plan to enable the creation of up to 2 additional lots at 95 Jericho Road, Pukekohe East for a minimum 3ha of restoration and protection of indigenous vegetation. The size of the new lots could be between 5000m² to 1.5ha.

AND

Amend the Proposed District Plan consequential or additional amendments as necessary to give effect to the submission.

Decision Reasons:

- Incentive mechanisms are appropriate and necessary to afford the degraded stream on the property the protection it requires.

Point Number 794.31

Summary of Decision Requested: No specific decision sought, but the submission supports any opportunity for 95 Jericho Road, Pukekohe East that is available under any rules in the Proposed District Plan, including for sites with older titles and larger than 20ha.

AND

Amend the Proposed District Plan consequential or additional amendments as necessary to give effect to the submission.

Decision Reasons:

- The submitter support further subdivision opportunities at 95 Jericho Road, Pukekohe East.

Point Number 794.32

Summary of Decision Requested: **Amend** the provisions within Chapter 22.4 Subdivision, to provide for incentivised subdivision rules to enable ecological benefit within the rural area as a restricted discretionary activity as follows:

(b) In situ opportunity in all rural zones but which are subject to overlay rules for outstanding landscapes, features etc.

(c) Lot yields

- Restoration planting: 1 new lot for every 2ha minimum
- Retirement succession: 1 new lot for every 4ha minimum
- Wetland establishment: 1 new lot for every 0.5ha establishment (excluding buffer areas)
- Riparian protection: 1 new lot for every 1.5ha minimum (minimum width of 10m and an average minimum of 15m either side of the stream bank or wetland.

(d) the submitter considers whether a maximum cap be applied

(e) lots with sizes ranging between 5000m² and 1.5ha.

(f) clustering of lots is encouraged but not required as it is a design response issue and site dependent.

AND

Amend the provisions within Chapter 22.4 Subdivision for incentivise subdivision rules to enable ecological benefit within rural areas by incorporating the following Restricted Discretionary Assessment Criteria as follows:

(a) Site specific design led approach to the identification of protection/enhancement areas, lot boundaries and building platforms;

(b) Priority, provided for the LENZ 4 most at-risk land, wetlands and streams;

(c) Opportunity for linkages to other existing or future ecological areas;

(d) The qualities and features of the resources to be protected/enhanced;

(e) Locating accessways and building platforms, where practicable;

- off elite soils;
- where reverse sensitivity risk is managed;
- to maintain rural production (broadly defined); and
- to maintain and enhance rural amenity values.

(f) The ecological and other benefits of the enhancement; and

(g) Legal long-term protection and maintenance mechanisms.

AND

Amend the Proposed District Plan consequential or additional amendments as necessary to give effect to the submission.

Decision Reasons:

- Introduce the Auckland Unitary Plan provisions because the natural and physical environments of the Auckland Region and the Waikato District are reasonably similar and addresses issues such as the protection of high-class soils, Significant Ecological Areas, the need for ecological enhancement, and the need to manage growth in rural areas are common in both jurisdictions.
- Based on the Council's own evidence there is no doubt that a significant resource management issue for the District is biodiversity loss, which continues to be at risk due to vegetation clearance, stock intrusion, animal and pest degradation, degradation of the margins for estuarine wetlands by stock.
- The submitter is concerned that the Proposed District Plan is largely focused on only protecting existing Significant Natural Areas and ignores restoring, linking and expanding indigenous biodiversity that does not qualify as Significant Natural Areas.
- There is no regulatory framework to increase indigenous vegetation and wetlands to a target vegetation cover of 30%, actively manage areas that can be considered Significant Natural Areas in the future, increase vegetation cover on steep and erosion prone land, incentivize fencing of riparian areas, incentivize the creation of new corridors, pest control, enrichment planting and restoration.
- No comprehensive research supports the claim that incentive-based planting in the district has resulted in sporadic, adhoc development.
- There appears to be no robust analysis of the success or failures of the limited amount of enhancement subdivision that has previously been undertaken in the Franklin part of the District that had these provisions.
- Several court decisions including Di Andre Estates Ltd v Rodney District Council, Arrigato Investments v Auckland Regional Council, Omaha Park and Cabra v Auckland Council are useful for establishing current best practice to meet the requirements of Part 2 of the RMA.
- Cabra v Auckland Council case law notes that the Council could not use the fact that there may be issues with weeds, or poor fencing, as a reason to oppose the inclusion of incentive provisions in the Plan, because it had the authority and responsibility to monitor consent conditions. There are a range of enforcement mechanisms available to a council, and the ability to recover costs from a consent holder, that mean managing compliance in these areas should not be onerous for a council.
- The court in the Cabra case has taken a far sighted and future oriented approach to the maintenance and enhancement of biodiversity.
- The Proposed District Plan does not give effect to the New Zealand Coastal Policy Statement.
- The Proposed District Plan does not give effect to the National Policy Statement for Freshwater Management.
- The Proposed District Plan does not adopt the vision of the Waikato River Settlement Act as there is not a strong emphasis in the vision on restoration.
- The Proposed District Plan does not give effect to the Waikato Regional Policy Statement.
- The submitter supports appropriate protection of high-class soils were practicable and where they are alternatives to using this land. However, sustainable land management may mean that subdivision on these soils is not always inappropriate.

Point Number 794.33

Summary of Decision Requested: **Amend** the rules in Chapter 22: Rural Zone to give effect to the indicative changes sought to the issues, objectives and policies.

AND

Amend the Proposed District Plan consequential or additional amendments as necessary to give effect to the submission.

Decision Reasons:

- Various as outlined in submission.

Point Number 794.34

Summary of Decision Requested: **Amend** Policy 5.2.3 Effects of subdivision and development on soils as follows:

(a) Subdivision, use and development minimises the fragmentation of productive rural land, particularly where high class soils are located.

(b) Subdivision which provides a range of lifestyle options is directed away from high class soils and/or where indigenous biodiversity is being protected, where practicable.

AND

Amend the Proposed District Plan consequential or additional amendments as necessary to give effect to the submission.

Decision Reasons:

- Based on the Council's own evidence there is no doubt that a significant resource management issue for the District is biodiversity loss, which continues to be at risk due to vegetation clearance, stock intrusion, animal and pest degradation, degradation of the margins for estuarine wetlands by stock.
- The submitter is concerned that the Proposed District Plan is largely focused on only protecting existing Significant Natural Areas and ignores restoring, linking and expanding indigenous biodiversity that does not qualify as Significant Natural Areas.
- There is no regulatory framework to increase indigenous vegetation and wetlands to a target vegetation cover of 30%, actively manage areas that can be considered Significant Natural Areas in the future, increase vegetation cover on steep and erosion prone land, incentivize fencing of riparian areas, incentivize the creation of new corridors, pest control, enrichment planting and restoration.
- No comprehensive research supports the claim that incentive-based planting in the district has resulted in sporadic, adhoc development.
- There appears to be no robust analysis of the success or failures of the limited amount of enhancement subdivision that has previously been undertaken in the Franklin part of the District that had these provisions.
- Several court decisions including Di Andre Estates Ltd v Rodney District Council, Arrigato Investments v Auckland Regional Council, Omaha Park and Cabra v Auckland Council are useful for establishing current best practice to meet the requirements of Part 2 of the RMA.
- Cabra v Auckland Council case law notes that the Council could not use the fact that there may be issues with weeds, or poor fencing, as a reason to oppose the inclusion of incentive provisions in the Plan, because it had the authority and responsibility to monitor consent conditions. There are a range of enforcement mechanisms available to a council, and the ability to recover costs from a consent holder, that mean managing compliance in these areas should not be onerous for a council.
- The court in the Cabra case has taken a far sighted and future oriented approach to the maintenance and enhancement of biodiversity.
- The Proposed District Plan does not give effect to the New Zealand Coastal Policy Statement.

- The Proposed District Plan does not give effect to the National Policy Statement for Freshwater Management.
- The Proposed District Plan does not adopt the vision of the Waikato River Settlement Act as there is not a strong emphasis in the vision on restoration.
- The Proposed District Plan does not give effect to the Waikato Regional Policy Statement.
- The submitter supports appropriate protection of high-class soils where practicable and where they are alternatives to using this land. However, sustainable land management may mean that subdivision on these soils is not always inappropriate.

Point Number 794.35

Summary of Decision Requested: Retain Objective 5.3.1 Rural character and amenity.

Decision Reasons:

- No reasons provided.

Point Number 794.36

Summary of Decision Requested: Amend Policy 5.3.2 Productive rural activities as follows:

(a) Recognise and ~~protect~~ **enable** the continued operation of the rural environment as a ~~productive~~ working environment by:

(i) Recognising that buildings and structures associated with farming and forestry and other operational structures for productive rural activities contribute to rural character and amenity values;

(ii) Ensuring ~~productive~~ rural activities are supported by appropriate rural industries and services;

(iii) Providing for lawfully-established rural activities and protecting them from sensitive land uses.

AND

Amend the Proposed District Plan consequential or additional amendments as necessary to give effect to the submission.

Decision Reasons:

- Based on the Council's own evidence there is no doubt that a significant resource management issue for the District is biodiversity loss, which continues to be at risk due to vegetation clearance, stock intrusion, animal and pest degradation, degradation of the margins for estuarine wetlands by stock.
- The submitter is concerned that the Proposed District Plan is largely focused on only protecting existing Significant Natural Areas and ignores restoring, linking and expanding indigenous biodiversity that does not qualify as Significant Natural Areas.
- There is no regulatory framework to increase indigenous vegetation and wetlands to a target vegetation cover of 30%, actively manage areas that can be considered Significant Natural Areas in the future, increase vegetation cover on steep and erosion prone land, incentivize fencing of riparian areas, incentivize the creation of new corridors, pest control, enrichment planting and restoration.
- No comprehensive research supports the claim that incentive-based planting in the district has resulted in sporadic, adhoc development.
- There appears to be no robust analysis of the success or failures of the limited amount of enhancement subdivision that has previously been undertaken in the Franklin part of the District that had these provisions.
- Several court decisions including Di Andre Estates Ltd v Rodney District Council, Arrigato Investments v Auckland Regional Council, Omaha Park and Cabra v Auckland Council are useful for establishing current best practice to meet the requirements of Part 2 of the RMA.
- Cabra v Auckland Council case law notes that the Council could not use the fact that there may be issues with weeds, or poor fencing, as a reason to oppose the inclusion of incentive provisions in the Plan, because it had the authority and responsibility to monitor consent conditions. There are a range of enforcement mechanisms available to a council, and the ability to recover costs from a consent holder, that mean managing compliance in these areas should not be onerous for a council.
- The court in the Cabra case has taken a far sighted and future oriented approach to the maintenance and enhancement of biodiversity.
- The Proposed District Plan does not give effect to the New Zealand Coastal Policy Statement.
- The Proposed District Plan does not give effect to the National Policy Statement for Freshwater Management.
- The Proposed District Plan does not adopt the vision of the Waikato River Settlement Act as there is not a strong emphasis in the vision on restoration.
- The Proposed District Plan does not give effect to the Waikato Regional Policy Statement.
- The submitter supports appropriate protection of high-class soils where practicable and where they are alternatives to using this land. However, sustainable land management may mean that subdivision on these soils is not always inappropriate.

Point Number 794.37

Summary of Decision Requested: Retain Policy 5.3.3 Industrial and commercial activities.

Decision Reasons:

- No reasons provided.

Point Number 794.38

Summary of Decision Requested: Amend Policy 5.3.4 Density of dwellings and buildings within the rural environment as follows:

(a) Retain open spaces to ensure rural character is maintained.

(b) Additional dwellings support workers' accommodation for large productive rural activities.

(c) Require site specific design responses for subdivision provisions that avoid, remedy and mitigate, any potential significant adverse effects of buildings on rural character and amenity.

AND

Amend the Proposed District Plan consequential or additional amendments as necessary to give effect to the submission.

Decision Reasons:

- Based on the Council's own evidence there is no doubt that a significant resource management issue for the District is biodiversity loss, which continues to be at risk due to vegetation clearance, stock intrusion, animal and pest degradation, degradation of the margins for estuarine wetlands by stock.
- The submitter is concerned that the Proposed District Plan is largely focused on only protecting existing Significant Natural Areas and ignores restoring, linking and expanding indigenous biodiversity that does not qualify as Significant Natural Areas.
- There is no regulatory framework to increase indigenous vegetation and wetlands to a target vegetation cover of 30%, actively manage areas that can be considered Significant Natural Areas in the future, increase vegetation cover on steep and erosion prone land, incentivize fencing of riparian areas, incentivize the creation of new corridors, pest control, enrichment planting and restoration.
- No comprehensive research supports the claim that incentive-based planting in the district has resulted in sporadic, adhoc development.
- There appears to be no robust analysis of the success or failures of the limited amount of enhancement subdivision that has previously been undertaken in the Franklin part of the District that had these provisions.
- Several court decisions including Di Andre Estates Ltd v Rodney District Council, Arrigato Investments v Auckland Regional Council, Omaha Park and Cabra v Auckland Council are useful for establishing current best practice to meet the requirements of Part 2 of the RMA.
- Cabra v Auckland Council case law notes that the Council could not use the fact that there may be issues with weeds, or poor fencing, as a reason to oppose the inclusion of incentive provisions in the Plan, because it had the authority and responsibility to monitor consent conditions. There are a range of enforcement mechanisms available to a council, and the ability to recover costs from a consent holder, that mean managing compliance in these areas should not be onerous for a council.
- The court in the Cabra case has taken a far sighted and future oriented approach to the maintenance and enhancement of biodiversity.
- The Proposed District Plan does not give effect to the New Zealand Coastal Policy Statement.
- The Proposed District Plan does not give effect to the National Policy Statement for Freshwater Management.
- The Proposed District Plan does not adopt the vision of the Waikato River Settlement Act as there is not a strong emphasis in the vision on restoration.
- The Proposed District Plan does not give effect to the Waikato Regional Policy Statement.
- The submitter supports appropriate protection of high-class soils where practicable and where they are alternatives to using this land. However, sustainable land management may mean that subdivision on these soils is not always inappropriate.

Submitter Number:	795	Submitter:	Hinemaria Ward-Holmes
Point Number	795.1		
Summary of Decision Requested:	Add strong precautionary and prohibitive policies and rules relating to Genetically Modified Organisms that are the same (or similar) as those in the far North District Plan, the Whangarei District Plan and the Auckland Unitary Plan, to ensure a consistent approach across Northland, Auckland and the Waikato and to eliminate cross boundary issues.		
Decision Reasons:	<ul style="list-style-type: none"> Eating is crucial for health, wellbeing and life. Unknown effects of GMO's. Must stop thinking about technology solving the problems. The way forward is smaller forms and be more productive, reducing chemicals. Concerned at the potential risks posed by GMO's. GMO's have the potential to adversely effect ecological, economic and resource management values and the social and cultural wellbeing of people, communities and tangata whenua. No matter how carefully crafted conditions of consent for GMOs, there is still a residual risk that these may be breached by poor management, human error, natural events or sabotage. Once GMOs have been released into the environment, it would be very difficult if not impossible to eradicate. Management of GMOs is consistent with the purpose and Part 2 of the RMA. 		
Point Number	795.2		
Summary of Decision Requested:	Add a resource management framework for the management of Genetically Modified Organisms that is regionally specific taking into account environmental, economic and well-being considerations.		
Decision Reasons:	<ul style="list-style-type: none"> Eating is crucial for health, wellbeing and life. Unknown effects of GMO's. Must stop thinking about technology solving the problems. The way forward is smaller forms and be more productive, reducing chemicals. Concerned at the potential risks posed by GMO's. GMO's have the potential to adversely effect ecological, economic and resource management values and the social and cultural wellbeing of people, communities and tangata whenua. No matter how carefully crafted conditions of consent for GMOs, there is still a residual risk that these may be breached by poor management, human error, natural events or sabotage. Once GMOs have been released into the environment, it would be very difficult if not impossible to eradicate. Management of GMOs is consistent with the purpose and Part 2 of the RMA. 		

Submitter Number:	796	Submitter:	New Zealand Defence Force
Point Number	796.1		
Summary of Decision Requested:	Add a definition for "Temporary Military Training Activities" into Chapter 13 Definitions, as follows: <u>Temporary Military Training Activity means a temporary training activity undertaken for defence purposes in accordance with the Defence Act 1990.</u>		
Decision Reasons:	<ul style="list-style-type: none"> There currently is no definition. A definition is necessary to identify that temporary military training activities are separate from other temporary events. It will provide clarity and ensure particular controls that are appropriate for social, cultural and recreational events do not apply to temporary military training activities. Specific rules would then apply for temporary military training activities to ensure any potential adverse effects are appropriately managed. Use a standardised definition for all district plans nationwide to be consistent with national planning standards approach. A number of district councils have incorporated the recommended definition or similar during their district plan review process. 		
Point Number	796.2		
Summary of Decision Requested:	Amend the definition of "Infrastructure" in Chapter 13 Definitions to include "national defence facilities" as clause (m).		
Decision Reasons:	<ul style="list-style-type: none"> The submitter would like to see the significance of defence activities recognised. Although the submitter does not currently have any permanent facilities in the Waikato District, this does not preclude the need for future defence infrastructure in the district. Defence facilities are critical for New Zealand's security and for the safety and well-being of the community. National defence facilities should be identified as significant infrastructure. Consistent with the approach taken in a number of district and regional plans throughout New Zealand. 		
Point Number	796.3		
Summary of Decision Requested:	Add a permitted activity rule for temporary military training activities within a general district wide chapter that applies across all zones, subject to appropriate noises standards; OR Add a new permitted activity rule as shown below for temporary military training activities to the following chapters:		
	<ul style="list-style-type: none"> Chapter 16 Residential Zone Chapter 17 Business Zone Chapter 18 Business Town Centre Zone Chapter 19 Business Zone Tamahere Chapter 20 Industrial Zone Chapter 21 Industrial Zone Heavy Chapter 22 Rural Zone Chapter 23 Country Living Zone Chapter 24 Village Zone Chapter 25 Reserve Zone Chapter 26 Hampton Downs Motor Sport Recreation Zone Chapter 27 Te Kowhai Airpark Zone Chapter 28 Rangitahi Peninsula Zone 		

P*: Temporary military training activities

Activity-specific conditions

The activity must comply with the permitted activity noise standards for temporary military training activities.

Decision Reasons:

- Due to temporary and specialised nature of temporary military training activities, the submitter considers it generally appropriate that those activities be exempt from other rules in other chapters such as transportation and structures.
- As the Proposed District Plan is currently drafted, temporary military training activities would be a non-complying activity as they are not provided for as a permitted, restricted discretionary, discretionary or prohibited activity. Considered inappropriate and onerous.
- A permitted activity status would have little or no environmental effects, such as search and rescue operations or small construction tasks undertaken for training purposes would require resource consent as a non-complying activity, which is not effects-based or a good resource management process.
- The submitter must undertake training in order to fulfil statutory obligations under the Defence Act. Including provision for temporary military training activities as a permitted activity provides certainty that such activities can occur when required, while providing adequate protection of the environment through compliance with noise standards.

Point Number

796.4

Summary of Decision Requested:

Add permitted activity noise standards in a general district-wide chapter that applies across all zones for temporary military training activities (see Attachment 2 to the submission for specific standards);

OR

Add new permitted activity noise standards for temporary military training activities (see Attachment 2 to the submission for specific standards) to the following chapters:

- Chapter 16 Residential Zone
- Chapter 17 Business Zone
- Chapter 18 Business Town Centre Zone
- Chapter 19 Business Zone Tamahere
- Chapter 20 Industrial Zone
- Chapter 21 Industrial Zone Heavy
- Chapter 22 Rural Zone
- Chapter 23 Country Living Zone
- Chapter 24 Village Zone
- Chapter 25 Reserve Zone
- Chapter 26 Hampton Downs Motor Sport Recreation Zone
- Chapter 27 Te Kowhai Airpark Zone
- Chapter 28 Rangitahi Peninsula Zone

Decision Reasons:

- There are currently no permitted activity standards relating to temporary military training activities.
- The submitter has prepared noise standards specific to temporary military training activities and has requested that these standards be included in the Waikato District Plan.
- See Attachment 3 in the submission for an explanation of the standards.

Point Number

796.5

Summary of Decision Requested:

Add a controlled activity rule within a general district wide chapter of the District Plan for temporary military training activities that do not meet Permitted Activity standards;

OR

Add a new controlled activity rule as shown below for temporary military training activities that do not meet the permitted activity standards to the following chapters:

- Chapter 16 Residential Zone
- Chapter 17 Business Zone
- Chapter 18 Business Town Centre Zone
- Chapter 19 Business Zone Tamahere
- Chapter 20 Industrial Zone
- Chapter 21 Industrial Zone Heavy
- Chapter 22 Rural Zone
- Chapter 23 Country Living Zone
- Chapter 24 Village Zone
- Chapter 25 Reserve Zone
- Chapter 26 Hampton Downs Motor Sport Recreation Zone
- Chapter 27 Te Kowhai Airpark Zone
- Chapter 28 Rangitahi Peninsula Zone

C*: Any temporary military training activities that do not comply with the permitted activity noise standard.

Council's discretion shall be restricted to the following matters:

(g) Noise effects

Decision Reasons:

- The submitter must undertake training to fulfil its statutory obligations under the Defence Act 1990.
- A controlled activity status provides a level of certainty to the submitter that an activity can proceed.
- Allows Council discretion to ensure relevant effects (being noise) are appropriately managed.
- In determining what conditions to impose, Council should limit its discretion to effects relating to the permitted activity noise standards only.

Submitter Number:

797

Submitter:

Fonterra Limited

Point Number

797.1

Summary of Decision Requested:

Retain Section 1.4.2 Economic growth as notified.

Decision Reasons:

- The provisions provide appropriate recognition of the significance of primary industry to the district's economy.

Point Number

797.2

Summary of Decision Requested:

Retain Section 1.4.2.1 Economic sectors as notified.

Decision Reasons:

- The provisions provide appropriate recognition to the significance of the dairy sector to the district's economy.

Point Number 797.3

Summary of Decision Requested: **Retain** Section 1.4.2.3 Challenges, except for the amendments sought below;

AND

Amend Section 1.4.2.3 Challenges to include (or words to similar effect):

Primary production and processing activities are increasingly subject to reverse sensitivity effects.

AND

Any consequential amendments or further relief to give effect to the concerns raised in the submission.

Decision Reasons:

- Supports the identification of the challenges facing economic activity.
- Considers additional reference needs to be made to reverse sensitivity effects.
- The challenges have the potential to impose additional restrictions and costs on primary production and processing activities.

Point Number 797.4

Summary of Decision Requested: **Retain** Section 1.4.3.1 Rural activities as notified.

Decision Reasons:

- The provisions provide appropriate recognition of the significance of the dairy sector to the district's economy.

Point Number 797.5

Summary of Decision Requested: **Retain** Section 1.4.3.2 Protecting the rural environment as notified.

Decision Reasons:

- The provisions provide appropriate recognition of the need to manage activities to ensure the efficient operation of the primary production sector.

Point Number 797.6

Summary of Decision Requested: **Retain** Section 1.4.4 The urban environment as notified.

Decision Reasons:

- The provisions provide appropriate recognition of the need to manage urban development to ensure the productive capacity of rural resources.

Point Number 797.7

Summary of Decision Requested: **Retain** Paragraph 1.5.4 Urban growth as notified.

Decision Reasons:

- The provisions provide appropriate recognition of the potential adverse of urban development, including reverse sensitivity effects and access to high quality soils and minerals.

Point Number 797.8

Summary of Decision Requested: **Retain** Policy 3.2.3 Management heirachy as notified.

Decision Reasons:

- The provisions provide appropriate recognition of the need to enable activities within Significant Natural Areas.

Point Number 797.9

Summary of Decision Requested: **Retain** Policy 3.2.6 Providing for vegetation clearance as notified.

Decision Reasons:

- The provisions provide appropriate recognition of the need to provide for vegetation clearance to enable the maintenance of farm tracks, drains and fences.

Point Number 797.10

Summary of Decision Requested: **Retain** Policy 4.7.1.1 Reverse sensitivity as notified.

Decision Reasons:

- The provisions provide appropriate direction in respect of the avoidance of reverse sensitivity effects.

Point Number 797.11

Summary of Decision Requested: **Retain** Objective 5.1.1 The Rural environment as notified.

Decision Reasons:

- Supports the primacy of the objective and the clear direction set out in respect of support for productive rural activities and resources.

Point Number 797.12

Summary of Decision Requested: **Retain** Objective 5.2.1 Rural resources, except for the amendments sought below
AND
Delete Objective 5.2.1(a)(iii) Rural resources.
AND
Any consequential amendments and/or further relief to give effect to the concerns raised in the submission.

Decision Reasons:

- This matter is regulated through the Regional Plan.
- Amend the policy direction to delete reference to water quality.
- Supports the policy direction.

Point Number 797.13

Summary of Decision Requested: **Retain** Policy 5.2.2 High class soils as notified.

Decision Reasons:

- The Policy provides appropriate recognition and protection of a critical resource.

Point Number 797.14

Summary of Decision Requested: **Retain** Policy 5.3.15 Noise and vibration, except for the amendments sought below
AND
Amend Policy 5.3.15 (a) (vi) Noise and vibration to include "the Te Rapa Dairy Manufacturing Facility" (or words to similar effect).
AND
Any consequential amendments or further relief to give effect to the concerns raised in the submission.

Decision Reasons:

- Supports the policy subject to the inclusion of reference to development within the noise control boundary associated with the Te Rapa Dairy Manufacturing Facility.

Point Number 797.15

Summary of Decision Requested: **Retain** Objective 5.4.1 Minerals and extractive industries as notified.

Decision Reasons:

- Supports the recognition of economic value of the districts mineral resources.

Point Number 797.16

Summary of Decision Requested: **Retain** Policy 5.4.2 Access to minerals and extractive industries except for the amendments sought below.
AND
Amend Policy 5.4.2 (a) Access to minerals and extractive industries as follows (or words to similar effect):
Enable the continued operation and development of extractive industries provided that adverse effects are avoided, remedied or mitigated.
AND
Any consequential amendments or further relief to give effect to the concerns raised in the submission.

Decision Reasons:

- Supports the policy support for extractive industries subject to clarification that the continued operation and expansion of those regionally significant industries is provided for.

Point Number 797.17

Summary of Decision Requested: **Amend** Policy 5.5.2 (a) Activities within Hamilton Urban Expansion Area as follows (or words to similar effect):
Manage subdivision, use and development within Hamilton's Urban Expansion Area to avoid reverse sensitivity effects in respect of the Te Rapa Dairy Manufacturing Facility and to ensure that future urban development is not compromised.
AND
Any consequential amendments or further relief to give effect to the concerns raised in the submission.

Decision Reasons:

- Urban Expansion Area includes land in close proximity to the Te Rapa Dairy Manufacturing Facility.
- Additional reference is required to ensure that reverse sensitivity effects in respect to the factory are avoided.

Point Number 797.18

Summary of Decision Requested: **Delete** Section 10.1 Hazardous Substances, comprising Objective 10.1.1 and Policies 10.1.2, 10.1.3 and 10.1.4.
AND
Any consequential amendments or further relief to give effect to the concerns raised in the submission.

Decision Reasons:

- Resource Legislation Amendments Act 2017 amended the RMA to remove hazardous substances as an explicit function of Council.

- The Proposed District Plan does not provide justification for inclusion of provisions.

Point Number 797.19

Summary of Decision Requested: **Add** a definition of "Lifestyle Uses" to Chapter 13 Definitions, as follows (or words to similar effect):
residential activity outside of a defined urban area or village boundary.
 AND
 Any consequential amendments or further relief to give effect to the concerns raised in the submission.

Decision Reasons:

- The term is referenced within various plan provisions.
- Term is undefined.

Point Number 797.20

Summary of Decision Requested: **Add** a definition of "productive rural activities" to Chapter 13 Definitions as follows (or words to similar effect):
farming, forestry, horticulture and mineral extraction.
 AND
 Any consequential amendments or further relief to give effect to the concerns raised in the submission.

Decision Reasons:

- The term is referenced within various plan provisions.
- Term is undefined.

Point Number 797.21

Summary of Decision Requested: **Add** a definition of "reverse sensitivity" to Chapter 13 Definitions as follows (or words to similar effect):
the vulnerability of a lawfully established activity to a new activity or land use. It arises when a lawfully established activity causes potential, actual or perceived adverse environmental effects on the new activity, to a point where the new activity may seek to restrict the operation or require mitigation of the effects of the established activity.
 AND
 Any consequential amendments or further relief to give effect to the concerns raised in the submission.

Decision Reasons:

- The term is referenced in various plan provisions.
- Term is undefined.

Point Number 797.22

Summary of Decision Requested: **Add** a definition of "factory wastewater irrigation farm" to Chapter 13 Definitions as follows (or words to similar effect):
The operation of wastewater irrigation on land at Bruntwood Road comprising Lots 2-4 DPS 14934.
 AND
 Any consequential amendments or further relief to give effect to the concerns raised in the submission.

Decision Reasons:

- The term is referenced with Fonterra's proposals for further plan provisions.
- The term requires a definition.

Point Number 797.23

Summary of Decision Requested: **Retain** the definition of "ancillary rural earthworks" in Chapter 13: Definitions as notified.

Decision Reasons:

- Supports inclusion of a specific definition for ancillary rural earthworks.
- The definition will assist understanding and interpretation of the Plan.

Point Number 797.24

Summary of Decision Requested: **Retain** the definition of "sensitive land use" in Chapter 13 Definitions as notified.

Decision Reasons:

- Supports inclusion of specific definition for sensitive land use.
- The definition will assist understanding and interpretation of the Plan.

Point Number 797.25

Summary of Decision Requested: **Retain** Rule 22.2.3.1 Earthworks General except for the amendments sought below.
 AND
Amend Rule 22.2.3.1 P2 (a)(i) Earthworks General as follows (or words to similar effect):
 Do not exceed ~~a volume of more than 1000m³ and an area of more than 2000m²~~ over any single consecutive 12 month period.
 AND
 Any consequential amendments or further relief to give effect to the concerns raised in the submission.

Decision Reasons:

- Supports the rule subject to deletion of reference to volume limit.

- Adverse effects of earthworks within rural environment are appropriately addressed through controls over area and cut and fill heights, revegetation requirements and erosion and sediment control measures.

Point Number 797.26

Summary of Decision Requested: **Retain** Rule 22.2.3.3 Earthworks in Significant Natural Areas except for the amendments sought below.

AND

Delete Rule 22.2.3.3 P1 (a)(i) Earthworks in Significant Natural Areas.

AND

Any consequential amendments or further relief to give effect to the concerns raised in the submission.

Decision Reasons:

- Supports the rule subject to deletion of reference to volume limit.
- Adverse effects of earthworks are appropriately addressed through controls over the area, cut and fill heights, revegetation requirements and erosion and sediment control measures.

Point Number 797.27

Summary of Decision Requested: **Delete** Rule 22.2.4 Hazardous substances.

AND

Any consequential amendments or further relief to give effect to the concerns raised in the submission.

Decision Reasons:

- The Resource Legislation Amendments Act 2017 amended RMA to remove hazardous substances as an explicit function of Council.
- The Plan does not provide justification for inclusion of provisions.

Point Number 797.28

Summary of Decision Requested: **Retain** Rule 22.2.7 Indigenous Vegetation Clearance within a Significant Natural Area as notified.

Decision Reasons:

- Rule provides appropriate flexibility to enable maintenance of farm tracks, drains and fences as part of rural production activity.

Point Number 797.29

Summary of Decision Requested: **Retain** Rule 22.2.8 Indigenous Vegetation Clearance outside of a Significant Natural Area as notified.

Decision Reasons:

- The rule provides appropriate flexibility to enable maintenance of farm tracks, drains and fences as part of rural production activity.

Point Number 797.30

Summary of Decision Requested: **Retain** Rule 22.3.1 Number of dwellings within a lot as notified.

Decision Reasons:

- Supports restriction to 1 dwelling per 40ha.
- This will assist in avoiding potential for reverse sensitivity effects to arise in respect to primary production activities and mining.

Point Number 797.31

Summary of Decision Requested: **Retain** Rule 22.3.2 Minor Dwelling as notified.

Decision Reasons:

- Supports restriction to 1 minor dwelling.
- This will assist in avoiding potential for reverse sensitivity effects to arise in respect of primary production activities and mining.

Point Number 797.32

Summary of Decision Requested: **Retain** Rule 22.3.7.1 Building setbacks- All boundaries, except for the amendments sought below

AND

Amend Rule 22.3.7.1 P1, P2, P3 and P4 Building setbacks - All boundaries to include (or words to similar effect):

Providing that the setback requirements shall not apply to any boundary with land held in common ownership,

AND

Any consequential amendments or further relief to give effect to the concerns raised in the submission.

Decision Reasons:

- Supports proposed setback requirements subject to them not applying in respect of land parcels held in common ownership.

Point Number 797.33

Summary of Decision Requested: **Retain** Rule 22.3.7.2 Building setbacks sensitive land use, except for the amendments sought below

AND

Amend Rule 22.3.7.2 Building setbacks sensitive land uses to include the additional locations as follows (or words to similar effect):

200m from an identified Coal Mining Area.

300m from the boundary of another site containing a Factory Wastewater Irrigation Farm.

AND

Any consequential amendments or further relief to give effect to the concerns raised in the submission.

Decision Reasons:

- Supports proposed requirements subject to inclusion of reference to 'Coal Mining Areas' and the Bruntwood Wastewater Irrigation Farm' which are critically important to the continued operation of dairy processing activities.

Point Number 797.34

Summary of Decision Requested: **Retain** Rule 22.3.7.4 Building Noise sensitive activities except for the amendments sought below.

AND

Amend Rule 22.3.7.4 Building setbacks - Noise Sensitive Activities to include (or words to similar effect):

The Te Rapa Dairy Manufacturing Facility Noise Control Boundary.

AND

Any consequential amendments or further relief to give effect to the concerns raised in the submission.

Decision Reasons:

- Supports the Rule subject to the inclusion of reference to the Te Rapa Dairy Manufacturing Site Noise Control Boundary which extends into the District.

Point Number 797.35

Summary of Decision Requested: **Retain** Rule 22.4.1.5 (b)(iv) Rural Hamlet subdivision as notified.

Decision Reasons:

- Supports the inclusion of reference to reverse sensitivity as a matter reserved for discretion.

Point Number 797.36

Summary of Decision Requested: **Add** a new activity to Rule 23.1.3 Non Complying activities as follows (or words to similar effect):

NC13 (g) Within the Te Rapa Dairy Manufacturing Site Noise Control Boundary;

(i) a child care facility;

(ii) a hospital or hospice;

(iii) an education facility;

(iv) travellers accommodation.

AND

Any consequential amendments or further relief to give effect to the concerns raised in the submission.

Decision Reasons:

- Supports the identified activities as non-complying activities.
- Seeks amendment to include additional activities as non-complying activities to avoid reverse sensitivity effects in respect to the Te Rapa Dairy Manufacturing site.

Point Number 797.37

Summary of Decision Requested: **Add** Appendix 1.1 (a)(i) Acoustic Insulation to include (or words to similar effect):

The Te Rapa Dairy Manufacturing Facility Noise Control Boundary.

AND

Add new Appendix 1.2 Acoustic Insulation to include (or words to similar effect):

The Te Rapa Dairy Manufacturing Facility Noise Control Boundary identifies an area that experiences high noise levels from activities undertaken on the manufacturing site. Sensitive land uses, including dwellings within the Noise Control Boundary are required to be acoustically insulated to achieve the internal noise standards specified below.

Prior to the issue of a building consent for any building to which this rule applies, compliance with the requirements of the rule shall be demonstrated through the production of a design certificate from an appropriately qualified and experienced acoustic specialist certifying that an internal noise level will not exceed Ldn 40dBA within any habitable room.

AND

Any consequential amendments or further relief to give effect to the concerns raised in the submission.

Decision Reasons:

- Fonterra seeks the inclusion of additional provisions to avoid reverse sensitivity effects arising from sensitive activities within the Noise Control Boundary of the Te Rapa Dairy Manufacturing Facility.

Point Number 797.38

Summary of Decision Requested: **Delete** Appendix 5 Hazardous Substances.

AND

Any consequential amendments or further relief to give effect to the concerns raised in the submission.

Decision Reasons:

- Control of hazardous substances is not a matter that requires RMA management.

Point Number 797.39

Summary of Decision Requested: **Amend** the Planning maps to identify the extent of the Te Rapa Dairy Manufacturing Facility Noise Control Boundary (See submission for map).

AND

Any consequential amendments or further relief to give effect to the concerns raised in the submission.

Decision Reasons:

- The amendment will identify the extent of the Te Rapa Dairy Manufacturing Facility Noise Control Boundary.

Point Number

797.40

Summary of Decision Requested:

Amend the Planning Maps to identify the full extent of the Kopuku Mine as a "Coal Mining Area", comprising the additional parcels legally described as:

- Lots 2 and 3 DPS 78583
- Lots 1 and 8 DPS 519025
- Part Lots 1, 4 and 5 DPS 74265
- Part Lot 5 DP 405637
- Sec 7 SO 449648

AND

Any consequential amendments or further relief to give effect to the concerns raised in the submission.

Decision Reasons:

- The amendment will identify the extent of the Kopuku Mine.

Point Number

797.41

Summary of Decision Requested:

Retain Policy 5.2.3 Effects of subdivision and development on soils as notified.

Decision Reasons:

- The Policy provides appropriate recognition and protection of a critical resource.

Point Number

797.42

Summary of Decision Requested:

Retain Policy 5.3.2 Productive rural activities as notified.

Decision Reasons:

- The Policy provides appropriate recognition and protection of rural production and lawfully established activities.

Point Number

797.43

Summary of Decision Requested:

Retain Policy 5.3.5 Earthworks activities as notified.

Decision Reasons:

- The Policy provides appropriate recognition of the need to enable earthworks to support rural activities.

Point Number

797.44

Summary of Decision Requested:

Retain Policy 5.3.7 Reverse sensitivity effects except for the amendments sought below.

AND

Amend Policy 5.3.7(c) Reverse sensitivity effects to read (or words to similar effect):

Mitigate the adverse effects of reverse sensitivity through the use of setbacks for sensitive activities and the design of subdivisions and development.

AND

Delete Policy 5.3.7 (d) Reverse sensitivity effects

AND

Any consequential amendments or further relief to give effect to the concerns raised in the submission.

Decision Reasons:

- Amendment clarifies setbacks and design requirements should apply to sensitive activities rather than activities that are appropriate within a rural environment.
- Rural environments are unnecessarily restricted.
- Supports the policy subject to amendments.

Point Number

797.45

Summary of Decision Requested:

Retain Policy 5.3.8 Effects on rural character and amenity from rural subdivision as notified.

Decision Reasons:

- Supports policy of directing urban development away from productive rural areas.

Submitter Number:

798

Submitter:

Ngati Te Ata

Point Number

798.1

Summary of Decision Requested:

No specific decision sought, but submission generally supports the Proposed District Plan, including:

- Protection of culture and heritage;
- Innovative ways to encourage development on Maori Freehold Land with Papakainga housing developments etc;
- Adding approximately 60 heritage sites and buildings;

- Adding 16 notable trees; and
- Rules being amended to provide for ongoing maintenance and care or repair.

Decision Reasons:

- No reasons provided.

Point Number 798.2

Summary of Decision Requested: No specific decision sought, but submission considers the Proposed District Plan does not adequately cover future environmental effects.

Decision Reasons:

- No reason provided.

Point Number 798.3

Summary of Decision Requested: **Amend** Section 1.1 What is a district plan? as follows:
...It must include objectives and policies and rules to manage the environmental effects of land use activities. Rules set within the Plan are a minimum requirement, not an aspiration but a starting point.

Decision Reasons:

- No reasons provided.

Point Number 798.4

Summary of Decision Requested: **Amend** Section 1.5.7.3 Water as follows:
clean groundwater recharge should be encouraged where soils allow.

Decision Reasons:

- No reason provided.

Point Number 798.5

Summary of Decision Requested: **Add** a new clause (c) to Objective 4.1.1 Objective - Strategic as follows:
(c) natural waterbodies are maintained or enhanced within integrated development for all towns
promote park edge development for all open spaces, especially adjacent to water bodies.
 AND
Add the following to all town centre objectives:
natural waterbodies are maintained or enhanced within integrated development for all towns
promote park edge development for all open spaces, especially adjacent to water bodies.

Decision Reasons:

- No reasons provided.

Point Number 798.6

Summary of Decision Requested: **Amend** Objective 4.5.12 (c) Business Town Centre - Character as follows:
 (c) Development of town centres is designed in a functional, ~~and~~ attractive and environmentally sustainable manner...
 AND
Add the following to all town centre objectives:
 ...In a functional, attractive and environmentally sustainable manner.

Decision Reasons:

- No reasons provided.

Point Number 798.7

Summary of Decision Requested: **Amend** Objective 4.6.1 Economic growth of industry as follows:
 The economic growth of the district's industry is supported and strengthened in Industrial zones while maintaining a healthy environment.

Decision Reasons:

- No reasons provided.

Point Number 798.8

Summary of Decision Requested: **Add** a new clause (viii) to Policy 4.7.2 Subdivision location and design as follows:
(viii) promote park edge design that enhances the interface with urban design and public access and amenity.

Decision Reasons:

- No reasons provided.

Point Number 798.9

Summary of Decision Requested: **Add** a new clause to Policy 5.3.6 Intensive farming activities as follows:

(b), promote the use of earth-bunds and silt traps for all cropping, tree clearance and harvesting activities.

Decision Reasons:

- No reasons provided.

Point Number 798.10

Summary of Decision Requested: **Add** a new clause (vii) to Policy 6.1.2 Policy-Development, operation and maintenance as follows:

(vii) is environmentally sustainable.

Decision Reasons:

- No reasons provided.

Point Number 798.11

Summary of Decision Requested: **Add** a new clause (b) to Policy 6.1.16 - Water Conservation as follows:

(b) clean water is captured for reuse and groundwater recharge.

Decision Reasons:

- No reasons provided.

Point Number 798.12

Summary of Decision Requested: **Add** a new clause (c) to Policy 7.1.8 Tree Protection as follows:

(c) trees over 200 years old unless in poor health are automatically protected.

AND

Add "trees over 200 years old unless in poor health are automatically protected" to all sections of the Proposed District Plan where "notable trees" are referred to including Rule 16.2.6- Notable trees.

Decision Reasons:

- No reasons provided.

Point Number 798.13

Summary of Decision Requested: **Add** the following text to Section 12.1 Introduction to rules:

Rules set within the Plan are a minimum requirement, not an aspiration but a starting point. Each activity must set how the development/activity will aspire to more than minimum requirements.

Decision Reasons:

- No reasons provided.

Point Number 798.14

Summary of Decision Requested: **Add** the following activity specific condition to Rule 22.8.2 P18 Horticulture:

appropriate silt control through silt traps and bunding.

Decision Reasons:

- No reasons provided.

Point Number 798.15

Summary of Decision Requested: **Add** a matter of discretion to Rule 22.8.3 RDI Restricted discretionary activities as follows:

(y) effects on the environment.

Decision Reasons:

- No reasons provided.

Point Number 798.16

Summary of Decision Requested: **Amend** the Waikato Urban Design Guidelines Section 4 Connectivity and Movement networks to include "Small" and "Medium" to all guidelines.

Decision Reasons:

- No reasons provided.

Point Number 798.17

Summary of Decision Requested: **Amend** the Waikato Urban Design Guidelines Section 5.3 Guidelines for Neighbourhood Character to include "Small" in all tick boxes.

Decision Reasons:

- Over time often small developments intensify.
- If there is not good urban design from the outset, a good outcome can never be attained.

Point Number 798.18

Summary of Decision Requested:	Amend the Waikato Urban Design Guidelines to include "small" and "medium" options to Sections 6 and 7 Urban Design.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	798.19
Summary of Decision Requested:	Amend Section 8.3 Guidelines in the Waikato Urban Design Guidelines to clarify that stormwater can only be discharged into natural wetlands, streams, ponds and watercourses following pre-treatment and that these water bodies are protected outside stormwater devices.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	798.20
Summary of Decision Requested:	Amend the Tuakau Urban Design Guidelines to address: <ul style="list-style-type: none"> Sustainable development; Road contaminants being treated through vegetated swales or rain gardens; and Enhancement of significant streams- there does not appear to be any discussion around enhancement of these areas.
Decision Reasons:	<ul style="list-style-type: none"> Questions whether this is an intended omission.
Point Number	798.21
Summary of Decision Requested:	Amend Planning Map Pukekawa 7.9 to remove the area included in Plan Change 14 so that development is not able to be "up the sides" of the Hill around Pukekawa Pa.
Decision Reasons:	<ul style="list-style-type: none"> Pukekawa Pa is a site of significance to Ngati Tamaoho.
Point Number	798.22
Summary of Decision Requested:	No specific decision sought, but submission opposes inclusion of land within Pokeno which is steep and undevelopable without major earthworks.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	798.23
Summary of Decision Requested:	No specific decision sought, but submission opposes the inclusion of the Pa in Pokeno within proposed future urban or industrial zones.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	798.24
Summary of Decision Requested:	No specific decision sought, but submission opposes the inclusion of land in Pokeno that can impact on the Whangamarino wetland RAMSAR site or any other significant ecological area.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	798.25
Summary of Decision Requested:	Amend Section 8.3 Guidelines in the Waikato Urban Design Guidelines to require all stormwater treatment to be offline to any natural waterbody.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	798.26
Summary of Decision Requested:	Amend the pictures showing ponds as treatment devices in Section 8.3 Guidelines in the Waikato Urban Design Guidelines.
Decision Reasons:	<ul style="list-style-type: none"> Ponds are proven to be unsuccessful in maintaining water quality. Where possible wetlands should be promoted. Wetlands provide shade, terrestrial habitat and the plants provide contaminant removal once stormwater has passed through the fore bay.
Point Number	798.27
Summary of Decision Requested:	Amend Section 8.3 Guidelines in the Waikato Urban Design Guidelines to show intention for offline stormwater treatment.
Decision Reasons:	

- No reasons provided.

Point Number 798.28

Summary of Decision Requested: **Amend** the Pokeno Town Centre Design Guidelines to address:

- Sustainable development;
- Road contaminants being treated through vegetated swales or rain gardens; and
- Enhancement of significant streams- there does not seem to be any discussion around enhancement of these areas.

Decision Reasons:

- No reasons provided.

Point Number 798.29

Summary of Decision Requested: **Add** the following text to Rule 16.4.14 Subdivision of esplanade reserves and esplanade strips:
must be bordered by Park edge roading for safety, environment, amenity and urban design purposes.
AND
Add "must be bordered by park edge roading for safety, environment, amenity and urban design purposes" into all sections, i.e. Business, Industrial, Village, Town Centre etc.

Decision Reasons:

- This is recommended as an esplanade strip can be a stream, river or coastal.
- If sections "back onto" a waterbody, they are often treated as a dumping ground.
- If the esplanade has a road frontage, and walkway, it tends to provide passive surveillance and a healthy environment for both the waterbody and the people using it.

Point Number 798.30

Summary of Decision Requested: **Add** a new matter of discretion to Rule 22.1.3 RD1 Restricted Discretionary Activities for Intensive farming as follows:
(v) environmental effects.

Decision Reasons:

- No reasons provided.

Point Number 798.31

Summary of Decision Requested: **Add** a new matter of discretion to Rule 22.1.3 RD2 Matters of discretion for Rural Industry as follows:
(vi) environmental effects.

Decision Reasons:

- No reasons provided.

Point Number 798.32

Summary of Decision Requested: **Amend** Rule 22.4.1.6 Conservation lot subdivision to include wetland protection in a separate box.

Decision Reasons:

- Assumed conservation lot can be a stream, wetland or bush covenant.
- A wetland over 2ha in size is rather large.
- With few wetlands remaining this is not considered to be an incentive to protect remaining wetlands.

Point Number 798.33

Summary of Decision Requested: **Amend** Rule 22.8.2 P7 Permitted Activities to include "deforestation"
AND
Add the following activity specific conditions to Rule 22.8.2 P7 Permitted Activities:
appropriate site and sediment control

Decision Reasons:

- No reasons provided.

Submitter Number: 799 **Submitter:** Leo Koppens

Point Number 799.1

Summary of Decision Requested: **Delete** Chapter 3: Natural Environment.

Decision Reasons:

- Chapter 3 and Council's maps do not meet Waikato Regional Policy Statement requirement that significant indigenous areas be identified on Council maps.
- Maps do not show all significant area of bush (mainly Kahikatea) throughout the District.

Point Number 799.2

Summary of Decision Requested: Amend the Proposed District Plan to allow all significant indigenous areas to be protected the same as identified Significant Natural Areas.

Decision Reasons:

- Chapter 3 and Councils maps do not meet Waikato Regional Policy Statement requirement that significant indigenous areas be identified on Council maps.
- Maps do not show all significant area of bush (mainly Kahikatea) throughout the District.
- Rule 22.2.8 offers very little protection for bush areas.

Point Number 799.3

Summary of Decision Requested: Amend the Proposed District Plan to prevent cattle grazing in Significant Natural Areas.

Decision Reasons:

- No reasons provided.

Submitter Number: 800 **Submitter:** Environmental Management Solutions Limited

Point Number 800.1

Summary of Decision Requested: Retain Objective 10.2.1 Contaminated Land as notified.

Decision Reasons:

- Submitter supports the objective.

Point Number 800.2

Summary of Decision Requested: Retain Policy 10.2.2 Managing the use of contaminated land, except for the amendments sought below.

AND

Amend Policy 10.2.2 (d) Managing the use of contaminated land, as follows:

Ensure that the use, subdivision and development of contaminated land management approaches include where appropriate:

...

Decision Reasons:

- The submitter supports Policy 10.2.2 Managing the use of contaminated land but considers that the words “where appropriate” should be added to encourage the appropriate option to be adopted as required.
- Not all options identified will be required for each site.

Point Number 800.3

Summary of Decision Requested: Delete all provisions regarding contaminated land from Rule 16.4.7 (Title boundaries – contaminated land, notable trees, intensive farming and aggregate extraction areas);

AND

Add a new set of rules specifically relating to contaminated land that align with the Resource Management National Environmental Standard for Assessing and Managing Contaminants in Soil to protect Human Health (Regulations 2011), such as Sections 30 and 31 of the Wellington City Council Plan.

Decision Reasons:

- The submitter considers it unacceptable and nonsensical to include contaminated land in with notable trees, intensive farming and aggregate extraction areas, significant amenity landscapes etc. as is proposed.
- The provisions set out within the rules contradict those detailed within the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to protect Human Health) Regulations 2011 (NESCS) which overrides any planning provision.
- Regulation 5(5) of the NESCS specifies subdivision as an activity to which the standards applies where an activity that can be found on the Ministry for the Environment Hazardous Activities and Industries List (HAIL) has, is or is more likely than not to have occurred on a property. The regulations have a specific pathway to follow.
- In many cases it is through the subdivision application that a report investigating and identifying the contamination on a property is identified. This may include several areas, large or small irrespective of proposed subdivision boundaries. For subdivision to be enabled soil contaminant standards set by the NESCS or the site has to be satisfactorily managed. It is considered most appropriate for potentially contaminated land to have a separate rule that reflects the requirements of the NESCS.
- Sections 30 and 31 of the Wellington City Council Plan provide an example of this.

Point Number 800.4

Summary of Decision Requested: Delete all provisions regarding contaminated land from Rule 22.4.2 (Title boundaries – natural hazard area, contaminated land, Significant Amenity Landscape, notable trees, intensive farming activities, aggregate extraction areas);

AND

Add a new set of rules specifically relating to contaminated land that align with the Resource Management National Environmental Standard for Assessing and Managing Contaminants in Soil to protect Human Health (Regulations 2011), such as Sections 30 and 31 of Wellington City Council Plan.

Decision Reasons:

- The submitter considers it unacceptable and nonsensical to include contaminated land in with notable trees, intensive farming and aggregate extraction areas, significant amenity landscapes etc. as is proposed.
- The provisions set out within the rules contradict those detailed within the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to protect Human Health) Regulations 2011 (NESCS) which overrides any planning provision.
- Regulation 5(5) of the NESCS specifies subdivision as an activity to which the standards applies where an activity that can be found on the Ministry for the Environment Hazardous Activities and Industries List (HAIL) has, is or is more likely than not to have occurred on a property. The regulations have a specific pathway to follow.
- In many cases it is through the subdivision application that a report investigating and identifying the contamination on a property is identified. This may include several areas, large or small irrespective of proposed subdivision boundaries. For subdivision to be enabled

soil contaminant standards set by the NESCS or the site has to be satisfactorily managed. It is considered most appropriate for potentially contaminated land to have a separate rule that reflects the requirements of the NESCS.

Point Number 800.5

Summary of Decision Requested: **Delete** the definition of "hazardous facility" from Chapter 13 Definitions.

Decision Reasons:

- EMS does not support the definition provided for a hazardous facility
- The definition currently relates to both activities involving hazardous substances with no quantification, and premises at which these substances are used, stored or disposed of, including vehicles for their transport located at a facility for more than 'short periods of time'.
- Council has likely tried to refer to terminology derived from the MfE HAIL, however, the way this definition is written makes no sense.
- Ultimately, the definition could include every quad bike and garage in the District. HSNO and the NES govern the location certification, management and detection of hazardous substances respectively.

Submitter Number: 802

Submitter:

Vera van der Voorden

Point Number 802.1

Summary of Decision Requested: **Add** strong precautionary and prohibitive policies and rules relating to the management of genetically modified organisms, that are the same (or similar) as those in the Far North District Plan, the Whangarei District Plan and the Auckland Unitary Plan.

Decision Reasons:

- As a person living on a "life style" block the submitter does not wish to be liable for any accidental cross pollination or unintentional theft of genetic material
- GMOs have the potential to have significant adverse effects on ecological, economic, and resource management values, the social and cultural wellbeing of people, communities and Tangata whenua, cause biological or ecosystem harm, and GMO contamination to existing or potential forms of land use including farming, forestry, beekeeping, marine farming and other primary production activities dependent on an uncontaminated environmental brand.
- The new GM methods can cause much bigger and more dangerous genetic disruptions. New GM organisms have scant history of safe use, as they were only invented in the past 5 years and could cause more harm than first assumed.
- The Waikato has three major milk suppliers. Tatua, Fonterra and Miraka Milks have a GMO Free requirement for the milk products and rely on shareholder farmers' milk supply. The ability to control the grass genetic pollution is a major concern and it is important to have precautionary approach to any escape and release of GM until the negative effects are known on the region. Additionally there are also several other organic producers in Waikato.
- Once GMOs have been released into the environment, they would be very difficult if not impossible to eradicate. In the case of a food product, the "GE free" status of a district would likely be lost permanently along with the market advantages of that status.
- Application of integrated management and a precautionary approach to GMOs under the RMA is the best available technique for managing the potential adverse effects posed by GMOs within the region.
- It is consistent with the sustainable management purpose and Part 11 of the RMA to establish district plan provisions (e.g. issues, objectives, policies, rules and methods) that manage the release, location and management of GMOs where they have the potential to adversely affect the environment and other land use activities.
- This will ensure a consistent approach across Northland, Auckland and the Waikato and to eliminate cross boundary issues.

Point Number 802.2

Summary of Decision Requested: **Amend** the Proposed District Plan to require all consents that would require exemption from plan rules to be automatically publicly notified, whether the rules are on Genetically Modified Organisms, or any other matter.

Decision Reasons:

- No reasons provided.

Point Number 802.3

Summary of Decision Requested: **Create** a register of septic tanks to show proof of regular maintenance to avoid adverse impacts to waterways, and a control team to monitor.
OR
Develop a bylaw to manage septic tanks.

Decision Reasons:

- If it is possible to have a dog registration team employed at council, it must be possible to create a septic tank registration and control team.
- Wandering septic overflows are more dangerous to the environment than wandering dogs.
- There should be no direct discharge of wastewater into the Whaingaroa harbour.

Point Number 802.4

Summary of Decision Requested: **Retain** the Maaori provisions in Policy 2.16.1 Whaanga Coast Specific Area.

Decision Reasons:

- It is appropriate that the for Marae and papakainga are recognized and provided for in the Waikato Proposed District plan as it gives effect to the policies in the New Zealand Coastal Policy Statement 2010 in Policy (d) and the Waikato Regional Policy Statement, 2016 Policy 6.4 Marae and papakainga provisions, and
- The Future Proof Strategy Planning for Growth November 2017 has Priority 15.

Point Number 802.5

Summary of Decision Requested: Retain the Maaori provisions in Policy 2.16.2 Aahuatanga Motuhake (special features).

Decision Reasons:

- It is appropriate that the for Marae and papakāinga are recognized and provided for in the Waikato Proposed District plan as it gives effect to the policies. In the New Zealand Coastal Policy Statement 2010 in Policy (d) and the Waikato Regional Policy Statement, 2016 Policy 6.4, and
- The Future Proof Strategy Planning for Growth November 2017 has Priority 15.

Point Number 802.6

Summary of Decision Requested: Retain the Maaori provisions in Rule 22.1.2 Permitted Activities.

Decision Reasons:

- It is appropriate that the for Marae and papakāinga are recognized and provided for in the Waikato Proposed District plan as it gives effect to the policies. In the New Zealand Coastal Policy Statement 2010 in Policy (d) and the Waikato Regional Policy Statement, 2016 Policy 6.4, and
- The Future Proof Strategy Planning for Growth November 2017 has Priority 15.

Point Number 802.7

Summary of Decision Requested: Retain the Maaori provisions in Rule 22.7 Whaanga Coast Development Areas.

Decision Reasons:

- It is appropriate that the for Marae and papakāinga are recognized and provided for in the Waikato Proposed District plan as it gives effect to the policies. In the New Zealand Coastal Policy Statement 2010 in Policy (d) and the Waikato Regional Policy Statement, 2016 Policy 6.4, and
- The Future Proof Strategy Planning for Growth November 2017 has Priority 15.

Point Number 802.8

Summary of Decision Requested: Retain the Maaori provisions in Rule 22.7.1.1 Permitted Activities.

Decision Reasons:

- It is appropriate that the for Marae and papakāinga are recognized and provided for in the Waikato Proposed District plan as it gives effect to the policies. In the New Zealand Coastal Policy Statement 2010 in Policy (d) and the Waikato Regional Policy Statement, 2016 Policy 6.4, and
- The Future Proof Strategy Planning for Growth November 2017 has Priority 15.

Point Number 802.9

Summary of Decision Requested: Amend the zoning in Raglan to decentralise Raglan growth and support the movement of growth away from stress points by allowing the development of villages in the rural areas.

Decision Reasons:

- This would have the added benefit of bolstering existing schools and infrastructure in the rural areas.
- It is time for WDC to look at areas like Te Uku which is sited along State Highway 23. It has huge tracts of flat land that would lend itself well and more easily and therefore cheaper to develop infrastructure. It would be a great place to allow for affordable housing projects. It already has a school and general store with a second primary school not far away at Waitetuna. Small cluster villages could be Raglan's solution to the affordable housing issue faced by tourist meccas like Queenstown.

Point Number 802.10

Summary of Decision Requested: Amend the Proposed District Plan to stop development on areas known as flood prone due to rising sea levels with global warming.

Decision Reasons:

- To avoid future cost to Council and thus ratepayers.

Point Number 802.11

Summary of Decision Requested: Amend Rule 22.3.2 (b)(i) Minor dwelling to relax the 20m minimum distance of an ancillary dwelling from the main house.
AND
Retain the approach to Minor dwellings which no longer requires use by dependent relatives.

Decision Reasons:

- To allow deviation from the current intent which is to house dependent relatives.
- Potential fix for affordable housing issues.

Point Number 802.12

Summary of Decision Requested: Add a Raglan Structure Plan into the Proposed District Plan. It needs to take account of Raglan Naturally statements and the changes likely to result from the current revision of the Raglan Naturally community plan.

Decision Reasons:

- Without a Structure Plan there is no evidence that the proposed Plan will work for Raglan ward
- According to statistics, Raglan increased by 40% over the period 1991-2001 and the submitter assumes that this could more than double over the next 10 years if all the development options are taken up.

- Nowhere in the Plan is there any indication of the population it would be servicing, so how do we know what the Plan is planning for or how adequate it is going to be.
- In the absence of any estimate of demand or likely development, it is hard to envisage the effects on our social, economic or environmental wellbeing, or pre-empt problems.

Point Number 802.13

Summary of Decision Requested: **Add** design guidelines for Raglan that protect and develop the character without suppressing individual expression and lifestyle choice, incorporating the Raglan Naturally Community Plan, Raglan Town Centre: Draft Design Guide and MfE Draft New Zealand Urban Design Protocol developed through consultation with all parts of the community and assisted by a qualified committee.

AND

Add a design manual for the entire built area of Raglan which sets policy on all details of development density, design, height, setback, fabric, finish, form and texture, including all elements of the built environment, roads, courtyards and footpaths.

AND

Amend the Proposed District Plan to maintain the value of Raglan as follows:

- Commercial buildings in the CBD that have the 'Raglan look' and are single storey (or at the most not more than two levels high).
- Align indicative roads to minimise their impact on storm water and on existing dangerous roads
- Align walkways and cycle routes to provide all parts of the town with safe attractive alternatives to car use
- Permit compost toilets
- Provide for vetting future consent applications through the same consultation structure.
- Permit extensions to the existing CBD in an orderly manner through the same consultative process in order to achieve an expansion of the CBD to avoid shortage of commercial property, whilst not promoting speculation, or premature development of areas presently remote from the existing CBD.
- Views should not be able to be "stolen" from existing property by neighbouring development without the written consent of potentially affected neighbours.
- Retain Raglan's unique character by a green belt with very limited development to be defined through a consultative process.

Decision Reasons:

- In Arrowtown, the "value" of Arrowtown was acknowledged and its historic character has been skillfully preserved. This flavor is what makes our town different from other places, brings our tourism dollar and creates employment.
- To avoid destruction of the flavour and value of Raglan let the Proposed Waikato District Plan avoid development that is out of context with the seaside village character of Raglan.

Point Number 802.14

Summary of Decision Requested: **Add** a resource management framework for the management of Genetically Modified Organisms that is regionally specific, taking into account environmental, economic and social well-being considerations.

Decision Reasons:

- As a person living on a "life style" block the submitter does not wish to be liable for any accidental cross pollination or unintentional theft of genetic material
- GMOs have the potential to have significant adverse effects on ecological, economic, and resource management values, the social and cultural wellbeing of people, communities and tangata whenua, cause biological or ecosystem harm, and GMO contamination to existing or potential forms of land use including farming, forestry, beekeeping, marine farming and other primary production activities dependent on an uncontaminated environmental brand.
- The new GM methods can cause much bigger and more dangerous genetic disruptions. New GM organisms have scant history of safe use, as they were only invented in the past 5 years and could cause more harm than first assumed.
- The Waikato has three major milk suppliers. Tatura, Fonterra and Miraka Milks have a GMO Free requirement for the milk products and rely on shareholder farmers' milk supply. The ability to control the grass genetic pollution is a major concern and it is important to have precautionary approach to any escape and release of GM until the negative effects are known on the region. Additionally there are also several other organic producers in Waikato.
- Once GMOs have been released into the environment, they would be very difficult if not impossible to eradicate. In the case of a food product, the "GE free" status of a district would likely be lost permanently along with the market advantages of that status.
- Application of integrated management and a precautionary approach to GMOs under the RMA is the best available technique for managing the potential adverse effects posed by GMOs within the region.
- It is consistent with the sustainable management purpose and Part I I of the RMA to establish district plan provisions (e.g. issues, objectives, policies, rules and methods) that manage the release, location and management of GMOs where they have the potential to adversely affect the environment and other land use activities.
- This will ensure a consistent approach across Northland, Auckland and the Waikato and to eliminate cross boundary issues.

Point Number 802.15

Summary of Decision Requested: No specific decision sought, but submission expresses concern at the dearth of rental accommodation and lack of affordable housing.

Decision Reasons:

- The growing dearth of rental accommodation and the affordable housing issue, especially in Raglan where our tourist town needs affordable housing for its lower income employees of is a concern.
- The issue of housing needs to be looked into at council level.
- To date, all focus in Raglan has been that small part called Raglan village and seaside areas at the cost of blinding us to the potential of its outlying areas.

Submitter Number: 803 **Submitter:** Kristel Lendfield

Point Number 803.1

Summary of Decision Requested: **Remove** the "No Horse Riding" sign and barrier from the grass walkway leading to Ngarunui Beach.

Decision Reasons:

- The submitter believes that the track is for everyone to enjoy including horse riders. By limiting safe access areas for riders to get to the beach, it severely limits that right.
- Riders are forced to use the road, which makes for potential accidents between horses, riders and motorists.

Submitter Number:	804	Submitter:	PLB Construction
Point Number	804.1		
Summary of Decision Requested:	Amend the Proposed Waikato District Plan to recognise at the policy level that there is a need for more Industrial Zoned land to be provided within the Waikato District.		
Decision Reasons:	<ul style="list-style-type: none"> • To adhere to proposed Policy 4.6.3 Maintain a sufficient supply of industrial land • The Ohinewai area is underdeveloped and largely constrained under the current Country Living Zone provisions • The economic potential for the Ohinewai area should be suitably realised in the Proposed District Plan. 		
Point Number	804.2		
Summary of Decision Requested:	Amend the Proposed Waikato District Plan to explicitly indicate that land to the north of Huntly (in and surrounding the Ohinewai area) possesses suitable qualities for being rezoned to Industrial Zone (e.g. location to SH1 for transport purposes, flat and sparsely populated).		
Decision Reasons:	<ul style="list-style-type: none"> • The Ohinewai area is underdeveloped and largely constrained under the current Country Living Zone provisions • The land surrounding the Ohinewai area has an easy access to SH1 and presents a high potential concerning economic growth for the District. • The submitter notes that Council will be discussing a Blueprinting initiative with the local community – in which potential economic enhancements to the Huntly environs (such as Ohinewai) would be relevant. 		
Point Number	804.3		
Summary of Decision Requested:	Add a preamble to Section 4.6 Industrial and Heavy Industrial Zones to refer to rezoning land in the Ohinewai area to Industrial Zone.		
Decision Reasons:	<ul style="list-style-type: none"> • The Ohinewai area is undeveloped and largely constrained under the current Country Living Zone provisions. • The land surrounding the Ohinewai area has an easy access to SH1 and presents a high potential concerning economic growth for the District. • The submitter notes that Council will be discussing a Blueprinting initiative with the local community – in which potential economic enhancements to the Huntly environs (such as Ohinewai) would be relevant. • The economic potential for the Ohinewai area should be suitably realised in the Proposed District Plan. 		

Submitter Number:	805	Submitter:	Howard Lovell and Rudi Van Dam
Point Number	805.1		
Summary of Decision Requested:	Amend the zoning of land in Taupiri, located between Gordon Road (State Highway 1B) on the eastern boundary, Te Putu Street and Murphy Lane, the North Island Main Trunk Rail Line to the east and Great South Road to enable urban growth and development (see submission for map of area and indicative concept plans).		
Decision Reasons:	<ul style="list-style-type: none"> • The National Policy Statement on Urban Development Capacity 2016 identifies Waikato District as a high growth area, a contingency of at least 20%-15%. The appropriate expansion of growth areas - such as the Taupiri Village Expansion Area (TVEA) can be rationalised against the higher-level NPS under the PWDP review process. • TVEA is consistent with the indicative urban limits of Future Proof and will give effect to higher level strategic growth objectives and policies without compromising the urban growth intent. • The land use pattern proposed is strategically appropriate for meaningful consideration. • TVEA aligns with the relevant philosophies underpinning urban growth management in the district. • An appropriate transportation (indicative) roading layout that would apply to the TVEA envelope. • The Hopuhopu reserve project is expected to be in service by mid-2019, hence providing additional water supply to the TVEA. • Waste water servicing will require further analysis from both the Council and developer so as to confirm the current serviceability levels in the area and any upgrades required. • Area of land involved within the TVEA is of a scale that can accommodate services growth; land to the south of the TVEA provides adequate scope for network facilities (such as supply reservoirs and or treatment plant). • The TVEA can accommodate an integrated stormwater solution (subject to a more site-specific analysis). • Separating the higher density residential land use in the TVEA from that of rural production land use by the lower density residential zone meets the purpose of the Country living zone. • The lower density land use as indicated in the attached concept plan, appropriate mitigation can be provided to the residential land use in the TVEA, as well as mitigating reverse sensitivity effects of residential land use on the rural land use to the south of the TVEA. • The TVEA will enable the strategic vision of Plan Change 17 (detailed in section 3.64 of the original submission) to occur. Dwellings to the east of the TVEA will be of an affordable nature, with land parcels towards the centre of the area providing development opportunities of higher calibre dwellings. • Rezoning the area as a part of the PWDP review process represents an efficient use of statutory process. • Vesting of the extensive gully network to Council for public access presents an option for the Submitter to ensure that the wider Taupiri community benefits from the residential zoning of the area. • Gully system on site can be subject to enhancement and provide cycle/pedestrian access and provide a connection between Hopuhopu and Taupiri. 		

- TVEA concept plan has been appropriately influenced via the recognition of the culturally significant (and archeologically protected) Tarakehehe Pā. The historic Pa site has been provided for via a land parcel to be protected and managed as a reserve.
- This submission contains an Objective and Policy assessment - contained within Attachment B of the original submission, along with an assessment against the relevant RPS and it is the submitters opinion that the rezoning would not be contrary to the applicable objectives and policies.

Submitter Number:	807	Submitter:	Pukekohe Motorcycle Club
Point Number	807.1		
Summary of Decision Requested:	<p>Amend the zoning at 111 Harrisville Road, 115 Harrisville Road, 131 Harrisville Road, 21A Percy Graham Road, Tuakau from Residential Zone to Rural Zone.</p> <p>AND</p> <p>Any further or consequential relief to give effect to the relief sought in the submission.</p>		
Decision Reasons:	<ul style="list-style-type: none"> • This zoning is not the appropriate zone for the land. • The proposal to rezone the land immediately adjacent to the site for residential use has a real potential to limit the current and future activities on the motocross track site due to the creation of reverse sensitivity and the inevitable complaints from future residents about noise, dust and odours etc. • An initial review indicates that the plan does not contain suitable provisions to protect the existing track from these effects or to suitably control the establishment of noise sensitive activities unacceptably close to the existing lawfully established use. • Whilst the existing operation would be protected by existing use rights, the continued expansion of the track could be limited or completely prevented by the establishment of new sensitive receivers on the adjacent land. • Allowing residential development so close to the track will likely result in the curtailment of the existing activity and in the long-term, potential loss of this regionally important recreational facility. • To prevent the encroachment of activities sensitive to noise into areas where noise, dust and odour effects are generated. • The current Proposed Plan does not promote sustainable management of resources, will not achieve the purpose of the RMA and are contrary to Part 2 and other provisions of the RMA; • The current Proposed Plan will not enable the social and economic wellbeing of the community in the Waikato region • The current Proposed Plan does not represent the most appropriate means of exercising the Councils functions, having regard to the efficiency and effectiveness of the provisions relative to other means. 		
Point Number	807.2		
Summary of Decision Requested:	<p>Add a minimum 300m buffer around the track at 115 Geraghty Maber Road, Tuakau, preventing the establishment of any new activity sensitive to noise.</p> <p>AND</p> <p>Any further or consequential relief to give effect to the relief sought in the submission.</p>		
Decision Reasons:	<ul style="list-style-type: none"> • This is to prevent the establishment of activities sensitive to noise. • The Tuakau Structure Plan did propose additional residential along Harrisville Road but also included a buffer zone. This buffer is shown in green in Figure 3 of the submission and provided a buffer of some 250m from the motocross track. • The use of a buffer is considered an appropriate response to balance the need to protect the existing lawfully established motocross track from the potential reverse sensitivity effects of noise sensitive activities and accords with Policy 5.3.15(a)(iii) and 5.3.15(a)(v) of the Proposed Plan • The current Proposed Plan does not promote sustainable management of resources, will not achieve the purpose of the RMA and are contrary to Part 2 and other provisions of the RMA; • The current Proposed Plan will not enable the social and economic wellbeing of the community in the Waikato region • The current Proposed Plan does not represent the most appropriate means of exercising the Council's functions, having regard to the efficiency and effectiveness of the provisions relative to other means. 		
Point Number	807.3		
Summary of Decision Requested:	<p>Add a Noise Control Boundary overlay to the land surrounding the track at 115 Geraghty Maber Road, Tuakau, with a distance of at least 500m and taking into account the noise generated from the track. Submitter seeks a similar approach to the Noise Control Boundary over the Waikato Gun Club at 556 Holland Road, Eureka, where a Noise Control Boundary was added to the Operative District Plan Maps.</p> <p>AND</p> <p>Any further or consequential relief to give effect to the relief sought in the submission.</p>		
Decision Reasons:	<ul style="list-style-type: none"> • This accords with Policy 5.3.15(a)(vi) of the Proposed Plan • The current Proposed Plan does not promote sustainable management of resources, will not achieve the purpose of the RMA and are contrary to Part 2 and other provisions of the RMA; • The current Proposed Plan will not enable the social and economic wellbeing of the community in the Waikato region • The current Proposed Plan does not represent the most appropriate means of exercising the Council's functions, having regard to the efficiency and effectiveness of the provisions relative to other means. 		
Point Number	807.4		
Summary of Decision Requested:	<p>Amend Appendix I: Acoustic Insulation to include reference to the Harrisville Motocross Track and the Noise Control Boundary overlay.</p> <p>AND</p> <p>Add a specific acoustic insulation/ventilation requirement for any new noise sensitive activity along with suitable internal noise levels to be achieved by any new noise sensitive spaces established within the overlay.</p> <p>AND</p> <p>Any further or consequential relief to give effect to the relief sought in the submission.</p>		

Decision Reasons:

- The current Proposed Plan does not promote sustainable management of resources, will not achieve the purpose of the RMA and are contrary to Part 2 and other provisions of the RMA;
- The current Proposed Plan will not enable the social and economic wellbeing of the community in the Waikato region
- The current Proposed Plan does not represent the most appropriate means of exercising the Council's functions, having regard to the efficiency and effectiveness of the provisions relative to other means.

Point Number

807.5

Summary of Decision Requested:

Amend Policy 5.3.15 (a)(vi) Noise and vibration to include reference to the Harrisville Motocross Track.

AND

Any further or consequential relief to give effect to the relief sought in the submission.

Decision Reasons:

- The current Proposed Plan does not promote sustainable management of resources, will not achieve the purpose of the RMA and are contrary to Part 2 and other provisions of the RMA
- The current Proposed Plan will not enable the social and economic wellbeing of the community in the Waikato region
- The current Proposed Plan does not represent the most appropriate means of exercising the Council's functions, having regard to the efficiency and effectiveness of the provisions relative to other means.

Point Number

807.6

Summary of Decision Requested:

Add any other suitable provisions to the plan to control, restrict or prevent development on land adjacent to the motocross track at 115 Geraghty Maber Road, Tuakau without sufficient consideration of the potential for reverse sensitivity effects on the ongoing operation and intensification of the current activity, and any further or consequential relief to give full effect to all previous submission points.

AND

Any further or consequential relief to give effect to the relief sought in the submission.

Decision Reasons:

- The current Proposed Plan does not promote sustainable management of resources, will not achieve the purpose of the RMA and are contrary to Part 2 and other provisions of the RMA
- The current Proposed Plan will not enable the social and economic wellbeing of the community in the Waikato region
- The current Proposed Plan does not represent the most appropriate means of exercising the Council's functions, having regard to the efficiency and effectiveness of the provisions relative to other means.

Submitter Number:

808

Submitter:

Tony Unwin

Organisation:

Gyrate International Ltd

Point Number

808.1

Summary of Decision Requested:

Retain Chapter 9.2 Te Kowhai Airpark, as notified.

Decision Reasons:

- The submitter flies from this airfield on a regular basis
- It provides a vital service to both the aviation sector and the local community
- The proposal should be approved and encouraged.

Point Number

808.2

Summary of Decision Requested:

Retain Chapter 27 Te Kowhai Airpark Zone, as notified.

Decision Reasons:

- The submitter flies from this airfield on a regular basis
- It provides a vital service to both the aviation sector and the local community
- The proposal should be approved and encouraged.

Submitter Number:

809

Submitter:

Gordon H L Swan

Point Number

809.1

Summary of Decision Requested:

Retain Chapter 9.2 Te Kowhai Airpark, as notified.

Decision Reasons:

- For many years the submitter held the position of President of the Auckland Regional Microlight Club Inc. and during those years a sustainable aviation airfield dedicated to the lighter aircraft gave hours of safe flying, good instruction and was where many of today's pilots learnt to fly.
- This airfield gives another airfield close to Auckland City and hospitals in emergencies.
- The submitter sees this same situation in the Te Kowhai Airfield.
- The aerodrome is an asset that can afford much pleasure to all the public area but in times of emergency, it can give the council and authorities a much-needed second option.
- The Te Kowhai airfield would have a sustainable future.
- The Te Kowhai airfield is an asset that must not end up disappearing like a lot of other small airfields around the country.

Point Number 809.2

Summary of Decision Requested: **Retain** Chapter 27 Te Kowhai Airpark Zone, as notified.

Decision Reasons:

- For many years the submitter held the position of President of the Auckland Regional Microlight Club Inc. and during those years a sustainable aviation airfield dedicated to the lighter aircraft gave hours of safe flying, good instruction and was where many of today's pilots learnt to fly.
- This airfield gives another airfield close to Auckland City and hospitals in emergencies.
- The submitter sees this same situation in the Te Kowhai Airfield.
- The aerodrome is an asset that can afford much pleasure to all the public area but in times of emergency, it can give the council and authorities a much-needed second option.
- The Te Kowhai airfield would have a sustainable future.
- The Te Kowhai airfield is an asset that must not end up disappearing like a lot of other small airfields around the country.

Submitter Number: 810 **Submitter:** Phil North

Point Number 810.1

Summary of Decision Requested: **Retain** Chapter 9.2 Te Kowhai Airpark, as notified.

Decision Reasons:

- No reasons provided.

Point Number 810.2

Summary of Decision Requested: **Retain** Chapter 27 Te Kowhai Airpark Zone, as notified.

Decision Reasons:

- No reasons provided.

Submitter Number: 811 **Submitter:** Martyn Seay

Point Number 811.1

Summary of Decision Requested: **Retain** Chapter 9.2 Te Kowhai Airpark, as notified.

Decision Reasons:

- Will protect the future of the airfield, which is a scarce resource becoming increasingly rare.
- Small airfields suitable for microlight aircraft are closing up all over New Zealand and few are left.
- Microlight aviation is far more affordable and accessible than other aviation activity and is prevented from using most other airfields due to changes in aviation law.

Point Number 811.2

Summary of Decision Requested: **Retain** Chapter 27 Te Kowhai Airpark Zone, as notified.

Decision Reasons:

- It will protect the future of the airfield, which is a scarce resource becoming increasingly rare.
- Small airfields suitable for microlight aircraft are closing up all over New Zealand and few are left.
- Microlight aviation is far more affordable and accessible than other aviation activity and is prevented from using most other airfields due to changes in aviation law.

Submitter Number: 812 **Submitter:** Ruruhira Cila Henry

Point Number 812.1

Summary of Decision Requested: **Amend** the Proposed Waikato District Plan to include the Karamu Paa and Urupa as waahi tapu on the corner of Gordonton Road and Piako Road.

Decision Reasons:

- Supports all paa sites in the district to be protected.
- Submission notes that the written history may need to be looked at.

Point Number 812.2

Summary of Decision Requested: **Amend** the Proposed Waikato District Plan to keep the Komakorau Stream as a historical area.

Decision Reasons:

- The stream running under the bridge in Taupiri into the Waikato River comes from Komakorau.
- It is recorded that this was the original Waikato River.
- Was used for floating logs to the mill in Orini.
- According to Maori, it was the Tarawera which could have begun from the Tongariro eruption.
- Submission notes that the written history may need to be looked at.

Submitter Number:	813	Submitter:	Hamish Noakes
Point Number	813.1		
Summary of Decision Requested:	<p>Delete the definition of "Intensive farming" in Chapter 13 Definitions;</p> <p>OR</p> <p>Amend the definition of "Intensive farming" in Chapter 13 Definitions, to remove confusion.</p> <p>e.g. Farming dependent on the soils of the site should not be classed as intensive and intensive farming is reliant on food being brought in.</p>		
Decision Reasons:	<ul style="list-style-type: none"> • Farming dependent on the soils of the site should not be classed as intensive (i.e. goat farming). • Intensive farming is reliant on brought in food and not on the soil quality where it is sited. Rule should be stating that. 		

Submitter Number:	814	Submitter:	Jenny Goodwright
Organisation:	Awaroa Farm Ltd		
Point Number	814.1		
Summary of Decision Requested:	<p>Amend Rule 22.3.2 Minor dwelling - P1 (b)(i), as follows:</p> <p><i>The minor dwelling must be located within 20100m of the dwelling;</i></p>		
Decision Reasons:	<ul style="list-style-type: none"> • 20m away from a main dwelling is far too close. Especially in a rural environment, creating privacy is paramount. 		
Point Number	814.2		
Summary of Decision Requested:	Amend Rule 22.4 Subdivision and 22.4.1 PR4 (a) Prohibited subdivision, to maintain the Transferable Rural Lot subdivision provisions.		
Decision Reasons:	<ul style="list-style-type: none"> • The Transferable rural lot process simply reshuffles existing titles or lots created through environmental bush protection to more appropriate areas within the district. • There is no increase in the number of development rights. • Will end up with land locked titles that no one will be able to build on. This will not help the housing shortage. 		
Point Number	814.3		
Summary of Decision Requested:	<p>Amend Rule 22.3.6 Rural Zone - Building Coverage - P1 (a)(ii), as follows:</p> <p><i>(ii) 5007000m².</i></p>		
Decision Reasons:	<ul style="list-style-type: none"> • 500m² for total building coverage is unacceptable for a possible dairy farm herd home. Like to see this changed to 7000m², especially for possible expansion. 		

Submitter Number:	815	Submitter:	Louise Milne
On behalf of:	H&P Fyers Ltd		
Point Number	815.1		
Summary of Decision Requested:	Delete the Significant Natural Areas from the property at 442 Waikare Road, Ohinewai.		
Decision Reasons:	<ul style="list-style-type: none"> • The land has recently been inherited and has been managed by the same family for 100 years and will continue in the future, as such, it has been proven that the land has been taken care of. • The Significant Natural Areas significantly reduces the area of land available causing decreased income, rates etc will still need to be paid, increasing costs. • The Significant Natural Areas decreases the value of the farm and makes it less attractive for sale to potential purchasers if it is to be sold. • As the current custodian the submitter will not be planting any more natives during my tenure as they do not want future generations to have to experience what is effectively a private property land-grab, carbon credits etc in 10-20 years time. This is New Zealand, not South Africa or Zimbabwe. • It renders the land incapable of reasonable use now and in the future. • It is private property. 		

Submitter Number:	817	Submitter:	GW & PJ Thomson and The Thomson Family Trust
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Point Number 817.1

Summary of Decision Requested: Amend the zoning of the properties at 111 and 117 Mason Road, Whatawhata from Rural Zone to Industrial Zone.

AND

Any further relief or amendments to the Proposed Waikato District Plan as necessary to support the submitter, as set out in this submission.

Decision Reasons:

- The sites are standalone-developed properties that are owned by the submitter. The sites are separated from the proposed (and existing) Residential Zone by a site that is zoned Rural and is owned by the submitter.
- Both sites are developed and presently used for industrial activities; comprising a new builder's trade depot and storage yard at 111 Mason Road, and a timber framing and truss manufacturing business) at 117 Mason Road.
- The submitters operations have existed on the site since 1989 when resource consent was granted to establish and operate a sawmill on a site formerly operated by the Waikato Electricity Board. Since then multiple consents have been granted for the incremental growth of the submitter and for the development of 111 Mason Road.
- In addition to those consents, further resource consents (LU/0377/08.01 and LUC0517/18) have recently been lodged with Council that provides for the expansion of the hard stand and a new building within this hardstand area. This would effectively see the whole of the site being used for industrial activities.
- Council has enabled the incremental expansion of the development of the site in such a manner that it no longer maintains any characteristics that would normally be exhibited for a Rural zoned site.
- The overarching position of this submission that the Waikato District Council protects industrial activities that have legally established on the site through Industrial zoning, and in particular the sites, where those activities contribute to the development of the wider District and the realisation of social, economic and cultural benefits. It is in accordance with Part 2 of the RMA.
- The protection and use of these sites for industrial activities is limited and constrained whereby the present zoning requires continual resource consents to undertake changes to the site operations.
- The industrial uses of those sites are therefore subject to continual reverse sensitivity assessments against rules that are unworkable and do not provide flexibility for the activity to undertake its day-to-day operations.
- The site's inability to avoid RMA consent triggers is proving to a time-consuming and costly drain on resources.
- The recurring need for consents is an indication that, as it stands, the Rural Zone provisions are not conducive to sustainable management of the facility.
- The submitter needs greater flexibility to respond to the changing needs of their businesses and the use of these two sites.
- As the activities are already operating from the site, it is not expected that the change in zoning will give rise to any effects that are not already occurring or experienced by adjacent landowners.
- The industrial zone noise provisions protect adjacent rural and residential uses through rule 20.2.3.1-p3 that requires noise measured at any site in any zone, other than the Industrial Zone, to meet the permitted noise levels for that zone.
- It currently inhibits the productive capacity of the site.

Submitter Number: 818 **Submitter:** Valerie Lubrick

Point Number 818.1

Summary of Decision Requested: Add a special character status for Raglan.

Decision Reasons:

- Concerned that Raglan's special character is being eroded.
- Moved to Raglan because of its character, the submitter is an active member of the community and wants to see Raglan's unique nature continue.
- Character includes an extreme respect, preservation and augmentation of the natural environment.
- Wants to see better protection of that character.
- Enjoys the non-commercialism of the area, lack of neon signs and chain stores.
- Likes the diverse buildings and people and relaxed lifestyle.
- Submitter likes that they live in a small town where the business area is confined to a small walking distance.
- Does not want multi-storey buildings.
- Enjoys that Raglan is limited in population in the centre where people have space and there are lots of natural areas, pedestrian areas, ways for cycles and water views without buildings crowding each other out.
- Does not want massive subdivision of properties so everyone lives on top of each other.

Point Number 818.2

Summary of Decision Requested: Amend the provisions to require all activities that do not comply with the District Plan be publicly notified.

Decision Reasons:

- Concerned that Raglan's special character is being eroded.
- Moved to Raglan because of its character, am an active member of the community and want to see Raglan's unique nature continue.
- Character includes an extreme respect, preservation and augmentation of the natural environment.
- Wants to see better protection of that character.
- Likes the diverse buildings and people and relaxed lifestyle.
- Submitter likes that they live in a small town where the business area is confined to a small walking distance.
- Does not want multi-storey buildings.
- Enjoys that Raglan is limited in population in the centre where people have space and there are lots of natural areas, pedestrian areas, ways for cycles and water views without buildings crowding each other out.

Point Number 818.3

Summary of Decision Requested: Amend the Proposed District Plan to restrict the amount of permanent holiday accommodation in Raglan.

Decision Reasons:

- It is challenging for local people to find suitable accommodation.
- When a street is full of book a bach/Airbnb places, there is no community on that street. Cambrae Road was like that and has now finally has enough local full time residents to have a community watch program and sense of fellowship.

Point Number	818.4
Summary of Decision Requested:	Introduce a tourist tax paid directly to Raglan to fund things such as parking lots, more public toilets through a \$1 per night (collected from hotels and airbnb) charge and enforcing bylaws through fines.
Decision Reasons:	<ul style="list-style-type: none"> • A strong tourist body helps fund Raglan. • A tourist tax will help fund parking lots and more public toilets.
Point Number	818.5
Summary of Decision Requested:	No specific decision sought, but the submission opposes the proposed developments in Raglan.
Decision Reasons:	<ul style="list-style-type: none"> • Concerned that Raglan's special character is being eroded. • Does not want multi-storey buildings (ground floor and one other floor is enough). • Likes the town to be limited in population where people have space and there are lots of natural areas, pedestrian areas, ways for cycles, and water views without buildings crowding each other out.
Point Number	818.6
Summary of Decision Requested:	No specific decision sought, but the submission opposes the condominiums proposed for the corner of Wainui Road and Stewart Street, Raglan.
Decision Reasons:	<ul style="list-style-type: none"> • Concerned that Raglan's special character is being eroded. • Does not want multi-storey buildings (ground floor and one other floor is enough). • Likes the town to be limited in population where people have space and there are lots of natural areas, pedestrian areas, ways for cycles, and water views without buildings crowding each other out.

Submitter Number:	819	Submitter:	Dominic O'Rourke
Point Number	819.1		
Summary of Decision Requested:	No specific decision sought, but the submission opposes heavy development in Raglan.		
Decision Reasons:	<ul style="list-style-type: none"> • Concerned that Raglan's special character is being eroded. • Moved to Raglan because of its character, am an active member of the community and want to see Raglan's unique nature continue. 		
Point Number	819.2		
Summary of Decision Requested:	Add a special character status for Raglan and include provisions that result in the following:		
	<ul style="list-style-type: none"> • Preservation and augmentation of the natural environment • Maintain diverse local businesses. Ban the introduction of big box chain stores. • Maintain diverse buildings and diverse people and relaxed lifestyle. • Maintain business area being confined to a small zone which is pedestrian and cycle friendly. • Limit the population in the town centre, limit subdivision so residents do not live on top of each other. • Limit businesses in the town centre so businesses are not on top of each other. • Limit heights of buildings to 2 storey to preserve character • Preserve and augment pedestrian walkways, cycleways, sea views for all – do not build each other out. • Limit the amount of holiday accommodation so there is a true community, not a tourist centred economy where locals cannot find accommodation. • Use tourist dollars to fund public parking lots, lighting, upgrade sewage system, for example, introduce a per night tourist tax where the money goes directly back to Raglan to fund services. 		
Decision Reasons:	<ul style="list-style-type: none"> • Concerned that Raglan's special character is being eroded. • Moved to Raglan because of its character, the submitter is an active member of the community and wants to see Raglan's unique nature continue. 		
Point Number	819.3		
Summary of Decision Requested:	Undertake selective community consultation for Raglan.		
Decision Reasons:	<ul style="list-style-type: none"> • Raglan is special and now becoming a "place to be and visit". 		
Point Number	819.4		
Summary of Decision Requested:	No specific decision sought, but the submission opposes the condominiums proposed for the corner of Wainui Road and Stewart Road.		
Decision Reasons:	<ul style="list-style-type: none"> • Concerned that Raglan's special character is being eroded. 		
Point Number	819.5		
Summary of Decision Requested:	Amend the Proposed District Plan provisions so that any building activity that does not comply with the District Plan to be publicly notified.		
Decision Reasons:	<ul style="list-style-type: none"> • Concerned that Raglan's special character is being eroded. • Moved to Raglan because of its character, am an active member of the community and want to see Raglan's unique nature continue. 		

Submitter Number:	820	Submitter:	Leo Koppens
Point Number	820.1		
Summary of Decision Requested:	Delete Rule 23.4.2 RD1 (a)(ii) and (iii) General subdivision, so the minimum lot area defaults to 5,000m2.		
Decision Reasons:	<ul style="list-style-type: none"> • The rule is now redundant. • Only a limited number of lots that can be subdivided if this rule were to change as per the relief sought. • Lots of 1.1 or in many cases 2.0 are difficult to manage. What are owners meant to do with grass paddocks. 		

Submitter Number:	821	Submitter:	The Poultry Industry Association of New Zealand; I Brinks NZ Chicken; The Egg Producers Federation of
Point Number	821.1		
Summary of Decision Requested:	Amend the definition of "Farming" in Chapter 13 Definitions, as follows: <i>Means an agricultural, horticultural or apicultural activity having as its primary purpose the production of any livestock, (including ranging poultry), or crop using the in-situ soil, water and air as the medium for production...</i>		
Decision Reasons:	<ul style="list-style-type: none"> • Wishes to have ranging poultry as permitted livestock. Poultry have access to outdoor areas and should be similarly treated to other farmed animals. • The reference to "in-situ" is irrelevant to whether it is farming if the animal is farmed on soil that has fertiliser or some other additive. 		

Point Number	821.2		
Summary of Decision Requested:	Amend the definition of "Intensive Farming" in Chapter 13 Definitions as follows: <i>Means farming which is not dependent on the fertility of the soils on which it is located and which may be under cover or within an outdoor enclosure, and be dependent on supplies of food produced on and/or off the land where the operation is located.</i> ... (c) <i>poultry or game bird farming undertaken wholly or principally within sheds or other shelters or buildings;</i> (d) <i>free-range poultry or game bird farming while inside an enclosure;</i> ...		
Decision Reasons:	<ul style="list-style-type: none"> • Amend to exclude range areas for free range poultry if the birds are outside they are livestock that are permitted under the definition of farming. • All paddocks are outdoor enclosures. This definition does not limit or describe what is meant by "enclosure" and it should be deleted. 		

Point Number	821.3		
Summary of Decision Requested:	Add a definition for "Poultry Hatchery" in Chapter 13 Definitions, as follows: <i>Poultry Hatchery means a place where eggs are incubated and hatched in a managed process.</i> OR Amend the definition of "Rural Industry" in Chapter 13 Definitions, as follows: <i>Means an industry that involves the direct handling or processing to the first stage of manufacture of any raw produce harvested from farming, rural contractors' depots, poultry hatcheries or any other land-related agricultural activity, but excludes waste disposal, extractive industries and electricity generation.</i>		
Decision Reasons:	<ul style="list-style-type: none"> • Wants a separate definition for 'poultry hatchery' as a hatchery is different from poultry farming and is closer to an industrial activity. Due to the effects, poultry hatcheries can be an activity provided for in the Rural or Industrial Zones. 		

Point Number	821.4		
Summary of Decision Requested:	Amend the definition of "Industrial activity" in Chapter 13 Definitions, as follows: <i>Means the production, processing, bulk moving or storage in bulk of any materials, goods or products and includes poultry hatcheries;</i> <i>Production includes:</i> ...		
Decision Reasons:	<ul style="list-style-type: none"> • Due to the effects, poultry hatcheries can be an activity provided for in the Rural or Industrial Zones. 		

Point Number	821.5		
Summary of Decision Requested:	Add to Chapter 5 Rural Environment a separate policy for poultry hatcheries, as follows: <i>To enable poultry hatchery operations to be located where the anticipated effects are consistent with the underlying zone.</i>		
Decision Reasons:	<ul style="list-style-type: none"> • Include a separate policy for poultry in the Rural Zone. 		

Point Number	821.6
Summary of Decision Requested:	Add to Chapter 4.6 Industrial and Heavy Industrial Zones, a separate policy for poultry hatcheries as follows: <u>To enable poultry hatchery operations to be located where the anticipated effects are consistent with the underlying zone.</u>
Decision Reasons:	<ul style="list-style-type: none"> • Include a separate policy for poultry hatcheries in the Industrial Zone chapter.
Point Number	821.7
Summary of Decision Requested:	Retain Policy 5.3.2 Productive rural activities, except for the amendments outlined below; AND Amend Policy 5.3.2(a)(i) Productive rural activities, as follows: (a) <i>Recognise and protect the continued operation of the rural environment as a productive working environment by:</i> (i) <i>Recognising that buildings and structures associated with farming, <u>intensive farming</u>, and forestry and other operational structures for productive rural activities contribute to rural character and amenity values;</i> ...
Decision Reasons:	<ul style="list-style-type: none"> • Intensive farming is a productive rural activity that can only locate in the Rural Zone. Should be recognised in the plan that these types of activities also contribute to rural character.
Point Number	821.8
Summary of Decision Requested:	Retain Policy 5.3.6 Intensive farming activities, as notified.
Decision Reasons:	<ul style="list-style-type: none"> • Poultry farming is a positive feature in the rural environment and should be enabled in the Rural Zone as it cannot locate in other areas.
Point Number	821.9
Summary of Decision Requested:	Retain Policy 5.3.7 Reverse sensitivity effects; AND Add an additional point (i) to Policy 5.3.7 Reverse sensitivity effects as follows: ... (h) <i>Provide for intensive farming activities, recognising the potential adverse effects that need to be managed, including noise, visual amenity, rural character or landscape effects, and odour.</i> (i) <u>Protect existing intensive farming activities from sensitive land uses to avoid future conflicts between users.</u>
Decision Reasons:	<ul style="list-style-type: none"> • While the policy specifies that intensive farming activities are provided for, it is also important that existing intensive farming activities are protected from new dwellings and other sensitive activities.
Point Number	821.10
Summary of Decision Requested:	Retain Rule 22.2.1.1 P1 Noise General.
Decision Reasons:	<ul style="list-style-type: none"> • Farming noise (including that from ranging poultry) is anticipated in the rural environment.
Point Number	821.11
Summary of Decision Requested:	Amend Rule 22.3.7.2 P1 (a)(vii) Building setbacks - setback land use, as follows: (vii) <i>300m from the boundary of <u>closest point of a building on</u> another site containing an intensive farming activity;</i>
Decision Reasons:	<ul style="list-style-type: none"> • It is reasonable that a building for a sensitive use should be set back from an intensive farming activity at the same distance as required for buildings used for that farming activity.
Point Number	821.12
Summary of Decision Requested:	Retain Rule 22.4.9 RDI(a)(vi) Building platform.
Decision Reasons:	<ul style="list-style-type: none"> • It is appropriate that building platforms must be identified where they can comply with the rules for permitted buildings.
Point Number	821.13
Summary of Decision Requested:	Add the following matters of discretion to Rule 22.4.9 Subdivision - Building platform: <ul style="list-style-type: none"> • <u>Proximity to an intensive farming activity</u> • <u>Reverse sensitivity effects</u>

Decision Reasons:

- No reasons provided.

Point Number 821.14

Summary of Decision Requested: **Amend** Rule 14.12.1 P4 (l)(e)(i) Permitted Activities relating to traffic generation, as follows:

- (e) *Within the Industrial Zone and Heavy Industrial Zone (excluding the Huntly Power Station and Huntly Quarry):*
- (i) *Maximum 250 vehicle movements per day ~~and no more than 15% of these vehicle movements are heavy vehicle movements, or~~*
- ...

Decision Reasons:

- The purpose of the Industrial and Heavy Industrial Zone is to provide for industrial activities, which typically have a large volume of heavy vehicles.
- Restrictions on the number of heavy vehicles to an industrial site is unwarranted, as the zone should be supportive of the activities and their anticipated effects.

Point Number 821.15

Summary of Decision Requested: **Include** information regarding the proximity of intensive farming activities into LIM reports.

Decision Reasons:

- Include information on the location on LIM reports for neighbouring properties to ensure new owners can be aware of an intensive farming activity occurring nearby and impact that it may have when constructing a new sensitive activity.

Point Number 821.16

Summary of Decision Requested: **Add** a new rule (P13) to Rule 22.1.2 Permitted Activities, as follows:

- P13**
For poultry farming.
- (a) buildings are set back at least:*
 - (i) 100 metres from any site boundary (other than a road boundary); and*
 - (ii) 300m from a sensitive activity; and*
 - (iii) 500 metres from any boundary of a Residential, Village and Country Living Zone and*
 - (b) for free range, a vegetated range area is maintained.*

Decision Reasons:

- Where any adverse effects of Poultry Farming are mitigated through provision of setbacks so that the activity is consistent with other rural activities, Poultry Farming should be a permitted activity.
- Buildings associated with the activity would still need to meet performance standards that apply to permitted activities within the Rural Zone.

Point Number 821.17

Summary of Decision Requested: **AMEND** Rule 22.1.3 RD1(d) Restricted Discretionary Activities relating to free-range poultry farming, as follows:

- (d) For free-range poultry farming, buildings and outdoor enclosures are set back at least:*
- (i) ~~400~~ 50 metres from any site boundary (other than a road boundary); and*
- (ii) 200m from a sensitive activity; and*
- ~~(iii)~~ 500 metres from any boundary of a Residential, Village and Country Living Zone; and*
- (iv) a vegetated range area is maintained.*
- ...

Decision Reasons:

- Amend the setbacks so that they apply from the nearest point of the intensive activity - which does not include the range areas (the submitter is seeking a change to the "farming" definition to recognise that the outdoor poultry are livestock and permitted).
- Amend the minimum setback from an internal boundary to be 50m from the nearest building associated with the activity and 200m in total for separation of farm building from sensitive activity.
- Road boundaries should be excluded because the road itself is a separation and any dwelling on the other side has a further separation
- The requirement for a vegetated range area ensures mitigation against the potential for dust to be created.

Point Number 821.18

Summary of Decision Requested: **AMEND** Rule 22.1.3 RD1(e) Restricted Discretionary Activities relating to Housed poultry farming, as follows"

- (e) For housed poultry, free-range poultry that does not comply with 22.1.3 RD1 (d), and all other intensive farming, buildings and adjacent yard areas are set back at least:*
- (i) ~~300~~ 50 metres from any site boundary (other than a road boundary); and*
- (ii) 300 metres from a sensitive activity; and*
- (iii) 500 metres from any boundary of a Residential, Village and Country Living Zone.*

Decision Reasons:

- 100m setback from the boundary is unreasonable and results in requirement for a very large property which is uneconomic and inefficient use of land.
- 50m setback from the boundary is reasonable if in combination with an overall 300m setback from a sensitive activity (includes a dwelling).
- Road boundaries should be excluded as the road itself has a separation and any dwelling on the other side has a further separation.

Point Number 821.19

Summary of Decision Requested: **Amend** Rule 22.1.3 RD1(a)(iii) Restricted Discretionary Activities relating to Intensive farming, as follows:

(a) *Intensive farming that meets all of the following conditions:*

(i) *Land Use – Effects in Rule 22.2*

(ii) *Land Use – Building in Rule 22.3*

~~(iii) *Building coverage does not exceed 3% of the site;*~~

...

Decision Reasons:

- Submitter recognises that the building coverage for intensive farms has increased to 3% of the site but this may still not be enough for poultry farming.
- Given that visual effects and amenity effects (and other effects) are considered in relation to non-compliance with the performance standards we consider that any adverse effects from building coverage should be part of the Restricted Discretionary assessment for the activity. The buildings are intrinsic to intensive poultry farming activities.

Submitter Number: 822 **Submitter:** Bob MacLeod

Point Number 822.1

Summary of Decision Requested: **Add** clauses to Policy 6.1.16 Water conservation, as follows:

(a) *Encourage water conservation measures and, where appropriate, low impact stormwater design and facilities.*

(b) *Encourage the installation of rain water tanks (storage) to provide:*

i. *To reduce the annual water bill*

ii. *To mitigate the costs and impact of water restrictions on lifestyle, amenity and property value.*

iii. *To help avoid the environmental impacts of construction a new water sources; and*

iv. *Community - mindedness (i.e. easing the burden on the Raglan water supply).*

Decision Reasons:

- Financial benefit of rainwater tanks to the community through the reduction in the cost of water and stormwater infrastructure. Ability of Council to reduce the cost of water and stormwater infrastructure is dependent on the cost benefit of 'Long Run Marginal Cost'. This is used for creating new water supplies and represent the change in cost if new water sources are brought forward or delayed.

Point Number 822.2

Summary of Decision Requested: **Add** a new activity to Rule 14.11.1 Permitted Activities, as follows:

PI1 - Rain harvesting

4.11.1.1 - Installation of rain tanks (storage), for water conservation.

Decision Reasons:

- Financial benefit of rainwater tanks to the community through the reduction in the cost of water and stormwater infrastructure. Ability of Council to reduce the cost of water and stormwater infrastructure is dependent on the cost benefit of 'Long Run Marginal Cost'. This is used for creating new water supplies and represent the change in cost if new water sources are brought forward or delayed.

Point Number 822.3

Summary of Decision Requested: **Add** to Appendix 3.1 Residential Subdivision Guidelines, details and illustrations of water harvesting systems as per those attached to the submission.

Decision Reasons:

- Financial benefit of rainwater tanks to the community through the reduction in the cost of water and stormwater infrastructure.
- Ability of Council to reduce the cost of water and stormwater infrastructure is dependent on the cost benefit of 'Long Run Marginal Cost'. This is used for creating new water supplies and represent the change in cost if new water sources are brought forward or delayed.

Point Number 822.4

Summary of Decision Requested: **Amend** Objective 4.1.1(a) Objective – Strategic, as follows:

(a) *Liveable, thriving and connected communities that are sustainable, affordable, efficient and co-ordinated.*

Decision Reasons:

- Only mention of affordability is in 1.12.3. Affordability should be a core principle to support Objective 4.1.1 (a). Lack of affordability affects at and below median income and extends into a third quarter of income.
- Strategy for the District Plan should recognise the environment that surrounds housing affordability and the impact that it has on the community.
- The Plan should enable innovative housing developments that deliver affordable housing options for all incomes.
- Submission refers to the Raglan Housing Study (August 2018).

Point Number 822.5

Summary of Decision Requested: **Add** a new objective and policies to Section 4.2 Residential Zone, as follows:

Objective: To provide for a range of opportunities for affordable housing that enables low and moderate income people to live in the district in accommodation that suits their needs.

Policies:

1) Enable affordable housing by allowing residential densities that make economical and best use of available land in existing residential areas.

2) New housing developments will include affordable housing as part of the development plan.

3) Allow access for developers of affordable housing to lower cost structure of consent and regulation requirements.

4) Encourage multi-unit residential developments subject to appropriate safeguards to amenities and the environment.

5) Take into account the positive effects for the community of affordable housing when assessing resource consent applications.

Decision Reasons:

- Affordability of housing should be enabled by the objectives and rules of the district plan.
- Submission makes reference to the Raglan Housing study 2018 and Whaingaroa/Raglan Affordable Housing Project.

Point Number 822.6

Summary of Decision Requested: Amend Policy 4.1.18(iii) Raglan, as follows:

(a) Raglan is developed to ensure:

...

(iii) Rangitahi is the only area that provides for the medium future growth and it will provide for medium term growth above the multiple median of affordability for Raglan. Developments that propose affordable housing to cater for the quartiles below the multiple median and that are developed in a manner that connects to the existing town and maintains and enhances the natural environment will be considered as a preferred option for additional green fields development.

Decision Reasons:

- Allow for other developments that support affordable development to occur.
- The submitter acknowledges this will require a negotiated definition of 'affordable' and acceptance that the 'multiple median' is the international standard by which housing affordability is determined.

Point Number 822.7

Summary of Decision Requested: No specific decision sought, but submission supports the work and the submissions presented by Whaingaroa Raglan Affordable Housing Project and Raglan Naturally.

Decision Reasons:

- This community board has invested a lot of time and energy promoting Raglan and a community that has a heart as a liveable, thriving and connected community.

Submitter Number: 823

Submitter:

NZTE Operations Limited

Point Number 823.1

Summary of Decision Requested: Add new Objective 9.2.3 as follows:

Objective 9.2.3

The operational needs of Te Kowhai Airpark are not compromised by sensitive land use activities with the potential for reverse sensitivity conflict.

AND

Add a new Policy 9.2.3.1 as follows:

Policy 9.2.3.1

Manage reverse sensitivity risk by:

(i) ensuring that noise sensitive activities within the Te Kowhai Airpark Noise Control Boundaries are acoustically insulated to appropriate standards; and

(ii) ensuring that Te Kowhai aerodrome operates within the noise limits specified by the Te Kowhai Airpark Noise Control Boundaries.

AND

Amend the Proposed District Plan for any consequential relief required to give effect to this submission.

Decision Reasons:

- While Policy 9.2.1.6 partially addresses reverse sensitivity, a more specific objective and corresponding policy is required which recognises the importance of that issue in the context of existing infrastructure.
- The additional objective and policy proposed in Appendix A will ensure that the operational needs of the Airfield are not compromised by sensitive land use activities with the potential for reverse sensitivity conflict.

Point Number 823.2

Summary of Decision Requested: Delete Rule 14.11.4- Non-Complying Activities NC2 (g).

AND

Amend the Proposed District Plan for any consequential relief required to give effect to this submission.

Decision Reasons:

- Intends to have on-site treatment and disposal of wastewater in the form of a Packed Bed Reactor (or similar) to meet relevant Waikato Regional Council standards. As such, a wastewater treatment plan is a permitted activity in Chapter 27.1.1. Chapter 14 (Infrastructure and Energy) is inconsistent with this rule because Rule 14.11.4 classifies wastewater treatment plants as a non-complying activity for the Te Kowhai Airpark Zone.
- The permitted activity rule in Chapter 27 should therefore take precedence over the general rule in Chapter 14.

Point Number 823.3

Summary of Decision Requested: Amend Rule 14.12.1.4 -Permitted Activities relating to P4 Traffic generation, as follows:

...

(h) Within Precincts A and B of the Te Kowhai Airpark Zone there is a maximum 250 vehicle movements per site per day and no more than 15% of these vehicle movements are heavy vehicle movements.

(j) Within Precincts C and D of the Te Kowhai Airpark Zone there is a maximum of 30 vehicle movements per site per day and no more than 4 of these vehicle movements are heavy vehicle movements except:

(j) Movement restrictions do not apply if the activity is an event or promotion (including temporary events) in Precinct C or a community facility in Precinct C.

...

AND

Amend the Proposed District Plan for any consequential relief required to give effect to this submission.

Decision Reasons:

- Precincts A and B are limited to 250 vehicles and Precincts C and D are limited to 30 vehicles before a restricted discretionary status is triggered. However it is not clear that these limits are per site limits and they could be interpreted as being limits that apply to the whole of the precincts.
- The insertions will clarify that this limit does not apply for the whole of the precincts taken together.

Point Number

823.4

Summary of Decision Requested:

Amend Rule 14.12.1.7 - Permitted Activities relating to P7 Access and New Roads – Te Kowhai Airpark Zone, as follows:

...

(2) Road alignment and the taxiway network within the Te Kowhai Airpark Zone shall be in general accordance with Appendix 9 – The Te Kowhai Airpark Framework Plan.

(3) The western boundary of the Te Kowhai Airpark Zone shall provide for future connectivity options (vehicular and / or pedestrian) in general accordance with the location identified in Appendix 9 – The Te Kowhai Airpark Framework Plan.

...

AND

Amend the Proposed District Plan for any consequential relief required to give effect to this submission.

Decision Reasons:

- The rules are too prescriptive and will not allow for minor amendments in layout that are in general accordance with the road alignment and taxiway network detailed in Appendix 9.

Point Number

823.5

Summary of Decision Requested:

Delete Rule 27.2.14 (d) - Temporary Events.

AND

Amend the Proposed District Plan for any consequential relief required to give effect to this submission.

Decision Reasons:

- Rule 27.2.14(d) does not allow direct site access from a 'national route' or 'regional arterial' road for Temporary Events as a permitted activity. The terminology is not in accord with the One Network Road Classification used by the New Zealand Transport Agency. The One Network Road Classification for Limmer Road (State Highway 39) is 'Arterial'.
- Currently, the only vehicular access into the Te Kowhai Airpark Zone is off State Highway 39, meaning that there is effectively no permitted activity status for temporary events. Submission notes that this appears to be a carry-over from the Operative District Plan Rural Zone rules.

Point Number

823.6

Summary of Decision Requested:

Amend the Zoning Plan in Chapter 29 – Appendix 9 – Te Kowhai Airfield precincts zoning, to read "Te Kowhai Airpark Zone" rather than "Special Activity Zone Te Kowhai Airpark" to align with the terminology in Chapter 27.

AND

Amend the Proposed District Plan for any consequential relief required to give effect to this submission.

Decision Reasons:

- The Zoning Plan in Appendix 9 refers to 'Special Activity Zone Te Kowhai Airpark'. In the interests of consistency, the Zoning Plan should be changed to refer to the 'Te Kowhai Airpark Zone', which better aligns with the terminology in Chapter 27.

Point Number

823.7

Summary of Decision Requested:

Amend Rule 16.3.3.3 – Height - Buildings, structures and vegetation within an airport obstacle limitation surface, as follows:

PI

Any building, structure, tree or other vegetation must not protrude through any airport obstacle limitation surface identified in Appendix 9 Te Kowhai Airpark and as shown on the planning maps.

DI

Any building, structure, tree or other vegetation that does not comply with Rule 16.3.3.3 PI.

AND

Amend the Proposed District Plan for any consequential relief required to give effect to this submission.

Decision Reasons:

- The OLS (as notified) is necessary to ensure compliance with Civil Aviation Circular AC139-7 Aerodrome Standards and Requirements for Code 1 aerodromes operating on a VFR and an IFR (non-air transport) basis. The extent of the OLS is described in Chapter 29 – Appendix 9.
- Rules are also provided in the PWDP to protect the OLS from being breached by buildings, structures and vegetation.
- Although Rule 27.3.1 as notified correctly protects the proposed OLS from buildings, structures, trees and other vegetation, the corresponding height rules in other zones omits reference to 'trees'.
- It is critical that there is consistency amongst OLS provisions and that the provisions control 'trees' as well as buildings, structures and other vegetation. It is proposed that the relevant rules in each chapter are amended to align with the (correct) wording in Chapter 27, Rule 27.3.1.

Point Number

823.8

Summary of Decision Requested:

Amend Rule 17.3.1.2 – Height - Buildings, structures and vegetation within an airport obstacle limitation surface, as follows:

PI

Any building, structure, tree or other vegetation must not protrude through the airport obstacle limitation surfaces as shown on the planning maps.

DI

Any building, structure, tree or other vegetation that does not comply with Rule 17.3.1.2 PI.

AND

Amend the Proposed District Plan for any consequential relief required to give effect to this submission.

Decision Reasons:

- The OLS (as notified) is necessary to ensure compliance with Civil Aviation Circular AC139-7 Aerodrome Standards and Requirements for Code 1 aerodromes operating on a VFR and an IFR (non-air transport) basis. The extent of the OLS is described in Chapter 29 – Appendix 9.
- Rules are also provided in the PWDP to protect the OLS from being breached by buildings, structures and vegetation.
- Although Rule 27.3.1 as notified correctly protects the proposed OLS from buildings, structures, trees and other vegetation, the corresponding height rules in other zones omits reference to 'trees'.
- It is critical that there is consistency amongst OLS provisions and that the provisions control 'trees' as well as buildings, structures and other vegetation.
- It is proposed that the relevant rules in each chapter are amended to align with the (correct) wording in Chapter 27, Rule 27.3.1.

Point Number

823.9

Summary of Decision Requested:

Amend Rule 20.3.3 – Height - Buildings, structures and vegetation within an airport obstacle limitation surface as follows:

PI

Any building, structure, tree or other vegetation must not protrude through an airport obstacle limitation surface as shown on the planning maps.

NCI

Any building, structure, tree or other vegetation that does not comply with Rule 20.3.3. PI

AND

Amend the Proposed District Plan for any consequential relief required to give effect to this submission.

Decision Reasons:

- The OLS (as notified) is necessary to ensure compliance with Civil Aviation Circular AC139-7 Aerodrome Standards and Requirements for Code 1 aerodromes operating on a VFR and an IFR (non-air transport) basis. The extent of the OLS is described in Chapter 29 – Appendix 9.
- Rules are also provided in the PWDP to protect the OLS from being breached by buildings, structures and vegetation.
- Although Rule 27.3.1 as notified correctly protects the proposed OLS from buildings, structures, trees and other vegetation, the corresponding height rules in other zones omits reference to 'trees'.
- It is critical that there is consistency amongst OLS provisions and that the provisions control 'trees' as well as buildings, structures and other vegetation.
- It is proposed that the relevant rules in each chapter are amended to align with the (correct) wording in Chapter 27, Rule 27.3.1.

Point Number

823.10

Summary of Decision Requested:

Amend Rule 22.3.4.3 – Height - Buildings, structures and vegetation within an airport obstacle, as follows:

PI

Any building, structure, tree or other vegetation must not protrude through any Airport Obstacle Limitation Surface as identified in Appendix 9 Te Kowhai Airpark and shown on the planning maps.

NCI

Any building, structure, tree or other vegetation that does not comply with Rule 22.3.4.3 PI

AND

Amend the Proposed District Plan for any consequential relief required to give effect to this submission.

Decision Reasons:

- The OLS (as notified) is necessary to ensure compliance with Civil Aviation Circular AC139-7 Aerodrome Standards and Requirements for Code 1 aerodromes operating on a VFR and an IFR (non-air transport) basis. The extent of the OLS is described in Chapter 29 – Appendix 9.
- Rules are also provided in the PWDP to protect the OLS from being breached by buildings, structures and vegetation.
- Although Rule 27.3.1 as notified correctly protects the proposed OLS from buildings, structures, trees and other vegetation, the corresponding height rules in other zones omits reference to 'trees'.
- It is critical that there is consistency amongst OLS provisions and that the provisions control 'trees' as well as buildings, structures and other vegetation.
- It is proposed that the relevant rules in each chapter are amended to align with the (correct) wording in Chapter 27, Rule 27.3.1.

Point Number

823.11

Summary of Decision Requested:

Amend Rule 23.3.4.2 – Height - Buildings, structures and vegetation within an airport obstacle limitation surface, as follows:

PI

Any building, structure, tree or other vegetation ~~must~~ ~~that does~~ not protrude through any airport obstacle limitation surface identified in Appendix 9 Te Kowhai Airpark and as shown on the planning maps.

~~NCI~~

Any building, structure, tree or other vegetation that does not comply with Rule 23.3.4.2 PI.

AND

Amend the Proposed District Plan for any consequential relief required to give effect to this submission.

Decision Reasons:

- The OLS (as notified) is necessary to ensure compliance with Civil Aviation Circular AC139-7 Aerodrome Standards and Requirements for Code 1 aerodromes operating on a VFR and an IFR (non-air transport) basis. The extent of the OLS is described in Chapter 29 – Appendix 9.
- Rules are also provided in the PWDP to protect the OLS from being breached by buildings, structures and vegetation.
- Although Rule 27.3.1 as notified correctly protects the proposed OLS from buildings, structures, trees and other vegetation, the corresponding height rules in other zones omits reference to 'trees'.
- It is critical that there is consistency amongst OLS provisions and that the provisions control 'trees' as well as buildings, structures and other vegetation.
- It is proposed that the relevant rules in each chapter are amended to align with the (correct) wording in Chapter 27, Rule 27.3.1.

Point Number

823.12

Summary of Decision Requested:

Amend Rule 24.3.3.2 –Height - Buildings, structures or vegetation within an airport obstacle limitation surface, as follows:

PI

Any building, structure, tree or other vegetation must not protrude through the airport obstacle limitation surface as identified in Appendix 9 - Te Kowhai Airpark and as shown on the planning maps.

DI

Any building, structure, tree or other vegetation that does not comply with Rule 24.3.3.2 PI.

AND

Amend the Proposed District Plan for any consequential relief required to give effect to this submission.

Decision Reasons:

- The OLS (as notified) is necessary to ensure compliance with Civil Aviation Circular AC139-7 Aerodrome Standards and Requirements for Code I aerodromes operating on a VFR and an IFR (non-air transport) basis. The extent of the OLS is described in Chapter 29 – Appendix 9.
- Rules are also provided in the PWDP to protect the OLS from being breached by buildings, structures and vegetation.
- Although Rule 27.3.1 as notified correctly protects the proposed OLS from buildings, structures, trees and other vegetation, the corresponding height rules in other zones omits reference to 'trees'.
- It is critical that there is consistency amongst OLS provisions and that the provisions control 'trees' as well as buildings, structures and other vegetation.
- It is proposed that the relevant rules in each chapter are amended to align with the (correct) wording in Chapter 27, Rule 27.3.1.

Point Number

823.13

Summary of Decision Requested:

Amend Rule 25.3.1.2 – Height - Buildings, structures and vegetation within an airport obstacle limitation surface, as follows:

PI

Any building, structure, tree or other vegetation must not protrude through any Airport Obstacle Limitation Surfaces as identified in Appendix 9 – Te Kowhai Airfield and defined in Section E, Designation N - Waikato Regional Airport.

~~*NDI*~~

Any building, structure, tree or other vegetation that does not comply with Rule 25.3.1.2 PI.

AND

Amend the Proposed District Plan for any consequential relief required to give effect to this submission.

Decision Reasons:

- The OLS (as notified) is necessary to ensure compliance with Civil Aviation Circular AC139-7 Aerodrome Standards and Requirements for Code I aerodromes operating on a VFR and an IFR (non-air transport) basis. The extent of the OLS is described in Chapter 29 – Appendix 9.
- Rules are also provided in the PWDP to protect the OLS from being breached by buildings, structures and vegetation.
- Although Rule 27.3.1 as notified correctly protects the proposed OLS from buildings, structures, trees and other vegetation, the corresponding height rules in other zones omits reference to 'trees'.
- It is critical that there is consistency amongst OLS provisions and that the provisions control 'trees' as well as buildings, structures and other vegetation.
- It is proposed that the relevant rules in each chapter are amended to align with the (correct) wording in Chapter 27, Rule 27.3.1.

Point Number

823.14

Summary of Decision Requested:

Delete Rule 27.2.7- Noise- Taxiways.

AND

Add a new Rule 27.2.7- Noise- Aircraft Operations as follows:

27.2.7 Noise- Aircraft Operations

Noise from aircraft operations in ALL PRECINCTS, including aircraft movements on taxiways, shall not exceed 65dB Ldn outside the Air Noise Boundary and 55dB Ldn outside the Outer Control Boundary as shown in the Planning Maps. These limits do not apply inside the Te Kowhai Airpark Zone. For the purpose of this control aircraft noise shall be assessed in accordance with NZS6805:1992 "Airport Noise Management and Land Use Planning" and logarithmically averaged over a three month period. For the purposes of this Rule aircraft operations shall include aircraft taking-off, landing, taxiing and flying on circuit flight paths. The following operations are excluded from the calculation of noise for compliance with noise limits:

- Aircraft engine testing and maintenance
- Aircraft landing or taking off in an emergency
- Emergency flights required to rescue persons from life threatening situations or to transport patients, human vital organs or medical personnel in a medical emergency.
- Flights required to meet the needs to a national or civil defence emergency declared under the Civil Defence Emergency Management Act 2002
- Aircraft using the airfield due to unforeseen circumstances as an essential alternative to landing at a scheduled airport elsewhere
- Aircraft undertaking firefighting duties
- Air Shows (for one air shows per year).

Aircraft movements shall be recorded monthly and once the total movements in the busiest three month period reaches 4,500, noise contours for the purpose of assessing compliance with Rule 27.2.7 shall be calculated once every three years. When the calculated noise level is within 1 decibel of the limit, noise contours for the purpose of assessing compliance with Rule 27.2.7 shall be calculated annually and verified with infield monitoring once every three years.

AND

Amend the Proposed District Plan for any consequential relief required to give effect to this submission.

Decision Reasons:

- This change is a consequential amendment of introducing new Te Kowhai Airpark Airport Noise Control Boundaries.
- Taxiing noise is not currently anticipated in the notified OCNB but is provided for through the Te Kowhai Buffer Zone and specific rules in Chapter 27 Rule 27.2.7.
- Taxiing noise is included in the proposed ANCB therefore Rule 27.2.7 needs to be deleted and replaced with wording to reflect this.

Point Number

823.15

Summary of Decision Requested:

Add new rule 16.3.12- Noise Sensitive Activities to Chapter 16: Residential, as follows:

16.3.12 Noise Sensitive Activities

PI – Construction, addition, or alteration to a building containing a Noise Sensitive Activity located between the Waikato Regional Airport or Te Kowhai Air Noise Boundary and the Outer Control Boundary must comply with Appendix I – Acoustic Insulation.

RD1(a) Construction of, or addition, or alteration to a building that does not comply with a condition in Rule 16.3.12 PL.

(b) Council's discretion is restricted to the following matters:

(i) internal design sound levels;

(ii) on-site amenity values; and

(iii) Potential for reverse sensitivity effects.

AND

Amend the Proposed District Plan for any consequential relief required to give effect to this submission.

Decision Reasons:

- This change is a consequential amendment of introducing new Te Kowhai Airpark Airport Noise Control Boundaries.
- Chapter 16 Rule 16.3 does not provide for ANCB's as proposed by this submission.
- A new rule (16.3.12) is required to address ANB requirements.

Point Number 823.16

Summary of Decision Requested: **Delete** Rule 22.3.7.3– Building – Te Kowhai Noise Buffer.

AND

Amend the Proposed District Plan for any consequential relief required to give effect to this submission.

Decision Reasons:

- This change is a consequential amendment of introducing new Te Kowhai Airpark Airport Noise Control Boundaries.
- The Te Kowhai Noise Buffer is no longer required as the noise from Taxiing aircraft is proposed to be controlled by the new proposed Te Kowhai ANCB's, therefore Rule 22.3.7.3 can be deleted.

Point Number 823.17

Summary of Decision Requested: **Add** a new rule to Rule 22.1.5- Non-Complying Activities as follows:

...

NC5 (g) Noise Sensitive Activities within the Te Kowhai Air Noise Boundary (Ldn management methods will be in place. 65), except this restriction does not apply to Noise Sensitive Activities associated with Te Kowhai Airpark Zone.

AND

Amend Rule 22.1.5 NC5 consequentially as follows:

NC5 Any other activity that is not listed as Prohibited, Permitted, Restricted Discretionary or Discretionary.

AND

Amend the Proposed District Plan for any consequential relief required to give effect to this submission.

Decision Reasons:

- This change is a consequential amendment of introducing new Te Kowhai Airpark Airport Noise Control Boundaries.
- Amendment is required to Rule 22.1.5 to clarify that noise sensitive activities within the ANB (inner control boundary) are a Non-Complying Activity unless the dwelling comprises part of Te Kowhai Airpark, in which case alternative site-specific noise management methods will be in place.

Point Number 823.18

Summary of Decision Requested: **Amend** Rule 22.3.7.4 PI (i) Building - Noise Sensitive Activities, as follows:

(i) The Waikato Regional Airport and Te Kowhai Airpark Zone Air noise boundary and Airport Noise Outer Control boundary;

AND

Amend the Proposed District Plan for any consequential relief required to give effect to this submission.

Decision Reasons:

- This change is a consequential amendment of introducing new Te Kowhai Airpark Airport Noise Control Boundaries.
- Rule 22.3.7.4 refers to the need for compliance with Appendix 1 (Acoustic Insulation) within 'The Airport Outer Control Boundary' but does not specify which airport is being referred to.

Point Number 823.19

Summary of Decision Requested: **Add** an additional activity to Rule 24.1.3- Non-Complying Activities as follows:

NC2

Noise Sensitive Activities within Te Kowhai Airpark Air Noise Boundary, (Ldn 65), except this restriction does not apply to Noise Sensitive Activities within Te Kowhai Airpark.

AND

Amend the Proposed District Plan for any consequential relief required to give effect to this submission.

Decision Reasons:

- This change is a consequential amendment of introducing new Te Kowhai Airpark Airport Noise Control Boundaries.
- Rule 24.1.3 does not provide for the proposed ANCB as notified.
- Amendment is required to Rule 24.1.3 to clarify that noise sensitive activities within the ANB (inner control boundary) are a Non-Complying Activity unless the dwelling comprises part of Te Kowhai Airpark, in which case alternative site-specific noise management methods will be in place.

Point Number 823.20

Summary of Decision Requested: **Amend** Rule 24.3.7 Building- Airport Noise Outer Control Boundary, as follows:

24.3.7 Building - Airport Noise Outer Control Boundary-Noise Sensitive Activities

PI

Construction, addition to or alteration of a dwelling building containing a Noise Sensitive Activity located between the Te Kowhai Airpark Air Noise Boundary and the Outer Control Boundary must achieve the internal design sound levels specified in Appendix 1 – Acoustic Insulation, Section 3 Table 6: comply with Appendix 1 – Acoustic Insulation, Section 3.

RD1

(a) Construction, addition to or alteration of a dwelling building that does not comply with Rule 24.3.7 PI.

(b) Council's discretion is restricted to the following matters:

- (i) On-site amenity values;
- (ii) Noise levels received at the notional boundary of the ~~dwelling building~~;
- (iii) Timing and duration of noise received at the notional boundary of the ~~dwelling building~~; and
- (iv) Potential for reverse sensitivity effects.

AND

Amend the Proposed District Plan for any consequential relief required to give effect to this submission.

Decision Reasons:

- This change is a consequential amendment of introducing new Te Kowhai Airpark Airport Noise Control Boundaries.
- Rule 24.3.7 does not provide for the proposed ANCBs in Figure 3 of the Marshall Day Report, therefore it is required to be amended.

Point Number 823.21

Summary of Decision Requested: **Add** a new Figure 3 to Appendix 1 (being Figure 4 of the Marshall Day Report attached to the original submission as Appendix B).

AND

Amend the Proposed District Plan for any consequential relief required to give effect to this submission.

Decision Reasons:

- This change is consequential amendments of introducing new Te Kowhai Airpark Airport Noise Control boundaries.
- In order to appropriately determine the level of acoustic treatment for noise sensitive activities between the 55 and 65 dB Ldn OCB a new figure 3 should be included in Appendix 1 showing 2 decibel contours within the OCB.

Point Number 823.22

Summary of Decision Requested: **Retain** the Te Kowhai Airpark Zone and the relevant rules that relate to the functioning of the zone (subject to amendments sought in the submission).

AND

Amend the Proposed District Plan for any consequential relief required to give effect to this submission.

Decision Reasons:

- Recognises existing Airfield infrastructure and enables the establishment of a complementary residential 'airpark.'
- The Airfield operates separately as an existing piece of infrastructure and, while being part of Te Kowhai Airpark Zone, needs to be protected through the provision of operation, growth and reverse sensitivity effects are adequately managed.

Point Number 823.23

Summary of Decision Requested: **Retain** the objectives and policies in Section 9.2: Te Kowhai Airpark as notified.

Decision Reasons:

- The objectives and policies for Te Kowhai Airpark Zone give direction to the rules and other methods that are necessary to manage development of the Airfield and the airpark.

Point Number 823.24

Summary of Decision Requested: **Amend** Appendix 1- Acoustic Insulation Section 3 Te Kowhai Airpark to introduce the Te Kowhai Airpark Noise Control Boundaries (ANCB) as recommended in the Marshall Day Report (attached to the original submission as Appendix B).

AND

Amend the Proposed District Plan for any consequential relief required to give effect to this submission.

Decision Reasons:

- This change is a consequential amendment of introducing new Te Kowhai Airpark Airport Noise Control Boundaries.
- The old OCNB has been rolled over from the Operative District Plan and does not adequately control aircraft noise, future proof the existing Airfield and protect against reverse sensitivity effects.

Point Number 823.25

Summary of Decision Requested: **Amend** Appendix 1- Acoustic Insulation Section 3 Te Kowhai Airpark- Figure 2 "Te Kowhai Airpark, Ldn Contours for Sound Insulation Design" to be replaced by Figure 3 of the Marshall Day Report (attached to the original submission as Appendix B).

AND

Amend Appendix 1- Acoustic Insulation Section 3 Te Kowhai Airpark as follows:

3. Te Kowhai Airpark

~~The Te Kowhai Airpark Outer Noise Control Boundaries identify areas that experience high noise levels from aircraft landing and taking off from the Te Kowhai Airpark. The Te Kowhai Airpark Noise Buffer identifies land within the Rural Zone around the Te Kowhai Airfield that experiences high noise levels from aircraft using the taxiways. Noise Sensitive Activities Dwellings within the Te Kowhai Airpark Outer Noise Control Boundaries that are required to be acoustically insulated, must to achieve the internal noise standards specified in sections 3.1 and 3.2 below.~~

AND

Amend Appendix 1- Acoustic Insulation 3.1- Conditions for Permitted Activities inside the Te Kowhai Airpark Outer Control Noise Boundary, as follows:

3.1 Conditions for ~~Permitted Activities~~ **Noise Sensitive Activities** inside the Te Kowhai Airpark ~~Outer Control Noise Boundaries~~

...

(3) Where a building is partly or wholly contained within the Te Kowhai Airpark ~~outer Noise control noise boundaries~~, a mechanical ventilation system or systems that will allow windows to be closed if necessary to achieve the required internal design sound level for habitable rooms is required to be installed. The mechanical systems or systems are to be designed, installed and operating so that a habitable space (with windows and doors closed) is ventilated with fresh air in accordance with the New Zealand Building Code, Section G4- Ventilation.

AND

Delete Rule 3.2- Conditions for Permitted Activities the Te Kowhai Airpark Noise Buffer in Appendix 1.

AND

Amend the Proposed District Plan for any consequential relief required to give effect to this submission.

Decision Reasons:

- This change is a consequential amendment of introducing new Te Kowhai Airpark Airport Noise Control Boundaries.
- The rule refers to the old Te Kowhai Outer Control Noise Boundary (OCNB) which is to be replaced and Te Kowhai Airpark Noise Buffer which is to be deleted.
- The Proposed ANCB's includes taxing noise from aircraft which negates the need for the Te Kowhai Airpark Noise Buffer.

Point Number

823.26

Summary of Decision Requested:

Amend the Planning Maps to show the Proposed ANCB (as shown in Figure 3 of the Marshall Day Report attached to the original submission as Appendix B).

AND

Amend the Proposed District Plan for any consequential relief required to give effect to this submission.

Decision Reasons:

- This change is a consequential amendment of introducing new Te Kowhai Airpark Airport Noise Control Boundaries.
- As notified, the planning maps shows the OCB from the Operative District Plan.

Point Number

823.27

Summary of Decision Requested:

Amend the title of Rule 27.2.6- Noise- Other than Taxiways as follows:

27.2.6- Noise- Other than Aircraft Operations ~~than Taxiways~~.

AND

Amend the Proposed District Plan for any consequential relief required to give effect to this submission.

Decision Reasons:

- This change is a consequential amendment of introducing new Te Kowhai Airpark Airport Noise Control Boundaries.
- Rule 27.2.6 as notified does not anticipate the proposed ANCB's, so needs to be amended accordingly.

Submitter Number:

824

Submitter:

Bob MacLeod

Organisation:

Raglan Community Board

Point Number

824.1

Summary of Decision Requested:

No specific decision sought, but submission supports the work and the submission presented by Whaingaroa Raglan Affordable Housing Project.

Decision Reasons:

- The community board has invested a lot of time and energy promoting Raglan as a livable, thriving, and connected community.

Point Number

824.2

Summary of Decision Requested:

No specific decision sought, but submission supports the work and the submission presented by Raglan Naturally.

Decision Reasons:

- The community board has invested a lot of time and energy promoting Raglan as a livable, thriving, and connected community.

Point Number

824.3

Summary of Decision Requested:

Add to Policy 6.1.16 Water conservation, as follows:

b) encourage the installation of rain water tanks (storage) to provide:

i. to reduce the annual water bill

ii. to mitigate the costs and impact of water restrictions on lifestyle, amenity and property value

iii. to help avoid the environmental impacts of construction of new water sources; and

iv. community-mindedness (i.e. easing the burden on the Raglan water supply).

Decision Reasons:

- The primary financial benefit of rainwater tanks to the community (in contrast to the individual property owner) is the potential reduction in the cost of water and stormwater infrastructure.
- The ability of Waikato District Council as the water authorities to reduce the cost of water and storm water infrastructure will depend on the economic cost benefit Long Run Marginal Cost.

Point Number

824.4

Summary of Decision Requested:

Add to Rule 14.1.1.1 Permitted Activities, as follows:

PII Rain harvesting

14.1.1.1 Installation of rain tanks (storage), for water conservation.

Decision Reasons:

- The primary financial benefit of rainwater tanks to the community (in contrast to the individual property owner) is the potential reduction in the cost of water and stormwater infrastructure.
- The ability of Waikato District Council as the water authorities to reduce the cost of water and storm water infrastructure will depend on the economic cost benefit Long Run Marginal Cost.

Point Number 824.5

Summary of Decision Requested: **Amend** Appendix 3.1 Section 8 Residential Subdivision Guidelines – Low Impact Urban Design, to add details and illustrations of water harvesting systems, similar to those attached to the submission.

Decision Reasons:

- The primary financial benefit of rainwater tanks to the community (in contrast to the individual property owner) is the potential reduction in the cost of water and stormwater infrastructure.
- The ability of Waikato District Council as the water authorities to reduce the cost of water and storm water infrastructure will depend on the economic cost benefit Long Run Marginal Cost.

Point Number 824.6

Summary of Decision Requested: **Amend** Objective 4.1.1 (a) Strategic, as follows:
(a) *Livable, thriving, and communities that are sustainable, affordable, efficient and co-ordinated.*

Decision Reasons:

- The only mention of affordability in the plan is in section 1.12.3 which calls for “affordable options.”
- Affordability should be a core principle of the District Plan in order to support the overarching goal of the objective.
- Lack of affordability now affects all at and below the median income and extends into the third quarter of income.
- Strategy for the District Plan should recognize the environment that now surrounds housing affordability and the impact that this is having on our communities. The plan should enable innovative housing developments that deliver highly affordable housing options for all income streams.

Point Number 824.7

Summary of Decision Requested: **Add** objectives and policies to Section 4.2 Residential Zone, as follows:
Objective: To provide for a range of opportunities for affordable housing that enables low and moderate income people to live in the district in accommodation that suits their needs.
Policy 1: enable affordable housing by allowing residential densities that make economical and best use of available land in existing residential areas.
Policy 2: new housing developments will include affordable housing as part of the development plan.
Policy 3: allow access for developers of affordable housing to lower cost structure of consent and regulation requirements.
Policy 4: encourage multi-unit residential developments subject to appropriate safeguards to amenities and the environment.
Policy 5: take into account the positive effects for the community of affordable housing when assessing resource consent applications.

Decision Reasons:

- Affordability of housing should be enabled by the objectives and rules of the plan.

Point Number 824.8

Summary of Decision Requested: **Delete** Policy 4.1.18(iii) and replace with the following:
Rangitahi will provide for medium term growth above the multiple median of affordability for Raepan. Developments that propose affordable housing to cater for the quartiles below the multiple median and that are developed in a manner that connects to the existing low and maintains and enhances the natural environment will be considered as preferred options for additional green fields development.

Decision Reasons:

- This will require a negotiated definition of affordable and acceptance that the multiple median is the international standard by which housing affordability is determined.
- Allow other developments that support affordable development to occur.

Submitter Number: 825 **Submitter:** John Lawson

Point Number 825.1

Summary of Decision Requested: **Add** areas of Significant Indigenous vegetation or habitat by use of LENZ and in consultation with conservation and environment groups.
AND
Add rules for significant indigenous vegetation and habitat as follows:
In a significant indigenous vegetation or habitat area the following are discretionary activities:

- Cultivation.
- Spreading soil or other material (including fertilizer or lime) in excess of existing routine application rates.
- Drainage works apart from routine maintenance.
- Land reclamation from estuary or other wetlands.
- Modifications to watercourses apart from routine maintenance.
- Flood defences.
- Infilling ditches, ponds, pits, pools, marshes or historic earthwork features.
- Clearing vegetation or land (by physical removal, burning, application of herbicides, or deliberate overgrazing, trampling, or rooting by livestock) in preparation for cultivation.
- Introducing livestock (including poultry) at intensive stocking rates, or increasing stocking rates to intensive levels.

Decision Reasons:

- The 2005 WDC State of Environment Report (page 66) states that "Since 1992 the Waikato District has experienced a of approximately 1,345 ha (which could be as high as 1,508ha) of indigenous forest and 1,388ha (which could be as high as 1,706 ha) of indigenous scrub.
- Large amount of indigenous forest and scrub in the Waikato District and that up to 50% of it is threatened and most of that is not legally protected.
- The NZ Biodiversity Strategy (page 33) set the 2020 goal as, "A net gain has been made in the extent and condition of natural habitats and ecosystems important for indigenous biodiversity. Scarce and fragmented habitats (such as lowland forests and grasslands, wetlands and dunelands) have increased in area and are in better ecological health due to improved connections and the sustainable management of surrounding areas. Some modified habitats are restored."

Point Number	825.2
Summary of Decision Requested:	<p>Add rules to Chapter 16 Residential Zone to provide for protection of defined views from public places to the harbour, coast and natural backdrops and to include at least the following defined views:</p> <p>(a) from SH23 (north of Maungatawhiri Rd) to Kaitoke Creek</p> <p>(b) all existing views of the bar from Main Road, Bow St and Norrie Avenue</p> <p>(c) all existing views of Karioi from Raglan Central Business District</p> <p>(d) from Wainui Rd to the coast between the Bryant Reserve and the Bible Crusade Camp</p> <p>(e) from SH23 summit to Karioi</p> <p>(f) AroAro salt marsh from Wallis St.</p> <p>AND</p> <p>Amend the planning maps for any consequential relief required to give effect to this submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> • Rules in each zone are required to give effect to Policies 3.3.3 (a) and 4.5.14 (a) (iii). • Views are a part of Raglan's character. Raglan Naturally makes various references to 'view'. The original submission notes these references in detail. • RMA (Section 5) includes "well being" which was included in Raglan Naturally and this clearly includes protection of views. • Raglan Naturally needs to be considered as a part of the district plan review. • Other district plans protect views (Auckland and Hastings).

Point Number	825.3
Summary of Decision Requested:	<p>Add rules to Chapter 18 Business Town Centre Zone to provide for protection of defined views from public places to the harbour, coast and natural backdrops and to include at least the following defined views:-</p> <p>(a) from SH23 (north of Maungatawhiri Rd) to Kaitoke Creek</p> <p>(b) all existing views of the bar from Main Road, Bow St and Norrie Avenue</p> <p>(c) all existing views of Karioi from Raglan CBD</p> <p>(d) from Wainui Rd to the coast between the Bryant Reserve and the Bible Crusade Camp</p> <p>(e) from SH23 summit to Karioi</p> <p>(f) AroAro salt marsh from Wallis St.</p> <p>AND</p> <p>Amend the planning maps for any consequential relief required to give effect to this submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> • Rules in each zone are required to give effect to Policies 3.3.3 (a) and 4.5.14 (a) (iii). • Views are a part of Raglan's character. Raglan Naturally makes various references to 'view'. The original submission notes these references in detail. • RMA (Section 5) includes "well being" which was included in Raglan Naturally and this clearly includes protection of views. • Raglan Naturally needs to be considered as a part of the district plan review. • Other district plans protect views (Auckland and Hastings).

Point Number	825.4
Summary of Decision Requested:	<p>Add rules to Chapter 22 Rural Zone to provide for protection of defined views from public places to the harbour, coast and natural backdrops and to include at least the following defined views:</p> <p>(a) from SH23 (north of Maungatawhiri Rd) to Kaitoke Creek</p> <p>(b) all existing views of the bar from Main Road, Bow St and Norrie Avenue</p> <p>(c) all existing views of Karioi from Raglan CBD</p> <p>(d) from Wainui Rd to the coast between the Bryant Reserve and the Bible Crusade Camp</p> <p>(e) from SH23 summit to Karioi</p> <p>(f) AroAro salt marsh from Wallis St.</p> <p>AND</p> <p>Amend the planning maps for any consequential relief required to give effect to this submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> • Rules in each zone are required to give effect to Policies 3.3.3 (a) and 4.5.14 (a) (iii). • Views are a part of Raglan's character. Raglan Naturally makes various references to 'view'. The original submission notes these references in detail. • RMA (Section 5) includes "well being" which was included in Raglan Naturally and this clearly includes protection of views. • Raglan Naturally needs to be considered as a part of the district plan review. • Other district plans protect views (Auckland and Hastings).

Point Number	825.5
Summary of Decision Requested:	<p>Add new rules for all zones as follows:</p> <p><u>Construction of a building or other structure and planting of trees and other vegetation is a permitted activity if:</u></p> <p><u>(a) it can be shown that it will not significantly block views of sea, river, bush or hills from neighbouring properties, or</u></p> <p><u>(b) neighbouring property owners confirm in writing that any loss of view does not concern them, or</u></p> <p><u>(c) it can be shown that the planted vegetation is of native plants and likely to contribute to reduction of river, or coastal erosion, or</u></p> <p><u>(d) it can be shown that the planting would improve views from public places.</u></p>

Decision Reasons:

- Sea and other views add monetary value to properties.
- Property rights of owners should take precedence over developers. Developers should be required to obtain written agreement from neighbours that the development does not concern them in terms of views lost, unless it is native planting to protect land from erosion, hides unsightly developments or will not significantly affect views.
- While no requirement under the RMA to protect views, no provisions against either. Feasible to protect views as shown by other district plans.
- Only 4.7.2 requires view sharing and this will not apply to most developments as they do not require consent.

Point Number 825.6

Summary of Decision Requested: **Add** provisions to Chapter 16 – Residential Zone, to restrict further holiday accommodation in Raglan's residential and business areas.
AND

Add provisions for an area of high density development near the cement silos, of similar height to them and to the density and design of a traditional European fishing village, available for low cost purchase and rental by permanent residents for leases of no less than a year.

Decision Reasons:

- Raglan is very short of permanent accommodation and the Plan makes no provision for affordable properties protected from use for holiday occupation.

Point Number 825.7

Summary of Decision Requested: **Add** provisions to Chapter 17 – Business Zone, to restrict further holiday accommodation in Raglan's residential and business areas.
AND

Add provisions for an area of high density development near the cement silos, of similar height to them and to the density and design of a traditional European fishing village, available for low cost purchase and rental by permanent residents for leases of no less than a year.

Decision Reasons:

- Raglan is very short of permanent accommodation and the Plan makes no provision for affordable properties protected from use for holiday occupation.

Point Number 825.8

Summary of Decision Requested: **Add** provisions to Chapter 18 – Business Town Centre Zone, to restrict further holiday accommodation in Raglan's residential and business areas.
AND

Add provisions for an area of high density development near the cement silos, of similar height to them and to the density and design of a traditional European fishing village, available for low cost purchase and rental by permanent residents for leases of no less than a year.

Decision Reasons:

- Raglan is very short of permanent accommodation and the Plan makes no provision for affordable properties protected from use for holiday occupation.

Point Number 825.9

Summary of Decision Requested: **Add** a Raglan structure plan
AND
Consider postponing the application of the Proposed Waikato District Plan to Raglan ward until such structure plan is in place.

Decision Reasons:

- Plan is missing important sections, marked with "placeholders".
- Website is difficult to load/read and compare to existing plan.
- Issues with online submission process.
- Structure Plan for Raglan is still incomplete.
- Good case for not applying the Plan to Raglan until more complete and better consultation methods have been devised.
- Most other growth areas have Structure Plans. Without a Structure Plan it is not apparent that the proposed Plan will work for Raglan ward. Raglan increased by 40% over the period 1991-2001 and could more than double over the next 10 years if all the development options are taken up.
- The Plan does not estimate population might be and services required. Without estimates hard to know what areas to set aside or what environmental problems might arise.
- Structure Plan is needed to take account of Raglan Naturally (2001) and to expand on it, including any revisions. The submission goes into detail as to what the Raglan Naturally document entails, including aspirations and priorities for action.

Point Number 825.10

Summary of Decision Requested: **Add** rules to each catchment to Section C Rules - to provide to support the following:

- on-site stormwater disposal
- sufficient capacity to enable disposal of stormwater
- best-practice low impact design
- on-site treatment
- minimises impervious surfaces
- retains pre-development hydrological conditions
- not increase the flow of stormwater runoff
- not reduce storage capacity on-site
- stormwater catchment management plan
- promotes clean water reuse and groundwater recharge

AND

Amend Section C Rules to provide rules for individual limits to suit each catchment, rather than permitted up to 70% impermeable cover everywhere.

AND

No specific decision sought, but submission opposes Policy 4.2.7 Site coverage and permeable surfaces, Policy 6.4.7 Storm water and Rule 14.1.1.2 RD2.

Decision Reasons:

- The submitter opposes policies 4.2.7 and 6.4.7, as the only rules implementing them in Raglan are discretionary and ill-defined. For example, "where appropriate" is not defined.
- No scientific stormwater plan for Raglan has been completed, though a settling pond at AroAro was designed in 2011 as a filtration wetland for the stormwater. Pollutants such as copper are at or near their limits and addition of more sites with 70% impermeable cover will exacerbate the pollution. Application of Rule 14.1.1.2 RD2's discretion without clear scientific evidence of effects will make pollution even worse.

Point Number 825.11

Summary of Decision Requested: **Add** rules to support Policy 4.2.7 - Site Coverage and Permeable Surfaces.

Decision Reasons:

- The submitter supports the policies of having sufficient open space to provide for landscaping, on-site stormwater disposal in the Residential Zone, but objects that they do not appear to have any corresponding rules, except for Te Kowhai Airpark Zone Rule 27.3.3.

Point Number 825.12

Summary of Decision Requested: **Retain** Activity Specific Standard 14.1.1.1 (a)(iii) Water, wastewater and stormwater - Permitted Activities pertaining to P3 wastewater services which requires wastewater to comply with AS/NZS 1547:2012.

Decision Reasons:

- AS/NZS 1547:2012 covers the whole range of options which may be appropriate, including Waterless composting toilets, covered in the related AS/NZS 1546.2:2008. I support investigation of such systems to minimise water consumption and sewage volumes, thus making it more possible to treat sewage as a valuable resource, rather than an expensive waste.

Point Number 825.13

Summary of Decision Requested: **Amend** Table 14.12.5.7 Required parking spaces and loading bays - to provide for an option for developments to meet much lower standards of provision for parking, etc, depending on the extent to which they provide for use of public transport, walking, or cycling by people using the site. Submission makes reference to 7.3.1(4) of the Christchurch Plan as an example.

Decision Reasons:

- For reasons of climate change, resource use, safety and congestion, the current average of roughly one car per person needs to be reduced. Maintenance of inflexible rules on parking, etc perpetuates the current problem and requires developers to subsidise car transport. Alternatives should be encouraged, as they already are in Auckland, Christchurch, Queenstown, etc.

Point Number 825.14

Summary of Decision Requested: **Amend** the Planning Maps to differentiate between Business Town Centre, Business and Industrial Zone. Submission references Appendix 2.30 Raglan Map, and seeks clarification of the term "Commercial Area".

Decision Reasons:

- Commercial Area is indicated in purple, yet in the text of the Plan the term is only used to define land at Tamahere. Submitter opposes use of this map until the meaning of Commercial Area is clarified.

Point Number 825.15

Summary of Decision Requested: **Amend** Rule 16.5.8.7 Building setbacks - All boundaries to provide for variable setbacks to suit the character of each road
OR

Amend Rule 16.5.8.7 Building setbacks - All boundaries to require a minimum 6m setback from the road boundary for all developments in the Residential Zone.

Decision Reasons:

- There are locations where there is no need for any setback, but it is not clear that any generic rule can be set to identify them.
- A 6m setback will generally retain the village character of Raglan and protect many views.
- The submitter does not understand why Council is not accounting for the Environment Court decision (NZEVC 411 - paragraph 59, page 17) and there is no reference to it in the s32 documents.
- The 2017 Infrastructure Issues and Options report for item 21.49 - Building set back, makes no mention of the environment court decision and only mentions the Roading Team's view on technical matters, not amenity.
- The s32 – 12 – residential zone – setback report lists assertions that the 6m setback is odd, doesn't work and is generally not practical due to topography, set against other assertions that setback should reflect the character of the roads within Raglan, protect Raglan views and retain Raglan's existing character. None of these seems to have been evaluated by the s32 report, which is silent about the Environment Court.

Point Number 825.16

Summary of Decision Requested: **Amend** Policy 4.1.5 Density to identify density ranges for each street.

Decision Reasons:

- A minimum density of 12-15 households per hectare is imprecise (is it 12, 15, or what, where and why?) and not suitable for parts of the Residential Zone. Some streets could take much more and some less. Submitter opposes the policy unless sites are assessed for wildlife, stormwater, visual attraction and transport factors.

Point Number 825.17

Summary of Decision Requested: **Amend** Policy 4.1.18 Raglan as follows:

(a) Raglan is developed to ensure:

(i) Infill and redevelopment of existing sites occurs, subject to development of a Structure Plan to identify where this can be done without loss of character, trees, or other natural features.

(ii) A variety of housing densities is provided for and adequate housing reserved for low cost rentals and purchases by permanent residents;

(iii) Rangitahi is the only area that provides for the medium term future growth and is developed in a manner that ~~connects~~ has cycle, footway and public transport connections to the existing town and maintains and enhances the natural environment; and

(iv) There are good quality cycle, footway and public transport connections between the town centre, the Papahua Reserve and Raglan Wharf.

Decision Reasons:

- 2009 Raglan Structure Plan Issues and Options report said; "In simple terms the existing District Plan already zones enough land in the immediate Raglan area to provide for around 1.6 times the amount of land that will be needed up to 2061."
- Rangitahi development will add 500 houses.
- There is a lack of detailed population figures but there is apparent that Raglan needs infill and redevelopment. Without the detailed analysis of sites, it is likely that some would lose their character, trees and other features. Opposes Policy unless sites are differentiated.
- There is a housing shortage in Raglan, but the shortage is for housing available to local people at affordable prices. Providing more holiday homes will not solve housing problem.
- Rangitahi will provide for future growth and will have good walking and cycle links within it, but not to the CBD and no ferry/bus service. CBD has parking and congestion issues at peak times without adding cars from Rangitahi. Therefore good alternatives to cars are needed.
- Papahua Reserve and Raglan Wharf need to account for 4.1.12 (b)(v) "particularly walking and cycling" provision, along with the proposal in Raglan Naturally to provide for a free shuttle.

Point Number

825.18

Summary of Decision Requested:

Add a new clause (iii) to Policy 7.1.4 Policy Matangi and Huntly Heritage precinct for Raglan (similar to those for Matangi and Huntly (i and ii))

Decision Reasons:

- In 2017, Waikato District Council often used the phrase "Raglan is the jewel in the crown of the Waikato". The proposed Waikato District Plan still mentions Raglan's "seaside village character" but reduced from 12 in the current plan to 3 in the proposed one and that is only for Rangitahi.
- The original submission makes reference to 1.6.1 of the current plan ("Raglan will retain its seaside village character as it grows, while protecting the harbour."), as well as a description of Raglan from Lonely Planet. The submission wants "Raglan will retain its seaside village character as it grows, while protecting the harbour." from the current plan included in the proposed.
- Submitter is of the opinion that Policy 7.1.4 also applies to Raglan.

Point Number

825.19

Summary of Decision Requested:

Amend the Proposed Waikato District Plan by making the Coastal Overlay a conservation area and including provisions where all major changes and consents which infringe District Plan rules, or which exceed one storey, are publicly notified.

AND

Delete Policy 4.5.14(f) Raglan Town Centre

Decision Reasons:

- In 2017, Waikato District Council often used the phrase "Raglan is the jewel in the crown of the Waikato". The proposed Waikato District Plan still mentions Raglan's "seaside village character" but reduced from 12 in the current plan to 3 in the proposed one and that is only for Rangitahi.
- The original submission makes reference to 1.6.1 of the current plan ("Raglan will retain its seaside village character as it grows, while protecting the harbour."), as well as a description of Raglan from Lonely Planet.
- The Lonely Planet comment that "It's small enough to have escaped mass development" is of value and should be enforced by limiting developments to one storey and features in accordance with the Waikato District Council 2003 design guide.
- Developments can occur but needs to avoid changing Raglan's character which can be done by public notification (of consents).
- Most of the coast is visible from Raglan and as such, is a part of its character and should be protected.
- Most street corners have single storey buildings which are or should be listed as historic heritage buildings.
- As the character statement for Raglan Town Centre says it is characterised by "Small scale (one to two level, narrow frontages) buildings". It also says "Encourage new development that is sympathetic to the existing main street built form (height, scale, form) and the surrounding context, whilst still promoting the eclectic and artistic nature of the town".
- A possible alternative could be similar to Hamilton's Special Character areas.

Point Number

825.20

Summary of Decision Requested:

Delete Rule 18.3.5 P1(a)(vi) Verandahs

Decision Reasons:

- It is inconsistent with Policy 4.5.14 (v)(B) which refers to post supported verandahs (for the Raglan Town Centre)

Point Number

825.21

Summary of Decision Requested:

Add policies and rules to protect ridgelines from development.

AND

Amend Policy 3.3.2 (a)(i) t not just recognise but protect.

Decision Reasons:

- Policy 3.3.2 (a) (i) only recognises the attributes. Ridgelines are widely visible, so development of them has a disproportionate effect.

Point Number

825.22

Summary of Decision Requested:

Amend Rule 16.1.2 P9 Permitted Activities to provide for the registration of Homestay or Visitor accommodation.

Decision Reasons:

- Raglan needs a plan similar to that of Queenstown to avoid more residential accommodation becoming available only to visitors. As residents tend to move to and from the surrounding country areas, the same policy needs to apply there. Queenstown has rules

requiring registration as a Homestay, or a Holiday Home and, for larger properties, resource consent for change of use. Raglan needs similar rules.

Point Number 825.23

Summary of Decision Requested: **Amend** Rule 22.1.2 P10 Permitted Activities to provide for the registration of Homestay or Visitor accommodation.

Decision Reasons:

- Raglan needs a plan similar to that of Queenstown to avoid more residential accommodation becoming available only to visitors. As residents tend to move to and from the surrounding country areas, the same policy needs to apply there. Queenstown has rules requiring registration as a Homestay, or a Holiday Home and, for larger properties, resource consent for change of use. Raglan needs similar rules.

Point Number 825.24

Summary of Decision Requested: **Amend** Rule 23.1.1 P2 Permitted Activities to provide for the registration of Homestay or Visitor accommodation.

Decision Reasons:

- Raglan needs a plan similar to that of Queenstown to avoid more residential accommodation becoming available only to visitors. As residents tend to move to and from the surrounding country areas, the same policy needs to apply there. Queenstown has rules requiring registration as a Homestay, or a Holiday Home and, for larger properties, resource consent for change of use. Raglan needs similar rules.

Point Number 825.25

Summary of Decision Requested: **Delete** Policy 4.2.22 Bankart Street and Wainui Street

AND

Add provision for Wi Neera Street

Decision Reasons:

- The area behind the corrugated iron on Wi Neera St is still be developed and residents will be forced out of their homes by rate rises, overlooking, noise, etc. Raglan needs housing for locals far more than extra holiday apartments.

Point Number 825.26

Summary of Decision Requested: **Amend** Rule 17.1.3 RD1 (a)(i) Restricted Discretionary activities as follows:

The extent to which the development is consistent with 4.5.3 Policy - Commercial purpose: Business Town Centre Zone, in strengthening those areas as the primary retail, administration, commercial service and civic centre for each town and with Town Centre Guidelines contained in Appendix 3.3

Decision Reasons:

- The 2006 Supporting Information for Lorenzen Bay Business Zone said at 4.4.3 that "It is likely that a Service Centre would comprise convenience shops such as a dairy or fruit and vegetable shop." It was on that basis that the area was rezoned from Residential to Business. By specifying a minimum lot size of 225m² it is unlikely that such small shops are going to occupy the site. A large supermarket is more likely, which would affect the viability of Raglan CBD.

Point Number 825.27

Summary of Decision Requested: **Amend** Rule 17.4.1 - RD1 (a)(i) General subdivision as follows:

(a) Subdivision of land must comply with all of the following conditions:

- (i) Proposed lots must have a minimum size of 225m² net site area with the exception of access or utility allotments or reserves to vest;*
- (ii) Proposed lots must be connected to public-reticulated water supply and wastewater.*

Decision Reasons:

- It is inconsistent with Policy 4.5.3- Commercial purpose: Business Town Centre Zone, which aims to strengthen town centres as the primary retail, administration, commercial service and civic centre for each town.

Point Number 825.28

Summary of Decision Requested: **Retain** Rule 18.3.1.1 Height – Building general.

Decision Reasons:

- Submitter is pleased that note was taken of objections to the proposed increase to 12m. However, 10m should not become a target and most buildings should remain single storey.

Point Number 825.29

Summary of Decision Requested: **Amend** Section C Rules to delete the Raglan navigation beacon rules from Zone rules to which they have no relevance.

Decision Reasons:

- Although the Raglan navigation beacons are only in Business Town Centre, Reserve and Residential Zones, this policy applies also to Business and Rural zones! Only policies relevant to zones should be included in their chapters. There is already too much repetition in the Plan, which makes it hard to comprehend.

Point Number 825.30

Summary of Decision Requested: **Add** a new clause (iv) to Policy 4.5.38 Artificial outdoor lighting as follows (or similar wording):

iv. Artificial outdoor lighting is installed and operated so that light spill does not contribute to pollution of the night sky.

Decision Reasons:

- Light pollution can cause adverse impacts to wildlife and migratory birds and disrupt their normal patterns of behaviour. Collectively our villages and towns contribute to the wider adverse impacts. All exterior lighting should have shields to force lighting towards the ground.
- While there are rules such as 6.2.3 relating to glare and artificial light spill that must not exceed 10 lux measured horizontally and vertically within any other site, there are no policies dealing with the adverse effects of night sky pollution. As there is a rush to LED use because of cost savings, LED lights need to be coated with phosphor that converts the blue light to yellow to avoid the adverse effects of blue light.

Point Number 825.31

Summary of Decision Requested: **Amend** the Proposed District Plan to require consents requiring exemption from plan rules to be automatically publicly notified, whether the rules are on genetically modified organisms or not.

Decision Reasons:

- Several Councils have passed resolutions that there should be no further development and field-testing of transgenic organisms envisaged for agriculture, horticulture and forestry in their areas until the risk potential has been adequately identified and evaluated and a strict liability regime put in place.
- The submission raises concern regarding liability and potential cost to ratepayers as well as the implications under the Resource Management Act.
- Submission also raises concerns regarding harm to farmers, clean green image, irreversible impacts from GMO's, scientific uncertainty, lack of demand for GE food from main markets, transgenic pollution.
- Wants GE experiments and releases prohibited except in Ruakura.
- Conventional and organic reproductive crops must be protected and integrity of heritage seeds is critical.
- No mention is made of the hazards of genetically modified substances in the Proposed District Plan.
- GE poses risks to our environment, economy and public health.
-

Point Number 825.32

Summary of Decision Requested: **Amend** the earthworks rules for all zones that prescribe limits over a specified timeframe e.g. 12 month period to add limits to total development, consistent with maintaining the values of the site.

Decision Reasons:

- Incremental annual changes can amount to significant destruction of areas which should be protected.

Point Number 825.33

Summary of Decision Requested: **Amend** Rule 17.2.9 P2 Indigenous vegetation clearance inside a Significant Natural Area as follows:

Removing of up to 5m³ of manuka and/or kanuka outside of the Coastal Environment per single consecutive 12 month period per property for domestic firewood purposes or arts and craft, provided the removal will not directly result in the death, destruction or irreparable damage to any other tree, bush or plant.

Decision Reasons:

- Manuka/Kanuka are important environments and 3m3 is adequate for heating a well insulated house.

Point Number 825.34

Summary of Decision Requested: **Add** policies and rules to all zones for energy efficiency (refer to the original submission for details)

Decision Reasons:

- The Resource Management Act requires Council's to have regard to effects of climate change and benefits of renewable energy. The Proposed Waikato District Plan only makes passing reference to climate change and makes no mention of the drivers of climate change. There is also no commitment to solar and wind energy and micro-hydro reference has been removed.
- The submitter is disappointed on timing of Stage 2 and wants adequate considerations for energy and climate change and noted that the IPCC report came out 24 hours before close of submissions.

Point Number 825.35

Summary of Decision Requested: **Add** a new requirement to Rule 16.5.8.6 RD1(b)(iv) Living Court that windows and balconies overlooking adjacent outdoor spaces and living areas have been avoided so as to respect the amenity and comfort of neighbouring properties.

Decision Reasons:

- This follows Housing NZ's Simple Guide expectation that buildings and spaces should relate well to each other.

Point Number 825.36

Summary of Decision Requested: **Add** provision for new cycle/walkways to implement Council's Walking, Cycling and Bridle Trails Strategy, not only in major new developments. Submission makes reference to Policies 8.1.3 Esplanade reserves and walkways and Rule 16.5.3 Restricted Discretionary Activities.

Decision Reasons:

- 1.10.2.3 of the Proposed Waikato District Plan includes the Strategy as relevant, yet there is no timeframe for implementation of the Strategy. Without support from the District Plan it is unlikely that most of the Strategy will be achieved. The submission goes on further to quote the relevant sections of Policy 4.1.8. Refer to original submission for details.
- 4.1.10 Policy - Tuakau, 4.1.11 Policy - Pokeno, 4.1.12 Policy - Te Kauwhata, 4.1.14 Policy - Taupiri, 4.1.15 Policy - Ngaruawahia, 4.1.16 Policy - Horotiu and 4.1.17 Policy - Te Kowhai all mention walking and cycling provision, though leave the means and locations unclear.
- 4.1.18 Policy - Raglan is the only town policy not to mention cycling and walking, despite a May 2018 staff report to Council saying, "Raglan has the district's highest walking/cycling communities".
- The Proposed Waikato District Plan has a disproportionate amount of rules relating to roading and vehicles, compared to public transportation and cycling.
- On page 42 Raglan Naturally says, "There is strong public support for harbour and coastal walkways." and "Create coastal walkways, eg Raglan to Whale Bay, Whale Bay to Te Toto Gorge." This local support reflects national trends; time use surveys show walking as being ahead of all other active sports and pursuits. European surveys have similar results, so that environmental tourism, encouraging tourists to spend more time walking than driving, could be made a much more valuable asset, giving an economic, as well as health and recreation, impetus to the need to implement policies in recognition of the importance of walking and cycling as noted at

1.4.3.1. The lack of progress indicates that opportunities are not taken with subdivisions and that more detail needs to be included in the District Plan.

Point Number 825.37

Summary of Decision Requested: **Add** the following to the planning maps:

- The planned Wainui Rd to Te Hutewai Rd walk/cycle track.
- All the tracks shown on the Strategy maps and walkways through the residential zones linking Lorenzen Bay with Kaitoke Walkway, allowing a circular walk around Raglan.
- A cycle track from Wallis St to Violet St.
- A link to the national Te Araroa walkway using paper roads, etc (via Karioi, Bridal Veil).
- Walkways (and where possible cycleways) along the whole coast.
- A track from Raglan to the summit of Karioi using esplanades, reserves and unformed roads.
- A link along Wainui Stream from Wainui Reserve to Bryant Reserve.

Decision Reasons:

- 1.10.2.3 of the Proposed Waikato District Plan includes the Strategy as relevant, yet there is no timeframe for implementation of the Strategy. Without support from the District Plan it is unlikely that most of the Strategy will be achieved. The submission goes on further to quote the relevant sections of Policy 4.1.8. Refer to original submission for details.
- 4.1.10 Policy - Tuakau, 4.1.11 Policy - Pokeno, 4.1.12 Policy - Te Kauwhata, 4.1.14 Policy - Taupiri, 4.1.15 Policy - Ngaruawahia, 4.1.16 Policy - Horotiu and 4.1.17 Policy - Te Kowhai all mention walking and cycling provision, though leave the means and locations unclear.
- 4.1.18 Policy - Raglan is the only town policy not to mention cycling and walking, despite a May 2018 staff report to Council saying, "Raglan has the district's highest walking/cycling communities".
- The Proposed Waikato District Plan has a disproportionate amount of rules relating to roading and vehicles, compared to public transportation and cycling.
- On page 42 Raglan Naturally says, "There is strong public support for harbour and coastal walkways." and "Create coastal walkways, eg Raglan to Whale Bay, Whale Bay to Te Toto Gorge." This local support reflects national trends; time use surveys show walking as being ahead of all other active sports and pursuits. European surveys have similar results, so that environmental tourism, encouraging tourists to spend more time walking than driving, could be made a much more valuable asset, giving an economic, as well as health and recreation, impetus to the need to implement policies in recognition of the importance of walking and cycling as noted at 1.4.3.1. The lack of progress indicates that opportunities are not taken with subdivisions and that more detail needs to be included in the District Plan.

Point Number 825.38

Summary of Decision Requested: **Amend** the Proposed District Plan to require housing for the elderly is required in all new developments, not just Te Kauwhata (e.g. Policy 4.1.12(b)(i) Te Kauwhata).

Decision Reasons:

- Wants the former Lazarus village restored for use of the elderly and thinks that without protection, the only non-hospital housing for elderly people in Raglan will be permanently lost.
- Refers to Section 1.12.3 "A district which provides a wide variety of housing forms which reflect the demands of its ageing population".

Point Number 825.39

Summary of Decision Requested: **Add** a new chapter that provides the following:

- A resource management framework for the management of Genetically Modified Organisms that is regionally specific taking into account environmental, economic and social well-being considerations.
- Strong precautionary and prohibitive provisions, policies and rules relating to Genetically Modified Organisms that are the same (or similar) as those in the Far North District Plan, the Whangarei District Plan and the Auckland Unitary Plan, to ensure a consistent approach across Northland, Auckland and the Waikato and to eliminate cross boundary issues.

Decision Reasons:

- Several Councils have passed resolutions that there should be no further development and field-testing of transgenic organisms envisaged for agriculture, horticulture and forestry in their areas until the risk potential has been adequately identified and evaluated and a strict liability regime put in place.
- The submission raises concern regarding liability and potential cost to ratepayers as well as the implications under the Resource Management Act.
- Submission also raises concerns regarding harm to farmers, clean green image, irreversible impacts from GMO's, scientific uncertainty, lack of demand for GE food from main markets, transgenic pollution.
- Wants GE experiments and releases prohibited except in Ruakura.
- Conventional and organic reproductive crops must be protected and integrity of heritage seeds is critical.
- No mention is made of the hazards of genetically modified substances in the Proposed District Plan.
- GE poses risks to our environment, economy and public health.

Point Number 825.40

Summary of Decision Requested: **Undertake** a survey of notable trees

AND

Add the following trees in Raglan to Schedule 30.2 - Notable Trees;

- trees within 30m of the high water mark between Bow St jetty and Helen Pl
- trees adjacent to the airfield
- trees within 10m of Marine Parade
- trees between the recreation ground and Lily St
- trees on Wallis St at the foot of Government Rd
- trees in the gully between Rose St and Lily St
- trees to the south west of SH23 between Hills Rd and Greenslade Rd
- trees in the Lorenzen Bay reserve
- large trees should all be protected.

Decision Reasons:

- Schedule 30.2 clearly doesn't cover every notable tree, as there are only 160 listings for the whole District. Tree protection is clearly inadequate, as unauthorised removal of listed trees by council has shown. Trees are important for landscape, nature and carbon storage.

Point Number 825.41
Summary of Decision Requested: Retain Policy 2.16.1 Whaanga Coast Specific Area
Decision Reasons:

- Considers it appropriate that the provisions for Marae and papakāinga are recognised and provided for in the Waikato Proposed District plan as it gives effect to a range of policies.
- The New Zealand Coastal Policy Statement 2010 (policy d)
- The Waikato Regional Policy Statement (Policy 6.4)
- Future Proof Strategy (Priority 15)

Point Number 825.42
Summary of Decision Requested: Retain Policy 2.16.2 Aahuatanga Motuhake (special features)
Decision Reasons:

- Considers it appropriate that the provisions for Marae and papakāinga are recognised and provided for in the Waikato Proposed District plan as it gives effect to a range of policies.
- The New Zealand Coastal Policy Statement 2010 (Policy d)
- The Waikato Regional Policy Statement (Policy 6.4)
- Future Proof Strategy (Priority 15)

Point Number 825.43
Summary of Decision Requested: Retain Rule 22.1.2 Permitted Activities
Decision Reasons:

- Considers it appropriate that the provisions for Marae and papakāinga are recognised and provided for in the Waikato Proposed District plan as it gives effect to a range of policies.
- The New Zealand Coastal Policy Statement 2010 (Policy d)
- The Waikato Regional Policy Statement (Policy 6.4)
- Future Proof Strategy (Priority 15)

Point Number 825.44
Summary of Decision Requested: Retain Section 22.7 Specific Area – Whaanga Coast Development Areas.
Decision Reasons:

- Considers it appropriate that the provisions for Marae and papakāinga are recognised and provided for in the Waikato Proposed District plan as it gives effect to a range of policies.
- The New Zealand Coastal Policy Statement 2010 (Policy d)
- The Waikato Regional Policy Statement (Policy 6.4)
- Future Proof Strategy (Priority 15)

Point Number 825.45
Summary of Decision Requested: Add a rule to Section 16.3 Land Use - Building to the effect that:
(a) Construction of a building or other structure within sight of SH23 at Raglan is a permitted activity if it will be screened from SH23 by planting with indigenous species that will achieve an average height of 3m after 5 years, mature to over 9m in the residential zone and 12m in the Business Zone and be of sufficient density to visually screen the activity from SH23.
(b) Any activity that does not comply with a condition for a permitted activity is a discretionary activity.
Decision Reasons:

- The zone extensions have increased the extent of urban development along the main approach to Raglan. That could be mitigated by screening further development.

Point Number 825.46
Summary of Decision Requested: Add a rule to Section 17.3 Land Use - Building to the effect that:
(a) Construction of a building or other structure within sight of SH23 at Raglan is a permitted activity if it will be screened from SH23 by planting with indigenous species that will achieve an average height of 3m after 5 years, mature to over 9m in the residential zone and 12m in the business zone and be of sufficient density to visually screen the activity from SH23.
(b) Any activity that does not comply with a condition for a permitted activity is a discretionary activity.
Decision Reasons:

- The zone extensions have increased the extent of urban development along the main approach to Raglan. That could be mitigated by screening further development.

Point Number 825.47
Summary of Decision Requested: Amend Rule 17.3.5 Horotiu Acoustic Area, to also apply to the Raglan business zones.
Decision Reasons:

- The SH23 business zone is next to the Lorenzen Bay residential zone.

Point Number 825.48
Summary of Decision Requested: Amend the Proposed District Plan so that all resource consents for vegetation clearance are publicly notified, including informing adjoining authorities and the regional council. The submission makes reference to section 1.5.7 Natural Environment, Chapter 3 and Maps.
Decision Reasons:

- As per Section 1.5.7 which ensures Council will inform adjoining authorities and the regional council are informed of all resource consent applications received for vegetation clearance, this requirement should be extended to public notification of all such

applications.

Point Number 825.49

Summary of Decision Requested: **Add** to the planning maps areas such as Hauroto Bay and other sites of indigenous vegetation, as recorded in Estuarine vegetation survey - Raglan (Whaingaroa) Harbour.

Decision Reasons:

- No reasons provided.

Point Number 825.50

Summary of Decision Requested: **Retain** Chapter 22 Rural Zone

Decision Reasons:

- Considers it appropriate that the provisions for Marae and papakāinga are recognised and provided for in the Waikato Proposed District plan as it gives effect to a range of policies.
- The New Zealand Coastal Policy Statement 2010 (policy d)
- The Waikato Regional Policy Statement (Policy 6.4)
- Future Proof Strategy (Priority 15)

Point Number 825.51

Summary of Decision Requested: **Retain** Rule 22.7.1.1 Permitted Activities

Decision Reasons:

- Considers it appropriate that the provisions for Marae and papakāinga are recognised and provided for in the Waikato Proposed District plan as it gives effect to a range of policies.
- The New Zealand Coastal Policy Statement 2010 (policy d)
- The Waikato Regional Policy Statement (Policy 6.4)
- Future Proof Strategy (Priority 15)

Point Number 825.52

Summary of Decision Requested: **Add** areas of Significant Indigenous vegetation or habitat by use of LENZ and in consolidation with conservation and environment groups.

Decision Reasons:

- The 2005 Waikato District Council State of the Environment Report stated "Since 1992 the Waikato District experienced a of approximately 1,346ha (which could be as high as 1,508ha) of indigenous forest and 1,388ha (which could be as high as 1,706ha) of indigenous scrub."
- The 2013 report said, "There is evidence to indicate that over 50% of remaining indigenous cover is classified as threatened and much of this land is not legally protected." It also said an average of 2 consents for vegetation clearance are issued each year.
- The NZ Biodiversity Strategy (page 33) set the 2020 goal as "A net gain has been made in the extent and condition of natural habitats and ecosystems important for indigenous biodiversity. Scarce and fragmented habitats (such as lowland forests and grasslands, wetlands and dune lands) have increased in area and are in better ecological health due to improved connections and the sustainable management of surrounding areas. Some modified habitats are restored.

Submitter Number: 826 **Submitter:** Kym Holland

On behalf of: Friends of Kimihia Lake

Point Number 826.1

Summary of Decision Requested: **Reject** the name 'Kimihia Lakes Recreation and Events Park' for the proposed development of the former mine as it is a Huntly East Mines Development.

Decision Reasons:

- As a Friend of Kimihia Lake the submitter sees that adding an 's' onto their lake's name is not enough of a difference.
- Kimihia Lake already exists.
- This is a new development, so get a new name.
- The submitter is concerned about the documentation and submission using this name.
- You will start to normalise a name and then it becomes difficult to make a change.

Point Number 826.2

Summary of Decision Requested: **Avoid** discharge of water from the proposed Huntly East Mines Development into Kimihia Lake.

Decision Reasons:

- Water discharge is too important to just copy what was done 40-50 years ago.
- Surely we have come further than just relying on repeating what was done in the past without proving any impact to the current Kimihia Lake.
- The group has worked very hard to maintain current lake levels.
- The casual attitude to discharging water into Kimihia Lake from Huntly East Mines development would destroy our lake and the years of hard work we have done so far.

Point Number 826.3

Summary of Decision Requested: **Request** more information and assessment of major impacts before the change of zoning to ensure that development of the former Huntly East Mine is acceptable.

Decision Reasons:

- The proposal for development of the former Huntly East Mine, including rezoning and renaming, is based on inaccurate information.
- Major effects like water discharge are only part of the picture.

Submitter Number:	827	Submitter:	New Zealand Steel Holdings Ltd
Point Number	827.1		
Summary of Decision Requested:	No specific decision sought, but submission does not oppose section 3.2 Significant Natural Areas provided that the amendments are made to Policy 3.2.6 as sought below.		
Decision Reasons:	<ul style="list-style-type: none"> • There is a need to recognise the ironsand mining operations at Waikato North Head. 		
Point Number	827.2		
Summary of Decision Requested:	Add a clause (v) to Policy 3.2.6 Providing for vegetation clearance as follows (or words to similar effect): <i>(v) located in the Aggregate Extraction Area in Waikato North Head</i>		
Decision Reasons:	<ul style="list-style-type: none"> • The mining licence authorises all land use activities associated with ironsand mining operation at WNH. • No further authorisation is required under the Resource Management Act 1991, including for vegetation clearance. • Accordingly Policies 3.2.2 to 3.2.5 and 3.2.7 should not apply to the mine site and an exception should be included in Policy 3.2.6 		
Point Number	827.3		
Summary of Decision Requested:	Add a new clause to Rule 22.2.7 PI Indigenous vegetation clearance inside a Significant Natural Area as follows (or words to similar effects): <i>PI</i> <i>(a) Indigenous vegetation clearance in a Significant Natural Area identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas) for the following purposes:</i> <i>(ia) Removing vegetation within the Aggregate Extraction Area at Waikato North Head;</i> <i>(i) Removing vegetation that endangers human life or existing buildings or structures;</i> ...		
Decision Reasons:	<ul style="list-style-type: none"> • The mining licence authorises all land use activities associated with ironsand mining operation at the mine. • No further authorisations are required under the Resource Management Act 1991, including for vegetation clearance. • An exception should be included in Rule 22.2.7 PI 		
Point Number	827.4		
Summary of Decision Requested:	Delete the Significant Natural Areas on the Waikato North Head site as shown on Figure 3, Appendix A of the submission including: <ul style="list-style-type: none"> • on the northern side of the site near Boundary Road. • running north-south along the western coastal edge of the site. • in the middle of the site. • surrounding the lagoon. 		
Decision Reasons:	<ul style="list-style-type: none"> • The Significant Natural Areas have been applied in this instance to a highly modified areas. which will continue to be mined. • Seeks clarification on how these sites were identified as this is potentially misleading. • Regardless if the Significant Natural Area is correctly identified, the mining license authorises all land uses in relation to the Waikato North Head Mining site and therefore the Proposed District Plan should recognise that the Significant Natural Areas protections do not apply. • Inappropriate to set such an expectation. 		
Point Number	827.5		
Summary of Decision Requested:	Amend the extent of the Aggregate Extraction Area on the planning maps (and the Maiora Mining Zone if the relief is accepted) to ensure that the entire Waikato North Head site, including Sec 1 SO 40757, Allot 98 Parish of Waiuku West and Sec 2 SO 40757, the recycle ponds, water intake lagoon and adjacent area as sought in Figure 1, Appendix A within the submission. AND Any other further or consequential amendments required.		
Decision Reasons:	<ul style="list-style-type: none"> • All parts of the Waikato North Head mine should be subject to the same zone, overlay and rule framework to ensure they are addressed in a consistent manner. • There are some parts of the mine activity that are located outside the mining licence area, this includes the lagoon. • The lagoon is a man-made structure and does not appear to be formally zoned. 		
Point Number	827.6		
Summary of Decision Requested:	Amend rules relating to the Coastal Environment overlay to ensure they do not apply to the Waikato North Head mine site. AND Any other further or consequential amendments required.		
Decision Reasons:	<ul style="list-style-type: none"> • Considers that the mine site is sufficiently unique that it warrants specific treatment through the application of a mining zone. • This would override any rules associated with the Coastal Environment overlay. • That approach is justified given the status of the mining licence. 		
Point Number	827.7		
Summary of Decision Requested:	Retain the Aggregate Extraction Area overlay (or Mineral Extraction Area)		

Decision Reasons:

- The submitter supports the retention of the overlay as a tool to manage reverse sensitivity issues.

Point Number 827.8

Summary of Decision Requested: **Retain** the Significant Amenity Landscapes overlay mapping in relation to the Waikato North Head mine site.

Decision Reasons:

- There are no significant amenity landscapes identified on the mine site.

Point Number 827.9

Summary of Decision Requested: **Retain** the Natural Character overlay mapping in relation to the Waikato North Head mine site.

Decision Reasons:

- There are no high or outstanding natural character areas identified on the Waikato North Head site.

Point Number 827.10

Summary of Decision Requested: **Amend** the provisions to clarify that the Natural Character overlay includes both high and outstanding natural character areas.

AND

Any other further or consequential amendments required.

Decision Reasons:

- There are no high outstanding natural character areas identified on the mine site.

Point Number 827.11

Summary of Decision Requested: **Retain** Objective 6.1.1 Development, operation and maintenance of infrastructure as notified.

Decision Reasons:

- Supports the inclusion of specific provisions that provide for, recognise and enable infrastructure, which is considered to cover the water supply system for the mining site and the pump station at Allcock Road and which should include the slurry pipeline infrastructure.

Point Number 827.12

Summary of Decision Requested: **Retain** Policy 6.1.2 Development, operation and maintenance as notified.

Decision Reasons:

- Supports the inclusion of specific provisions that provide for, recognise and enable infrastructure, which is considered to cover the water supply system for the mining site and the pump station at Allcock Road and which should include the slurry pipeline infrastructure.

Point Number 827.13

Summary of Decision Requested: **Retain** Policy 6.1.3 Technological advances as notified.

Decision Reasons:

- Supports the inclusion of specific provisions that provide for, recognise and enable infrastructure, which is considered to cover the water supply system for the mining site and the pump station at Allcock Road and which should include the slurry pipeline infrastructure.

Point Number 827.14

Summary of Decision Requested: **Retain** Policy 6.1.4 Infrastructure benefits as notified.

Decision Reasons:

- Supports the inclusion of specific provisions that provide for, recognise and enable infrastructure, which is considered to cover the water supply system for the mining site and the pump station at Allcock Road and which should include the slurry pipeline infrastructure.

Point Number 827.15

Summary of Decision Requested: **Retain** Policy 6.1.5 Natural hazards and climate change as notified

Decision Reasons:

- Supports the inclusion of specific provisions that provide for, recognise and enable infrastructure, which is considered to cover the water supply system for the mining site and the pump station at Allcock Road and which should include the slurry pipeline infrastructure.

Point Number 827.16

Summary of Decision Requested: **Retain** Policy 6.1.6 Reverse sensitivity as notified

Decision Reasons:

- Supports the inclusion of specific provisions that provide for, recognise and enable infrastructure, which is considered to cover the water supply system for the mining site and the pump station at Allcock Road and which should include the slurry pipeline infrastructure.

Point Number 827.17

Summary of Decision Requested: Retain Policy 6.1.7 Reverse sensitivity and infrastructure as notified.

Decision Reasons:

- Supports the inclusion of specific provisions that provide for, recognise and enable infrastructure, which is considered to cover the water supply system for the mining site and the pump station at Allcock Road and which should include the slurry pipeline infrastructure.

Point Number 827.18

Summary of Decision Requested: Retain Objective 6.1.8 infrastructure in the community and identified areas as notified.

Decision Reasons:

- Supports the inclusion of specific provisions that provide for, recognise and enable infrastructure, which is considered to cover the water supply system for the mining site and the pump station at Allcock Road and which should include the slurry pipeline infrastructure.

Point Number 827.19

Summary of Decision Requested: Amend Policy 6.1.9 Environmental effects, community health, safety and amenity as follows (or words to similar effect):

Require the development, operation, maintenance, repair, replacement, upgrading and removal of infrastructure and its associated structures to avoid, remedy or mitigate adverse effects on the environment, community health, safety and amenity in a manner that corresponds to the scale and significance of effects.

AND

Any other further or consequential amendments required.

Decision Reasons:

- Supports the inclusion of specific provisions that provide for, recognise and enable infrastructure, which is considered to cover the water supply system for the mining site and the pump station at Allcock Road and which should include the slurry pipeline infrastructure.

Point Number 827.20

Summary of Decision Requested: Retain Policy 6.1.10 Infrastructure in identified areas as notified.

Decision Reasons:

- Supports the inclusion of specific provisions that provide for, recognise and enable infrastructure, which is considered to cover the water supply system for the mining site and the pump station at Allcock Road and which should include the slurry pipeline infrastructure.

Point Number 827.21

Summary of Decision Requested: Amend Chapter 14: Infrastructure and Energy by moving the permitted activity contained in General Infrastructure (Rule 14.3.1 PI The operation, maintenance, repair and removal of existing infrastructure) to Rule 14.2 applying to all infrastructure.

AND

Any other further or consequential amendments required.

Decision Reasons:

- Considers that the rules in section 14 are generally appropriate, however amendments are required to provide certainty for existing infrastructure, particularly infrastructure that is subject to identified areas.
- The provisions for maintenance, repair, replacement, upgrading or removal of existing infrastructure are duplicated and should be streamlined for clarity.

Point Number 827.22

Summary of Decision Requested: Retain Objective 10.1.1 Effects of hazardous substances as notified.

Decision Reasons:

- Support these provisions.

Point Number 827.23

Summary of Decision Requested: Retain Policy 10.1.2 Location of new hazardous facilities as notified.

Decision Reasons:

- Supports these provisions

Point Number 827.24

Summary of Decision Requested: Retain Policy 10.1.3 Residual risks of hazardous substances as notified.

Decision Reasons:

- Supports these provisions.

Point Number	827.25
Summary of Decision Requested:	Retain Policy 10.1.4 Reverse sensitivity effects as notified.
Decision Reasons:	<ul style="list-style-type: none"> • Supports these provisions.
Point Number	827.26
Summary of Decision Requested:	Delete Rule 12.3 Additional Matters of Control, Matters of Discretion and Matters for Discretionary and Non-Complying Activities
Decision Reasons:	<ul style="list-style-type: none"> • Additional matters of control or discretion are extremely broad, many of them unnecessary as they duplicate Council's powers under the RMA. • Some effectively extend Council's control or discretion to a level anticipated as part of a discretionary or non-complying activity.
Point Number	827.27
Summary of Decision Requested:	Add a new clause (m) to the definition of 'Infrastructure'in Chapter 13 Definitions as follows (or word to similar effect): <u>m. Material slurry pipelines and associated facilities including pump stations are considered to be infrastructure.</u>
Decision Reasons:	<ul style="list-style-type: none"> • The district-wide rules relating to infrastructure should also apply to the material slurry pipelines. • It is noted that the approach of specifically recognising important regional infrastructure within the definition of infrastructure in order to meet objectives and policies. • The slurry pipeline and slurry pump station are similar in nature to other infrastructure. • It fits within "any other means" in clause (g).
Point Number	827.28
Summary of Decision Requested:	Delete the definition of "Aggregate Extraction Activities" in Chapter 13 Definitions AND Amend the Proposed District Plan to replace references to "Aggregate Extraction Activities" with "Extractive Activities." AND Any other further or consequential amendments required.
Decision Reasons:	<ul style="list-style-type: none"> • 'Mineral extraction and processing', 'Aggregate Extraction Activities' and 'Extractive Industry' are all defined in the Proposed District Plan. There is overlap between the terms and creates potential for confusion and inconsistency. • Definitions need to be streamlined. • There is no clear reasons for distinguishing between aggregate and mineral extraction activities and therefore it is considered that it is more efficient to regulate and assess those activities jointly.
Point Number	827.29
Summary of Decision Requested:	Delete the definition of "Mineral extraction and processing" in Chapter 13 Definitions AND Amend the Proposed District Plan to replace references of "Mineral extraction and processing" with "Extractive Activity." AND Any other further or consequential amendments required.
Decision Reasons:	<ul style="list-style-type: none"> • 'Mineral extraction and processing', 'Aggregate Extraction Activities' and 'Extractive Industry' are all defined in the Proposed District Plan. There is overlap between the terms and creates potential for confusion and inconsistency. • Definitions need to be streamlined. • There is no clear reasons for distinguishing between aggregate and mineral extraction activities and therefore it is considered that it is more efficient to regulate and assess those activities jointly.
Point Number	827.30
Summary of Decision Requested:	Amend the Proposed District Plan to rename the 'Aggregate Extraction Area" to 'Mineral Extraction Area.' AND Any other further or consequential amendments required.
Decision Reasons:	<ul style="list-style-type: none"> • Enable consistency and clarity
Point Number	827.31
Summary of Decision Requested:	Amend the definition of "Mineral" in Chapter 13: Definitions to cross-reference the Crown Minerals Act 1991. AND Any other further or consequential amendments required.
Decision Reasons:	<ul style="list-style-type: none"> • Coal Mining Area is separately defined and includes reference to the Crown Minerals Act 1991. This approach is supported and therefore it is proposed that the definition of minerals should cross reference the Crown Minerals Act 1991.
Point Number	827.32

Summary of Decision Requested: Amend the zoning of the Waikato North Head mine from Rural Zone to a new zone titled "Maioiro Mining Zone" (see submission for extent of the new zone);

AND

Retain the Aggregate Extraction Area overlay for Waikato North Head mine site;

OR

Retain the Rural Zoning of the Waikato North Head mining site;

AND

Add appropriate objectives, policies and rules in Chapter 5 Rural Environment and Chapter 22 Rural Zone;

AND

Add appropriate objectives, policies and rules in Chapter 5 Rural Environment and Chapter 22 Rural Zone.

Decision Reasons:

- New Zealand Steel considers that the Waikato North Head Mine is unique and requires its own specific mining zone.
- This approach recognises the long-standing existing nature of the Waikato North Head mine site.
- Consistent with the Operative Waikato District Plan provisions, which identify the mine site as a "Maioiro mining Zone" and provide for specific permitted activities.
- It is important to recognise the contribution the Waikato North Head mine makes to the social and economic wellbeing of the district.
- The Proposed District Plan already contains a number of 'other' special zones
- There is little efficiency gained by addressing the mine site within the Rural Zone because specific objectives, policies and rules for New Zealand Steel's activities will still be required.

Point Number 827.33

Summary of Decision Requested: Amend the planning maps to rezone the North Head mine site as the Maioiro Mining Zone

AND

Add provisions for a 'Maioiro Mining Zone' within Chapter 9: Specific Zones as follows (or words to similar effect):

Maioiro Mining Zone

Objective

(1) The iron sand resource at Waikato North Head is effectively and efficiently utilised.

Policies

(1) Provide for iron sand mining and associated activities at Waikato North Head.

(2) Avoid, remedy or mitigate any significant adverse effects associated with activities that require resource consent under the Waikato District Plan.

AND

Add a new chapter for Maioiro Mining Zone within Section C Rules (see submission for specific details).

AND

Any other further or consequential amendments required.

Decision Reasons:

- New Zealand Steel considers that the Waikato North Head Mine is unique and requires its own specific mining zone.
- This approach recognises the long-standing existing nature of the Waikato North Head mine site.
- Consistent with the Operative Waikato District Plan provisions, which identify the mine site as a "Maioiro mining Zone" and provide for specific permitted activities.
- Important to recognise the contribution the Waikato North Head mine makes to the social and economic wellbeing of the district.
- The Proposed District Plan already contains a number of 'other' special zones
- There is little efficiency gained by addressing the mine site within the Rural Zone because specific objectives, policies and rules for New Zealand Steel's activities will still be required.

Point Number 827.34

Summary of Decision Requested: Add provisions within Chapter 5: Rural Environment as follows (or words to similar effect), if the Waikato North Head mine sites retains a Rural Zone

Objective

(1) The iron sand resource at Waikato North Head is effectively and efficiently utilised.

Policies

(1) Provide for iron sand mining and associated activities at the Aggregate Extraction Area identified at Waikato North Head.

(2) Avoid, remedy or mitigate any significant adverse effects associated with activities at the Aggregate Extraction Area identified at Waikato North Head that require resource consent under the Waikato District Plan.

AND

Add rules to Chapter 22 Rural Zone to enable specified activities within the Aggregate Extraction Area at Waikato North Head to be a permitted activity (see submission for specific details).

AND

Any other further or consequential amendments required.

Decision Reasons:

- Alternative to the specific zone, New Zealand Steel proposes to amend the applicable provisions within the Rural Zone.
- The Aggregate Extraction Area overlay may be amended to be made appropriate to the Waikato North Head site with update provisions which recognise the existing activities and the extent of future authorised activities, along with providing for reverse sensitivity issues adjacent to the site.
- The Proposed District Plan currently contains no specific rules which relate to mining activities within the Aggregate Extraction area, and therefore it is unclear how the Rural Zone rules apply.
- Given the context of the site, the submitter considers the Rural Zone permitted activity conditions are inappropriate, including those relating to earthworks and building height and therefore specific rules relating to the Aggregate Extraction Area would be more appropriate.

Point Number 827.35

Summary of Decision Requested: Amend Policy 5.3.7 Reverse sensitivity effects as follows (or words to similar effect):

(a) Recognise the following features are typical of the rural environment and the effects are accepted and able to be managed:

...

(iii) ~~Existing~~ Mineral extraction and processing activities;

...

(c) Mitigate the adverse effects of reverse sensitivity through the use of setbacks and design of subdivisions and development.

(cc) Avoid locating sensitive activities in a buffer area adjoining an Aggregate Extraction Area, unless those sensitive activities can avoid compromising existing and future mineral extraction...

...

OR

Add a comparable policy regarding reverse sensitivity in the event that a specific Maoro Mining Zone is introduced.

AND

Any other further or consequential amendments required.

Decision Reasons:

- New Zealand Steel wishes to see provisions to effectively manage potential reverse sensitivity effects on the mine site.
- The mine is important to the social and economic wellbeing of the district and wider New Zealand.
- The Proposed District Plan should manage sensitive land uses within the vicinity of the mine site.
- Supports the inclusion of mineral extraction and processing activities in relation to reverse sensitivity.
- Seeks to address sensitive land use in the buffer area adjacent to the Aggregate Extraction Areas.

Point Number

827.36

Summary of Decision Requested:

Add a new discretionary activity rule within Section 16.4 Subdivision as follows (or words to similar effect):

D1 Subdivision of land within 200m of an Aggregate Extraction Area.

AND

Any other further or consequential amendments required.

Decision Reasons:

- The intent of the Aggregate Extraction Area is to identify existing extractive industries, and manage reverse sensitivity issues.
- The subdivision rules apply only to the Aggregate Extraction Area and not to the 200m buffer area adjacent to that.
- The application of the Aggregate Extraction Area is not consistent with its intent.
- Seeks the same buffer area as that applied to the building setback for sensitive land use.

Point Number

827.37

Summary of Decision Requested:

Retain Rule 22.3.7.2(iv) and (v) Building setback sensitive land use

Decision Reasons:

- Effectively manages potential reverse sensitivity effects on the site.
- New Zealand Steel activities are important to the social and economic wellbeing of the district.
- Considers that this rule appropriately manages the establishment of buildings for sensitive land uses in the vicinity of an Aggregate Extraction Area.

Point Number

827.38

Summary of Decision Requested:

Retain the references to mineral resources and extraction as a productive rural activity in Section 1.4.3 The Rural environment, particularly Section 1.4.3.1 Rural activities and Section 1.4.3.2 Protecting the rural environment.

Decision Reasons:

- The extraction of mineral resources is a productive rural activity and existing extractive activities contribute to the wellbeing of the district.
- These activities cannot be located within urban setting or where it will become vulnerable to reverse sensitivity issues.

Point Number

827.39

Summary of Decision Requested:

Add a new section within Chapter 1.5 What does this mean for the Waikato district strategic objectives and directions as follows (or words to similar effect):

Mineral extraction

Waikato District contains a number of established extractive industries, including sand mining and coal mining, along with areas where extraction of mineral resources may, potentially occur in the future. These activities are important to the economic wellbeing of the district, and should be effectively and efficiently utilised in a sustainable manner. These activities are commonly located in rural areas where reverse sensitivity can be an issue, for established extractive industries.

AND

Any other further or consequential amendments required.

Decision Reasons:

- The extraction of mineral resources is a productive rural activity and existing extractive activities contribute to the wellbeing of the district.
- These activities cannot be located within urban setting or where it will become vulnerable to reverse sensitivity issues.
- Productive rural activities, and mineral extraction in particular, need to be addressed in the strategic objectives and directions.

Point Number

827.40

Summary of Decision Requested:

Amend Section 1.12.8 Strategic objectives as follows (or words to similar effect):

(a) The matters set out in paragraphs 1.4.1.1 - 1.4.1.4 provide the overarching...

(vi) Supporting productive rural activities, including mineral extraction...

AND

Any other further or consequential amendments required.

Decision Reasons:

- The extraction of mineral resources is a productive rural activity and existing extractive activities contribute to the wellbeing of the district.
- These activities cannot be located within urban setting or where it will become vulnerable to reverse sensitivity issues.
- Productive rural activities, and mineral extraction in particular, need to be addressed in the strategic objectives and directions.

Point Number 827.41

Summary of Decision Requested: **Amend** Objective 5.1.1(a)(ii) The rural environments as follows (or words to similar effect):

(ii) productive rural activities and other activities including mineral extraction are supported...

AND

Any other further or consequential amendments required.

Decision Reasons:

- The extraction of mineral resources is a productive rural activity and existing extractive activities contribute to the wellbeing of the district.
- These activities cannot be located within urban setting or where it will become vulnerable to reverse sensitivity issues.
- Productive rural activities, and mineral extraction in particular, need to be addressed in the strategic objectives and directions.

Point Number 827.42

Summary of Decision Requested: **Retain** Objective 5.3.1 Rural character and amenity, subject to the amendments to Policy 5.3.2 as sought below.

Decision Reasons:

- The phrase "rural character and amenity" could mean different things to different people.

Point Number 827.43

Summary of Decision Requested: **Add** a new clause (iv) to Policy 5.3.2(a) Productive rural activities as follows:

(a) Recognise and protect the continued operation of the rural environment as a productive working environment by:

...

(iv) Recognising other productive activities that are located in the rural environment, including mineral extraction activities.

Decision Reasons:

- The extraction of mineral resources is a productive rural activity which contributes to the wellbeing of the district.
- This activity should be acknowledged and provided for.

Point Number 827.44

Summary of Decision Requested: **Amend** Policy 5.3.3(b) Industrial and commercial activities as follows (or words to similar effect):

(b) Avoid locating industrial and commercial activities in rural areas that do not have a genuine functional connection with the rural land or soil resource or other resources (such as minerals).

AND

Any other further or consequential amendments required.

Decision Reasons:

- This policy should recognise that other resources that create a locational requirement.
- Supports the ability to locate industrial and commercial activities in rural areas where there is a genuine functional requirement to do so.

Point Number 827.45

Summary of Decision Requested: **Add** a clause (iv) to Policy 5.3.5 (a) Earthworks activities as follows (or words to similar effects):

(iv) Earthworks associated with mineral extraction activities.

Decision Reasons:

- The extraction of mineral resources is a productive rural activity, and there is a need to provide for earthworks with those extraction activities within the rural environment.

Point Number 827.46

Summary of Decision Requested: **Delete** Policy 5.3.9 Non-rural activities

Decision Reasons:

- The strategic direction in section 1.4.3.1 refers to productive rural; activities including horse breeding/training, mining and forestry, however this provision suggested that its listed activities are not rural activities.
- There are a wide range of rural activities with varying effects to the district plan should be consistent in its recognition that all such activities are part of the character of the rural environment.

Point Number 827.47

Summary of Decision Requested: **Retain** Policy 5.3.15 Noise and vibration as notified.

Decision Reasons:

- Supports the policy direction to minimise the adverse effects of noise and vibration through maintaining buffers (iii) and managing the location of sensitive land uses (v).
- This policy is consistent with the Aggregate Extraction Area Overlay provisions.

Point Number 827.48

Summary of Decision Requested: **Amend** Objective 5.4.1 Minerals and extractive industries as follows (or words to similar effect):

(a) Mineral resource use provides economic and social and environmental benefits to the district.

AND

Any other further or consequential amendments required.

Decision Reasons:

- Unclear how mineral resource use can be required to provide environmental benefits.
- The use of 'environmental benefits' incorrectly implies that the environment is limited to the natural environment and does not include social and economic elements.
- Supports acknowledgement of the benefits of mineral use to the district.

Point Number 827.49

Summary of Decision Requested: Amend Policy 5.4.2 Access to minerals and extractive industries as follows (or words to similar effect):

(aa) Provide for existing extractive industries.

(a) Enable new extractive industries provided that ...

...

(d) Avoid the location of any sensitive land use within specified buffer areas adjoining existing extractive industries, which otherwise risks the effective operation of a lawfully established extractive industry.

AND

Any other further or consequential amendments required.

Decision Reasons:

- Needs to specifically recognise existing extractive industries, such as the mine site and to clarify the meaning of "specified buffer area".

Point Number 827.50

Summary of Decision Requested: Delete the definition of "Extractive Industry" in Chapter 13 and replace it with the following (or words to similar effect):

Extractive Activity;

Means taking, winning or extracting by whatever means, the naturally-occurring minerals (including but not limited to coal, rock, sand and gravel) and peat from under or on the land surface. The term includes:

- processing by such means as screening, crushing, or chemical separation of minerals at or near the site where the minerals have been taken, won or excavated.
- removal, stockpiling and filling of overburden sourced from the same site.
- all activities and structures associated with underground coal gasification, including pilot and commercial plants and the distribution of gas.
- excavation, blasting, processing (crushing, washing and blending),
- ancillary earthworks.
- storage, management and disposal of tailings.
- the storage, distribution and sale of aggregates by wholesale to industry or by retail.
- the storage, distribution and sale of mineral products.
- treatment of stormwater and wastewater.
- landscaping and rehabilitation works including cleanfilling.
- ancillary buildings and structures.
- residential accommodation necessary for security purposes.

The term excludes prospecting and exploration activities.

AND

Any other further or consequential amendments required.

Decision Reasons:

- 'Mineral extraction and processing', 'Aggregate Extraction Activities' and 'Extractive Industry' are all defined in the Proposed District Plan. There is overlap between the terms and creates potential for confusion and inconsistency.
- Definitions need to be streamlined.
- There is no clear reasons for distinguishing between aggregate and mineral extraction activities and therefore it is considered that it is more efficient to regulate and assess those activities jointly.

Point Number 827.51

Summary of Decision Requested: Delete the definition of the overlays from Chapter 13 Definitions

Decision Reasons:

- Overlays are contained in the maps and their purpose should be described in the body of the plan.
- The definitions are self-explanatory and do not need to be included in definitions.

Point Number 827.52

Summary of Decision Requested: Add a new discretionary activity rule within Section 22.4 Subdivision as follows:

DI Subdivision of land within 200m of an Aggregate Extraction Area

AND

Any other further or consequential amendments required.

Decision Reasons:

- The intent of the Aggregate Extraction Area is to identify existing extractive industries, and manage reverse sensitivity issues.
- The subdivision rules apply only to the Aggregate Extraction Area and not to the 200m buffer area adjacent to that.
- The application of the Aggregate Extraction Area is not consistent with its intent.
- Seeks the same buffer area as that applied to the Building setback for sensitive land use.

Submitter Number: 828

Submitter: Linda Young

On behalf of: 2621 and 2619 River Road, RD1 Hamilton 3281

Point Number 828.1

Summary of Decision Requested: Amend the zoning of the properties at 2621 and 2619 River Road, Ngaruawahia from Rural Zone to Village Zone.

Decision Reasons:

- The suggested reserve lot significantly devalues our property
- We are not opposed to the walkway going through, but feel as it stands we significantly lose out financially and we also lose a significant portion of our property.
- The reserve lot will allow access right onto the garden and house which in turn is unsafe if this development were to go through.
- Village Zone would enable subdivision and potentially enable building or purchase elsewhere.
- If the council were to change it to Village zone and compensate for the loss of value to the land and home of 2621 River Road, we would be happy to support this plan.

Submitter Number: 829 **Submitter:** Whenua Holdings Waikato Limited

Point Number 829.1

Summary of Decision Requested: **Retain** Rules 16.1.2 P1 Residential activity, as notified.
AND
Amend the Proposed District Plan to make any consequential amendments to address the matters raised in the submission.

Decision Reasons:

- The submitter supports the provision of these activities in the Residential Zone as a permitted activity subject to meeting all the relevant standards.

Point Number 829.2

Summary of Decision Requested: **Retain** the activities set out under Rule 16.4.1 Subdivision - General;
AND
Amend the Proposed District Plan to make any consequential amendments to address the matters raised in the submission.

Decision Reasons:

- The submitter supports the provision of these activities in the Residential Zone - Subdivision as a permitted activity subject to meeting all the relevant Residential Zone effect, building and infrastructure conditions.

Point Number 829.3

Summary of Decision Requested: **Retain** the proposed structure and approach of Chapter 20 Industrial Zone;
AND
Amend the Proposed District Plan to make any consequential amendments to address the matters raised in the submission.

Decision Reasons:

- An Industrial Zone is proposed for the Wallbank Road property where a SIP home manufacturing and fabricating factory will be constructed.
- The submitter supports the activity-based structure for the Industrial Zone chapter.

Point Number 829.4

Summary of Decision Requested: **Amend** zoning of the properties at 42 and 76C Fox Road, and 5167C Great South Road, Ngaruawahia from Rural Zone to Residential Zone;
AND
Amend the Proposed District Plan to make any consequential amendments to address the matters raised in the submission.

Decision Reasons:

- The proposed Whenua Holdings Waikato Limited development will meet the immediate residential needs of the district.
- The proposed development aligns with the aspiration of the Future Proof Settlement Strategy.
- The proposed areas for rezoning in the Proposed District Plan are within the preferred settlement pattern for growth.
- Proposes to develop new residential subdivisions adjacent to existing residential zoned areas where servicing can or is already provided.
- Enable the proposed residential development.

Point Number 829.5

Summary of Decision Requested: **Amend** the zoning of the property at Wallbank Road, Ngaruawahia (Property number 1005161) from Rural Zone to Industrial Zone;
AND
Amend the Proposed District Plan to make any consequential amendments to address the matters raised in the submission.

Decision Reasons:

- The proposed Whenua Holdings Waikato Limited development aligns with the Governments Urban Development Capacity strategy that requires local authorities in high population growth areas such as the areas in and around Hamilton to provide sufficient development capacity to meet residential and business demand in the short to long term.
- Enable the proposed industrial/business hub development.

Point Number 829.6

Summary of Decision Requested: **Retain** Rule 16.1.2 P2 A Marae Complex or Papakainga Housing Development on Maaori Freehold Land or on Maaori Customary Land, as notified;
AND
Amend the Proposed District Plan to make any consequential amendments to address the matters raised in the submission.

Decision Reasons:

- The submitter supports the provision of these activities in the Residential Zone as a permitted activity subject to meeting all the relevant standards.

Point Number 829.7

Summary of Decision Requested: **Retain** Rule 16.1.2 P3 A new retirement village or alterations to an existing retirement village, as notified;
AND
Amend the Proposed District Plan to make any consequential amendments to address the matters raised in the submission.

Decision Reasons:

- The submitter supports the provision of these activities in the Residential Zone as a permitted activity subject to meeting all the relevant standards.

Point Number 829.8

Summary of Decision Requested: **Amend** zoning of the property at 134 Duke Street, Ngaruawahia from Rural Zone to Residential Zone;
AND
Amend the Proposed District Plan to make any consequential amendments to address the matters raised in the submission.

Decision Reasons:

- The proposed Whenua Holdings Waikato Limited development will meet the immediate residential needs of the district.
- The proposed development aligns with the aspiration of the Future Proof Settlement Strategy.
- The proposed areas for rezoning in the Proposed District Plan are within the preferred settlement pattern for growth.
- Proposes to develop new residential subdivisions adjacent to existing residential zoned areas where servicing can or is already provided.
- Enable the proposed residential development.

Submitter Number: 830 **Submitter:** Linda Silvester

Point Number 830.1

Summary of Decision Requested: **Amend** all Earthworks rules that prescribe a time period such as within a consecutive 12 month period to add limits to the total development consistent with maintaining the values of the site.

Decision Reasons:

- Incremental annual changes can amount to significant destruction of areas which should be protected.

Point Number 830.2

Summary of Decision Requested: **Amend** Rule 17.2.9 P2 Indigenous vegetation clearance inside a Significant Natural Area as follows:
Removing up to 52m2 of Manuka and/or kanuka outside of the Coastal Environment per single...

Decision Reasons:

- Manuka and kanuka are important environments and 3m3 should be adequate for heating well insulated homes.

Point Number 830.3

Summary of Decision Requested: **Add** a new provision in Rule 16.5.8.6 RD1(b)(iv) Living court to require that windows and balconies overlooking adjacent outdoor spaces and living areas have been avoided so as to respect the amenity and comfort of neighbouring properties.

Decision Reasons:

- This follows Housing New Zealand's Simple Guide expectation that buildings and spaces should relate well to each other.

Point Number 830.4

Summary of Decision Requested: **Add** provisions in Policy 8.1.3 Esplanade reserves and walkways that will give effect to the Waikato District Council's Walking, Cycling and Bridle Trails Strategy to create links within existing and new developments.

Decision Reasons:

- The Waikato District Council Walking, Cycling and Bridle Trails Strategy is made relevant in provision 1.10.2.3 Waikato Region strategies and plans, however it is not implemented in the Proposed District Plan.
- Policy 4.1.8 Integration and connectivity recognises the need to provide "good access to facilities and services by a range of transport modes through the provision of integrated networks of roads, public transport, cycle and pedestrian routes."
- Policy 4.1.10 Tuakau, Policy 4.1.11 Pokeno, Policy 4.1.12 Te Kauwhata, Policy 4.1.14 Taupiri, Policy 4.1.15 Ngaruawahia, Policy 4.1.16 Horotiu and Policy 4.1.17 Te Kowhai all mention walking and cycling provisions, though means and locations are unclear.
- Policy 4.1.18 Raglan does not mention cycling and walking despite its large pedestrian and cycle use.
- Provision 1.4.2.2 states that parts of State Highway 1 will offer opportunities for some town centre improvements and cycle/walk ways. However, nowhere in the Proposed District Plan is it indicated that where some might be, may be a land use issue.
- Waikato District Council said that detailed rules for walk/cycle ways are not appropriate within a District Plan, yet there are detailed transport provisions.
- There is strong public support for harbour and coastal walkways.
- Encourage environmental tourism.
- The lack of progress indicated that opportunities are not taken with subdivisions and that more details need to be included in the District Plan.

Point Number 830.5

Summary of Decision Requested: **Amend** the Proposed District Plan to require housing for the elderly to be included in all new developments throughout the district and not restricted to Te Kauwhata.

Decision Reasons:

- The former Lazarus village is on fairly level ground, close to Raglan's main facilities. It is therefore better suited to house Raglan's above average elderly population than most sites in the town and should be restored to that use.
- Without protection, it is likely that the only non-hospital housing for elderly people in Raglan will be permanently lost.
- Need to achieve Section 1.12.3 of the Plan.

Point Number 830.6

Summary of Decision Requested: **Add** A resource management framework for the management of Genetically Modified Organisms that is regionally specific and takes into account environmental, economic and social wellbeing.

Decision Reasons:

- Several Councils have passed resolutions that there should be no further development and field-testing of transgenic organisms envisaged for agriculture, horticulture and forestry in their areas until the risk potential has been adequately identified and evaluated and a strict liability regime put in place.
- As central government has failed to put in place a strict liability regime for GMOs, liability for clean-ups, removal and elimination of escaped GE organisms, could lie with ratepayers.
- The Law Commission said "It is possible that environmental damage caused by GMOs could be dealt with under the RMA." The duty in itself is not enforceable, but in Part XII of the RMA there are powers to issue an abatement.
- The continuing use of Genetic Engineering will also harm other farmers through tarnishing our clean green image and could potentially bring an end to conventional farming. Organic farmers will be affected more by the image loss.
- There should be no further development and field testing of transgenic organisms envisaged for agriculture, horticulture and forestry in the district.

Point Number 830.7

Summary of Decision Requested: **Amend** Schedule 30.2 Notable Trees by undertaking a survey of notable trees.

AND

Add the following trees within Raglan to Schedule 30.2 Notable Trees:

- trees within 30m of the high water mark between Bow Street jetty and Helen Place
- trees adjacent to the airfield
- trees within 10m of Marine Parade
- trees between the recreation ground and Lily Street
- trees on Wallis Street at the foot of Government Road
- trees in the gully between Rose Street and Lily Street
- trees to the south west of State Highway 23 between Hills Road and Greenslade Road
- trees in the Lorenzen Bay reserve

Decision Reasons:

- No reasons provided

Point Number 830.8

Summary of Decision Requested: **Add** new provisions to Chapter 16 Residential Zone to include energy efficiency policies and rules (see submission for wording)

Decision Reasons:

- The Proposed District Plan only makes passing reference to climate change and says nothing about coal, gas and oil's effect on global warming.
- It is disappointing that Stage 2 of the Proposed District Plan is to be published in 2019 and that is not possible to consider it in context with this part of the Plan.
- Section 1.9.5 reflects the Resource Management Act requirements around climate change and renewable energy.

Point Number 830.9

Summary of Decision Requested: **Add** new provisions to Chapter 17 Business Zone to include energy efficiency policies and rules (see submission for wording)

Decision Reasons:

- The Proposed District Plan only makes passing reference to climate change and says nothing about coal, gas and oil's effect on global warming.
- It is disappointing that Stage 2 of the Proposed District Plan is to be published in 2019 and that is not possible to consider it in context with this part of the Plan.
- Section 1.9.5 reflects the Resource Management Act requirements around climate change and renewable energy.

Point Number 830.10

Summary of Decision Requested: **Add** new provisions to Chapter 18 Business Town Centre Zone to include energy efficiency policies and rules (see submission for wording)

Decision Reasons:

- The Proposed District Plan only makes passing reference to climate change and says nothing about coal, gas and oil's effect on global warming.
- It is disappointing that Stage 2 of the Proposed District Plan is to be published in 2019 and that is not possible to consider it in context with this part of the Plan.
- Section 1.9.5 reflects the Resource Management Act requirements around climate change and renewable energy.

Point Number 830.11

Summary of Decision Requested: **Add** new provisions to Chapter 19 Business Zone Tamahere to include energy efficiency policies and rules (see submission for wording)

Decision Reasons:

- The Proposed District Plan only makes passing reference to climate change and says nothing about coal, gas and oil's effect on global warming.
- It is disappointing that Stage 2 of the Proposed District Plan is to be published in 2019 and that is not possible to consider it in context with this part of the Plan.
- Section 1.9.5 reflects the Resource Management Act requirements around climate change and renewable energy.

Point Number 830.12

Summary of Decision Requested: **Add** new provisions to Chapter 20 Industrial Zone to include energy efficiency policies and rules (see submission for wording)

Decision Reasons:

- The Proposed District Plan only makes passing reference to climate change and says nothing about coal, gas and oil's effect on global warming.
- It is disappointing that Stage 2 of the Proposed District Plan is to be published in 2019 and that is not possible to consider it in context with this part of the Plan.
- Section 1.9.5 reflects the Resource Management Act requirements around climate change and renewable energy.

Point Number 830.13

Summary of Decision Requested: Add new provisions to Chapter 21 Industrial Zone Heavy to include energy efficiency policies and rules (see submission for wording)

Decision Reasons:

- The Proposed District Plan only makes passing reference to climate change and says nothing about coal, gas and oil's effect on global warming.
- It is disappointing that Stage 2 of the Proposed District Plan is to be published in 2019 and that is not possible to consider it in context with this part of the Plan.
- Section 1.9.5 reflects the Resource Management Act requirements around climate change and renewable energy.

Point Number 830.14

Summary of Decision Requested: Add new provisions to Chapter 27 Te Kowhai Airpark Zone to include energy efficiency policies and rules (see submission for wording)

Decision Reasons:

- The Proposed District Plan only makes passing reference to climate change and says nothing about coal, gas and oil's effect on global warming.
- It is disappointing that Stage 2 of the Proposed District Plan is to be published in 2019 and that is not possible to consider it in context with this part of the Plan.
- Section 1.9.5 reflects the Resource Management Act requirements around climate change and renewable energy.

Point Number 830.15

Summary of Decision Requested: Add new provisions to Chapter 28 Rangitahi Peninsula Zone to include energy efficiency policies and rules (see submission for wording)

Decision Reasons:

- The Proposed District Plan only makes passing reference to climate change and says nothing about coal, gas and oil's effect on global warming.
- It is disappointing that Stage 2 of the Proposed District Plan is to be published in 2019 and that is not possible to consider it in context with this part of the Plan.
- Section 1.9.5 reflects the Resource Management Act requirements around climate change and renewable energy.

Point Number 830.16

Summary of Decision Requested: Add provisions in Rule 16.5.3 to Restricted Discretionary Activities that will give effect to the Waikato District Council's Walking, Cycling and Bridle Trails Strategy to create links within existing and new developments.

Decision Reasons:

- The Waikato District Council Walking, Cycling and Bridle Trails Strategy is made relevant in provision 1.10.2.3 Waikato Region strategies and plans, however it is not implemented in the Proposed District Plan.
- Policy 4.1.8 Integration and connectivity recognises the need to provide "good access to facilities and services by a range of transport modes through the provision of integrated networks of roads, public transport, cycle and pedestrian routes."
- Policy 4.1.10 Tuakau, Policy 4.1.11 Pokeno, Policy 4.1.12 Te Kauwhata, Policy 4.1.14 Taupiri, Policy 4.1.15 Ngaruawahia, Policy 4.1.16 Horotiu and Policy 4.1.17 Te Kowhai all mention walking and cycling provisions, though means and locations are unclear.
- Policy 4.1.18 Raglan does not mention cycling and walking despite its large pedestrian and cycle use.
- Provision 1.4.2.2 states that parts of State Highway 1 will offer opportunities for some town centre improvements and cycle/walk ways. However, nowhere in the Proposed District Plan is it indicated that where some might be, may be a land use issue.
- Waikato District Council said that detailed rules for walk/cycle ways are not appropriate within a District Plan, yet there are detailed transport provisions.
- There is strong public support for harbour and coastal walkways.
- Encourage environmental tourism.
- The lack of progress indicated that opportunities are not taken with subdivisions and that more details need to be included in the District Plan.

Point Number 830.17

Summary of Decision Requested: Add a Walkway/Cycle way/Bridle way trail on the maps to indicate the planned track from Wainui Road to Te Hutewai.

Decision Reasons:

- The Waikato District Council Walking, Cycling and Bridle Trails Strategy is made relevant in provision 1.10.2.3 Waikato Region strategies and plans, however it is not implemented in the Proposed District Plan.
- Policy 4.1.8 Integration and connectivity recognises the need to provide "good access to facilities and services by a range of transport modes through the provision of integrated networks of roads, public transport, cycle and pedestrian routes."
- Policy 4.1.10 Tuakau, Policy 4.1.11 Pokeno, Policy 4.1.12 Te Kauwhata, Policy 4.1.14 Taupiri, Policy 4.1.15 Ngaruawahia, Policy 4.1.16 Horotiu and Policy 4.1.17 Te Kowhai all mention walking and cycling provisions, though means and locations are unclear.
- Policy 4.1.18 Raglan does not mention cycling and walking despite its large pedestrian and cycle use.
- Provision 1.4.2.2 states that parts of State Highway 1 will offer opportunities for some town centre improvements and cycle/walk ways. However, nowhere in the Proposed District Plan is it indicated that where some might be, may be a land use issue.
- Waikato District Council said that detailed rules for walk/cycle ways are not appropriate within a District Plan, yet there are detailed transport provisions.
- There is strong public support for harbour and coastal walkways.
- Encourage environmental tourism.
- The lack of progress indicated that opportunities are not taken with subdivisions and that more details need to be included in the District Plan.

Point Number 830.18

Summary of Decision Requested: Add all the tracks shown in the Waikato District Council's Walking, Cycling and Bridle Trails Strategy

Decision Reasons:

- The Waikato District Council Walking, Cycling and Bridle Trails Strategy is made relevant in provision 1.10.2.3 Waikato Region strategies and plans, however it is not implemented in the Proposed District Plan.
- Policy 4.1.8 Integration and connectivity recognises the need to provide "good access to facilities and services by a range of transport modes through the provision of integrated networks of roads, public transport, cycle and pedestrian routes."
- Policy 4.1.10 Tuakau, Policy 4.1.11 Pokeno, Policy 4.1.12 Te Kauwhata, Policy 4.1.14 Taupiri, Policy 4.1.15 Ngaruawahia, Policy 4.1.16 Horotiu and Policy 4.1.17 Te Kowhai all mention walking and cycling provisions, though means and locations are unclear.
- Policy 4.1.18 Raglan does not mention cycling and walking despite its large pedestrian and cycle use.
- Provision 1.4.2.2 states that parts of State Highway 1 will offer opportunities for some town centre improvements and cycle/walk ways. However, nowhere in the Proposed District Plan is it indicated that where some might be, may be a land use issue.
- Waikato District Council said that detailed rules for walk/cycle ways are not appropriate within a District Plan, yet there are detailed transport provisions.
- There is strong public support for harbour and coastal walkways.

- Encourage environmental tourism.
- The lack of progress indicated that opportunities are not taken with subdivisions and that more details need to be included in the District Plan.

Point Number 830.19

Summary of Decision Requested: **Add** strong precautionary and prohibitive provisions relating to Genetically Modified Organisms that are the same or similar to those in the Far North District Plan, Whangarei District Plan and Auckland Unitary Plan

Decision Reasons:

- Several Councils have passed resolutions that there should be no further development and field-testing of transgenic organisms envisaged for agriculture, horticulture and forestry in their areas until the risk potential has been adequately identified and evaluated and a strict liability regime put in place.
- As central government has failed to put in place a strict liability regime for GMOs, liability for clean-ups, removal and elimination of escaped GE organisms, could lie with ratepayers.
- The Law Commission said "It is possible that environmental damage caused by GMOs could be dealt with under the RMA." The duty in itself is not enforceable, but in Part XII of the RMA there are powers to issue an abatement.
- The continuing use of Genetic Engineering will also harm other farmers through tarnishing our clean green image and could potentially bring an end to conventional farming. Organic farmers will be affected more by the image loss.
- There should be no further development and field testing of transgenic organisms envisaged for agriculture, horticulture and forestry in the district.

Point Number 830.20

Summary of Decision Requested: **Amend** the Proposed District Plan to require public notification of resource consent applications, regardless of whether the rules are Genetically Modified Organisms or any other matter.

Decision Reasons:

- Several Councils have passed resolutions that there should be no further development and field-testing of transgenic organisms envisaged for agriculture, horticulture and forestry in their areas until the risk potential has been adequately identified and evaluated and a strict liability regime put in place.
- As central government has failed to put in place a strict liability regime for GMOs, liability for clean-ups, removal and elimination of escaped GE organisms, could lie with ratepayers.
- The Law Commission said "It is possible that environmental damage caused by GMOs could be dealt with under the RMA." The duty in itself is not enforceable, but in Part XII of the RMA there are powers to issue an abatement.
- The continuing use of Genetic Engineering will also harm other farmers through tarnishing our clean green image and could potentially bring an end to conventional farming. Organic farmers will be affected more by the image loss.
- There should be no further development and field testing of transgenic organisms envisaged for agriculture, horticulture and forestry in the district.

Point Number 830.21

Summary of Decision Requested: **Add** new provisions to Chapter 22 Rural Zone to include energy efficiency policies and rules (see submission for wording)

Decision Reasons:

- The Proposed District Plan only makes passing reference to climate change and says nothing about coal, gas and oil's effect on global warming.
- It is disappointing that Stage 2 of the Proposed District Plan is to be published in 2019 and that is not possible to consider it in context with this part of the Plan.
- Section 1.9.5 reflects the Resource Management Act requirements around climate change and renewable energy.

Point Number 830.22

Summary of Decision Requested: **Add** new provisions to Chapter 23 Country Living Zone to include energy efficiency policies and rules (see submission for wording)

Decision Reasons:

- The Proposed District Plan only makes passing reference to climate change and says nothing about coal, gas and oil's effect on global warming.
- It is disappointing that Stage 2 of the Proposed District Plan is to be published in 2019 and that is not possible to consider it in context with this part of the Plan.
- Section 1.9.5 reflects the Resource Management Act requirements around climate change and renewable energy.

Point Number 830.23

Summary of Decision Requested: **Add** new provisions to Chapter 24 Village Zone to include energy efficiency policies and rules (see submission for wording)

Decision Reasons:

- The Proposed District Plan only makes passing reference to climate change and says nothing about coal, gas and oil's effect on global warming.
- It is disappointing that Stage 2 of the Proposed District Plan is to be published in 2019 and that is not possible to consider it in context with this part of the Plan.
- Section 1.9.5 reflects the Resource Management Act requirements around climate change and renewable energy.

Point Number 830.24

Summary of Decision Requested: **Add** new provisions to Chapter 25 Reserve Zone to include energy efficiency policies and rules (see submission for wording)

Decision Reasons:

- The Proposed District Plan only makes passing reference to climate change and says nothing about coal, gas and oil's effect on global warming.
- It is disappointing that Stage 2 of the Proposed District Plan is to be published in 2019 and that is not possible to consider it in context with this part of the Plan.
- Section 1.9.5 reflects the Resource Management Act requirements around climate change and renewable energy.

Point Number 830.25

Summary of Decision Requested: **Add** new provisions to Chapter 26 Hampton Downs Motor Sport and Recreation Zone to include energy efficiency policies and rules (see submission for wording)

Decision Reasons:

- The Proposed District Plan only makes passing reference to climate change and says nothing about coal, gas and oil's effect on global warming.
- It is disappointing that Stage 2 of the Proposed District Plan is to be published in 2019 and that it is not possible to consider it in context with this part of the Plan.
- Section 1.9.5 reflects the Resource Management Act requirements around climate change and renewable energy.

Submitter Number: 831 **Submitter:** Gabrielle Parson
On behalf of: Raglan Naturally

Point Number 831.1
Summary of Decision Requested: **Add** areas of significant indigenous vegetation or habitat and rules in consultation with LENZ and environmental groups.
Decision Reasons:

- The 2013 Waikato District Council Statement of the Environment report said "there is evidence to indicate that over 50 per cent of remaining indigenous cover is classified as threatened and much of this land is not legally protected."
- The New Zealand Biodiversity Strategy set the 2020 goal as "A net gain has been made in the extent and condition of natural habitats and ecosystems important for indigenous biodiversity. Scarce and fragmented habitats have increased in area and are in better ecological health due to improved connections and the sustainable management of surrounding areas. Some modified habitats are restored."

Point Number 831.2
Summary of Decision Requested: **Amend** all earthworks rules that prescribe limits over a time frame (e.g. within a single consecutive 12 month period) by removing the phrase or reference to "consecutive 12 month period" and replace with a total development limit consistent with maintaining the value of the sites.
Decision Reasons:

- Incremental annual changes can amount to significant destruction of areas which should be protected, including sand dunes, which the Whaingaroa Beachcare group have been attempting to protect.

Point Number 831.3
Summary of Decision Requested: **Amend** Rule 17.2.9 P2 Indigenous vegetation clearance inside a Significant Natural Area as follows:
Removing of up to ~~5~~3m³ of manuka and/or kanuka ~~outside of the Coastal Environment~~ per ...

Decision Reasons:

- Manuka and kanuka are important environments and 3m³ should be adequate for heating well insulated homes.

Point Number 831.4
Summary of Decision Requested: **Add** a new chapter which addresses designing buildings and communities for disabled persons.

Decision Reasons:

- Disabilities are only mentioned twice in the Plan and then only in relation to definitions of retirement homes.
- The Ministry of Health defined 24% of people as disabled.
- The Proposed District Plan should raise awareness of disability in the design or buildings and in planning.
- Most buildings, footpaths etc are not designed for ease of use by disabled persons.

Point Number 831.5
Summary of Decision Requested: **Add** a new chapter to address the need for recycling centres in rural locations that achieve appropriate screening and vehicle access standards.

Decision Reasons:

- Rubbish dumping and areas for recycling are hardly mentioned in the Proposed District Plan.
- The locations of these have been controversial and criteria should be set by the Proposed District Plan.
- Areas such as Te Uku, Waitetuna and Te Mata need such centres to maximise recycling, but they need to avoid drawbacks such as wind-blown rubbish and noise disturbance.

Point Number 831.6
Summary of Decision Requested: **Delete** Rule 14.3.1.8 (3) relating to P12 Service connections for subdivision.
AND
Amend Plan to consider extending town water supplies to coastal developments, in particular provision of fire fighting water.
OR
Amend Plan to ensure storage tanks are provided at strategic points for fire fighting.

Decision Reasons:

- Fire hydrants should be required in wooded areas, especially if developments are distant from the main supply.
- Most of the Whaanga Coast is wooded, but has no mains supply. A lot of housing has been permitted in the area and the Proposed District Plan allows for more. This is a safety issue.

Point Number 831.7
Summary of Decision Requested: **Amend** Rule 14.5.2 RD1 Restricted Discretionary Activities, to require existing lines to be underground when new line work is undertaken.

Decision Reasons:

- Overhead power/phone lines currently obstruct views and are generally thought to be unattractive.
- The cost makes it unlikely that all lines will be underground in terms of this Proposed District Plan, nevertheless it can remain an objective.

Point Number	831.8
Summary of Decision Requested:	Retain Policy 2.16.1 Whaanga Coast Specific Area.
Decision Reasons:	<ul style="list-style-type: none"> • Gives effect to the Resource Management Act 1991 and Te Tiriti o Waitangi • Allows for resettlement of Maori lands in line with the general population.
Point Number	831.9
Summary of Decision Requested:	Retain Rule 22.1.2 Permitted Activities.
Decision Reasons:	<ul style="list-style-type: none"> • Gives effect to the Resource Management Act 1991 and Te Tiriti o Waitangi • Allows for resettlement of Maori lands in line with the general population
Point Number	831.10
Summary of Decision Requested:	Retain Rule 22.7 Specific Area - Whaanga Coast Development Areas.
Decision Reasons:	<ul style="list-style-type: none"> • Gives effect to the Resource Management Act 1991 and Te Tiriti o Waitangi • Allows for resettlement of Maori lands in line with the general population.
Point Number	831.11
Summary of Decision Requested:	Amend Rule 14.11.1 P1 Permitted Activities, to include stormwater filters.
Decision Reasons:	<ul style="list-style-type: none"> • The stormwater system tends to collect both solid and liquid contaminants and discharges them into the harbour. • It would be highly desirable to prevent this happening, preferably at source, or by somehow processing the water at the point of discharge. • Enviropods have been fitted to most of Raglan's gullies, but oil filters to only a few.
Point Number	831.12
Summary of Decision Requested:	<p>Amend Rule 14.11.1 P2 Activity-specific condition 14.11.1.2 and Rule 14.11.2 RD2 to give effect to Policy 4.2.7 Site Coverage and Permeable Surfaces and Policy 6.4.7 Stormwater</p> <p>AND</p> <p>Amend Rule 14.11.1 P2 Activity-specific condition 14.11.1.2 to replace the universal 70% impermeable cover with individual limits to suit each catchment.</p> <p>AND</p> <p>Add rules to support the following:</p> <ul style="list-style-type: none"> • on-site stormwater disposal • sufficient capacity to enable disposal of stormwater • best practice low impact design • on-site treatment • minimising of impervious surfaces • retaining pre-development hydrological conditions • not increasing the flow of stormwater runoff • not reducing storage capacity on-site • a stormwater management plan for each catchment • promoting clear water reuse and groundwater recharge
Decision Reasons:	<ul style="list-style-type: none"> • No scientific stormwater plan for Raglan has been completed, though a settling pond at Aro Aro was designed in 2011 as a filtration wetland for the stormwater. • Pollutants such as copper are at or near their limits and addition of more sites with 70% impermeable cover will exacerbate the pollution. • Application of Rule 14.11.2 RD2 without clear scientific evidence of effects will make pollution even worse.
Point Number	831.13
Summary of Decision Requested:	Add rules that support Policy 4.2.7 Site Coverage and Permeable Surfaces.
Decision Reasons:	<ul style="list-style-type: none"> • Supports having sufficient open space to provide for landscaping, on-site stormwater disposal in the Residential Zone, but objects that they do not appear to have any corresponding rules, except for Te Kowhai Airpark Zone Rule 27.3.3.
Point Number	831.14
Summary of Decision Requested:	Add new provisions to Chapters 16 to Chapter 28 regarding energy efficiency and solar power (see submission for details).
Decision Reasons:	<ul style="list-style-type: none"> • The Proposed District Plan only makes passing reference to climate change and says nothing about the effects of coal, gas and oil on global warming. • Despite mentioning 'passive solar' in the Proposed District Plan, there is no rule requiring use of solar power. • Waipa District Plan specifically lists solar power generation collector panels up to 6m² as a permitted development. The St Kilda development has covenants covering solar power and stormwater. • It is disappointing that Stage 2 of the Proposed District Plan is to be published in 2019 and it is not possible to consider it in context with Stage 1. • There is a need for cooperation between local, regional and national governments.

Point Number 831.15

Summary of Decision Requested: **Amend** Policy 4.5.3 Commercial Purpose: Business Town Centre Zone, to acknowledge the importance of Ultra Fast Broadband in allowing businesses to develop and reduce transport needs.

Decision Reasons:

- Internet and broadband are each only mentions in the definition section of the Proposed District Plan.
- Facilitate rollout of Ultra Fast Broadband to allow businesses to connect with the global business community.
- Raglan Club and Yacht Club are in Raglan's town centre and have had problems associated with them, including noise and financial viability.

Point Number 831.16

Summary of Decision Requested: **Amend** Section 1.5.6 Transport and logistics, to acknowledge the parking issues in towns and recreation areas and preferred solutions, such as pay and display and sign posting.

Decision Reasons:

- New Zealand Transport Agency's AADT figures indicate traffic has roughly doubled in the last couple of decades. Additional parking has been provided, but it is never enough.
- The Raglan Community Board has expressed interest in pay and display.

Point Number 831.17

Summary of Decision Requested: **Amend** Table 14.12.5.10 Required bicycle spaces, to provide for secure cycle parking.

Decision Reasons:

- Cycles parked in vulnerable areas require parking that is well supervised by CCTV or which provides lockable cabinets.
- Such parking is especially valuable at bus and train stops.

Point Number 831.18

Summary of Decision Requested: **Amend** the Coastal Environment Overlay to become a conservation area that includes Raglan and require all major developments that infringe the District Plan rules or exceed one storey to be publicly notified.

Decision Reasons:

- The character of Raglan is of value and should be perpetuated by limiting developments to one storey and requiring features as described in the 2003 Waikato District Council Design Guide.
- Most of the street corners have single storey building which are, or should be, heritage buildings.
- The character statement for Raglan recognises small scale buildings (that have one or two levels with narrow frontages).

Point Number 831.19

Summary of Decision Requested: **Delete** Policy 4.5.14(a)(v)(F) Raglan Town Centre.

Decision Reasons:

- Most of the street corners have single storey buildings, which are, or should be, listed as heritage buildings.
- Raglan Town Centre is characterised by small scale buildings (one or two levels with narrow frontages). Encourage new development that is sympathetic to the existing main street built form and the surrounding context, whilst still promoting the eclectic and artistic nature of the town.
- Some of the attractive variety could be lost if all the town centre becomes two storey.
- A possible alternative could be similar to Hamilton's Special Character Areas.

Point Number 831.20

Summary of Decision Requested: **Amend** Policy 4.5.14 Raglan Town Centre, to discourage and prevent use of widely used franchise signs and symbols.

Decision Reasons:

- It should also prevent use of widely used franchise signs and symbols, so as to maintain the image of freedom from mass development.
- Development can take place, but it needs to avoid changing Raglan's character and the way to do that is to have public debate on those which may change the character.

Point Number 831.21

Summary of Decision Requested: **Retain** Policy 4.5.14 (a)(i) Raglan Town Centre, particularly the words "prioritising and providing for pedestrian movement and safety".

Decision Reasons:

- Supports a central business district mall, in whole or part.

Point Number 831.22

Summary of Decision Requested: **Amend** Rule 16.2.1.1 P2 Noise - General, to apply the noise limits and time limits to activities affecting Residential Zones, such as airfields.

Decision Reasons:

- Raglan, particularly Raglan West, suffers from aircraft noise.

Point Number 831.23

Summary of Decision Requested: **Amend** the purpose of designation M51 (Local Purpose (Aerodrome) Reserve at Raglan Harbour) to provide for alternative uses, such as sports fields.

Decision Reasons:

- Many supporting comments favour use of Raglan airfield for alternative uses, such as sports fields.

- Despite requests from Raglan Community Board, no financial information about the airfield has ever been revealed to show whether it is making a loss or profit, or bring a net financial gain to the area.
- The nearby soccer fields suffer from ponding and are becoming oversubscribed.
- This aspect of the snapshot has only had two unfavourable comments, but many more in support,

Point Number 831.24

Summary of Decision Requested: Amend the definition of "Public transport facility" in Chapter 13: Definitions, to include water and ferry transport.

Decision Reasons:

- The submitter envisages resumption of ferry services to ease congestion.
- The current definition only applies to land based public transport.

Point Number 831.25

Summary of Decision Requested: Add provisions in Policy 8.1.3 Esplanade reserves and walkways and Rule 16.5.3 Restricted Discretionary Activities, to implement Waikato District Council's Walking, Cycling and Bridle Trails Strategy to create links within new developments as well as existing developments that currently have no safe alternative to car use, such as Greenslade Road.

Decision Reasons:

- The Waikato District Council Walking, Cycling and Bridle Trails Strategy is made relevant in provision 1.10.2.3 Waikato Region strategies and plans, however it is not implemented in the Proposed District Plan.
- Policy 4.1.8 Integration and connectivity recognizes the need to provide "good access to facilities and services by a range of transport modes through the provision of integrated networks of roads, public transport, cycle and pedestrian routes."
- Policy 4.1.10 Tuakau, Policy 4.1.11 Pokeno, Policy 4.1.12 Te Kauwhata, Policy 4.1.14 Taupiri, Policy 4.1.15 Ngaruawahia, Policy 4.1.16 Horotiu and Policy 4.1.17 Te Kowhai all mention walking and cycling provisions, though means and locations are unclear.
- Policy 4.1.18 Raglan does not mention cycling and walking despite its large pedestrian and cycle use.
- Provision 1.4.2.2 states that parts of State Highway 1 will offer opportunities for some town centre improvements and cycle/walk ways. However, nowhere in the Proposed District Plan is it indicated that where some might be, may be a land use issue.
- Waikato District Council said that detailed rules for walk/cycle ways are not appropriate within a District Plan, yet there are detailed transport provisions.
- There is strong public support for harbour and coastal walkways.
- Encourage environmental tourism.
- The lack of progress indicated that opportunities are not taken with subdivisions and that more details need to be included in the District Plan.

Point Number 831.26

Summary of Decision Requested: Amend matter of Discretion (a)(i) in Rule 17.1.3 RDI Restricted Discretionary Activities, as follows:

(j) To the extent which the development is consistent with 4.5.3 Policy – Commercial, purpose: Business Town Centre Zone, in strengthening those areas as the primary retail, administration, commercial service and civic centre for each town and with Town Centre Guidelines contained in Appendix 3;

Decision Reasons:

- The 2006 Supporting Information for Lorezen Bay Business Zone said at 4.5.3 that "It is likely that a Service centre would comprise convenience shops such as a dairy or fruit and vegetable shop."
- It was on that basis that the area was rezoned from Residential to Business.
- By specifying a minimum lot size of 225m² it is unlikely that such small shops are going to occupy the site.
- A large supermarket is more likely, which would affect the viability of the Raglan CBD.

Point Number 831.27

Summary of Decision Requested: Add to Policy 7.1.4- Matangi and Huntly Heritage precinct a new clause (ii) Raglan Heritage Precinct with policies similar to those for the Matangi and Huntly Heritage Precinct.

Decision Reasons:

- The Proposed District Plan still mentions Raglan as having a seaside village character.
- Raglan should retain its seaside village character as it grows, while protecting the harbour. This should be acknowledged in the Proposed District Plan.

Point Number 831.28

Summary of Decision Requested: Delete Rule 17.4.1 RDI (a)(i) General subdivision.

Decision Reasons:

- This rule is inconsistent with Policy 4.5.3 which aims to strengthen town centres as the primary retail, administration, commercial service and civic centre for each town.

Point Number 831.29

Summary of Decision Requested: Amend Policy 4.5.2 (a)(ii) Commercial function and purpose, to identify that the Raglan Wharf is not suited to large scale commercial activities

AND

Add policies and rules to address the relationship between boat owners and business people at Raglan Wharf.

Decision Reasons:

- The submitter identifies the need to address the friction between boats and business people at Raglan Wharf.

Point Number 831.30

Summary of Decision Requested: Add a chapter and maps showing provision for freedom camping and associated rules, including those for signage.

Decision Reasons:

- Other camping is regulated by the Proposed District Plan.
- The impact of freedom camping on the town and accommodation providers is a potential problem.

Point Number	831.31
Summary of Decision Requested:	Amend P9 in Rule 16.1.2 Permitted Activities, to require registration of homestay or visitor accommodation.
Decision Reasons:	<ul style="list-style-type: none"> • Air bnb does not contribute a fair share to seasonal infrastructure costs. • Raglan needs a plan similar to that of Queenstown to avoid more residential accommodation becoming available only to visitors. • As residents tend to move to and from the surrounding country areas, the same policy needs to apply there. • Queenstown has rules requiring registration as a homestay, or a holiday home and, for larger properties, resource consent for a change of use. • Raglan needs similar rules.
Point Number	831.32
Summary of Decision Requested:	Add a new provision that replicates the intent of Objective 8.4.1 Community hub in the context of Raglan and encourages the provision of a youth hub, art space and conference venue.
Decision Reasons:	<ul style="list-style-type: none"> • There is little provision for youth in Whaingaroa. This proposal was made in the RN Youth snapshot and seems likely to be supported. • RN Arts snapshot identified this need. • A conference venue was suggested at the start of public consultation. No large venues exist in Whaingaroa.
Point Number	831.33
Summary of Decision Requested:	Add more provisions about food safety to Rule 22.4.1.1 Prohibited Subdivision.
Decision Reasons:	<ul style="list-style-type: none"> • Limiting subdivision on high class soils is only part of the solution to ensuring food security. • Other provisions should refer to organic food, fertiliser availability, climate change, biosecurity, transport disruption and other factors likely to affect continuity of food supplies. • Raglan Naturally Environment snapshot suggests more food production on a range of scales from backyard to commercial. • Raglan Naturally Education and Community Wellbeing snapshot supports community gardens. • Comments about security were made at the start of consultation and seem likely to gain wider support.
Point Number	831.34
Summary of Decision Requested:	Retain and strengthen Policy 9.3.4.1 Cultural and historic sites of significance, to celebrate and protect archaeological sites.
Decision Reasons:	<ul style="list-style-type: none"> • To celebrate and protect archaeological sites, so as to enhance understanding of our history, improve the tourist experience and preserve our inheritance for future generations.
Point Number	831.35
Summary of Decision Requested:	Retain and strengthen Rule 20.4.2 RD1 Subdivision - Boundaries for Records of Title, to celebrate and protect archaeological sites.
Decision Reasons:	<ul style="list-style-type: none"> • To celebrate and protect archaeological sites, so as to enhance understanding of our history, improve the tourist experience and preserve our inheritance for future generations.
Point Number	831.36
Summary of Decision Requested:	Retain and strengthen Rule 23.3.9.5 All heritage items - Site development, to celebrate and protect archaeological sites.
Decision Reasons:	<ul style="list-style-type: none"> • To celebrate and protect archaeological sites, so as to enhance understanding of our history, improve the tourist experience and preserve our inheritance for future generations.
Point Number	831.37
Summary of Decision Requested:	Retain and strengthen Rule 23.4.5 Site boundaries - Significant Natural Areas, heritage items, archaeological sites, sites of significance to Maori, to celebrate and protect archaeological sites.
Decision Reasons:	<ul style="list-style-type: none"> • To celebrate and protect archaeological sites, so as to enhance understanding of our history, improve the tourist experience and preserve our inheritance for future generations.
Point Number	831.38
Summary of Decision Requested:	Add rules within each zone to replicate Rule 23.3.9.5 All heritage items - site developmen, requiring that a development on a site containing a heritage item listed in Schedule 30. be set back at least 10m from the heritage item.
Decision Reasons:	<ul style="list-style-type: none"> • To celebrate and protect archaeological sites, so as to enhance understanding of our history, improve the tourist experience and preserve our inheritance for future generations.
Point Number	831.39
Summary of Decision Requested:	Amend the Proposed District Plan to require housing for the elderly to be included in all new developments throughout the district and not restricted to Te Kauwhata (Policy 4.1.12(b)(i) Te Kauwhata).
Decision Reasons:	<ul style="list-style-type: none"> • The former Lazarus village is on fairly level ground, close to Raglan's main facilities.

- It is therefore better suited to house Raglan's above average elderly population than most sites in the town and should be restored to that use.
- Without protection, it is likely that the only non-hospital housing for elderly people in Raglan will be permanently lost.
- Need to achieve strategic direction 1.12.3 "A district which provides a wide variety of housing forms which reflect the demands of its ageing population"

Point Number 831.40

Summary of Decision Requested: Amend Policy 4.1.18 Raglan to read as follows:

(a) Raglan is developed to ensure:

(i) Infill and redevelopment of existing sites occurs, subject to development of a Structure Plan to identify where this can be done without loss of character, trees, or other natural features:

(ii) A variety of housing densities is provided for and adequate housing reserved for low cost rentals and purchases by permanent residents:

(iii) Rangitahi is the only area that provides for the medium term future growth and is developed in a manner that has cycle, footway and public transport connections to the existing towns and maintains and enhances the natural environment; and

(iv) There are good quality cycle, footway and public transport connections between the town centre, the Papahua Reserve and Raglan Wharf.

(v) That Raglan is limited in size to walking distance.

Decision Reasons:

- Supports the submission by the Whaingaroa Raglan Affordable Housing Project.
- The 2009 Raglan Structure Plan Issues and Options report said that "In simple terms the existing District Plan already zones enough land in the immediate Raglan area to provide for around 1.6 times the amount of land that will be needed up to 2061."
- In the absence of detailed population figures, it is not apparent that Raglan needs infill and redevelopment.
- Without a detailed analysis of sites it is likely that some would lose their character, trees and other features.
- Raglan Naturally opposes the policy unless the sites are differentiated.
- There is a housing shortage in Raglan, but that is a shortage of housing available to local people at affordable prices. About a quarter of the houses were empty at the 2008 census and that has risen to a third at the 2013 census.
- Rangitahi will provide amply for foreseeable growth, however good alternatives to cars need to be provided.
- Connections between the town centre, Papahua Reserve and Raglan Wharf needs to replicate what is sought within Policy 4.1.12(b)(v) Te Kauwhata.
- Limiting the size of the township for walking distance is a new suggestion, but could limit extra car use.

Point Number 831.41

Summary of Decision Requested: Do not apply the Proposed District Plan to the Raglan ward until such time as a Raglan Structure Plan is developed that addresses the following matters:

- Commercial buildings in the commercial business district (CBD) that have the 'Raglan look' and are single storey (or are no higher than two levels).
- Design guidelines which support the seaside village character of Raglan.
- Development that is not out of context with the character of Raglan.
- Council working with the community to establish design guidelines for the protection and development of Raglan's 'seaside village' character, without suppressing individual expression and lifestyle choice.
- Incorporation of the Raglan Naturally Community Plan, Raglan Town Centre: Draft Design Guide and MfE Draft New Zealand Urban Design Protocol.
- Aligning of walkways and cycle routes to provide all parts of the town with safe and attractive alternatives to car use.
- Permission of compost toilets.
- Inclusion of a detailed design manual for the entire built area of Raglan which is developed through consultation with all parts of the community assisted by a qualified committee to set policy on all details of development density, design, height, setback, fabric, finish, form and texture, including all elements of the built environment, roads, courtyards and footpaths.
- Provision for vetting future consent applications through the consultation structure as described above.
- Permission of extensions to the CBD in an orderly manner through the consultation process described above to avoid a shortage of commercial property, whilst not promoting speculation, or premature developments of areas which are presently remote from the existing CBD.
- Retaining Raglan's unique character by a green belt with very limited development to be define through the consultation process described above.

Decision Reasons:

- A structure plan for Raglan is one of the areas still incomplete and the Proposed District Plan is currently difficult to manoeuvre through.
- More complete and better consultation methods need to be devised.
- Most other growth areas have a structure plan. Without a structure plan it is not apparent how the Proposed District Plan will work for Raglan.
- Raglan grew by 40% from 1991-2001 and could double in the next 10 years if all the development opportunities are taken up. The Proposed District Plan does not estimate what the population might be, or the services that may be required.
- In the absence of any estimate of demand or development it is hard to know whether the area set aside is reasonable.
- The structure plan is needed to take account of the statements prepared by Raglan Naturally and noted in the original submission.

Point Number 831.42

Summary of Decision Requested: Add a new chapter addressing satellite towns.

Decision Reasons:

- This is a concept likely to be controversial and quite likely not in the final revised Raglan Naturally.
- It is possible that proposal will be supported as a means of diverting development pressures from sensitive areas.

Point Number 831.43

Summary of Decision Requested: Amend Section 1.5.7.2 Landscape and natural character, to recognise that all natural character areas (not just those of higher value) be protected through tools such as cat free covenants and similar rules imposed by the Palmerston North District Plan.

Decision Reasons:

- The Natural Character has been lost in most of the district, so it is important that any new development shows environmental awareness and does not encroach on nature.
- Cats are major predators of native wildlife, so new developments close to natural character areas should be cat free.

Point Number 831.44

Summary of Decision Requested: Amend Chapter 3 Natural Character, to recognise that new development should not encroach on nature and that all natural character areas (not just those of higher value) be protected through tools such as cat free covenants and similar rules imposed by the Palmerston North District Plan.

Decision Reasons:

- The Natural Character has been lost in most of the district, so it is important that any new development shows environmental awareness and does not encroach on nature.
- Cats are major predators of native wildlife, so new developments close to natural character areas should be cat free.

Point Number 831.45

Summary of Decision Requested: **Amend** condition for P4 Earthworks in Rule 14.3.1 Permitted Activities, to recognise that that new development should not encroach on nature and that all natural character areas (not just those of higher value) be protected through tools such as cat free covenants and similar rules imposed by the Palmerston North District Plan.

Decision Reasons:

- The natural character has been lost in most of the district, so it is important that any new development shows environmental awareness and does not encroach on nature.
- Cats are major predators of native wildlife, so new developments close to natural character area should be cat free.

Point Number 831.46

Summary of Decision Requested: **Amend** Rule 22.1.3 Restricted Discretionary Activities to recognise that that new development should not encroach on nature and that all natural character areas (not just those of higher value) be protected through tools such as cat free covenants and similar rules imposed by the Palmerston North District Plan.

Decision Reasons:

- The Natural Character has been lost in most of the district, so it is important that any new development shows environmental awareness and does not encroach on nature.
- Cats are major predators of native wildlife, so new developments close to natural character areas should be cat free.

Point Number 831.47

Summary of Decision Requested: No specific decision is sought, however the submitter seeks that the Council publicly notifies and informs adjoining authorities and the Regional Council of all resource consent applications for vegetation clearance.

Decision Reasons:

- The 2013 Waikato District Council Statement of the Environment report said "there is evidence to indicate that over 50 per cent of remaining indigenous cover is classified as threatened and much of this land is not legally protected."
- The New Zealand Biodiversity Strategy set the 2020 goal as "A net gain has been made in the extent and condition of natural habitats and ecosystems important for indigenous biodiversity. Scarce and fragmented habitats have increased in area and are in better ecological health due to improved connections and the sustainable management of surrounding areas. Some modified habitats are restored."

Point Number 831.48

Summary of Decision Requested: **Add** new rules that read as follows

In a significant indigenous vegetation or habitat area the following are discretionary activities:

- Cultivation
- Spreading soil or other material (including fertilizer or lime) in excess of existing routine application rates
- Drainage works, apart from routine maintenance
- Land reclamation from estuary or other wetlands
- Modifications to watercourses apart from routine maintenance
- Flood defences
- Infilling ditches, ponds, pits, pools, marshes or historic earthwork features
- Clearing vegetation or land (by physical removal, burning, application of herbicides, or deliberate overgrazing, tramping, or rooting by livestock) in preparation for cultivation
- Introducing livestock (including poultry) at intensive stocking rates, or increasing stocking rates to intensive levels.

Decision Reasons:

- The 2013 Waikato District Council Statement of the Environment report said "there is evidence to indicate that over 50 per cent of remaining indigenous cover is classified as threatened and much of this land is not legally protected."
- The New Zealand Biodiversity Strategy set the 2020 goal as "A net gain has been made in the extent and condition of natural habitats and ecosystems important for indigenous biodiversity. Scarce and fragmented habitats have increased in area and are in better ecological health due to improved connections and the sustainable management of surrounding areas. Some modified habitats are restored."

Point Number 831.49

Summary of Decision Requested: **Add** sites of indigenous vegetation such as Hauroto Bay and other sites of indigenous vegetation to the planning maps, as recorded in the estuarine vegetation survey - Raglan (Whaingaroa) Harbour.

Decision Reasons:

- The 2013 Waikato District Council Statement of the Environment report said "there is evidence to indicate that over 50 per cent of remaining indigenous cover is classified as threatened and much of this land is not legally protected."
- The New Zealand Biodiversity Strategy set the 2020 goal as "A net gain has been made in the extent and condition of natural habitats and ecosystems important for indigenous biodiversity. Scarce and fragmented habitats have increased in area and are in better ecological health due to improved connections and the sustainable management of surrounding areas. Some modified habitats are restored."

Point Number 831.50

Summary of Decision Requested: **Amend** the zoning of areas that are hidden from main roads and close to town (such as behind the sewage ponds) to an Industrial Zone, to provide opportunities for industry close to Raglan.

Decision Reasons:

- Industrial areas should be located back from the main road.
- Raglan needs industrial land.
- Nau Mai is too far out of town and too prominent.

Point Number 831.51

Summary of Decision Requested: **Amend** Rule 16.2.7.1 Signs – general, to enable information on history and places to be shared in both English and Te Reo Maori.

Decision Reasons:

- The rule seems to be aimed at functional signage and therefore unreasonably limits the size and placing of interpretation and Heritage Trail signs.
- The submitter encourages the use of more bilingual signs.

Point Number 831.52

Summary of Decision Requested: Amend Rule 25.1.2 P4(a) Permitted Activities to differentiate between summer events and other events.

Decision Reasons:

- Raglan's reserves are increasingly congested in mid-summer and moving events to shoulder seasons, from the summer peak, would help ease the problem.

Point Number 831.53

Summary of Decision Requested: Consider the positive benefits and negative aspects of a Raglan bypass and do not develop by default.

Decision Reasons:

- Raglan Land Co. proposals for village clusters amount to a bypass and Rangitahi could be vulnerable to disruption if its access route from Raglan West were severed and that referred to in Policy 9.3.5.4 was not complete.
- In the past, such proposals have been rejected due to their impact on local shops.
- The submitter has noted that Industrial zoning of site-specific areas should be considered in conjunction with any proposed bypass development.

Point Number 831.54

Summary of Decision Requested: Unclear what decision is being sought but submission supports ironsand mining being omitted from Policy 5.4.2- Access to minerals and extractive industries.

Decision Reasons:

- Transport is inadequate to support land mining in the Whaingaroa area
- Offshore mining would threaten the dolphin habitat and increase erosion hazards.
- Coal is a major contributor to climate change.

Point Number 831.55

Summary of Decision Requested: Amend Policy 9.3.3.2 Coastal margins, to extend to all areas with water pollution caused by livestock.

Decision Reasons:

- The submitter identifies the problem of pollution from agricultural run-off.
- All the rivers entering Whaingaroa Harbour have unsatisfactory pollution levels, such as the Waitetuna River.

Point Number 831.56

Summary of Decision Requested: Delete Policy 3.2.6 Providing for vegetation clearance

AND

Add policies that will increase natural habitats.

Decision Reasons:

- The submitter supports bush regeneration, such as that at Wainui Bush Reserve.
- The Proposed District Plan makes no attempt to indicate how much bush has been lost, or will be lost by these and other provisions in the Proposed District Plan.
- Screening with trees should be applied to improve and protect views from Raglan and its beaches.
- Much of the attraction of Raglan derives from its beaches and the north shore of the harbour having rural aspects.
- New subdivisions could diminish that attraction and an active policy of tree planting to establish belts of trees screening those views would help to protect the rural image.
- Alternatively, the Proposed District Plan could ban development which would detract from those views.

Point Number 831.57

Summary of Decision Requested: Delete Rule 16.2.8 Indigenous vegetation clearance inside a Significant Natural Area

AND

Add provisions that will increase natural habitats.

Decision Reasons:

- The submitter supports bush regeneration, such as that at Wainui Bush Reserve.
- The Proposed District Plan makes no attempt to indicate how much bush has been lost, or will be lost by these and other provisions in the Proposed District Plan.
- Screening with trees should be applied to improve and protect views from Raglan and its beaches.
- Much of the attraction of Raglan derives from its beaches and the north shore of the harbour having rural aspects.
- New subdivisions could diminish that attraction and an active policy of tree planting to establish belts of trees screening those views would help to protect the rural image.
- Alternatively, the Proposed District Plan could ban development which would detract from those views.

Point Number 831.58

Summary of Decision Requested: Delete Rule 17.2.9 Indigenous vegetation clearance inside a Significant Natural Area

AND

Add provisions that will increase natural habitats.

Decision Reasons:

- The submitter supports bush regeneration, such as that at Wainui Bush Reserve.
- The Proposed District Plan makes no attempt to indicate how much bush has been lost, or will be lost by these and other provisions in the Proposed District Plan.
- Screening with trees should be applied to improve and protect views from Raglan and its beaches.

- Much of the attraction of Raglan derives from its beaches and the north shore of the harbour having rural aspects.
- New subdivisions could diminish that attraction and an active policy of tree planting to establish belts of trees screening those views would help to protect the rural image.
- Alternatively, the Proposed District Plan could ban development which would detract from those views.

Point Number 831.59

Summary of Decision Requested: **Delete** Rule 20.2.9 Indigenous vegetation clearance inside a Significant Natural Area
AND

Add provisions that will increase natural habitats.

Decision Reasons:

- The submitter supports bush regeneration, such as that at Wainui Bush Reserve.
- The Proposed District Plan makes no attempt to indicate how much bush has been lost, or will be lost by these and other provisions in the Proposed District Plan.
- Screening with trees should be applied to improve and protect views from Raglan and its beaches.
- Much of the attraction of Raglan derives from its beaches and the north shore of the harbour having rural aspects.
- New subdivisions could diminish that attraction and an active policy of tree planting to establish belts of trees screening those views would help to protect the rural image.
- Alternatively, the Proposed District Plan could ban development which would detract from those views.

Point Number 831.60

Summary of Decision Requested: **Delete** Rule 22.2.7 Indigenous vegetation clearance inside a Significant Natural Area
AND

Add provisions that will increase natural habitats.

Decision Reasons:

- The submitter supports bush regeneration, such as that at Wainui Bush Reserve.
- The Proposed District Plan makes no attempt to indicate how much bush has been lost, or will be lost by these and other provisions in the Proposed District Plan.
- Screening with trees should be applied to improve and protect views from Raglan and its beaches.
- Much of the attraction of Raglan derives from its beaches and the north shore of the harbour having rural aspects.
- New subdivisions could diminish that attraction and an active policy of tree planting to establish belts of trees screening those views would help to protect the rural image.
- Alternatively, the Proposed District Plan could ban development which would detract from those views.

Point Number 831.61

Summary of Decision Requested: **Delete** Rule 23.2.8 Indigenous vegetation clearance inside a Significant Natural Area
AND

Add provisions that will increase natural habitats.

Decision Reasons:

- The submitter supports bush regeneration, such as that at Wainui Bush Reserve.
- The Proposed District Plan makes no attempt to indicate how much bush has been lost, or will be lost by these and other provisions in the Proposed District Plan.
- Screening with trees should be applied to improve and protect views from Raglan and its beaches.
- Much of the attraction of Raglan derives from its beaches and the north shore of the harbour having rural aspects.
- New subdivisions could diminish that attraction and an active policy of tree planting to establish belts of trees screening those views would help to protect the rural image.
- Alternatively, the Proposed District Plan could ban development which would detract from those views.

Point Number 831.62

Summary of Decision Requested: **Delete** Rule 24.2.8 Indigenous vegetation clearance inside a Significant Natural Area
AND

Add provisions that will increase natural habitats.

Decision Reasons:

- The submitter supports bush regeneration, such as that at Wainui Bush Reserve.
- The Proposed District Plan makes no attempt to indicate how much bush has been lost, or will be lost by these and other provisions in the Proposed District Plan.
- Screening with trees should be applied to improve and protect views from Raglan and its beaches.
- Much of the attraction of Raglan derives from its beaches and the north shore of the harbour having rural aspects.
- New subdivisions could diminish that attraction and an active policy of tree planting to establish belts of trees screening those views would help to protect the rural image.
- Alternatively, the Proposed District Plan could ban development which would detract from those views.

Point Number 831.63

Summary of Decision Requested: **Delete** Rule 25.2.8 Indigenous vegetation clearance in a Significant Natural Area
AND

Add provisions that will increase natural habitats.

Decision Reasons:

- The submitter supports bush regeneration, such as that at Wainui Bush Reserve.
- The Proposed District Plan makes no attempt to indicate how much bush has been lost, or will be lost by these and other provisions in the Proposed District Plan.
- Screening with trees should be applied to improve and protect views from Raglan and its beaches.
- Much of the attraction of Raglan derives from its beaches and the north shore of the harbour having rural aspects.
- New subdivisions could diminish that attraction and an active policy of tree planting to establish belts of trees screening those views would help to protect the rural image.
- Alternatively, the Proposed District Plan could ban development which would detract from those views.

Point Number 831.64

Summary of Decision Requested:	Delete Rule 28.2.8 Indigenous vegetation clearance inside a Significant Natural Area AND Add provisions that will increase natural habitats.
Decision Reasons:	<ul style="list-style-type: none"> • The submitter supports bush regeneration, such as that at Wainui Bush Reserve. • The Proposed District Plan makes no attempt to indicate how much bush has been lost, or will be lost by these and other provisions in the Proposed District Plan. • Screening with trees should be applied to improve and protect views from Raglan and its beaches. • Much of the attraction of Raglan derives from its beaches and the north shore of the harbour having rural aspects. • New subdivisions could diminish that attraction and an active policy of tree planting to establish belts of trees screening those views would help to protect the rural image. • Alternatively, the Proposed District Plan could ban development which would detract from those views.
Point Number	831.65
Summary of Decision Requested:	Retain Policy 3.5.4 Protecting the natural character of wetlands, and lakes and rivers and their margins, and the associated rules.
Decision Reasons:	<ul style="list-style-type: none"> • The submitter supports the restoration of wetlands.
Point Number	831.66
Summary of Decision Requested:	No specific decision is requested, but the submitter seeks to protect the wild and natural character of the Whaanga Coast with reference to Policy 5.3.18 Specific Area - Whaanga Coast Development Areas.
Decision Reasons:	<ul style="list-style-type: none"> • The coast retains a relatively wild landscape and should be free from commercial development.
Point Number	831.67
Summary of Decision Requested:	Amend the definition of "Day-to-day activity" in Chapter 13: Definitions to provide for skateparks.
Decision Reasons:	<ul style="list-style-type: none"> • Existing skateparks within Raglan are overcrowded and additional parks are required. The Plan should identify criteria for locations.
Point Number	831.68
Summary of Decision Requested:	Add rules to Chapter 16 Residential Zone to provide for the protection of defined views from public places to the harbour, coast and natural backdrops and to include at least the following defined areas: <ul style="list-style-type: none"> • From SH3 (north of Maungatawhiri Road) to Kaitoke Creek • All existing views of the bard from Main Road, Bow St and Norrie Avenue • All existing views of Kariroi from Raglan CBD • From Wainui Road to the coast between the Bryant Reserve and the Bible Crusade Camp • From SH23 summit to Karioi • Aro Aro salt marsh from Wallis St AND Consequently amend the planning maps as necessary to satisfy the relief sought in this submission.
Decision Reasons:	<ul style="list-style-type: none"> • Views are an inherent part of Raglan's seaside character and retaining these is a priority action. • Policy 3.3.3 needs to be achieved. • The protection of views that affect the wellbeing of residents is a matter that needs to be considered in accordance with section 5 of the RMA.
Point Number	831.69
Summary of Decision Requested:	Retain Activity-specific condition 14.11.1.3(iii) Permitted Activities relating to P3 wastewater servicing.
Decision Reasons:	<ul style="list-style-type: none"> • AS/NZS 1547:2012 covers the whole range of options which may be appropriate, including waterless composting toilets, covered in the related AS/NZS 1546.2:2008 • Supports investigation of such systems to minimise water consumption and sewage volumes, thus making it more possible to treat sewage as a valuable resource, rather than an expensive waste.
Point Number	831.70
Summary of Decision Requested:	Retain Policy 7.1.8 Tree Protection AND Amend the Proposed District Plan to protect existing large trees and not just those listed in Schedule 30.2.
Decision Reasons:	<ul style="list-style-type: none"> • Notes the importance of trees in the Raglan urban scene and compares with the changes that Mount Maunganui has experienced.
Point Number	831.71
Summary of Decision Requested:	No specific decision is sought, but the submitter considers that it is not clear that the policies sufficiently identify and protect significant natural areas.
Decision Reasons:	<ul style="list-style-type: none"> • The 2013 Waikato District Council Statement of the Environment report said "there is evidence to indicate that over 50 per cent of remaining indigenous cover is classified as threatened and much of this land is not legally protected."

- The New Zealand Biodiversity Strategy set the 2020 goal as "A net gain has been made in the extent and condition of natural habitats and ecosystems important for indigenous biodiversity. Scarce and fragmented habitats have increased in area and are in better ecological health due to improved connections and the sustainable management of surrounding areas. Some modified habitats are restored."

Point Number 831.72

Summary of Decision Requested: No specific decision is sought, but the submitter considers it is not clear that the rules sufficiently identify and protect significant natural areas.

Decision Reasons:

- The 2013 Waikato District Council Statement of the Environment report said "there is evidence to indicate that over 50 per cent of remaining indigenous cover is classified as threatened and much of this land is not legally protected."
- The New Zealand Biodiversity Strategy set the 2020 goal as "A net gain has been made in the extent and condition of natural habitats and ecosystems important for indigenous biodiversity. Scarce and fragmented habitats have increased in area and are in better ecological health due to improved connections and the sustainable management of surrounding areas. Some modified habitats are restored."

Point Number 831.73

Summary of Decision Requested: **Amend** Policy 6.1.11 Undergrounding new infrastructure, to require existing lines to be placed underground when new line work is undertaken.

Decision Reasons:

- Overhead power/phone lines currently obstruct views and are generally thought to be unattractive.
- The cost makes it unlikely that all lines will be underground in terms of this Proposed District Plan, nevertheless it can remain an objective.

Point Number 831.74

Summary of Decision Requested: **Retain** Policy 2.16.2 Aahuatanga Motuhake (special features).

Decision Reasons:

- Gives effect to the Resource Management Act 1991 and Te Tiriti o Waitangi
- Allows for resettlement of Maori lands in line with the general population

Point Number 831.75

Summary of Decision Requested: **Retain** Rule 22.7.1.1 Permitted Activities.

Decision Reasons:

- Gives effect to the Resource Management Act 1991 and Te Tiriti o Waitangi
- Allows for resettlement of Maori lands in line with the general population.

Point Number 831.76

Summary of Decision Requested: **Amend** Policy 4.5.3 Commercial purpose: Business Town Centre Zone, to acknowledge entertainment venues

AND

Add policies and rules for control and support of clubs in town centres.

Decision Reasons:

- Internet and broadband are each only mentioned in the definition section of the Proposed District Plan.
- Facilitate rollout of Ultra Fast Broadband to allow businesses to connect with the global business community.
- Raglan Club and Yacht Club are in Raglan's town centre and have had problems associated with them, including noise and financial viability.

Point Number 831.77

Summary of Decision Requested: **Amend** Section 1.5.6 Transport and Logistics, to include the importance and effect of Ultra Fast Broadband in allowing businesses to develop and reduce transport needs.

Decision Reasons:

- Internet and broadband are each only mentions in the definition section of the Proposed District Plan.
- Facilitate rollout of Ultra Fast Broadband to allow businesses to connect with the global business community.
- Raglan Club and Yacht Club are in Raglan's town centre and have had problems associated with them, including noise and financial viability.

Point Number 831.78

Summary of Decision Requested: **Add** a walkway/cycleway/bridleway to the planning maps to indicate the planned track from Wainui Road to Te Hutewai.

Decision Reasons:

- The Waikato District Council Walking, Cycling and Bridle Trails Strategy is made relevant in provision 1.10.2.3 Waikato Region strategies and plans, however it is not implemented in the Proposed District Plan.
- Policy 4.1.8 Integration and connectivity recognizes the need to provide "good access to facilities and services by a range of transport modes through the provision of integrated networks of roads, public transport, cycle and pedestrian routes."
- Policy 4.1.10 Tuakau, Policy 4.1.11 Pokeno, Policy 4.1.12 Te Kauwhata, Policy 4.1.14 Taupiri, Policy 4.1.15 Ngaruawahia, Policy 4.1.16 Horotiu and Policy 4.1.17 Te Kowhai all mention walking and cycling provisions, though means and locations are unclear.
- Policy 4.1.18 Raglan does not mention cycling and walking despite its large pedestrian and cycle use.
- Provision 1.4.2.2 states that parts of State Highway 1 will offer opportunities for some town centre improvements and cycle/walk ways. However, nowhere in the Proposed District Plan is it indicated that where some might be, may be a land use issue.
- Waikato District Council said that detailed rules for walk/cycle ways are not appropriate within a District Plan, yet there are detailed transport provisions.
- There is strong public support for harbour and coastal walkways.
- Encourage environmental tourism.
- The lack of progress indicated that opportunities are not taken with subdivisions and that more details need to be included in the District Plan.

Point Number 831.79

Summary of Decision Requested: **Add** all the tracks shown in the Waikato District Council's Walking, Cycling and Bridle Trails Strategy through the residential zones, including:

- A linkage of Lorenzen Bay with Kaitoke walkway
- Allowing a circular walk around Raglan
- A cycle track from Wallis to Violet Street
- A link to the national Te Araroa walkway using paper roads, etc (via Karioi, Bridal Veil), walkways and, where possible, walkways, along the whole coast
- A track from Raglan to the summit of Karioi using esplanades, reserves and unformed roads
- A link along Wainui Stream from Wainui Reserve to Bryant Reserve.

Decision Reasons:

- The Waikato District Council Walking, Cycling and Bridle Trails Strategy is made relevant in provision 1.10.2.3 Waikato Region strategies and plans, however it is not implemented in the Proposed District Plan.
- Policy 4.1.8 Integration and connectivity recognizes the need to provide "good access to facilities and services by a range of transport modes through the provision of integrated networks of roads, public transport, cycle and pedestrian routes."
- Policy 4.1.10 Tuakau, Policy 4.1.11 Pokeno, Policy 4.1.12 Te Kauwhata, Policy 4.1.14 Taupiri, Policy 4.1.15 Ngaruawahia, Policy 4.1.16 Horotiu and Policy 4.1.17 Te Kowhai all mention walking and cycling provisions, though means and locations are unclear.
- Policy 4.1.18 Raglan does not mention cycling and walking despite its large pedestrian and cycle use.
- Provision 1.4.2.2 states that parts of State Highway 1 will offer opportunities for some town centre improvements and cycle/walk ways. However, nowhere in the Proposed District Plan is it indicated that where some might be, may be a land use issue.
- Waikato District Council said that detailed rules for walk/cycle ways are not appropriate within a District Plan, yet there are detailed transport provisions.
- There is strong public support for harbour and coastal walkways.
- Encourage environmental tourism.
- The lack of progress indicated that opportunities are not taken with subdivisions and that more details need to be included in the District Plan.

Point Number 831.80

Summary of Decision Requested: **Amend** Rule 23.1.1 P2 Permitted Activities, to require registration of homestay or visitor accommodation.

Decision Reasons:

- Air bnb does not contribute a fair share to seasonal infrastructure costs.
- Raglan needs a plan similar to that of Queenstown to avoid more residential accommodation becoming available only to visitors.
- As residents tend to move to and from the surrounding country areas, the same policy needs to apply there.
- Queenstown has rules requiring registration as a homestay, or a holiday home and, for larger properties, resource consent for a change of use.
- Raglan needs similar rules.

Point Number 831.81

Summary of Decision Requested: **Amend** Rule 22.1.2 D10 Discretionary Activities, to require registration of homestay or visitor accommodation.

Decision Reasons:

- Air bnb does not contribute a fair share to seasonal infrastructure costs.
- Raglan needs a plan similar to that of Queenstown to avoid more residential accommodation becoming available only to visitors.
- As residents tend to move to and from the surrounding country areas, the same policy needs to apply there.
- Queenstown has rules requiring registration as a homestay, or a holiday home and, for larger properties, resource consent for a change of use.
- Raglan needs similar rules.

Point Number 831.82

Summary of Decision Requested: **Consider** the impact of coal mining on climate change, particularly through Stage 2 of the reviewed Proposed District Plan.

Decision Reasons:

- Transport is inadequate to support land mining in the Whaingaroa area.
- Offshore mining would threaten the dolphin habitat and increase erosion hazards.
- Coal is a major contributor to climate change.

Point Number 831.83

Summary of Decision Requested: **Amend** Policy 9.3.3.3 Stormwater management, to extend to all areas with water pollution caused by livestock.

Decision Reasons:

- The submitter identifies the problem of pollution from agricultural run-off.
- All the rivers entering Whaingaroa Harbour have unsatisfactory pollution levels, such as the Waitetuna River.

Point Number 831.84

Summary of Decision Requested: **Amend** Policy 9.3.3.4 Stock exclusion, to extent to all areas with water pollution caused by livestock.

Decision Reasons:

- The submitter identifies the problem of pollution from agricultural run-off.
- All the rivers entering Whaingaroa Harbour have unsatisfactory pollution levels, such as the Waitetuna River.

Point Number 831.85

Summary of Decision Requested: **Amend** Policy 9.3.3.5 Environmental improvement, to extend to all areas with water pollution caused by livestock.

Decision Reasons:

- The submitter identifies the problem of pollution from agricultural run-off.
- All the rivers entering Whaingaroa Harbour have unsatisfactory pollution levels, such as the Waitetuna River.

Point Number 831.86

Summary of Decision Requested: Amend Policy 9.3.3.6 Landscape values, to extend to all areas with water pollution caused by livestock.

Decision Reasons:

- The submitter identifies the problem of pollution from agricultural run-off.
- All the rivers entering the Whaingaroa Harbour have unsatisfactory pollution levels, such as the Waitetuna River.

Point Number 831.87

Summary of Decision Requested: Delete Policy 3.2.8 Incentivise subdivision

AND

Add policies that will increase habitats.

Decision Reasons:

- The submitter supports bush regeneration, such as that at Wainui Bush Reserve.
- The Proposed District Plan makes no attempt to indicate how much bush has been lost, or will be lost by these and other provisions in the Proposed District Plan.
- Screening with trees should be applied to improve and protect views from Raglan and its beaches.
- Much of the attraction of Raglan derives from its beaches and the north shore of the harbour having rural aspects.
- New subdivisions could diminish that attraction and an active policy of tree planting to establish belts of trees screening those views would help to protect the rural image.
- Alternatively, the Proposed District Plan could ban development which would detract from those views.

Point Number 831.88

Summary of Decision Requested: Delete Rule 22.2.8 Indigenous vegetation clearance outside a Significant Natural Area

AND

Add provisions that will increase natural habitats.

Decision Reasons:

- The submitter supports bush regeneration, such as that at Wainui Bush Reserve.
- The Proposed District Plan makes no attempt to indicate how much bush has been lost, or will be lost by these and other provisions in the Proposed District Plan.
- Screening with trees should be applied to improve and protect views from Raglan and its beaches.
- Much of the attraction of Raglan derives from its beaches and the north shore of the harbour having rural aspects.
- New subdivisions could diminish that attraction and an active policy of tree planting to establish belts of trees screening those views would help to protect the rural image.
- Alternatively, the Proposed District Plan could ban development which would detract from those views.

Point Number 831.89

Summary of Decision Requested: Delete Rule 23.2.9 Indigenous vegetation clearance outside a Significant Natural Area

AND

Add provisions that will increase natural habitats.

Decision Reasons:

- The submitter supports bush regeneration, such as that at Wainui Bush Reserve.
- The Proposed District Plan makes no attempt to indicate how much bush has been lost, or will be lost by these and other provisions in the Proposed District Plan.
- Screening with trees should be applied to improve and protect views from Raglan and its beaches.
- Much of the attraction of Raglan derives from its beaches and the north shore of the harbour having rural aspects.
- New subdivisions could diminish that attraction and an active policy of tree planting to establish belts of trees screening those views would help to protect the rural image.
- Alternatively, the Proposed District Plan could ban development which would detract from those views.

Point Number 831.90

Summary of Decision Requested: Add rules to Chapter 18: Business Town Centre Zone, to provide for the protection of defined views from public places to the harbour, coast and natural backdrops and to include at least the following defined views:

- From SH3 (north of Maungatawhiri Road) to Kaitoke Creek
- All existing views of the bard from Main Road, Bow St and Norrie Avenue
- All existing views of Kariroi from Raglan CBD
- From Wainui Road to the coast between the Bryant Reserve and the Bible Crusade Camp
- From SH23 summit to Karioi
- Aro Aro salt marsh from Wallis St

AND

Consequently amend the planning maps as necessary to satisfy the relief sought in this submission.

Decision Reasons:

- Views are an inherent part of Raglan's seaside character and retaining these is a priority action.
- Policy 3.3.3 needs to be achieved.
- The protection of views that affect the wellbeing of residents is a matter that needs to be considered in accordance with section 5 of the RMA.

Point Number 831.91

Summary of Decision Requested: Add rules to Chapter 22 Rural Zone, to provide for the protection of defined views from public places to the harbour, coast and natural backdrops and to include at least the following defined views:

- From SH3 (north of Maungatawhiri Road) to Kaitoke Creek
- All existing views of the bard from Main Road, Bow St and Norrie Avenue
- All existing views of Kariroi from Raglan CBD
- From Wainui Road to the coast between the Bryant Reserve and the Bible Crusade Camp
- From SH23 summit to Karioi
- Aro Aro salt marsh from Wallis St

AND

Consequently amend the planning maps as necessary to satisfy the relief sought in this submission.

Decision Reasons:

- Views are an inherent part of Raglan's seaside character and retaining these is a priority action.

- Policy 3.3.3 needs to be achieved.
- The protection of views that affect the wellbeing of residents is a matter that needs to be considered in accordance with section 5 of the RMA.

Submitter Number: 832 **Submitter:** Niksha Farac
On behalf of: Hounsell Holdings Limited

Point Number 832.1
Summary of Decision Requested: **Amend** the zoning of the property at 268 Te Kowhai Road, Te Kowhai from Rural Zone to Residential Zone;
AND
Amend the Proposed District Plan to make any consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- The site can accommodate a development of approximately 2000 dwellings.
- The site is directly north of the Rotokauri residential area, including a Special Housing Area
- The site is not subject to topographical constraints and is not subject to a significant ecological or landscape area.
- The site is well connected to transport networks, community infrastructure, employment opportunities and schooling.

Point Number 832.2
Summary of Decision Requested: **Delete** the Hamilton Basin Ecological Management Area from the property at 268 Te Kowhai Road, Te Kowhai;
AND
Amend the Proposed District Plan to make any consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- The site has no significant ecological constraints and should therefore not be included in the Hamilton Basin Ecological Management Area.
- Query the reasoning for the inclusion of the land in the Hamilton Basin Ecological Management area
- The Proposed District Plan does not clearly explain how the Hamilton Basin Ecological Management Area impacts the land.
- Rule 22.4.1.6 should not apply to the site.

Point Number 832.3
Summary of Decision Requested: **Amend** the Airport Obstacle Limitation Surface for the Te Kowhai Airpark reduce the area to that shown on the Operative Waikato District Plan;
AND
Amend the Proposed District Plan to make any consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- The reasoning for the expansion is not justified.
- The expansion of the Airport Obstacle Limitation Surface does not consider or deal with the potential impact on residential development.

Point Number 832.4
Summary of Decision Requested: **Amend** the zoning of the property at 284 Onion Road, Te Kowhai from Rural Zone to Residential Zone;
AND
Amend the Proposed District Plan to make any consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- The site can accommodate a development of approximately 2000 dwellings.
- The site is directly north of the Rotokauri residential area, including a Special Housing Area.
- The site is not subject to topographical constraints and is not subject to a significant ecological or landscape area.
- The site is well connected to transport networks, community infrastructure, employment opportunities and schooling.

Point Number 832.5
Summary of Decision Requested: **Delete** the Hamilton Basin Ecological Management Area from the property at 284 Onion Road, Te Kowhai;
AND
Amend the Proposed District Plan to make any consequential amendments as necessary to address the matters raised in the submission.

Decision Reasons:

- The site has no significant ecological constraints and should therefore not be included in the Hamilton Basin Ecological Management Area.
- Query the reasoning for the inclusion of the land in the Hamilton Basin Ecological Management area
- The Proposed District Plan does not clearly explain how the Hamilton Basin Ecological Management Area impacts the land.
- Rule 22.4.1.6 should not apply to the site.

Submitter Number: 833 **Submitter:** Phil Page
On behalf of: Mainland Poultry Limited

Point Number 833.1
Summary of Decision Requested: **Amend** the definition of "Farming" in Chapter 13 Definitions, as follows:

Means an agricultural, horticultural or apicultural activity having as its primary purpose the production of any livestock (including poultry or eggs), or crop using ~~the in situ~~ soil, water and air as the medium for production. It includes...

Decision Reasons:

- The definition should include poultry. Poultry do not have adverse effects that are materially different or more adverse than livestock.
- Delete reference to in-situ soil, which otherwise adds unnecessary complexity.

Point Number 833.2

Summary of Decision Requested: **Amend** the definition of "Intensive farming" in Chapter 13 Definitions, as follows:

Means farming which is not dependent on the fertility of the soils on which it is located and which may be under cover ~~or within an outdoor enclosure~~ and be dependent on supplied of food produced on and/or off the land where the operation is located...

(c) poultry or game bird farming undertaken wholly or principally within sheds or other shelters or buildings;

(d) free-range poultry or game bird farming while inside an enclosure.

Decision Reasons:

- Amend to exclude range areas used for free-range poultry.
- If the birds are outside they are livestock that are permitted under the definition of farming.
- All paddocks are outdoor enclosures.
- This definition does not limit or describe what is meant by enclosure and it should be deleted.

Point Number 833.3

Summary of Decision Requested: **Add** a new rule to Rule 22.1.2 Permitted Activity to provide for Poultry farming as a permitted activity where it can meet the performance standards for permitted farming activities.

Decision Reasons:

- Poultry farming does not result in adverse effects on soils or in contamination of soils or water and is therefore more consistent with the policies and objectives of the Proposed District Plan and the Regional Policy Statement, than other intensive farming and many permitted farming activities.

Point Number 833.4

Summary of Decision Requested: **Amend** Policy 5.3.2 (a)(i) Productive rural activities, as follows:

Recognise and protect the continued operation of the rural environment as a productive working environment by:

(i) Recognising that buildings and structures associated with farming, intensive farming, and Forestry...

Decision Reasons:

- Intensive farming is a productive rural activity that can only locate in the Rural Zone and should be enabled.
- Buildings associated with intensive farming are a legitimate aspect of rural character.

Point Number 833.5

Summary of Decision Requested: **Add** a new permitted activity to Rule 22.1.2 Permitted Activities, as follows:

Intensive farming limited to poultry farming

Conditions:

(a) For housed poultry buildings are set back at least:

(i) 50 metres from any site boundary (other than a road boundary); and

(ii) 300 metres from a sensitive activity; and

(iii) 500 metres from any boundary of a Residential, Village and Country Living Zone;

(iv) Building coverage does not exceed 10% of the site. Rule 22.3.6 (Building Coverage does not apply);

(v) Building height does not exceed 15m. Rule 22.3.4 (Building Height) does not apply;

(b) It is not located in:

(i) An Outstanding Natural Feature;

(ii) An Outstanding Natural Landscape;

(iii) A Significant Amenity Landscape;

(iv) An Outstanding Natural Character Area; or

(v) A High Natural Area

OR

Add a new permitted activity to Rule 22.1.2 Permitted Activities that enables poultry farming as a permitted activity that complies with the proposed conditions specifically to the property at 64 Old Road, Orini, being Part Lot 1 DP 12365.

Decision Reasons:

- Adverse effects of poultry farming as a subset of Intensive farming are readily capable of mitigation through compliance with setback performance standards.
- Provided the conditions are complied with, poultry farming should be permitted.

Point Number 833.6

Summary of Decision Requested: **Amend** Rule 22.1.3 RD1 Restricted Discretionary Activity, to provide for poultry farming where it does not comply with the permitted activity conditions in Rule 22.1.2 Permitted Activities as proposed by the submission;

AND

Amend Rule 22.1.5 D1 Discretionary Activities as a consequential amendment.

Decision Reasons:

- It shall be a restricted discretionary activity with the discretion restricted to the consequences of non-compliance with relevant conditions.

Point Number 833.7

Summary of Decision Requested: **Amend** Rule 22.3.7.2P1 (a)(vii) Building setback - sensitive land use, as follows:
(vii) 300m from ~~the any boundary of building on~~ another site containing an intensive farming activity;

Decision Reasons:

- Poultry farming is a rural activity that can only happen within a Rural Zone.
- It has no greater effects than many other farming activities permitted in the Rural Zone.
- Any adverse effects of reverse sensitivity nature are likely to result from the buildings that house birds, rather than from birds ranging outside.
- 300m separation from intensive farming buildings (**instead of from the site boundary**) is adequate separation from sensitive activities.

Point Number 833.8

Summary of Decision Requested: **Amend** Chapter 5 Rural Environment to provide for poultry farming where it can meet the performance standards.

Decision Reasons:

- Poultry farming does not result in adverse effects on soils or in contamination of soils or water and is therefore more consistent with the policies and objectives of the Proposed District Plan and the Regional Policy Statement, than other intensive farming and many permitted farming activities.

Point Number 833.9

Summary of Decision Requested: **Amend** Section 4.6 Industrial and Heavy Industrial Zone to provide for poultry farming where it can meet the performance standards.

Decision Reasons:

- Poultry farming does not result in adverse effects on soils or in contamination of soils or water and is therefore more consistent with the policies and objectives of the Proposed District Plan and the Regional Policy Statement, than other intensive farming and many permitted farming activities.

Submitter Number: 834 **Submitter:** Marshall & Kristine Stead

Point Number 834.1

Summary of Decision Requested: **Delete** the Significant Natural Areas overlay from the property at 703B Te Kowhai Road, Te Kowhai.

Decision Reasons:

- The Significant Natural Area is not a true reflection of the site
- There are two man-made ponds and some native planting on our grounds and garden, which the submitter will protect.
- The driveway is occupied mainly by polar, oak, pine, and plum trees.
- The majority is man made and not natural.

Point Number 834.2

Summary of Decision Requested: **Retain** the indicative road that will provide a connection from 697 Horotiu Road through 689 Te Kowhai Road;
AND
Amend the Proposed District Plan to enable some flexibility to shape and position for the connecting road.

Decision Reasons:

- The land on either side of the indicative road would be ideal for the growth of the Village Zone and keep Te Kowhai Village in a good shape.
- To keep the village appeal and character, terrain of the properties and give ability to show consideration of existing neighbours.
- All five property owners have discussed and support this as all are too small to be high producing farmland.

Point Number 834.3

Summary of Decision Requested: **Retain** the Village Zone as notified at 703B Te Kowhai Road.

Decision Reasons:

- The land is suitable for Village Zone because it has good terrain, there is good natural drainage and it is adjacent to the existing Te Kowhai Village.

Point Number 834.4

Summary of Decision Requested: **Amend** the zoning of the property at 697 Horotiu Road from Rural Zone to Village Zone.

Decision Reasons:

- Location and suitability within the Te Kowhai Village.
- A good access point for the linking of the indicative road.
- Seems it was an oversight.

Point Number 834.5

Summary of Decision Requested: **Retain** the Airpark Zone at the Te Kowhai Airfield, as notified.

Decision Reasons:

- Unique opportunity for like minded aviation enthusiasts to have a community complementing an existing Airfield.

Point Number 834.6

Summary of Decision Requested: No specific decision sought, however the submitter supports on principle the Te Kowhai Airpark Zone, particularly in regards to their own property.

Decision Reasons:

- After a number of ongoing discussions with the Airfield, there are still many questions that do not have answers at this stage.
- It is understood more time will be required to get full and accurate answers to our concerns regarding the effects and consequences to our common boundary and property and wider community for generations to come.

Submitter Number: 835 **Submitter:** Pam Butler

On behalf of: KiwiRail Holdings Limited (KiwiRail)

Point Number 835.1

Summary of Decision Requested: Delete the Significant Natural Areas overlay from KiwiRail's designations.

Decision Reasons:

- Significant Natural Areas apply to protect and enhance indigenous biodiversity. Land transport corridors, such as KiwiRail's designations are highly modified areas and therefore do not meet the identity and management hierarchy requirements for Significant Natural Areas.

Point Number 835.2

Summary of Decision Requested: Delete Outstanding Natural Features overlays from KiwiRail's designations.

Decision Reasons:

- The objective of identifying Outstanding Natural Features and Landscapes is to ensure that these landscapes and their attributes are recognised and protected from inappropriate subdivision, use and development.
- The benefits of infrastructure are provided irrespective of location.
- Designated land transport corridors are highly modified areas.

Point Number 835.3

Summary of Decision Requested: Delete Outstanding Natural Character overlay from KiwiRail's designations.

Decision Reasons:

- The objective of identifying Outstanding Natural Character is to protect the natural character of the coastal environment and waterways from inappropriate subdivision, use and development.
- The benefits of infrastructure are provided irrespective of location.
- Designated land transport corridors are generally highly modified areas.

Point Number 835.4

Summary of Decision Requested: Delete Outstanding Natural Landscapes overlays from KiwiRail's designations.

Decision Reasons:

- The objective of identifying Outstanding Natural Landscapes is to ensure that these landscapes and their attributes are recognised and protected from inappropriate subdivision, use and development.
- The benefits of infrastructure are provided irrespective of location.
- Designated land transport corridors are highly modified areas.

Submitter Number: 836 **Submitter:** Simon Roche

On behalf of: Powerco

Point Number 836.1

Summary of Decision Requested: Retain Policy 6.1.16 Water conservation as notified.

Decision Reasons:

- Provide for the development, operation and maintenance of infrastructure and recognise the role they play in social, economic, cultural and environmental well-being of the district.

Point Number 836.2

Summary of Decision Requested: Retain Objective 6.2.1 National Grid as notified.

Decision Reasons:

- Provide for the development, operation and maintenance of infrastructure and recognise the role they play in social, economic, cultural and environmental well-being of the district.

Point Number 836.3

Summary of Decision Requested: Support Objective 6.3.1 Renewable energy as notified.

Decision Reasons:

- Provide for the development, operation and maintenance of infrastructure and recognise the role they play in social, economic, cultural and environmental well-being of the district.

Point Number 836.4

Summary of Decision Requested: **Retain** Objective 6.4.1 Integration of Infrastructure with Subdivision and Development as notified.

Decision Reasons:

- Provide for the development, operation and maintenance of infrastructure and recognise the role they play in social, economic, cultural and environmental well-being of the district.
- Provides for integration of infrastructure with subdivision, land use and development including electricity services, particularly Objective 6.4.1 and Policy 6.4.3

Point Number 836.5

Summary of Decision Requested: **Retain** Objective 6.5.1 Land Transport network as notified.

Decision Reasons:

- Provide for the development, operation and maintenance of infrastructure and recognise the role they play in social, economic, cultural and environmental well-being of the district.

Point Number 836.6

Summary of Decision Requested: **Retain** the definition of "Operational need" in Chapter 13: Definitions as notified.

Decision Reasons:

- This term helps other plan users understand that requirements for infrastructure and that there is not always a choice in their design and location.
- Infrastructure often has to traverse, locate or operate in a particular environment because it can only occur in that environment or because of technical or operational constraints.
- Creates more certainty for the submitter around the ability to establish assets where necessary, particularly within sensitive environments.
- The submitter undergoes a rigorous route selection process to identify the best location for infrastructure, taking into consideration a number of environmental and economic factors.

Point Number 836.7

Summary of Decision Requested: **Retain** the definition of "Functional need" in Chapter 13: Definitions as notified.

Decision Reasons:

- This term helps other plan users understand that requirements for infrastructure and that there is not always a choice in their design and location.
- Infrastructure often has to traverse, locate or operate in a particular environment because it can only occur in that environment or because of technical or operational constraints.
- Creates more certainty for the submitter around the ability to establish assets where necessary, particularly within sensitive environments.
- The submitter undergoes a rigorous route selection process to identify the best location for infrastructure, taking into consideration a number of environmental and economic factors.

Point Number 836.8

Summary of Decision Requested: **Retain** inclusion of electricity storage, and generators (less than 10m2 in area and 2.5m in height in the definition of "Network utility operator" in Chapter 13: Definitions.

Decision Reasons:

- These small-scale generators are not visually intrusive and do not create adverse visual or dominance effects on the environment or neighbouring properties. Therefore, their use and placement should not trigger the need for a resource consent.
- They are often located in rural or isolated areas, where access to the electricity grid is not always possible or practical, which lessens any visual effects.

Point Number 836.9

Summary of Decision Requested: **Retain** the definition of "Earthworks" in Chapter 13: Definitions as notified.

Decision Reasons:

- No reasons provided.

Point Number 836.10

Summary of Decision Requested: **Add** a definition of 'Support structures' in Chapter 13: Definitions as follows (or similar words or planning options to address the issues raised):

Support Structure

Support Structure means any structure associated with a network utility and includes, but is not limited to, support poles and towers for lines, navigational aids, meteorological installations, and similar structures. It does not include lines, antennas and masts.

AND

Add exclusions for "support structures" to Rule 14.2.1.1 (1) (b) (c) and (d) Permitted activities (or alternative planning options to address the issues raised).

Decision Reasons:

- A new definition is suggested due to the locational requirements of support structures and their minimum required height to achieve safe separation distances between conductors, the public, traffic and buildings.

Point Number 836.11

Summary of Decision Requested: Amend the definition of "Minor infrastructure structure" in Chapter 13: Definitions as follows:
Means any above-ground box-like structure or enclosure associated with infrastructure or that receives or transmits to or from any part of an infrastructure network, which includes:
(a) electricity junction pillars
(b) transformers (including pole mounted transformers);
(c) regulator stations;
(d) compressor stations; and
(e) pumping stations.

Decision Reasons:

- Inclusion of regulator stations, compressor stations and pumping stations and pole mounted transformers will provide more clarity around rules.

Point Number 836.12

Summary of Decision Requested: Retain Rule 14.2.1.1 - Permitted Activities which allows for new infrastructure as a permitted activity not exceeding 10m2 in area above ground and 2.5m in height as a permitted activity.

AND

Amend Rule 14.2.1.1 (2) Permitted Activities relating to P1 New Infrastructure as follows (or alternative wording or planning approach to address the issues raised) as follows:

(2) The conditions in Rule 14.2.1.1(1) do not apply to:

...

(e) Support structures for the distribution of electricity.

Decision Reasons:

- This rule allows for new infrastructure as a permitted activity, not exceeding 10m2 in area above-ground and 2.5m in height is supported.
- The Proposed District Plan includes support structures in the definition of "infrastructure".
- Under Rule 14.12.1.1(1)(b)(c) and (d) all new infrastructure is required to comply with height to boundary within various zones and be under 2.5m in height.
- This is not practical, due to the locational requirements of support structures and their minimum required height to achieve safe separation between conductors, the public, traffic and buildings.

Point Number 836.13

Summary of Decision Requested: Retain Chapter 14.2 rules relating to all infrastructure as notified, except where rules are specifically addressed elsewhere in the submission.

Decision Reasons:

- In general, the submitter supports Chapter 14.2 as drafted apart from the sections specifically addressed.

Point Number 836.14

Summary of Decision Requested: Retain section 14.1(1) Introduction as notified.

Decision Reasons:

- Considering utilities on a district-wide basis and within a separate section will assist in the administration of the Proposed District Plan and enable both network utility operators and community to determine an activity status.
- The submitter supports the clear statement in the first sentence of section 14.1 (1).

Point Number 836.15

Summary of Decision Requested: Amend Rule 14.2.3 D1 Discretionary Activities so that Infrastructure in identified areas is a Discretionary activity rather than non complying:

Any infrastructure not specifically listed within Chapter 14, including associated earthworks, ~~not locate and those~~ within an Identified Area.

AND

Delete Rule 14.2.3 NC3 Non complying activities.

Decision Reasons:

- The submitter considers that new infrastructure in "identified areas" should be a discretionary activity rather than a non-complying activity.

Point Number 836.16

Summary of Decision Requested: Amend Rule 14.2.3 Non-Complying Activities as follows:

~~14.2.34~~ Non-Complying Activities

AND

Delete 14.2.3 NC1 Non-Complying Activities.

Decision Reasons:

- Correct the numbering of the rules.
- Rule 14.2.3NC1 is considered to be too onerous and requires providers to prove they comply with electric and magnetic field emissions standards. This would require proving compliance each time work is undertaken.
- The electric magnetic field produced by Powerco's infrastructure are well below that of the levels allowed by the International Commission on Non-ionising Radiation Protection Guidelines.
- Given the low levels, it is suggested that this rule is deleted.
- Issue of electromagnetic field emissions is adequately managed through performance standard 14.2.1.3(1)

Point Number 836.17

Summary of Decision Requested: Retain Activity specific conditions 14.3.1.4 Permitted Activities relating to P5, except for the amendments sought below

AND

Amend Activity-specific conditions 14.3.1.4 Permitted Activities relating to P5 as follows:

(1) Any trimming, maintenance or removal of vegetation or trees associated with infrastructure that meet all of the following conditions:

(a) No tree identified in Schedule 30.2 is removed;

(b) Any required trimming of a tree identified in Schedule 30.2 is either:

(i) To remove dead, dying or diseased branches and the tree work is undertaken by a works and Utilities Approved arborist and; or

...

Note: Trees in and around electrical assets are required to be in accordance with the Electricity (Hazards from Trees) Regulations 2003 and be undertaken by a Utilities Approved Arborist.

Decision Reasons:

- No reasons provided.

Point Number 836.18

Summary of Decision Requested: **Retain** Activity Table 14.5.1 Permitted Activities and in particular Activity specific condition 14.5.1.1, except where rules are specifically addressed elsewhere in the submission.

Decision Reasons:

- Provides for lines and support structures as permitted if not exceeding 110KV, a height of 25m or 30m for co-location of two operators.

Point Number 836.19

Summary of Decision Requested: **Amend** Activity specific condition 14.5.1.2 Permitted activities relating to P4 as follows:

(a) Substations and associated transformers and switching stations distributing electricity that comply with the following:

...

(ii) Are located within the Business Zone, Business Town Centre Zone, Tamahere Business zone, Te Kowhai Airpark ZONE, Industrial Zone, Heavy Industrial Zone and Motor Sport and Recreation Zone; and the Rural Zone.

...

Decision Reasons:

- The Proposed District Plan permits lines and support structures in the Rural Zone, and as it is not considered to be a sensitive receiving environment the submitter believed substations and associated transformers and switching stations should also be permitted.

Point Number 836.20

Summary of Decision Requested: **Delete** Rule 14.5.2 RD2 Restricted Discretionary Activities

AND

Add a new non-complying activity rule as follows:

14.5.4 Non-Complying Activities

The activities listed below are non-complying activities:

NC1

Construction or alteration of a building for a sensitive land use that does not comply with Rule 14.5.1.3 (g),

Decision Reasons:

- Requests this becomes a non-complying activity to ensure such activities are discouraged

Point Number 836.21

Summary of Decision Requested: **Retain** Activity Table 14.6.1 Permitted activities, in particular P1 and P4 and the associated performance standards, except where rules are specifically addressed elsewhere in the submission.

AND

Amend Activity-specific condition 14.6.1.1(j) Permitted activities relating to to read:

(j) Solar panels on the roof of a building must not exceed 1.5m in height above the existing roof; or attached to a ground mounted frame

Decision Reasons:

- The submitter has small scale electricity generation units with solar panels that are at times attached to a ground mounted frame. Solar panels attached in this manner are not covered in the plan and therefore default to a non-complying activity.
- The effects of a small scale solar panel attached to a ground mounted frame are not significantly different to those attached to a building.

Point Number 836.22

Summary of Decision Requested: No specific decision sought, however the submitter seeks to ensure that the Proposed District Plan takes into account higher order documents with regards to infrastructure.

Decision Reasons:

- Give effect to higher order documents.

Point Number 836.23

Summary of Decision Requested: No specific decision sought, but submission states it is unclear if Rule 14.5.1 supersedes Rule 14.2.1 for new infrastructure and Rule 14.5.3 which makes new infrastructure in identified areas non-complying.

Decision Reasons:

- No reasons provided.

Point Number 836.24

Summary of Decision Requested: Amend the matters of discretion in Rule 14.5.2 RD1 Restricted Discretionary Activities as follows:

(a) Discretion is restricted to:

(i) The functional need and operational need of, and benefits derived from, the infrastructure;

(ii) The extent to which alternative technologies and techniques have been considered;

(iii) The extent to which co-location of overhead lines is technically, economically and practically reasonable;

(iv) The extent to which the proposal is in accordance with relevant industry standards and meets specified clearance requirements for operational and safety reasons;

(v) The extent to which the proposal will adversely affect the amenity values of the site and locality;

(vi) The extent to which there are difficult ground conditions, topography or obstructions which make undergrounding impractical.

Decision Reasons:

- No reasons provided.

Point Number 836.25

Summary of Decision Requested: Retain Policy 6.2.2- Recognise the national grid as notified.

Decision Reasons:

- Provide for the development, operation and maintenance of infrastructure and recognise the role they play in social, economic, cultural and environmental well-being of the district.

Point Number 836.26

Summary of Decision Requested: Retain Policy 6.2.3- Operation and development of the National Grid as notified.

Decision Reasons:

- Provide for the development, operation and maintenance of infrastructure and recognise the role they play in social, economic, cultural and environmental well-being of the district.

Point Number 836.27

Summary of Decision Requested: Retain Policy 6.2.4- Maintenance and minor upgrade the National Grid as notified.

Decision Reasons:

- Provide for the development, operation and maintenance of infrastructure and recognise the role they play in social, economic, cultural and environmental well-being of the district.

Point Number 836.28

Summary of Decision Requested: Retain Policy 6.2.5- Environmental effects as notified.

Decision Reasons:

- Provide for the development, operation and maintenance of infrastructure and recognise the role they play in social, economic, cultural and environmental well-being of the district.

Point Number 836.29

Summary of Decision Requested: Retain Policy 6.2.6- Reverse sensitivity and the National Grid as notified.

Decision Reasons:

- Provide for the development, operation and maintenance of infrastructure and recognise the role they play in social, economic, cultural and environmental well-being of the district.

Point Number 836.30

Summary of Decision Requested: Retain Policy 6.3.2- Utilising energy efficiency as notified.

Decision Reasons:

- Provide for the development, operation and maintenance of infrastructure and recognise the role they play in social, economic, cultural and environmental well-being of the district.

Point Number 836.31

Summary of Decision Requested: Retain Policy 6.3.3- Enabling renewable electricity generation as notified.

Decision Reasons:

- Provide for the development, operation and maintenance of infrastructure and recognise the role they play in social, economic, cultural and environmental well-being of the district.

Point Number 836.32

Summary of Decision Requested: **Retain** Chapter 14 Infrastructure and Energy as a separate section within the Proposed Waikato District Plan.
AND
Retain Chapter 6 Infrastructure as an Infrastructure chapter covering objectives and policies for utilities on a district-wide basis.

Decision Reasons:

- Containing these in a separate chapter will assist with plan administration and allow for the determination of an activity status to be much easier.

Point Number 836.33

Summary of Decision Requested: **Amend** Policy 3.4.3(a)(i) Maintaining and enhancing Significant Amenity Landscapes as follows:
(i) requiring buildings and structures (excluding support structures) to be integrated into the Significant Amenity Land to minimise any visual impacts;
OR
Add an introduction to Chapter 6 Infrastructure to clearly state that these objectives and policies supersede underlying zone and overlay objectives and policies.

Decision Reasons:

- Support structures come in standard sizes and materials to meet a functional need and achieve electrical safety requirements.
- They cannot be painted or planted around to mitigate visual effects.
- Support structures and lines are already in the existing environment of Significant Amenity Landscapes and does not detract from these areas.
- Given the narrow width of the narrow width of support structures and limited visibility of the lines existing within these landscapes, it is considered they be excluded from this policy.

Point Number 836.34

Summary of Decision Requested: **Retain** Objective 6.1.1 Development, operation and maintenance of infrastructure as notified.

Decision Reasons:

- Provide objectives and policies for the development, operation and maintenance of infrastructure and recognise the role they play in social, economic, cultural and environmental well-being of the district.
- This sentiment is supported by the submitter.

Point Number 836.35

Summary of Decision Requested: **Retain** Policy 6.1.2 Development, operation and maintenance as notified.

Decision Reasons:

- Provide for the development, operation and maintenance of infrastructure and recognise the role they play in social, economic, cultural and environmental well-being of the district.
- Recognises the functional and operational needs of infrastructure and is supported, along with the new definitions of these terms in Chapter 13.
- Recognises the importance of allowing for flexibility for operators to use new technological advances.

Point Number 836.36

Summary of Decision Requested: **Retain** Policy 6.1.3 Technological advances as notified.

Decision Reasons:

- Provide for the development, operation and maintenance of infrastructure and recognise the role they play in social, economic, cultural and environmental well-being of the district.
- Recognises the importance of allowing for flexibility for operators to use new technological advances.

Point Number 836.37

Summary of Decision Requested: **Retain** Policy 6.1.4 Infrastructure benefits as notified.

Decision Reasons:

- Provide for the development, operation and maintenance of infrastructure and recognise the role they play in social, economic, cultural and environmental well-being of the district.

Point Number 836.38

Summary of Decision Requested: **Retain** Policy 6.1.5 Natural hazards and climate change as notified.

Decision Reasons:

- Provide for the development, operation and maintenance of infrastructure and recognise the role they play in social, economic, cultural and environmental well-being of the district.

Point Number 836.39

Summary of Decision Requested: **Add** an introduction to Chapter 6 Infrastructure as follows (or words to similar effect):
Introduction
The provisions within this chapter of the district plan apply across the district in all zones. The underlying zone objectives and policies do not apply to infrastructure activities unless specifically referred to within this chapter.

Decision Reasons:

- Prefer a clear statement indicating that the underlying zone and overlay objectives and policies do not apply to infrastructure activities unless specifically referred to within this chapter.

Point Number	836.40
Summary of Decision Requested:	Retain Policy 6.1.7 Reverse sensitivity and infrastructure as notified.
Decision Reasons:	<ul style="list-style-type: none"> Provide for the development, operation and maintenance of infrastructure and recognise the role they play in social, economic, cultural and environmental well-being of the district.
Point Number	836.41
Summary of Decision Requested:	Retain Policy 6.1.8 Infrastructure in the community and identified areas as notified.
Decision Reasons:	<ul style="list-style-type: none"> Provide for the development, operation and maintenance of infrastructure and recognise the role they play in social, economic, cultural and environmental well-being of the district.
Point Number	836.42
Summary of Decision Requested:	<p>Retain Objective 6.1.6 Reverse Sensitivity, except for the amendments sought below</p> <p>AND</p> <p>Amend Objective 6.1.6 Reverse Sensitivity as follows:</p> <p><i>(a) Infrastructure is protected from reverse sensitivity effects, and infrastructure (including the National Grid <u>and regionally significant infrastructure</u>) is not compromised.</i></p>
Decision Reasons:	<ul style="list-style-type: none"> Avoiding reverse sensitivity effects on infrastructure is supported, however seek that regionally significant infrastructure is explicitly provided for.
Point Number	836.43
Summary of Decision Requested:	<p>Retain Policy 6.1.9- Environmental effects, community health, safety and amenity, except for the amendments sought below</p> <p>AND</p> <p>Amend Policy 6.1.9 Environmental effects, community health, safety and amenity as follows:</p> <p><i>(a) Require the development, operation, maintenance, repair, replacement, upgrading and removal of infrastructure and its associated structures to avoid, remedy or mitigate <u>significant adverse effects as far as reasonably practicable</u>, on the environment, community health, safety and amenity.</i></p>
Decision Reasons:	<ul style="list-style-type: none"> The policies need to take into account that the electricity infrastructure may often traverse sensitive landscapes and multiples zones and overlays. The form and function of utilities is generally consistent irrespective of the zone in which they are located. It is difficult to meet the provision requiring the consideration of the qualities and characteristics of surrounding environments. Focus on avoiding significant adverse effects as what is reasonably practicable. Submitter would like to see recognition that network utilities cannot always be located to avoid all adverse effects on communities.
Point Number	836.44
Summary of Decision Requested:	<p>Retain Policy 6.1.10 Infrastructure in identified areas, except for the amendments sought below</p> <p>AND</p> <p>Amend Policy 6.1.10 Infrastructure in identified areas as follows:</p> <p><i>(a) <u>Where possible and taking into account the lineal needs of infrastructure, and that the form and function of utilities is generally consistent irrespective of the zone, infrastructure must ensure consideration of the values, qualities and characteristics of Significant Natural Areas, Landscape and Natural Character Areas and Heritage Items when proposing new infrastructure or undertaking significant upgrades to existing infrastructure.</u></i></p>
Decision Reasons:	<ul style="list-style-type: none"> The policies need to take into account that the electricity infrastructure may often traverse sensitive landscapes and multiples zones and overlays. The form and function of utilities is generally consistent irrespective of the zone in which they are located. It is difficult to meet the provision requiring the consideration of the qualities and characteristics of surrounding environments. Focus on avoiding significant adverse effects as what is reasonably practicable. Submitter would like to see recognition that network utilities cannot always be located to avoid all adverse effects on communities.
Point Number	836.45
Summary of Decision Requested:	Retain Policy 6.1.11 Undergrounding new infrastructure as notified.
Decision Reasons:	<ul style="list-style-type: none"> Provide for the development, operation and maintenance of infrastructure and recognise the role they play in social, economic, cultural and environmental well-being of the district. The above grounding of infrastructure is often needed or required for operational, functional, technical, cultural or economic reasons.
Point Number	836.46
Summary of Decision Requested:	Retain Policy 6.1.12 Co-location of compatible facilities as notified.
Decision Reasons:	<ul style="list-style-type: none"> Provide for the development, operation and maintenance of infrastructure and recognise the role they play in social, economic, cultural and environmental well-being of the district.
Point Number	836.47
Summary of Decision Requested:	Retain Policy 6.1.13 Future growth areas as notified.

Decision Reasons:

- Provide for the development, operation and maintenance of infrastructure and recognise the role they play in social, economic, cultural and environmental well-being of the district.

Point Number 836.48

Summary of Decision Requested: Retain Policy 6.1.14 Electromagnetic and radio frequency fields, as notified.

Decision Reasons:

- Provide for the development, operation and maintenance of infrastructure and recognise the role they play in social, economic, cultural and environmental well-being of the district.

Point Number 836.49

Summary of Decision Requested: Retain Policy 6.1.15 Raglan navigation beacons as notified.

Decision Reasons:

- Provide for the development, operation and maintenance of infrastructure and recognise the role they play in social, economic, cultural and environmental well-being of the district.

Point Number 836.50

Summary of Decision Requested: Retain Policy 6.3.4- Future renewable electricity as notified.

Decision Reasons:

- Provide for the development, operation and maintenance of infrastructure and recognise the role they play in social, economic, cultural and environmental well-being of the district.

Point Number 836.51

Summary of Decision Requested: Retain Policy 6.3.5-Existing renewable electricity facilities as notified.

Decision Reasons:

- Provide for the development, operation and maintenance of infrastructure and recognise the role they play in social, economic, cultural and environmental well-being of the district.

Point Number 836.52

Summary of Decision Requested: Retain Objective 6.3.6- Non-renewable energy as notified.

Decision Reasons:

- Provide for the development, operation and maintenance of infrastructure and recognise the role they play in social, economic, cultural and environmental well-being of the district.

Point Number 836.53

Summary of Decision Requested: Retain Policy 6.3.7- Recognise non-renewable energy resources as notified.

Decision Reasons:

- Provide for the development, operation and maintenance of infrastructure and recognise the role they play in social, economic, cultural and environmental well-being of the district.

Point Number 836.54

Summary of Decision Requested: Retain Policy 6.4.2- Provide adequate infrastructure as notified.

Decision Reasons:

- Provide for the development, operation and maintenance of infrastructure and recognise the role they play in social, economic, cultural and environmental well-being of the district.
- Provides for integration of infrastructure with subdivision, land use and development including electricity services, particularly Objective 6.4.1 and Policy 6.4.3.

Point Number 836.55

Summary of Decision Requested: Retain Policy 6.4.3- Infrastructure Location and Services as notified.

Decision Reasons:

- Provide for the development, operation and maintenance of infrastructure and recognise the role they play in social, economic, cultural and environmental well-being of the district.
- Provides for integration of infrastructure with subdivision, land use and development including electricity services, particularly Objective 6.4.1 and Policy 6.4.3.

Point Number 836.56

Summary of Decision Requested: Retain Policy 6.4.4- Road and rail network as notified.

Decision Reasons:

- Provide for the development, operation and maintenance of infrastructure and recognise the role they play in social, economic, cultural and environmental well-being of the district.
- Provides for integration of infrastructure with subdivision, land use and development including electricity services, particularly Objective 6.4.1 and Policy 6.4.3.

Point Number 836.57

Summary of Decision Requested: Retain Policy 6.4.5- Roading infrastructure as notified.

Decision Reasons:

- Provide for the development, operation and maintenance of infrastructure and recognise the role they play in social, economic, cultural and environmental well-being of the district.
- Provides for integration of infrastructure with subdivision, land use and development including electricity services, particularly Objective 6.4.1 and Policy 6.4.3.

Point Number 836.58

Summary of Decision Requested: Retain Policy 6.4.6- Stormwater and drainage as notified.

Decision Reasons:

- Provide for the development, operation and maintenance of infrastructure and recognise the role they play in social, economic, cultural and environmental well-being of the district.
- Provides for integration of infrastructure with subdivision, land use and development including electricity services, particularly Objective 6.4.1 and Policy 6.4.3.

Point Number 836.59

Summary of Decision Requested: Retain Policy 6.4.7- Stormwater as notified.

Decision Reasons:

- Provide for the development, operation and maintenance of infrastructure and recognise the role they play in social, economic, cultural and environmental well-being of the district.
- Provides for integration of infrastructure with subdivision, land use and development including electricity services, particularly Objective 6.4.1 and Policy 6.4.3.

Point Number 836.60

Summary of Decision Requested: Retain Policy 6.5.2- Construction and operation of the land transport network as notified.

Decision Reasons:

- Provide for the development, operation and maintenance of infrastructure and recognise the role they play in social, economic, cultural and environmental well-being of the district.

Point Number 836.61

Summary of Decision Requested: Retain Policy 6.5.3-Road hierarchy and function as notified.

Decision Reasons:

- Provide for the development, operation and maintenance of infrastructure and recognise the role they play in social, economic, cultural and environmental well-being of the district.

Point Number 836.62

Summary of Decision Requested: Retain Policy 6.5.4- Road standards as notified.

Decision Reasons:

- Provide for the development, operation and maintenance of infrastructure and recognise the role they play in social, economic, cultural and environmental well-being of the district.

Point Number 836.63

Summary of Decision Requested: Retain Policy 6.5.5- Road safety as notified.

Decision Reasons:

- Provide for the development, operation and maintenance of infrastructure and recognise the role they play in social, economic, cultural and environmental well-being of the district.

Point Number 836.64

Summary of Decision Requested: Retain Policy 6.5.6- Network utility location as notified.

Decision Reasons:

- Provide for the development, operation and maintenance of infrastructure and recognise the role they play in social, economic, cultural and environmental well-being of the district.

Point Number 836.65

Summary of Decision Requested: Retain Policy 6.5.7- Vehicle access as notified.

Decision Reasons:

- Provide for the development, operation and maintenance of infrastructure and recognise the role they play in social, economic, cultural and environmental well-being of the district.

Point Number 836.66

Summary of Decision Requested: Add a new introduction to Chapter 14: Infrastructure and Energy as follows:

Introduction

The provisions within this chapter of the district plan apply across the district in all zones. The underlying zone objectives and policies do not apply to infrastructure activities unless specifically referred to within this chapter.

Decision Reasons:

- Considering utilities on a district-wide basis and containing all rules in a separate section will assist with plan administration.
- Enable both network utility operators and the community to be able to easily determine the status of an activity.

Point Number 836.67

Summary of Decision Requested: Retain Rule 14.3.1.3- Permitted Activities particularly clause 3 (b) and 3 (c) as notified.

Decision Reasons:

- Submitter supports Rule 14.3.1.3, particularly clause 3 (b) and (c) as drafted, for earthworks associated with infrastructure in Significant Amenity Landscape (SAL) permitting 50m3/250m2 and allowing aggregate/metal to be used in associated with underground infrastructure.

Point Number 836.68

Summary of Decision Requested: Retain Rule 14.3.1.1 Permitted Activities relating to P9 as notified.

Decision Reasons:

- Submitter supports Rule 14.3.1.7 P9, as drafted, which allows for minor infrastructure structure provided there is no connection to an area, façade or item specifically listed in Schedule 30.1.

Point Number 836.69

Summary of Decision Requested: Retain Rule 14.3.1.7 Permitted Activities relating to P11 as notified.

Decision Reasons:

- Submitter supports Rule 14.3.1.7 P11, as drafted, allowing signage associated with infrastructure that is required for health and safety or asset identification purposes and/or required by legislation.
- Powerco uses signs on its electricity assets for the purposes of asset identification and warning people of health and safety hazards, as required by other legislation. Such signs are important for the identification of assets and to warn the public of health and safety risk associated with utilities (such as high voltage electricity) or safety requirements for temporary works within the vicinity of the assets.

Point Number 836.70

Summary of Decision Requested: Retain Rule 14.3.1.8 Permitted Activities relating to P12 as notified.

Decision Reasons:

- Submitter is support of the criteria given the growth in the Waikato region. This ensures network utility operators have early involvement in the development of land in order to provide adequate servicing.

Point Number 836.71

Summary of Decision Requested: No specific decision sought, but submission seeks clarification around the "Coastal Environment" overlay, where Powerco assets are located and how the overlay fits within the District Plan. The submission seeks clarification as to what rules apply in the Coastal Environment.

Decision Reasons:

- The plan outlines "Identified Areas" included in the activity table in the Chapter 14: Infrastructure and Energy, but "Coastal Environment" is not included. Submitter understands this may occur in stage 2 of the plan development, which covers natural hazards and climate change.

Point Number 836.72

Summary of Decision Requested: Amend the Proposed District Plan to clearly outline and cross reference any applicable zone or overlay provisions that supersede any objectives, policies and rules within the "Infrastructure" Chapters.

Decision Reasons:

- Any applicable zone or overlay provisions, that supersede any objectives, policies and rules within the "Infrastructure" chapters should be clearly outlined, and cross referenced within "Infrastructure" chapters.

Point Number 836.73

Summary of Decision Requested: Retain the generally permissive nature of rules around development, operation, maintenance, repair, replacement, upgrading and removal of infrastructure,

Decision Reasons:

- No reasons provided.

Point Number 836.74

Summary of Decision Requested: Retain Activity Table 14.2.1 relating to all infrastructure as notified except where rules are specifically addressed elsewhere in the submission.

Decision Reasons:

- No reasons provided.

Point Number

836.75

Summary of Decision Requested:

Retain Activity Table 14.3.1 relating to all infrastructure as notified except where rules are specifically addressed elsewhere in the submission.

Decision Reasons:

- No reasons provided.

Submitter Number:

837

Submitter:

Stuart Seath

Point Number

837.1

Summary of Decision Requested:

Amend the zoning at 679 Whatawhata Road, Whatawhata from Rural Zone to Country Living Zone.

Decision Reasons:

- The property is close to the Hamilton Boundary.
- The property is uneconomic and not suitable for farming activities.
- The surrounding properties are being subdivided.
- The application of the Country Living Zone would enable better utilisation of the land.

Point Number

837.2

Summary of Decision Requested:

Delete Rule 22.4.1.2 RD1 (a)(i) General Subdivision in relation to the property at 679 Whatawhata Road, Whatawhata.

Decision Reasons:

- The general subdivision rules are restrictive and unreasonable. The rules should enable the subdivision of uneconomic blocks.
- This would provide for better utilisation of the property.

Point Number

837.3

Summary of Decision Requested:

Delete Rule 22.4.1.2 RD1 (a)(iii) General Subdivision, in relation to the property at 679 Whatawhata Road, Whatawhata.

Decision Reasons:

- The general subdivision rules are restrictive and unreasonable. The rules should enable the subdivision of uneconomic blocks.
- This would provide for better utilisation of the property.

Submitter Number:

838

Submitter:

Madsen Lawrie Consultants

Point Number

838.1

Summary of Decision Requested:

Amend Rule 16.3.2(a)(i) Minor dwelling to reduce the net site area required for a minor dwelling to 600m².

Decision Reasons:

- Having a requirement for a 900m² net site area to establish a minor dwelling seems redundant given that subdivision to allow two primary dwellings on site has the same net site area requirement.
- As a result, there should be a smaller net site area requirement for a minor dwelling.
- Multi-unit development in the residential zone allows 1 residential unit per 300m³. Such multi-unit development allows greater dwelling capacity.
- The net site area requirement for a minor dwelling would be more appropriate at 600m² in line with a multi-unit development and the allowable subdivision lot size of 450m².

Point Number

838.2

Summary of Decision Requested:

Amend Rule 16.4.1(a)(i) Subdivision - General to reduce the net site area requirement from 450m² to 300-350m² for subdivisions in the Residential Zone.

Decision Reasons:

- A minimum net site of 450m² is too large to adequately reduce urban sprawl and provide concentrated areas of urban development.
- Higher density development in residential zoned areas should be promoted to preserve and maintain the regions land resources especially as land outside of residential areas is largely used for activities that produce economic gain for the district.

Point Number

838.3

Summary of Decision Requested:

Amend Rule 16.4.1(a)(iv) Subdivision - General to increase the allowable percentage of rear lots when creating 4 or more lots.

Decision Reasons:

- A rear lot percentage not exceeding 15% is unrealistic.
- If a site was to be subdivided to create 4 or more lots a requirement of less than 15% rear lots would mean that none of these lots would be able to be a rear lot.
- For many properties, the size and shape of the lot will dictate the rear lots are required to a percentage of up to 40%-50% to allow for appropriate future development and compliant building platforms and associated outdoor living/outlook spaces.

Point Number

838.4

Summary of Decision Requested:	Amend Rule 16.4.11(a) Subdivision - Road frontage to reduce the requirement for a 15m road frontage for every lot with a road boundary.
Decision Reasons:	<ul style="list-style-type: none"> • 15m of road frontage is excessive and a high width requirement such as this will promote non-compliance with rear lot percentages in certain situations.
Point Number	838.5
Summary of Decision Requested:	Amend Rule 16.4.12(a) Subdivision - Building platform to reduce the size of the building platform required.
Decision Reasons:	<ul style="list-style-type: none"> • The proposed building platform sizes are large and a smaller size would be more suitable in the Residential Zone, particularly where multi-storey dwellings are appropriate.
Point Number	838.6
Summary of Decision Requested:	Amend Rule 17.3.6(a)(i) Dwelling to clarify that this rule is relevant to multi-storey developments with road frontage only in the Business Zone.
Decision Reasons:	<ul style="list-style-type: none"> • A dwelling at ground level should be permitted, provided the dwelling does not have road frontage.
Point Number	838.7
Summary of Decision Requested:	Retain Rule 22.2.3.1(P2)(a) Earthworks - General with a threshold of 1000m3 for permitted earthworks on a site.
Decision Reasons:	<ul style="list-style-type: none"> • This is an appropriate volume for rural sites.
Point Number	838.8
Summary of Decision Requested:	Amend Rule 22.3.7.1(a)(iii) Building setbacks - all boundaries to reduce the required boundary setback from adjoining sites over 6ha.
Decision Reasons:	<ul style="list-style-type: none"> • There are a lot of titles in Franklin that are smaller than 8,000m2 specified in the Proposed District Plan as these have been approved under the Franklin Section of the Operative District Plan that allows subdivision to a lot size of 2,500m2. • Implementing a 25m setback from adjoining sites that are over 6ha could be very challenging on such sites.
Point Number	838.9
Summary of Decision Requested:	Add to Rule 22.4.1.1PR3(c) Prohibited subdivision as follows: <i>(c) Rule PR3(a) does not apply to the following:</i> ... <i>(iii) a transferable title subdivision in the former Franklin District on a parent Certificate of Title that existed prior to 6 December 1997.</i>
Decision Reasons:	<ul style="list-style-type: none"> • No reason provided.
Point Number	838.10
Summary of Decision Requested:	Amend Rule 22.4.1(a)(iv) Boundary relocation to reduce the minimum lot size resulting from boundary relocation to at least 4,000m2, if not 2,500m2. OR Amend Rule 22.4.1.4(a)(iv) Boundary relocation to include a specific clause enabling boundary relocation for pre-existing lots smaller than 8,000m2 that have been previously created via compliance with the Franklin Section of the Operative Waikato District Plan.
Decision Reasons:	<ul style="list-style-type: none"> • Under the Operative Waikato District Plan Franklin Section, there is provision for lot size of down to 2,500m2 in the Rural Zone. • By imposing a minimum lot size requirement of 8,000m2 for lots resulting from boundary relocation it would preclude lots smaller than 8,000m2 that have been created under the current Franklin section of the Operative District Plan from being able to undertake boundary relocation subdivision in the future. • A minimum lot size of 8,000m2 will only serve to fragment rural land and potentially designate productive land for inappropriate use in large residential lots. • 8,000m2 is not a management sized lot and rural usage of the land will not be utilised to its full potential.
Point Number	838.11
Summary of Decision Requested:	Retain the indicated areas to be legally protected and the resultant maximum number of new records of title in Rule 22.4.1.6(a)(i) Conservation lot subdivision as notified.
Decision Reasons:	<ul style="list-style-type: none"> • The proposed contiguous area required for the production of new records of title are achievable and appropriate within the region and will serve to protect generous regions of significant natural areas.
Point Number	838.12
Summary of Decision Requested:	Add clarification of the term "contiguous area" and a "Significant Natural Area", as contained in Rule 22.4.1.6(a)(i) Conservation lot subdivision.
Decision Reasons:	<ul style="list-style-type: none"> • Further definition of this term will aid in the interpretation of the rule and will assist in the identification of areas eligible for subdivision under this rule.

Point Number 838.13

Summary of Decision Requested: **Amend** Rule 22.4.1.6(a)(vi) Conservation lot subdivision to reduce the minimum lot size requirement from 8,000m² to 2,500m² or 4,000m².

Decision Reasons:

- A minimum lot size of 8,000m² will only serve to fragment rural land and potentially designate productive land for inappropriate use in large residential lots.
- 8,000m² is not a manageable-sized lot and rural usage of the land will not be utilised to its full potential.
- The Franklin region has been allowed to subdivide down to 2500m² in the Rural Zone and this needs to be considered and incorporated, especially with regard to the existing rural character.
- Regional Council has a 2500m² minimum in the Rural Zone.

Point Number 838.14

Summary of Decision Requested: **Amend** Rule 22.4.1.6(a)(vii) Conservation lot subdivision to increase the maximum lot size for proposed lots (excluding the balance lot) to more than 1.6ha.

Decision Reasons:

- There should be the opportunity to make lots larger than 1.6ha it is appropriate for the site and will enhance rural activities or is more in character with the surrounding area.

Point Number 838.15

Summary of Decision Requested: **Amend** Rule 22.4.1.6(a)(vii) Conservation lot subdivision by removing references to "of its equivalent in a previous District Plan". The rule should instead reference any feature protected under the Proposed Plan only.

Decision Reasons:

- This rule appears to preclude any protection of existing unprotected qualifying or significant natural features that since the previous environmental lot subdivision qualify for protection under the proposed rules.

Point Number 838.16

Summary of Decision Requested: **Amend** Rule 23.3.6(P1) Building coverage to increase the percentage of permitted building coverage.

Decision Reasons:

- Total building coverage of 10% or 300m² is too small, rural sized dwellings with accessory buildings could easily exceed this whilst still being entirely appropriate for areas of country living.

Point Number 838.17

Summary of Decision Requested: **Amend** Rule 23.4.2(RD1)(a)(i) General subdivision to decrease the minimum net site area from 5,000m² to 2,500m²-3,500m².

Decision Reasons:

- A minimum lot size of 5,000m² is too large for an area designated as a country living zone.
- A lot size closer to 2,500m² would be more appropriate whilst maintaining a country atmosphere and density development.
- Would be consistent with the Auckland Unitary Plan.
- A minimum lot size of 5,000m² is very generous and has a high probability of resulting in fragmentation of rural land and will potentially designate productive land for inappropriate use in large residential lots.
- 5,000m² is not a manageable sized lot and rural usage of the land will not be maximised.
- Regional Council has a 2,500m² minimum in the rural zone to minimise urban sprawl and best maintain and enable efficient usage of rural land.

Point Number 838.18

Summary of Decision Requested: **Amend** Rule 22.4.1.2 General subdivision to note or refer to exceptions to this rule, as in the Operative District Plan, i.e. those that are classified as Prohibited subdivision.

Decision Reasons:

- Specification of exceptions to this rule will ease interpretation and understanding of the rule.

Point Number 838.19

Summary of Decision Requested: **Add** clarification of the term "Significant Natural Area" in the context of Rule 22.4.1.6(a)(i) Conservation lot subdivision.

Decision Reasons:

- Further definition of this term will aid in the interpretation of the rule and will assist in the identification of areas eligible for subdivision under this rule.

Point Number 838.20

Summary of Decision Requested: **Amend** Rule 22.4.1.2(a)(i) General subdivision to match the issue of title date with the operative date of the Proposed District Plan.

Decision Reasons:

- The Proposed District Plan is incorporating Franklin section titles that have not had this opportunity for subdivision previously so should not be penalised by the implementation of the date restriction which is only relevant to the Waikato section of the Operative District Plan.

Point Number 838.21

Summary of Decision Requested: **Retain** Rule 22.4.1.2(a)(ii) General Subdivision

Decision Reasons:

- This minimum title size is appropriate for the rural area and will serve to not fragment land within the district.

Point Number 838.22

Summary of Decision Requested: **Amend** Rule 22.4.1.2(a)(iii) General subdivision as follows:

The proposed subdivision must create no more than one additional lot, excluding an access, for every compliant parent certificate of title.

Decision Reasons:

- As the rule reads in its current form it is not clear that subdivision must not create more than one lot per every compliant parent certificate of title.
- It could be interpreted that no more than one lot is created per subdivision regardless of the number of compliant parent certificate of titles that are involved.

Point Number 838.23

Summary of Decision Requested: **Amend** Rule 22.4.1.2(a)(iv) General subdivision to reduce the minimum lot size to 4,000m2.

Decision Reasons:

- A minimum lot size requirement of 4,000m2 will allow for some flexibility while still providing generous sized lots appropriate in the Rural Zone.
- A minimum lot size of 8,000m2 will only serve to fragment rural land and potentially designate productive land for inappropriate use in large residential lots.
- 8000m2 is not a manageable sized lot and rural usage of the land within many 8000m2 lots will not be utilised to its full potential.
- Regional council has a 2,500m2 minimum in the Rural Zone which should be considered when designating lot minimum area so as to minimise urban sprawl and best maintain the rural land resources in the district.
- This is particularly relevant for the Franklin area as subdivision is currently allowable to 2,500m2 and for future development to be consistent with existing development a smaller lot size than 8,000m2 would be more appropriate.

Point Number 838.24

Summary of Decision Requested: **Amend** Rule 22.4.1.4(a)(i) Boundary relocation to remove specification of a date for titles undergoing the boundary relocation.

Decision Reasons:

- Imposing a specific date that the titles undergoing boundary relocation have to have been issued before is an excessive restriction and constraints of this level are not appropriate for boundary relocation.
- It is unclear as to what will be achieved by the imposition of such a date.

Submitter Number: 839

Submitter:

Mark Woodham

Point Number 839.1

Summary of Decision Requested: **Retain** the Residential zoning of the property 6257 Great South Road, Horotiu.

Decision Reasons:

- Will provide housing for employees of businesses that have moved into the area
- Provide economic opportunities
- Close proximity to the expressway
- Provides access to river trails
- School is within walking distance
- Will be consistent with the development of surrounding properties.

Submitter Number: 840

Submitter:

Colette Brown

Point Number 840.1

Summary of Decision Requested: **Retain** the Residential zoning of the property at 6257 Great South Road, Horotiu.

Decision Reasons:

- Provides better housing opportunities for the anticipated growth in the area.
- Provide housing for the employees working for the businesses that have moved into the area.
- Close proximity to the expressway and services.
- Will fit in with neighbouring properties.

Submitter Number: 841

Submitter:

Henry Gao

Point Number 841.1

Summary of Decision Requested: **Amend** the zoning of the property at 133 Buckville Road, Buckland from Rural Zone to Country Living Zone.

Decision Reasons:

- The surrounding area to the north and west within Auckland Council's territory is zoned Future Urban under the Auckland Unitary Plan. This means potentially residential housing and therefore a residential environment in this locality rather than a large open space rural environment.
- The property does not contain prime soils
- Given the close proximity to Buckland and Pukekohe, a change in the zoning is a logical progression.

Submitter Number:	842	Submitter:	Patricia Honoria Rogers
On behalf of:	Matthew Rogers, Catherine Rogers, Martin Mooney, Helen Mooney		
Point Number	842.1		
Summary of Decision Requested:	Amend the zoning at 51 Jamieson Road, Buckland, from Rural Zone to Country Living Zone.		
Decision Reasons:	<ul style="list-style-type: none"> The surrounding area to the north and west within the Auckland Council territory boundary has been zoned Future Urban Zone under the Auckland Unitary Plan. This could mean residential housing and therefore a residential environment in this locality, rather than a large open space rural environment. The subject property does not contain prime soils. It is a logical progression in zoning, given the close proximity to the village of Buckland and Pukekohe. 		

Submitter Number:	844	Submitter:	Brett McDougall
On behalf of:	Churchill Property		
Point Number	844.1		
Summary of Decision Requested:	Delete the Significant Natural Area overlays from 980 Churchill Road, Otuiti, Pukekawa.		
Decision Reasons:	<ul style="list-style-type: none"> These are low areas, not suitable for maize crops. It is a drain but is grey willow and elders. The predominant vegetation dries out naturally 4-5 months per year (January to May, sometimes to June), but are also prone to flooding. See submission for photos. 		

Submitter Number:	845	Submitter:	Grace M Wilcock
Point Number	845.1		
Summary of Decision Requested:	Amend maps to show the Significant Natural Areas in Tamahere gullies as being only of local significance and no regional significance.		
Decision Reasons:	<ul style="list-style-type: none"> There is little or no endangered flora or fauna in gullies that are severely compromised due to their content being mostly exotics and weed species such as grape, ivy, hops, blackberry, even in QEII areas. 		
Point Number	845.2		
Summary of Decision Requested:	Add to the text that the Tamahere gully systems are an ecological corridor.		
Decision Reasons:	<ul style="list-style-type: none"> There are few endangered flora/fauna in gullies that are severely compromised – they are mostly exotics and weed species such as grape, ivy, hops, blackberry. 		
Point Number	845.3		
Summary of Decision Requested:	Amend to confirm that the Rosebanks/Windmill gullies are a joined corridor with no gap between 152 Rosebanks Drive and 117 Windmill Road, Hamilton.		
Decision Reasons:	<ul style="list-style-type: none"> The proposed new maps show the Rosebanks/Windmill gullies as a joined corridor with no gap. Require confirmation that this is correct. 		
Point Number	845.4		
Summary of Decision Requested:	Amend the maps to show the boundary of the Significant Natural Areas in Tamahere gullies are at the exact top edge of the gully.		
Decision Reasons:	<ul style="list-style-type: none"> The new Significant Natural Areas appears on the maps to extend beyond the gully edge. This may be a fence line set back from the gully edge. The Significant Natural Area boundary should be at the exact top edge of the gully. 		
Point Number	845.5		
Summary of Decision Requested:	Add text to assure the owners at 117 Windmill Road, RD3, Hamilton that there will be no future incremental/creep on more stringent conditions/rules on Significant Natural Area compliance but still be included as part of land calculations for possible future subdivision.		
Decision Reasons:	<ul style="list-style-type: none"> Meetings in 2015 and 2016 informed residents of Significant Natural Areas, but this review has changed the areas without directly contacting owners Some property owners may not be aware of a Significant Natural Area on their land and all the associated requirements that go along with a Significant Natural Area. The responsibility should be 100% the owners, and 0% the responsibility of the Waikato District Council. 		

Point Number	845.6
Summary of Decision Requested:	Add a new rule to Rule 23.4 Subdivision similar to Policy 3.2.8 (Natural Environment – Incentivise subdivision); AND Amend Policy 3.2.8 Incentivise subdivision, to apply to the Country Living Zone.
Decision Reasons:	<ul style="list-style-type: none"> Property owners in the Country Living Zone are equally affected by this new environmental policy.

Point Number	845.7
Summary of Decision Requested:	Delete walkway at the end of Windmill Road, Hamilton and across the private paddock and creek.
Decision Reasons:	<ul style="list-style-type: none"> This walkway serves no purpose as terrain once leaving the paddock is extremely steep; only experienced hikers would attempt to scale the sides of this gully. The creek area floods frequently and so the gully floor is then inaccessible making this walkway even more impractical. The imposed Significant Natural Area further compromises the submitter's rights.

Point Number	845.8
Summary of Decision Requested:	Amend the Proposed District Plan to ensure that Significant Natural Area land area is included as part of land calculations for possible future subdivision.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.

Submitter Number:	846	Submitter:	Family Jepma
On behalf of:	Family Jepma Trust Account		
Point Number	846.1		
Summary of Decision Requested:	Amend the zoning at 472 Tauwhare Road, Matangi, from Rural Zone to Village Zone; OR Amend the zoning at 472 Tauwhare Road, Matangi, from Rural Zone to Country Living Zone.		
Decision Reasons:	<ul style="list-style-type: none"> Currently there is subdivision in this area and a high demand for lifestyle blocks for families. The submitters are close to the Matangi Village, schooling and social activities and Matangi Hall for sense of community, so future council services may become available this would make it more viable to build to those lots of development It would maintain the semi-rural character of Matangi Property has drain free soil and is a safe walking distance to village. 		

Submitter Number:	850	Submitter:	M & J Balchin
Point Number	850.1		
Summary of Decision Requested:	Retain the Village Zone for the property at 27 Macks Road, Pokeno as notified.		
Decision Reasons:	<ul style="list-style-type: none"> Provides for an efficient use of land resources. Enables the subdivision of land to provide for the growth of the district. The site contains limited development constraints making it an appropriate site for low density residential use. It is in close proximity to the existing urban area of Pokeno. The land comprises easy terrain that is suitable for low density residential development, and efficient use of the urban land resource. The proposal creates low density residential growth within an appropriate area, directing it away from rural and coastal areas in the District. Some of the rural areas of Pokeno contain versatile soils that are used for rural production activities, which contribute significantly to both the regional and national food supply. Intensification of urban land at higher densities should be encouraged within Pokeno residential areas to ensure that land supply requirements meet while preserving soil resources. Maximisation of the lands low density residential development potential will future proof the capacity of land supply to avoid further encroachment into the rural area past the lifetime of the Plan. Village Zone is an appropriate use of the land given its proximity to the urban area of Pokeno. 		

Submitter Number:	851	Submitter:	Windover Downs Ltd
Point Number	851.1		
Summary of Decision Requested:	Amend the zoning of 118F Barnaby Road, Tuakau, from Rural Zone to Village Zone.		
Decision Reasons:	<ul style="list-style-type: none"> Site contains limited development constraints making it an appropriate site for low density residential use (Village). Rural zoning is an inefficient use of a land resource that is in close proximity to the existing urban area of Tuakau. Approximately two-thirds of 118F Barnaby Road comprises easy terrain that is suitable for residential development. Low density residential development will represent an efficient use of the urban land resource. Rezoning the land will provide a buffer from the proposed Residential Zone of the properties immediately south of the site, providing a smoother transition in zoning and typical land uses carried out over this area of land. Water, storm water and wastewater services could be extended down Barnaby Road, or from development of residential land to the south to service the site. 		

- Areas immediately adjacent to the existing Residential zone are likely to be suited to village subdivision due to the availability of water and sewage reticulation.
- Council should give consideration to village subdivision in suitable located areas which are able to utilize urban services.
- Current zoning results in an awkward section of rural land between residential land directly to the south and village zoned land directly to the east and west.
- No assessment in s32 analysis as to why land has been zoned rural.
- Proposal creates low density residential growth within an appropriate area and directs residential growth away from rural and coastal areas in the District.
- Some of the rural areas of Tuakau contain versatile soils that are used for rural production activities, which contribute significantly to both the regional and national food supply.
- Intensification of urban land at higher densities should be encouraged within Tuakau residential areas to ensure that land supply requirements meet while preserving soil resources.
- Maximisation of the land's low density residential development potential will future proof the capacity of land supply to avoid further encroachment into the rural area past the lifetime of the Plan. This site is not made up of elite/prime soils.

Submitter Number:	853	Submitter:	Paul Manuell
Point Number	853.1		
Summary of Decision Requested:	Retain the re-zoning of land for residential use within Tuakau, as notified.		
Decision Reasons:	<ul style="list-style-type: none"> • Overall submission supports the intent of the Proposed District Plan and rezoning of land for residential and business use in the Tuakau area for the following reasons: <ul style="list-style-type: none"> - Consistency with PC16 where extensive resources were invested by Council and landowners which determined the site was suitable for residential development. - Supports financial and resource commitments from land owners involved in previous plan making processes and Resource Consenting processes to develop land in the Tuakau area. - Zoning of residential land gives effect to the NPS on Urban Land Capacity which identifies the Waikato District as a high growth urban area. 		
Point Number	853.2		
Summary of Decision Requested:	Amend the zoning of the property at 36 Barnaby Road, Tuakau, from the Village Zone to Residential Zone.		
Decision Reasons:	<ul style="list-style-type: none"> • Site contains limited development constraints making it an appropriate site for residential use. • Village zoning is an inefficient use of a land resource that is in close proximity to the existing urban area of Tuakau. • Approximately two-thirds of the site comprises easy terrain that is suitable for residential development, an efficient use of the urban land resource. • Water, storm water and wastewater services could be extended down Barnaby Road, or from development of residential land to the east to service the site. • Areas immediately adjacent to the existing Residential zone are likely have water and sewage reticulation available. • Council should give consideration to residential subdivision in suitably located areas that are able to utilize urban services. • Current zoning results in an awkward section of rural land between residential land directly to the south and village zoned land directly to the east and west. • No assessment in s32 analysis as to why land has been zoned rural. • Proposal creates low density residential growth within an appropriate area and directs residential growth away from rural and coastal areas in the District. • Some of the rural areas of Tuakau contain versatile soils that are used for rural production activities, which contribute significantly to both the regional and national food supply. • Intensification of urban land at higher densities should be encouraged within Tuakau residential areas to ensure that land supply requirements meet while preserving soil resources. • Maximisation of the lands low density residential development potential will future proof the capacity of land supply to avoid further encroachment into the rural area past the lifetime of the Plan. • Fails to give effect to the Future Proof Strategy identified in Section 1.5.1 of the Plan around control over rural-residential development and encouraging greater urban densities in existing settlements. • In respect of the strategy the proposed Village zone is considered to be an inefficient use of residential land. 		
Point Number	853.3		
Summary of Decision Requested:	Retain Rule 16.4.1 Subdivision - General, except for Rule 16.4.1 RD1(a)(iii); AND Delete Rule 16.4.1 RD1(a)(iii) Subdivision - General; AND Add new matter of discretion to Rule 16.4.1 RD1(b) Subdivision - General, as follows: <u>Where roads are to be vested in Council, they must follow a grid layout.</u>		
Decision Reasons:	<ul style="list-style-type: none"> • Provides for efficient use of the land resources. • Enables the subdivision of land to provide for the growth of the district. 		
Point Number	853.4		
Summary of Decision Requested:	Delete Rule 16.4.1 RD1(a)(iii) and make it a matter of discretion.		
Decision Reasons:	<ul style="list-style-type: none"> • Accept the grid layouts result in increased permeability, legibility and walkability of residential areas, however the establishment of formal and informal grid patterns may not be appropriate. • Sites with topographical, natural or physical constraints may be unable to practically implement a grid layout. • There may be sites where the lay of the land is best suited to an alternative roading design. • There is no analysis in s32 regarding relevance or practicality of this rule. • Grid layouts are an accepted urban design principle for good subdivision design, yet they are not an absolute response and therefore be use as a principle not enforced through a rule. 		
Point Number	853.5		
Summary of Decision Requested:	Delete Rule 16.4.13 RD1(a) Subdivision creating reserves, and make it a matter of discretion.		
Decision Reasons:			

- Roading infrastructure is expensive and the rule will result in additional costs for developers which may not be justifiable from an economic perspective.
- Enforcement of this rule may increase the cost of development which could be passed onto purchasers.
- It is an arbitrary standard which may not be relevant for all reserve types or developments.
- Safety and surveillance of reserves may be achieved with less road frontage.
- There is no analysis in the s32 stating why the 50% rule has been applied, and while this may be a principle to follow it should not be enforced through a plan.

Submitter Number:	854	Submitter:	Carleys Transport Limited
Point Number	854.1		
Summary of Decision Requested:	Retain the Industrial Zone of the property at 42 Rata Street, Te Kauwhata, as notified (see map attached to submission).		
Decision Reasons:	<ul style="list-style-type: none"> • Provides consistency with previous planning documents. • The zoning ensures suitable Industrial land is provided to support business activities in the Te Kauwhata area. • Ensures the existing established business is located in an appropriate zone. 		
Point Number	854.2		
Summary of Decision Requested:	Amend the zoning of the western portion of the property at 17 Scott Road, Te Kauwhata, from Residential Zone to Industrial Zone, aligning the zone boundary with the open drain (see map attached to submission).		
Decision Reasons:	<ul style="list-style-type: none"> • Rezoning the land identified will reduce the length of Industrial/Residential Zone boundary therefore reducing the number of houses backing onto the Industrial Zone, reducing the potential for conflict and ensures a higher level of amenity. • The proposed zoning does not align with landscape features including a large drain. • Accessing and developing the land on this property for residential purposes will be constrained by the drain. • Zoning has been placed along the property boundary giving little consideration to existing features and constraints of the land resulting in an inefficient and poor zoning decision. • Proposed zoning results in a larger area of residential land adjoining the Industrial Zone. • Zoning may result in conflict between residential and industrial activities as residential land is surrounded by Industrial zoning, which permits more noise, odour, light and dust than residential. • Could result in reverse sensitivity for established industrial activities. 		

Submitter Number:	855	Submitter:	Peter Buckley
Point Number	855.1		
Summary of Decision Requested:	Amend the identification of Significant Natural Areas so that any areas identified as a Significant Natural Areas remain contestable by the landowners until there has been a physical audit undertaken of the area and this audit should be carried out by a panel which should be made up of:		
	<ul style="list-style-type: none"> • An independent Rural representative; • A Council representative; • An ecologist; and • The Landowner or their representative. 		
Decision Reasons:	<ul style="list-style-type: none"> • Majority of problems landowners have with Significant Natural Areas is around the designation rather than definitions of Significant Natural Area. • By allowing the right to contest the designation at any time up until the audit is carried out means any areas that been designated as part of a desktop exercise can either then be accepted or rejected based on scientific and onsite results of an audit. • It would give time for Council to designate the areas that they deem to be Significant Natural Areas, notify all landowners of the designation of a Significant Natural Area and then allow land owners to either agree with designation or to lodge a request for an audit of the area (within a three month window of time from being notified by Council). • The requirement to allow the designation to be contestable would remove the time constraints that are imposed by the current proposal and remove the need for expensive legal action by either landowners or Council due to the arbitrary decision to make all Significant Natural Areas come into force on the date of the enabling legislation without the automatic right of challenge by the landowner. • There is unlikely to be a flood of applications to contest the designation of Significant Natural Areas, unless the Council got the original designation decision wrong based on a lack of adequate scientific information or onsite knowledge underpinning the decision. • Taking away time constraints will remove a lot of heat and angst from this issue, whilst allowing the council to protect any areas that may be Significant Natural Areas from any inappropriate use or development. • Even though contestability would be within any time frame up until a physical audit has been carried out to confirm the designation, the designation in itself would protect the areas from any inappropriate use or development in spite of the contestability remaining. 		
Point Number	855.2		
Summary of Decision Requested:	No specific decision sought, but submission opposes the Significant Natural Area on the property at 1036 Island Block Road, Te Kauwhata, due to the impact that this has on their ability to carry out day to day maintenance work like cleaning of drains within the Significant Natural Area.		
Decision Reasons:	<ul style="list-style-type: none"> • Within the area designated as a Significant Natural Area, landowners cannot carry out any work and this can have a severe effect on their livelihood and land value. 		

Submitter Number:	857	Submitter:	Black Sands Trust
Point Number	857.1		
Summary of Decision Requested:	Retain the Rural Zoning at 2759 River Road, Tuakau (Lot 1 DP 58371), as notified; AND Add a "business overlay area" to the property at 2759 River Road, Tuakau, to allow for current and possible future business activities on the site within the rural environment.		

Decision Reasons:

- The site has not been used for Aggregate Extraction for several years.
- The change in zoning to Rural Zone makes practical sense, because the Aggregate Extraction zone has become redundant.
- The change in zoning will be of similar character to several adjoining sites.
- The Rural Zone will permit one dwelling on the site and the 3.97ha site has ample space to construct a dwelling, which is able to comply the relevant rural standards and still accommodate the approved resource consent activities.
- Rural amenity remains the same as a result of the change in zoning and there will be no change to the wider environment.
- There will be no adverse effects on the Waikato River as River Road and a small Recreation Reserve buffers the site from the river.
- The change will be positive in that land can be used for rural activities.
- Waikato Council recently granted a land use consent for the site 'to utilise existing buildings on the site to establish a nursery/garden centre and a cafe on the site zone Aggregate Extraction Zone' (LUC0040/18).

Submitter Number:

859

Submitter:

Stephen Roberts

Point Number

859.1

Summary of Decision Requested:

Amend the zoning within the proposed subdivisions of Ngaruawahia South Map 20.7 from Residential Zone to Reserve Zone, to create a visual amenity area from Puke-I-aahua Pa site (Havelock Hill) to the knoll (see map attached to submission for location, between Jackson Street, Saubrey Road and the proposed Rangimarie Road extension).

Decision Reasons:

- The knoll is highly visible from the surrounding areas while giving stunning views of the surrounding countryside and therefore needs to be preserved from development as a green open space.
- This would enhance visual amenity for the surrounding district and the new intensive residential areas envisaged while providing recreational opportunities for the town and those using the proposed walk/cycle ways.
- The knoll and key ridge lines as a reserve would augment the green space already represented by Havelock Hill creating a visual green corridor and together they would create a green buffer that maintains some vestige of a rural outlook for the surrounding houses.
- Section 32 report part 2 reserves: supports the creation of new reserves and the preservation of natural landscapes consistent with the nature and character of the local environment.
- Creates opportunities to implement the Proposed District Plan - namely: Section 1.12.2 Natural Environment.
- The provision of green spaces enhances well being and maintains the towns rural tradition while allowing for staged development.
- Aligns with Section 3.4 (3.4.1, 3.4.2, 3.4.3), section 4 (4.1.9, 4.2.2, 4.2.9, 4.7.10) and section 8 (8.1 and 8.2) of the Proposed District Plan.

Submitter Number:

860

Submitter:

Aggregate and Quarry Association (AQA) and Straterra

Point Number

860.1

Summary of Decision Requested:

Retain Section 1.4.2.3 (a)(v) Challenges.

Decision Reasons:

- Note that the environmental impacts of extraction can be managed and so the negative impacts on growth from this are minimal. The positive impacts on growth from the extractives sector are significant.

Point Number

860.2

Summary of Decision Requested:

Retain 1.4.3.1 (a) Rural Activities

AND

Amend Section 1.4.3.1 Rural activities to include quarries.

Decision Reasons:

- Submitter is pleased to see the inclusion of mining in this list and recommend that quarries be included.
- It should be noted that where extractive activities are carried out is dictated/constrained by where the mineral deposits are located.

Point Number

860.3

Summary of Decision Requested:

Retain Section 1.5.7.7(a) Energy.

Decision Reasons:

- The importance of energy infrastructure including coal mines and coalfields is noted and welcome.

Point Number

860.4

Summary of Decision Requested:

Retain Policy 4.7.11(b) Reverse sensitivity

AND

Amend Policy 4.7.11 (b) Reverse sensitivity to include areas set aside where new mines and quarries may be located.

Decision Reasons:

- Due to the nature of the extractive sector and its impacts - including noise, vibration and dust, it is for the benefit and comfort of residents as well as the general public, to not allow new dwellings in the vicinity of extraction activity.
- The same should also apply to areas set aside where new mines and quarries may be located.

Point Number

860.5

Summary of Decision Requested:

Retain Policy 5.3.7 (a) (ii) and (iii) Reverse Sensitivity Effects.

Decision Reasons:

- Submitter supports this inclusion and notes its relevance to Policy 4.7.11.

Point Number 860.6

Summary of Decision Requested: **Retain** Policy 5.3.13 (a) Waste management activities
AND
Add a similar policy for mining sites.

Decision Reasons:

- The rehabilitation of quarry sites brings huge benefits for the community in the form of biodiversity or wet land sinks or a recreational or residential areas.
- The same applies to mining sites and this needs to be recognised by the plan.

Point Number 860.7

Summary of Decision Requested: **Retain** Policy 5.3.15 (a)(i) Noise and Vibration.

Decision Reasons:

- Support but note this emphasises the importance of dealing with reverse sensitivity impacts so that the area surrounding extractive sites is able to accommodate sounds and vibrations necessarily associated with the sector and that there are not incompatible land uses within the surrounding areas.

Point Number 860.8

Summary of Decision Requested: **Retain** Policy 5.3.17 (b) Specific area - Huntly Power Station - Coal and ash water.

Decision Reasons:

- No reasons provided.

Point Number 860.9

Summary of Decision Requested: **Retain** Objective 5.4.1 (a) Minerals and extractive industries.

Decision Reasons:

- The minerals and extractive sectors continue to contribute \$2453 million in GDP and directly employ 6,050 people jobs, across New Zealand. The Waikato District has one of the larger extractive sectors in the country.
- In addition to this, the sector's outputs (coal, rock sand, and gravel etc.) are crucial to the growth of the district within the infrastructure and energy sectors.

Point Number 860.10

Summary of Decision Requested: **Retain** Policy 5.3.15 (a)(vii) Noise and vibration.

Decision Reasons:

- No reason provided.

Point Number 860.11

Summary of Decision Requested: **Retain** Policy 5.4.2 (b) (i) and (ii) Access to minerals and extractive industries.

Decision Reasons:

- Strongly support the identification of potential extractive industries sites.
- To secure future supplies of minerals (including but not limited to coal, rock, sand and gravel) it is in the community's interests to have identified these key resource areas and protect them.

Point Number 860.12

Summary of Decision Requested: **Retain** Policy 5.4.2 (c) Access to Minerals and extractive industries.

Decision Reasons:

- Due to the nature of the extractive sector and its impacts- including noise, vibration and dust, it is for the benefit and comfort of residents as well as the general public, not to allow new dwellings in the vicinity of extraction activity.

Point Number 860.13

Summary of Decision Requested: **Retain** Policy 5.4.2 (d) Access to minerals and extractive industries.

Decision Reasons:

- No reasons provided.

Point Number 860.14

Summary of Decision Requested: No specific decision sought, but submission states it is important to identify key quarry resource areas and protect them, particularly given that the resources can only be sourced where they are located.

Decision Reasons:

- Growing districts need to secure supply of quarry material to provide affordable housing and infrastructure now and for future generations.
- In order to secure supplies, planning must be accommodating.
- Bad planning has the potential to sterilise existing and future resources which means lost opportunities for the local economy.

Point Number 860.15

Summary of Decision Requested: No specific decision sought, but submission considers it is important that non-compatible land uses such as residential areas are not allowed to encroach on quarries.

Decision Reasons:

- An important issue for quarries operating in areas of expanding residential growth is reverse sensitivity.
- Effects include noise, vibration and dust.
- Managing these surrounding land uses is important for the benefit and comfort of residents as well as the general public.

Point Number 860.16

Summary of Decision Requested: No specific decision requested, but submission considered planning rules need to allow for fluctuating demands and periods of quarry inactivity.

Decision Reasons:

- Quarries sometimes sit idle due to fluctuations in demand such as post disaster situations.
- Needed to create an enduring industry which can respond quickly and appropriately to changes in market conditions.

Point Number 860.17

Summary of Decision Requested: **Retain** Policy 5.4.2 (a) Access to minerals and extractive industries.

Decision Reasons:

- No reasons provided.

Point Number 860.18

Summary of Decision Requested: **Amend** the definition of "Extractive Industry" in Chapter 13 Definitions to include all the activities associated with the extraction and processing of minerals including:

- blasting;
- storing, distributing and selling mineral products;
- accessory earthworks;
- treating storm water and waste water;
- landscaping and rehabilitation;
- clean fills and managed fills;
- recycling or reusing aggregate from demolition waste such as concrete, masonry, or asphalt;
- accessory activities and accessory buildings and structures such as weighbridges, laboratories and site offices.

Decision Reasons:

- Expand the definition to be more comprehensive.

Point Number 860.19

Summary of Decision Requested: **Retain** Section 1.4.2.3 (a)(viii) Challenges.

Decision Reasons:

- Note that extractive industries are a higher value use of land than farming, that it is a temporary use of land and that it earns high wealth off a relatively small footprint.
- With respect to coal mining while reserves in existing license/permit areas are being depleted there are still significant coal resources in the Waikato region and the Waikato district and provision should be made to access those resources without the imposition of undue costs.

Point Number 860.20

Summary of Decision Requested: **Retain** Policy 5.3.7 (b) Reverse sensitivities effects.

Decision Reasons:

- No reasons provided.

Point Number 860.21

Summary of Decision Requested: **Retain** Policy 5.3.7 (c) Reverse sensitivity effects.

Decision Reasons:

- No reasons provided.

Submitter Number: 862 **Submitter:** Havelock Village Limited

Point Number 862.1

Summary of Decision Requested: **Amend** the zoning at 88, 242 (in part) and 278 Bluff Road, Pokeno, to Residential Zone (see Appendix E Figure 1 of the submission);
AND
Add a masterplan/precinct plan for the site at 88, 242 and 278 Bluff Road, Pokeno;
AND
Amend the zoning of 88, 242 and 278 Bluff Road, Pokeno to provide for a Neighbourhood Centre;
OR

If the rezoning to the Residential Zone is not accepted, **amend** the zoning of 88 Bluff Road, Pokeno, to an Aggregate Extraction Zone as it was in the Operative District Plan;

AND

Any consequential amendments or alternative relief to give effect to the matters raised in the submission.

Decision Reasons:

- Significant growth within Pokeno reinforces the need to provide additional residential-zoned land. The results of these projections also suggest growth will exceed the anticipated housing supply required to accommodate this growth.
- Havelock Village offers the opportunity to accommodate a sizeable portion of this growth with an indicative yield of 1025 lots.
- The National Policy Statement on Urban Development Capacity which places obligations on Council to accommodate future growth above and beyond what is projected.
- The lifespan of a District Plan is 10 years and should enable growth within the next 10 years.
- Comprehensive residential development of the site cannot be undertaken under the provisions for the Rural Zone.
- 88 Bluff Road has an Aggregate Extraction Zone in the Operative District Plan. In the event that the proposal is to rezone this site to Residential Zone is not accepted by Council, it is appropriate for the land use and zoning currently provided for at the site can be maintained in the Proposed District Plan to enable efficient use of the land and its resources.

Point Number

862.2

Summary of Decision Requested:

Add the Havelock Village masterplan, precincts and provisions to the Proposed District Plan noted in the original submission which will provide appropriate controls to give effect to the proposed lot sizes and configuration identified on the master plan.

AND

Any consequential amendments or alternative relief to give effect to the matters raised in the submission.

Decision Reasons:

- Successful development of the Havelock Village will require the implementation of a site specific design approach and the management of specific effects.
- The most appropriate way to achieve those outcomes through the inclusion of a site specific masterplan, precincts and provisions to guide future development.

Point Number

862.3

Summary of Decision Requested:

Retain Objective 4.1.1 Strategic Objective.

Decision Reasons:

- Supports providing for additional dwellings across the district, particularly within Pokeno.
- Supports consolidating additional growth around existing centres.
- Havelock Village helps achieve both of these objectives.

Point Number

862.4

Summary of Decision Requested:

Retain Policy 4.1.3 Location of Development

Decision Reasons:

- Supports this policy as it focuses development on urban growth areas identified in the Future Proof strategy.

Point Number

862.5

Summary of Decision Requested:

Amend Policy 4.1.5 Density to recognise that different housing densities may be appropriate in certain locations, particularly where such density has been included as part of an approved master plan;

OR

If the above relief is not accepted, **add** site specific objectives and policies for Havelock Village, including a new Policy 4.2.20;

AND

Any consequential amendments or alternative relief to give effect to the matters raised in the submission.

Decision Reasons:

- Supports encouraging higher density housing around the identified amenity features (commercial centres, community facilities, public transport and open space).
- Supports the approach of achieving the minimum density across the urban environment.
- However, the minimum density should not be applied like a rule and there needs to be recognition in the Proposed District Plan that it is not always feasible to achieve that level of density in all developments.
- Certain locations, such as Havelock Village, can contribute to achieving the required number of dwellings but at slightly lower densities in order to achieve better landscape and amenity outcomes.

Point Number

862.6

Summary of Decision Requested:

Amend Policy 4.1.9 Maintaining Landscape Characteristics as follows:

(a) ~~Where practicable, ensure that the fundamental shape, contour and landscape characteristics are maintained during subdivision and development or alternatively any adverse effects on these characteristics are mitigated.~~

OR

If the above relief is not accepted, **add** site specific objectives and policies for Havelock Village, including a new Policy 4.2.20;

AND

Any consequential amendments or alternative relief to give effect to the matters raised in the submission.

Decision Reasons:

- Supports the policy acknowledging the importance of the natural landscape characteristics, however the policy unduly constrains subdivision and development.
- Some landscapes have the capacity to visually absorb any landscape or visual effects.
- Natural landscape elements can help integrate and screen the presence of subdivision and development in the environment.
- Some landscapes are not of a high quality which is predominantly due to previous degradation.
- Subdivision or development can take place that affects the shape, contour and landscape characteristics but preserves the integrity of the landform whilst providing views and vistas form the landscape.

Point Number 862.7
Summary of Decision Requested: Retain Policy 4.1.11 Pokeno
Decision Reasons:

- Supports this policy regarding the development of Pokeno and identifies reasonable controls and desired development outcomes within the community.

Point Number 862.8
Summary of Decision Requested: Retain Objective 4.2.16 Housing options
Decision Reasons:

- Supports encouraging a wide range of housing options for the identified towns in the Waikato District.
- A range of housing types and sizes will better help to cater for future potential residents.
- Different housing options are sought at different states of life and by different consumers in general.
- Thus, being able to provide a wide range of housing options is important and supports the amendments sought by the submitter to Policy 4.1.5 Density.

Point Number 862.9
Summary of Decision Requested: Retain Policy 4.2.17 Housing types
Decision Reasons:

- Supports enabling a variety of housing types for reticulated lots in the Residential Zone.
- Despite the upward flexibility in minimum lot size to technically be self-services, it is anticipated that the majority of lots identified within the Residential Zone proposed by the submitter will be connected to public reticulation.
- Therefore, enabling a variety of housing types for reticulated lots in the 'Residential Zone' is important.

Point Number 862.10
Summary of Decision Requested: Add a new policy within section 4.2 Residential Zone (after Policy 4.2.19), as follows (See Appendix E and N of the submission for the Master Plan and Precinct Plans):
4.2.20 Policy - Havelock Village
Development of Havelock Village shall occur generally in accordance with the Havelock Village Masterplan and Precinct Plans. This includes a mixture of lot sizes and areas to be protected and set aside to protect significant landscape and ecological values.
AND
Any consequential amendments or alternative relief to give effect to the matters raised in the submission.
Decision Reasons:

- It is appropriate to include a policy which specifically provides for the Havelock Village Masterplan and Precinct Plan.

Point Number 862.11
Summary of Decision Requested: Retain Objective 4.2.20 Maintain residential purpose.
Decision Reasons:

- Supports safeguarding the residential purpose of residential areas.
- Non-residential activities have the potential to adversely affect the residential character and amenity values of a residential areas.
- Therefore, the presence of non-residential activities should be limited.

Point Number 862.12
Summary of Decision Requested: Add a new clause to Policy 4.2.26 Neighbourhood centres in structure plan areas, as follows:
Provide for new neighbourhood centres within structure plan areas or masterplan areas, that
(i) Are for the daily retail and service needs of the community; and
(ii) Are located within a walkable catchment; and
(iii) Provide for residential activities above the ground floor.
OR
If the above relief is not accepted, add site specific objectives and policies for Havelock Village, including a new Policy 4.2.20:
AND
Any consequential amendments or alternative relief to give effect to the matters raised in the submission.
Decision Reasons:

- Seeks to enable Neighbourhood Centres to provide for residential activities above the ground floor.
- With a focus on Neighbourhood Centres being within a walkable catchment and convenient for the community they serve, it is logical that residential activities are provided for.
- It is also noted that the Business Zone and Business Town Centre Zone in the Proposed Waikato District Plan, and the Neighborhood Centre Zone in the Auckland Unitary Plan provide for residential activities above ground floor.

Point Number 862.13
Summary of Decision Requested: Retain Policy 4.5.6 Commercial Purpose: Neighbourhood Centres
Decision Reasons:

- Supports the identified commercial purpose for Neighbourhood Centres.
- The purpose is considered commensurate with the generally accepted purpose of Neighbourhood Centres and the scale of retail and commercial service activities these centres typically provide for.

Point Number	862.14
Summary of Decision Requested:	Retain Policy 4.7.4 Lot sizes
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports the use of minimum lot sizes and dimensions to enable the achievement of the character and density outcomes sought for each zone.
Point Number	862.15
Summary of Decision Requested:	Retain Policy 4.7.5 Servicing requirements
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports this policy and the requirement for development to be serviced to a level that provides for the anticipated activities approved in a structure plan. Structure plans are typically developed based on robust analysis of a site. Structure plans are based on more nuanced information as opposed to more general zoning. It is logical that the provision of services is tailored to the anticipated activities in a structure plan that has been approved.
Point Number	862.16
Summary of Decision Requested:	Retain Policy 4.7.6 Co-ordination between servicing and development and subdivision
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports this policy and the importance of having certainty regarding the provision of infrastructure capacity prior to development occurring.
Point Number	862.17
Summary of Decision Requested:	Retain Policy 4.7.7 Achieving sufficient development density to support the provision of infrastructure services
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports maximising the potential yield for a zone to support the provision of infrastructure.
Point Number	862.18
Summary of Decision Requested:	Retain Policy 4.7.8 Staging of Subdivision
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports the staging of subdivision that is efficient and integrates infrastructure and community facilities.
Point Number	862.19
Summary of Decision Requested:	Retain Policy 4.7.9 Connected Neighbourhoods
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports the development of liveable, walkable and connected neighbourhoods in subdivisions.
Point Number	862.20
Summary of Decision Requested:	Retain Policy 4.7.10 Recreation and Access
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports the accessible open spaces that have provided in proportion to projected neighbourhood densities.
Point Number	862.21
Summary of Decision Requested:	<p>Amend Policy 4.7.11 Reverse Sensitivity as follows:</p> <p><i>Avoid Manage</i> potential reverse sensitivity effects of locating new dwellings in the vicinity of an intensive farming, extraction industry or industrial activity.</p> <p>OR</p> <p>If the above relief is not accepted, add site specific objectives and policies for Havelock Village, including a new Policy 4.2.20;</p> <p>AND</p> <p>Any consequential amendments or alternative relief to give effect to the matters raised in the submission.</p>
Decision Reasons:	<ul style="list-style-type: none"> The proposed policy requires potential reverse sensitivity effects to be 'avoided'. This wording is too restrictive and does not recognise the potential for reverse sensitivity effects to be managed through appropriate design measures.
Point Number	862.22
Summary of Decision Requested:	Retain Policy 4.7.14 Structure and masterplanning
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports approved development and subdivision in approved structure or masterplan areas adhering to the approved development pattern and infrastructure requirements.

Point Number	862.23
Summary of Decision Requested:	Amend residential and subdivision rules, development and standards and assessment criteria in Chapter 16 Residential Zone to ensure that the Havelock Village master plan and precinct plan are appropriately considered and implemented at the time of subdivision and resource consents. AND Any consequential amendments or alternative relief to give effect to the matters raised in the submission.
Decision Reasons:	<ul style="list-style-type: none"> There may need to be amendments to the rules, development standards and matters of discretion to ensure that the site specific outcomes envisaged by the masterplan and other technical reports are achieved.
Point Number	862.24
Summary of Decision Requested:	Amend the Proposed Waikato District Plan as required to reflect the zoning and masterplan precincts for the Havelock Village development. AND Any consequential amendments or alternative relief to give effect to the matters raised in the submission.
Decision Reasons:	<ul style="list-style-type: none"> To enable the Havelock Village residential development, it is proposed to rezone the land with bespoke masterplan/precinct provisions. It is proposed to contain all relevant provisions of the Plan within the Residential Zone chapter; however, there are still provisions that would continue to apply in other chapters if the residential zoning is adopted. Some amendments are sought to these provisions too. Should there be a relevant chapter that the submitter had not identified changes to, to reflect this new zone, the submitter seeks the opportunity to update such a chapter accordingly.
Point Number	862.25
Summary of Decision Requested:	Amend the definition of "Neighbourhood centre" in Chapter 13: Definitions as follows: <i>Means a single or small grouping of commercial activities that service the day-to-day needs of the local community. Residential use above ground floor is provided. Neighbourhood centres are identified in masterplans, structure plans or on the planning maps.</i> AND Any consequential amendments or alternative relief to give effect to the matters raised in the submission.
Decision Reasons:	<ul style="list-style-type: none"> The submitter seeks to amend the definition of Neighbourhood Centres to enable residential activities above the ground floor. With a focus on Neighbourhood Centres being within a walkable catchment and convenient for the community they serve, it is logical that residential activities are provided for. The Business Zone and Business Town Centre Zone under the Proposed Waikato District Plan and the Neighbourhood Centre Zone under the Auckland Unitary Plan all provide for residential activities above the ground floor.
Point Number	862.26
Summary of Decision Requested:	Amend the extent of the Significant Natural Area located between 88 and 242 Bluff Road in accordance with the plan in Appendix L of the submission. AND Any consequential amendments or alternative relief to give effect to the matters raised in the submission.
Decision Reasons:	<ul style="list-style-type: none"> The Significant Natural Area identified by Council flanks either side of what is proposed to be a key feature road corridor connecting 88 and 242/278 Bluff Road. The Significant Natural Area has already been compromised due to previous vegetation clearance to establish the paper road. This area is required for the construction of the access road it should not be identified as Significant Natural Area.
Point Number	862.27
Summary of Decision Requested:	Delete the definition of "Significant Natural Area" in Chapter 13: Definitions and replace with a more descriptive definition of Significant Natural Area. AND Any consequential amendments or alternative relief to give effect to the matters raised in the submission.
Decision Reasons:	<ul style="list-style-type: none"> The submitter seeks to amend the definition of Significant Natural Area as it is currently written. Significant Natural Areas can be comprised of significant indigenous vegetation, exotic vegetation and significant habitats of indigenous fauna. As such, the current definition provided for Significant Natural Areas is deemed to be inadequate by the submitter.
Point Number	862.28
Summary of Decision Requested:	Amend the objectives and policies within section 3.2 Significant Natural Areas and related rules for Significant Natural Areas and biodiversity to provide greater flexibility and to enable development subject to appropriate mitigation or offsetting. AND Any consequential amendments or alternative relief to give effect to the matters raised in the submission.
Decision Reasons:	<ul style="list-style-type: none"> The objectives and policies in section 3.2 relating to Significant Natural Areas are overly restrictive.
Point Number	862.29
Summary of Decision Requested:	Amend the rules relating to earthworks and indigenous vegetation clearance inside a Significant Natural Area in Chapter 16 Residential Zone to enable the implementation of the masterplan attached in the original submission and the bespoke approach requested elsewhere in the

submission.

AND

Any consequential amendments and alternative relief to give effect to the matters raised in the submission.

Decision Reasons:

- The submitter seeks a bespoke approach to the management of biodiversity including Significant Natural Areas.

Point Number

862.30

Summary of Decision Requested:

Amend the Residential Zone provisions to provide for aggregate extraction activities, for the purpose of road supply for the Havelock Village development or development on adjacent sites as a Restricted Discretionary activity, including suitable matters of discretion and assessment.

AND

Any consequential amendments and alternative relief to give effect to the matters raised in the submission.

Decision Reasons:

- The submitter considers that the best use of the site is for residential development, however given the extent of roading infrastructure to support this proposal, the potential to establish on-site extractive industries for the purpose of road supply is being explored.

Point Number

862.31

Summary of Decision Requested:

Add a schedule that reflects the outcomes of the Waikato District Landscape Study, which notes the attributes and features that lend itself to the Significant Amenity Landscape status;

OR

If a schedule is not included, **delete** all Significant Amenity Landscapes from the Proposed District Plan;

AND

Any consequential amendments and alternative relief to give effect to the matters raised in the submission.

Decision Reasons:

- There is a Significant Amenity Landscapes on the submission site.
- It is understood that the Waikato District Landscape Study was prepared to support the mapping of the Significant Amenity Landscapes and it sets out the areas of Significant Amenity Landscapes and their attributes.
- It is considered that these attributes should be included in the District Plan as a schedule.
- Without this detail it is difficult to efficiently assess a resource consent application against the objective and policies.
- Objective 3.4.1 (a), Policy 3.4.2 (a) and Policy 3.4.3 (a) (v) all make reference to attributes and features of Significant Amenity Landscapes.
- The Significant Amenity Landscape appears to be a rollover of the previous District Plan notation with no ground truthing undertaken to confirm if the attributes listed in the study are still applicable in this location.
- Attributes onsite are not aligned to those described in the study.
- An expert assessment has been undertaken (see Appendix O of the submission) which recommends its deletion.

Point Number

862.32

Summary of Decision Requested:

In the event that the proposed Havelock Village Masterplan and Precinct are not accepted, **amend** the Proposed District Plan as necessary to enable the efficient development of the Havelock Village site;

AND

Any consequential amendments and alternative relief to give effect to the matters raised in the submission.

Decision Reasons:

- To enable the enable the efficient development of the Havelock Village site.

Point Number

862.33

Summary of Decision Requested:

Add a bespoke approach regarding the management of indigenous vegetation and Significant Natural Area within the Havelock Village development at 88, 242 and 278 Bluff Road that will efficiently implement the recommendations of the Wildlands Report (attached to the submission).

AND

Any consequential amendments or alternative relief to give effect to the matters raised in the submission.

Decision Reasons:

- The submitter opposes the approach (including rules) to the management of Significant Natural Areas on their land and seeks the application of a bespoke approach to the management of indigenous biodiversity and Significant Natural Areas on the Havelock Village site.
- That approach recognises that some areas of indigenous biodiversity will be removed to allow for development of the Havelock Village development but overall biodiversity across the site will be maintained through a combination of ecological mitigation, enhancement, offset, compensation and protection.
- The submitter's proposed approach to the management of Significant Natural Areas and indigenous biodiversity at the Havelock Village development is informed by the assessment and reporting undertaken by Wildlands Consultants Ltd to support the ongoing resource consent process being undertaken to enable the development of the Havelock Village.

Point Number

862.34

Summary of Decision Requested:

Retain Objective 4.1.2- Urban growth and development.

Decision Reasons:

- Supports providing additional dwellings across the district, particularly within Pokeno.
- Supports consolidating additional growth around existing centres.
- Havelock Village helps achieve both of these objectives.

Point Number

862.35

Summary of Decision Requested: Retain Policy 4.2.2.1- Maintain residential purpose.

Decision Reasons:

- Supports safeguarding the residential purpose of residential areas.
- Non-residential activities have the potential to adversely affect the residential character and amenity values of a residential area.
- Therefore, the presence of non-residential activities should be limited.

Point Number 862.36

Summary of Decision Requested: Add site specific objectives and policies for the Havelock Village in the Proposed District Plan to enable the development of Havelock Village in a manner consistent with the Havelock Village Masterplan, including a new policy 4.2.20 as sought elsewhere in the submission.

AND

Any consequential amendments and alternative relief to give effect to the matters raised in the submission.

Decision Reasons:

- In the event that the submitters proposed changes to the district wide suite of objectives and policies related to residential development are not accepted, a site specific policy approach is sought as alternative relief.

Point Number 862.37

Summary of Decision Requested: Delete the Significant Amenity Landscape from the properties at 242 and 278 Bluff Road, Pokeno.

AND

Any consequential amendments and alternative relief to give effect to the matters raised in the submission.

Decision Reasons:

- The area of this SAL on the submitter's land appears to be a rollover of the previous District Plan notation with no ground truthing undertaken to confirm if the attributes listed in the study are still applicable in this location.
- The conclusion of an expert assessment contained in Appendix O of the submission was that the attributes onsite are not aligned to those described in the study and the SAL should be removed from the site.

Point Number 862.38

Summary of Decision Requested: Retain Policy 4.5.7 Commercial Purpose: Neighbourhood Centres in Structure Plans

Decision Reasons:

- The submitter supports the ability to identify Neighbourhood Centres in structure plans/masterplans.
- New residential areas typically expand on currently established residential areas.
- The identification of Neighbourhood Centres allows for a strong network of centres at a variety of scales to be developed.

Point Number 862.39

Summary of Decision Requested: Amend Policy 4.5.11 (a) Residential upper floors: Business Town Centre Zone and Business Zone, as follows:

(a) Maintain the commercial viability of the Business Town Centre Zone ~~and~~ Business Zone and Neighbourhood Centre while:

(i) Providing for mixed use developments, ensuring residential activities are located above ground floor; and

(ii) Avoiding residential activity located at ground floor.

OR

If the above relief is not accepted, add site specific objectives and policies for Havelock Village including a new policy 4.2.20;

AND

Any consequential amendments or alternative relief to give effect to the matters raised in the submission.

Decision Reasons:

- The submitter seeks to enable Neighbourhood Centres to provide for residential activities above the ground floor.
- With a focus on Neighbourhood Centres being within a walkable catchment and convenient for the community they serve, it is logical that residential activities are provided for.
- It is also noted that the Business zone and Business Town Centre Zone in the Proposed Waikato District Plan and the Neighbourhood Centre Zone in the Auckland Unitary Plan all currently provide for residential activities above ground floor.

Point Number 862.40

Summary of Decision Requested: Retain Objective 4.7.1 Subdivision and Land Use Integration

Decision Reasons:

- The submitter supports promoting the connection between subdivision layout design and the land use outcomes sought for the identified zones.

Point Number 862.41

Summary of Decision Requested: Retain Policy 4.7.2 Subdivision location and design

Decision Reasons:

- The submitter supports this policy and the desired characteristics for subdivision design.

Point Number 862.42

Summary of Decision Requested: Retain Policy 4.7.3(a)(xiii) Residential subdivision

Decision Reasons:

- The submitter supports creating lots that can accommodate a variety of density with a mix of usable lot types.
- This policy supports the amendments the submitter has sought to Policy 4.1.5 Density.

Submitter Number:	863	Submitter:	John Kirton
On behalf of:	Ribbonwood Family Trust		
Point Number	863.1		
Summary of Decision Requested:	Amend the zoning of the following properties at Ohinewai from Rural Zone to Country Living Zone bounded by Ohinewai South Road to the west and State Highway 1 (Waikato Expressway) to the east , including 53 Ohinewai South Road Ohinewai. (See map attached to submission).		
Decision Reasons:	<ul style="list-style-type: none"> The current land use is inconsistent with the zoning of the land within the area, i.e. 80% of the land is zoned Country Living lifestyle and the remaining 20% is Rural environment and represents a random patchwork. The qualifying criteria for Country Living zoning must have been satisfied and all have the same, location, soil type (fertility), environmental character and amenities irrespective of the individual titles and location of land within the area. The change is consistent with the strategic intent of the District Plan. 		

Submitter Number:	864	Submitter:	Strantz Tukiri Kendall
Point Number	864.1		
Summary of Decision Requested:	Retain Chapter 2 Tangata Whenua.		
Decision Reasons:	<ul style="list-style-type: none"> Ngati Koata has close ties to Whaingaroa. While the submitters are owners of land blocks in the area, current restrictions make it difficult to develop the land in sustainable ways. The submitters acknowledge that the proposed changes to the District Plan provides Tangata Whenua with the ability to utilise communally owned land in accordance with their cultural values, as well as allowing opportunity for creating economic development that will allow whanau to visit the land more frequently. 		

Submitter Number:	865	Submitter:	Ian and Helen Gavin
Point Number	865.1		
Summary of Decision Requested:	Amend the zoning of the property at 474 Boyd Road, Horsham Downs (Lot 3 DP 409176 and access leg Lot 2 DP 409176) from Rural Zone to Country Living Zone.		
Decision Reasons:	<ul style="list-style-type: none"> The site is currently used for community living and is occupied by 3 'clusters' comprised of two residential dwellings and an adjoining unit made available for respite of struggling individuals or families. The dwellings were lawfully established in the early 1980s. The property owner has expressed an interest in generating value for permanent residents of the community by creating legal estates over the existing dwellings to be held individually (either as unit titles or in fee simple). The purpose of any subdivision would be to formalise the existing land use, not increase the density for existing. Subdivision is prohibited under current Rural zoning, therefore rezoning is required for Council to consider this form of subdivision. 		

Submitter Number:	866	Submitter:	Lisa Graham
Organisation:	LG Enterprises		
Point Number	866.1		
Summary of Decision Requested:	Amend the zoning of the property at 4337 State Highway 23, Raglan from Rural Zone to Country Living Zone.		
Decision Reasons:	<ul style="list-style-type: none"> To create lower density subdivision maintaining natural rural values and characteristics. To provide an alternative to existing and proposed small residential sections, and attract artists and lifestyle who contribute to strong vibrant communities. The proximity of 1 km to Raglan village lends the property to becoming part of it. Land on the other side of State Highway 23 is planned for development. The property has access off Cornwall road. The property is is not suitable for any productive rural activity. 		

Submitter Number:	867	Submitter:	Steven Kearvell
On behalf of:	Kearvell Family Trust		
Point Number	867.1		
Summary of Decision Requested:	No specific decision sought, but the submission requests no further development of access to the coastal area from Raglan Wharf through to and including Cox Bay. This includes no public access to the beach boundary of the property at 46 Government Road, Raglan.		
Decision Reasons:	<ul style="list-style-type: none"> There is already enough public access to the area at the Wharf and the walkway access at Daisy Street or Bay View Road. It is already useable. Our custom of launching our pleasure craft from the front of our property is important to us. Our property is not available. 		

Submitter Number:	868	Submitter:	Huib Volker
Point Number	868.1		
Summary of Decision Requested:	Retain Chapter 9.2 - Te Kowhai Airpark, as notified.		
Decision Reasons:	<ul style="list-style-type: none"> • Submitter is a user of the Airfield as an aircraft operator and would like to ensure it survives. • Submitter is considering buying into an airpark development planned for this location. 		
Point Number	868.2		
Summary of Decision Requested:	Retain Chapter 27 - Te Kowhai Airpark Zone, as notified.		
Decision Reasons:	<ul style="list-style-type: none"> • Submitter is a user of the Te Kowhai Airpark as an aircraft operator and would like to ensure it survives. • Submitter is considering buying into an airpark development planned for this location. 		

Submitter Number:	871	Submitter:	Brendon John & Denise Louise Strong									
Point Number	871.1											
Summary of Decision Requested:	Retain the Residential Zoning of the properties at 10, 12 and 12A Harrisville Road, Tuakau, as notified.											
Decision Reasons:	<ul style="list-style-type: none"> • Submitter supports the proposed zoning. 											
Point Number	871.2											
Summary of Decision Requested:	<p>Amend Table 14.12.5.14 Access and road conditions by replacing with NZS standards - Table 3.2 Roading Design Standards.</p> <p>OR</p> <p>Amend Table 14.12.5.14: Access and road conditions by replacing with the following standards from the Waikato Operative District Plan - Franklin Section:</p> <table border="1"> <thead> <tr> <th>Users</th> <th>Legal Width</th> <th>Minimum total seal width</th> </tr> </thead> <tbody> <tr> <td>2-4</td> <td>3-5m</td> <td>2.7m</td> </tr> <tr> <td>5-8</td> <td>8m</td> <td>5m</td> </tr> </tbody> </table>			Users	Legal Width	Minimum total seal width	2-4	3-5m	2.7m	5-8	8m	5m
Users	Legal Width	Minimum total seal width										
2-4	3-5m	2.7m										
5-8	8m	5m										
Decision Reasons:	<ul style="list-style-type: none"> • The proposed access standards are excessive, and will result in inefficient use of the urban land resource and will prevent infill development in existing urban areas. • The extra seal width also increase impervious surfaces and storm water run-off without any apparent need or benefit relating to traffic effects. • Excessive width also adds additional costs to development. • NZS 4404:2010 - Land Development and Subdivision Infrastructure is a national document that covers access and road conditions so this matter should not form part of the Plan. • The current standards in the Franklin Section of the Plan are also more appropriate than the proposed provisions. 											
Point Number	871.3											
Summary of Decision Requested:	No specific decision sought, but submission recognises that the importation of fill to enable residential development is appropriate in Rule 16.2.4.1 Earthworks - General, and questions whether this would be a permitted activity (P2) or a non-complying activity (NC1).											
Decision Reasons:	<ul style="list-style-type: none"> • These provisions seem to be workable but the submitter is interested in the thoughts of other submitters. • Cleanfill may be required in residential zoned sites to enable greenfield land to be developed for residential purposes. It is unclear whether this is a P2 permitted activity or a NC1 non-complying activity. NC1 would be too restrictive and needs to be more lenient to enable greenfield development within residential zones. 											
Point Number	871.4											
Summary of Decision Requested:	<p>Amend Rule 16.3.5 P1 Daylight admission, as follows:</p> <p><i>Buildings must not protrude through a height control plane rising at an angle of 3745 degrees commencing at an elevation of 2.5m above the ground level at every point of the site boundary.</i></p>											
Decision Reasons:	<ul style="list-style-type: none"> • Opposes the height control plane rising at an angle of 37 degrees commencing at an elevation of 2.5m above the ground level at every point of the site boundary for the following reasons: <ul style="list-style-type: none"> - Inconsistency with previous Planning documents which are less restrictive. - Too restrictive for urban areas. - Adequate amenity and daylight for adjoining sites can be achieved with a less restrictive control plane. - The 37 degree angle is difficult to calculate. 											

Point Number	871.5
Summary of Decision Requested:	Amend Rule 16.3.6 P1 Building Coverage, as follows: <i>The total building coverage must not exceed 4050%.</i>
Decision Reasons:	<ul style="list-style-type: none"> • Opposes the 40% building coverage as the height limit does not enable the efficient use of urban land and fails to increase the development capacity of existing urban areas. • Increasing building coverage to allow greater utilisation of residential zoned land to support the strategic direction outlined in Section A and Chapter B 4.1 of the Plan supports increase densities and housing choice throughout the district. • This approach is consistent with the Waikato District Plan - Franklin Section.
Point Number	871.6
Summary of Decision Requested:	Amend Rule 16.3.9.3 Building Setback - Water bodies, to match Rule 24.3.6.3 Building setback - water bodies; AND Amend Rule 16.3.9.3 Building setbacks - Water bodies, as follows: <i>Rule P1 (a)(ii) ...from the bank of any <u>named</u> river ...</i> <i><u>P3.A building must be set back a minimum of 10m from the bank of a perennial or intermittent named or unnamed stream.</u></i>
Decision Reasons:	<ul style="list-style-type: none"> • These are not consistent with other zones or the existing Waikato District Plan - Franklin Section provisions; a building must be set back a minimum of 10 metres from the bank of a perennial or intermittent stream. • It is important to also define a stream to avoid confusion with the definition of a river. The RMA defines a river as "a continually or intermittently flowing body of freshwater; and includes a stream and modified watercourse." If a watercourse is named "Stream" then it should be subject to the appropriate setback by the Plan.
Point Number	871.7
Summary of Decision Requested:	Delete Rule 16.4.13(a) Subdivision creating reserves and make it a matter of discretion.
Decision Reasons:	<ul style="list-style-type: none"> • Roading infrastructure is expensive and the rule will result in additional costs for developers which may not be justifiable from an economic perspective. The enforcement of the rule may increase the cost of development which could be passed onto the purchasers. • This is an arbitrary standard which may not be relevant for all reserve types or developments. • Safety and surveillance of reserves may be achieved with less road frontage. • There is no analysis in the s32 stating why the 50% rule has been applied. While this may be a principle to follow it should not be enforced through a rule.
Point Number	871.8
Summary of Decision Requested:	Amend Rule 16.4.14 Subdivision of esplanade reserves and esplanade strips, by replacing with the Operative Waikato District Plan - Franklin Section Rule 11.5. Esplanade Reserves and Strips
Decision Reasons:	<ul style="list-style-type: none"> • The submitter accepts that esplanade reserves and esplanade strips enable public access and recreation. However, this needs to be assessed on a case by case basis and Council should allow a waiver or reduction in width in certain circumstances.
Point Number	871.9
Summary of Decision Requested:	Amend Rule 17.3.1.1 P1 height - Building General, as follows: <i>The maximum height of any building must not exceed 1015m.</i>
Decision Reasons:	<ul style="list-style-type: none"> • The building height should be increased from 10m to 15m to allow for 4 storeys. • This will ensure development and re-development (especially for smaller sites) is economically viable for developers and allow for a range of uses making residential development viable on upper floors.
Point Number	871.10
Summary of Decision Requested:	Retain Chapter 17 Business Zone, with the exception of Rules 17.3.1.1 P1 Height - Building General; 17.3.2 P1 Daylight admission; 17.3.4.2 Building setbacks - Water bodies; and 17.4.1.7 Esplanade reserves and esplanade strips (which are addressed in other submission points).
Decision Reasons:	<ul style="list-style-type: none"> • Supports the general business provisions in Chapter 17 with the exception of the specific points raised elsewhere in the submission.
Point Number	871.11
Summary of Decision Requested:	Amend Rule 17.3.2 P1 (a) Daylight admission, as follows: <i>Buildings must not protrude through a height control plane rising at an angle of 3745 degrees commencing at an elevation of 2.5m above ground level at every point of the site boundary.</i>
Decision Reasons:	<ul style="list-style-type: none"> • The submitter opposes the height control plane rising at an angle of 37 degrees commencing at an elevation of 2.5m above ground level at every point of the site boundary for the following reasons: • Inconsistency with previous planning documents which are less restrictive. • Too restrictive for urban areas. • Adequate amenity and daylight for adjoining sites can be achieved with a less restrictive control plane., • The 37 degrees angle is difficult to calculate.
Point Number	871.12

Summary of Decision Requested: Amend Rule 17.3.4.2 Building setbacks - waterbodies, to match Rule 24.3.6.3 Building Setback - water bodies;
AND
Amend Rule 17.3.4.2 Building setbacks - waterbodies, as follows:
P1(a)(ii) ... from the bank of any named river ,...
P3. A building must be set back a minimum of 10m from the bank of a perennial or intermittent named or unnamed stream.

Decision Reasons:

- These are not consistent with other zones or the existing Waikato District Plan - Franklin Section provisions; a building must be set back a minimum of 10 metres from the bank of a perennial or intermittent stream.
- It is important to also define a stream to avoid confusion with the definition of a river: the RMA defines a river as "a continually or intermittently flowing body of fresh water; and includes a stream and modified watercourse." If a watercourse is named "Stream" then it should be subject to the appropriate setback by the Plan.

Point Number 871.13
Summary of Decision Requested: Amend Rule 17.4.1.7 Esplanade reserves and esplanade strips, by replacing with the Waikato District Plan - Franklin Section Rule 11.5 Esplanade Reserves and Strips.

Decision Reasons:

- The submitters accept the esplanade reserves and esplanade strips enable public access and recreation. However, this needs to be assessed on a case by case basis and Council should allow a waiver or reduction in width in certain circumstances.

Point Number 871.14
Summary of Decision Requested: Retain the Business Zone at 8 Harrisville Road, Tuakau, as notified (see submission for map of site).

Decision Reasons:

- Submitter supports the proposed zoning.

Point Number 871.15
Summary of Decision Requested: Retain Chapter 16 Residential zone, with the exception of Rule 16.2.4.1 Earthworks General; Rule 16.3.5 P1 Daylight admission, Rule 16.3.6 P1 Building Coverage; Rule 16.3.9.3 Building setback - waterbodies; Rule 16.4.13 (a) Subdivision creating reserves and Rule 16.4.14 Subdivision of esplanade reserves and esplanade strips (which are addressed in other submission points).

Decision Reasons:

- Provides for the efficient use of land resources,
- Enables the subdivision of land to provide for the growth of the district.

Submitter Number: 872 **Submitter:** Tarati Farms Limited

Point Number 872.1
Summary of Decision Requested: Retain Objective 5.1.1 The rural environment, as notified.

Decision Reasons:

- Protecting high class soils from adverse effects of inappropriate use and development is of national importance and is recognised with a NPS for Versatile Land and High Class Soils under consideration.
- Urban subdivision is an inefficient use of rural production land. Urban subdivision, particularly ad-hoc subdivision, may undermine the integrated development of identified townships and expansion areas.
- Submitter supports the objective and agrees that urban development within the rural environment should be avoided.

Point Number 872.2
Summary of Decision Requested: Retain Objective 5.2.1 Rural resources, except for the amendments sought below;
AND
Amend Objective 5.2.1(a)(i) Rural resources, as follows:
(a) Maintain or enhance the:
(i) Inherent life-supporting capacity, accessibility, and versatility of soils, in particular high class soils...

Decision Reasons:

- Accessibility to versatile land is also a key consideration in managing this resource and should be included in this policy.

Point Number 872.3
Summary of Decision Requested: Retain Policy 5.2.2 High class soils, as notified.

Decision Reasons:

- Supports Policy 5.2.2 seeking to retain high class soils and ensure adverse effects do not compromise the life support properties of high class soil.

Point Number 872.4
Summary of Decision Requested: Amend Objective 5.3.1(a) Rural character and amenity, as follows:
Rural character and amenity are maintained while recognising the localised character of different parts of the District.

Decision Reasons:

- Support in part the intent of this objective, however needs recognition of the variation of what defines rural character and amenity values across a large District.
- The Waikato District encompasses coastal areas, hill country comprising large landholdings and primarily pastoral uses and smaller landholdings which is used for higher value production activities such as intensive cropping, greenhouses etc.
- Consideration of 'Rural Character' should take into account the unique variables of the locality including land holding pattern, built form, landuse activities, vegetation and geomorphology.

Point Number 872.5

Summary of Decision Requested: Retain Rule 22.4.1.2(a)(i), (ii) and (iii) General Subdivision, as notified.

Decision Reasons:

- Supports inclusion of the General Subdivision rules.

Point Number 872.6

Summary of Decision Requested: Add a new discretionary activity to Rule 22.4.1.2 General subdivision, as follows:

DL

(a) General subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.2. (iv) RD1.

(b) General subdivision around established rural activities that does not comply with Rule 22.4.1.2. (iv) RD1.

Decision Reasons:

- General Subdivision creating a child lot around an existing dwelling, where a curtilage is established and farming regime is already in place on the balance lot, should be provided flexibility in lot size to ensure that the existing farming regime can continue.
- Ensure the boundaries proposed are a practical outcome to ensure the most efficient ongoing management of the land. A lot size consistent with the established farming regime will avoid the redevelopment of farm tracks and fence lines to access what is a relatively small piece of land.
- A discretionary rule should also be provided for lots less than 8,000m² and greater than 1.6ha where they contain an existing dwelling. There may be site specific factors that create a unique situation that is conducive to the proposed lot size whilst remaining consistent with the objectives and policies.
- For lots smaller than 8000m², it is only necessary to confirm the provision of services within the lot boundaries
- Lots greater than 1.6ha may need an assessment with respect to the productive potential of the land. If the land comprises existing curtilage around the house then the lot will not result in any unreasonable effects with respect to the productive potential of the balance land. If the land comprises productive potential, then a Farm Management report should be provided to demonstrate that the both the proposed lot and the balance lot are sized to ensure rural land uses continue to predominate.
- Creation of lots should be provided for that accommodate existing and well-established rural activities where these are of a viable, sustainable and permanent nature, and it is appropriate for these to be subdivided from other rural activities on the site.

Point Number 872.7

Summary of Decision Requested: Delete Rule 22.4.1.2(a)(v) General Subdivision (80/20 Rule);

AND

Add a new matter of discretion to Rule 22.4.1.2(b) as follows:

(vi) Effects on rural productivity and fragmentation of high class soils.

Decision Reasons:

- There is no analysis in the s32 regarding this relevance or practicality of this rule.
- The strict and arbitrary 80/20 requirement of this rule though may not necessarily result in the best layout, design or farming outcome for the site.
- The objectives and policies (5.1.1, 5.2) give primacy to the protection of high class soils. In addition to the objectives and policies (5.2), the submitter would like to see matters relating to the retention of high class soils and the maintenance of productivity/farming systems addressed as a matter of discretion for the General Subdivision provisions. The strength of the objectives and policies together with expanded matters of discretion are sufficiently strong to ensure adverse outcomes on high class soils are avoided.
- The requirement to demonstrate the 80/20 split will result in the necessary inclusion of Landuse Capability Reporting to demonstrate that this exact figure is met. This becomes an additional compliance cost that does not necessarily result in a better environmental outcome. Council's Consent Planners should have the discretion of where these are required in accordance with the recommended matter of discretion.

Point Number 872.8

Summary of Decision Requested: Retain Rule 22.4.1.2(a)(iv) General subdivision, which classifies creation of an additional lot between 8,000m² and 1.6ha as a restricted discretionary activity.

Decision Reasons:

- The creation of an additional vacant lot between 8000m² and 1.6ha is supported as a restricted discretionary activity.

Point Number 872.9

Summary of Decision Requested: Retain Policy 5.3.8 Effects on rural character and amenity from rural subdivision, except for the amendments sought below;

AND

Amend Policy 5.3.8 Effects on rural character and amenity from rural subdivision, as follows:

~~(b) Ensure development does not compromise the predominant open space, character and amenity of rural areas.~~

...

(d) Rural hamlet subdivision and boundary relocations ensure the following:

(i) Protection of rural land for productive purposes;

(ii) Maintenance of the localised rural character and amenity of the surrounding rural environment;

(iii) Minimisation of cumulative effects.

(e) Subdivision, use and development opportunities ensure that localised rural character and amenity values are maintained.

Decision Reasons:

- Support in part Policy 5.3.8 with amendments.
- Policies 5.3.8(b), (d)(ii) and (e) are duplicates which seek to ensure that rural character and amenity are maintained.

- Not all rural areas comprise open space character and amenity. The district's rural character is varied in nature and comprises landscapes, landforms and structures and are areas of active and dynamic primary production and associated activities rather than necessarily benign landscapes.
- Rural landscapes can be visually altered by structures and buildings such as greenhouses and packhouses and are recognised as important components of primary production activities which form part of the rural environment.

Point Number 872.10

Summary of Decision Requested: **Amend** the activity status for Rule 22.4.1.1 PR1, PR2, PR3 and PR4 Prohibited subdivision, from prohibited activities to non-complying activities.

Decision Reasons:

- There may be circumstances where the subdivision of high class soils has overall positive effects that can be supported by the objectives and policies. Relocating consented lots within a holding (multiple Records of Title held in the same ownership) may produce a better outcome from a farming and landscape perspective.
- In some instances it may be unavoidable to create an additional Record of Title.
- The rule relies on a definition of High Class Soils. High class soils as defined in the Proposed Plan, (relying on soil classification only), may not be versatile due to a range of factors identified through case law.
- It is unreasonable to prohibit the creation of lots that accommodate existing and well-established rural activities which are viable and sustainable such as greenhouses, packhouse, packing sheds, intensive farming, poultry hatcheries or commercial orchards.
- Rural activities do not need to be held on the same certificate of title as other rural activities. Subdivision may enable more opportunities for economic wellbeing and the efficient and effective operation of the activity.
- Commercial reasons could necessitate subdivision including the desire to sell or lease the business rather than disposal of the entire property or the need to invest more capital in the operation.
- Prevents opportunities for subdivision where there is a significant capital investment, particularly in buildings and the intensive rural activity will continue to be commercially viable and sustainable following separation from other rural activities on the site.
- PR4 unreasonably restricts subdivision potential over what is necessary to avoid undermining the intent of the rule under which these Record of Title were created. Rule 228 of the Franklin Section the donor certificates of title had to meet a minimum area of 1ha each, however, there is no maximum, with many donor Records of Title ranging upwards from 20ha prior to the amalgamation. Under the Franklin Section of the District Plan there was no corresponding rule that limited any further subdivision of the donor lot. While subdividing lots amalgamated under Section 22b of the Franklin Section require closer scrutiny this should merit a Non-Complying Activity status. The land affected may contain qualifying Significant Natural Areas or may be able to relocate boundaries without creating an outcome that may compromise the prior transferable subdivision.
- The objectives and policies of the Proposed Plan should be sufficiently strong to ensure that the subdivision of land containing high class soils is protected and that subdivision in the Urban Expansion Zone does not undermine the integrated and efficient development of this zone.

Point Number 872.11

Summary of Decision Requested: **Amend** Rule 22.4.1.1 Prohibited subdivision, to replace the term 'lot' with 'Record of Title'.

Decision Reasons:

- It may be necessary to create multiple lots and hold them in one Record of Title.
- It may occur when stream or public road bisects land held together in one Record of Title.

Submitter Number: 873 **Submitter:** Anita Moleta & Penny Gooding

Point Number 873.1

Summary of Decision Requested: **Retain** Objective 5.1.1 The rural environment, as notified.

Decision Reasons:

- The Waikato District encompasses valuable areas of high-class soils that are of primary importance for food production both regionally and nationally. Protecting these soils from adverse effects of inappropriate use and development that may affect their life-supporting capacity is of national importance, this is now recognized with a NPS for Versatile Land and High Class Soils under consideration.
- Urban subdivision is an inefficient use of rural production land. Urban subdivision, particularly ad-hoc subdivision, may undermine the integrated development of identified townships and expansion areas.

Point Number 873.2

Summary of Decision Requested: **Retain** Objective 5.2.1 Rural Resources, except for the amendments sought below

AND

Amend 5.2.1(a)(i) Rural resources, as follows:

(a) Maintain or enhance the:

(i) Inherent life-supporting capacity, accessibility, and versatility of soils, in particular high class soils;

...

Decision Reasons:

- The submitter supports sub-policy (i) however accessibility to versatile land is also a key consideration in managing this resource.

Point Number 873.3

Summary of Decision Requested: **Retain** Policy 5.2.2 High Class Soils, as notified.

Decision Reasons:

- The submitter supports this policy.

Point Number 873.4

Summary of Decision Requested: **Amend** Objective 5.3.1 Rural character and amenity, as follows:

(a) Rural character and amenity are maintained while recognising the localised character of different parts of the District.

Decision Reasons:

- The submitter supports this policy, however, recognition of the variation of what defines rural character and amenity values across a large District is needed

- The District encompasses coastal areas, hill country comprising large landholdings and primarily pastoral uses and smaller landholdings, particularly in the northern part of the District which is used for higher value production activities such as intensive cropping, greenhouses, etc.

Point Number 873.5

Summary of Decision Requested: **Retain** Rule 22.4.1.2 (a)(i), (ii) and (iii) General subdivision, as notified.

Decision Reasons:

- The submitters support the inclusion of the General Subdivision rules.

Point Number 873.6

Summary of Decision Requested: **Add** a new discretionary activity to Rule 22.4.1.2 General subdivision, as follows:

D1

- General subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.2 (iv) RD1*
- General subdivision around established rural activities that does not comply with Rule 22.4.1.2 (iv) RD1*

Decision Reasons:

- There should be flexibility in lot size to ensure that the existing farming regime can continue.
- It will ensure practical boundaries and the most efficient ongoing management of the land. A lot size consistent with the established farming regime will avoid the redevelopment of farm tracks and fence lines to access a relatively small piece of land.
- There may be site specific factors that create a unique situation that is conducive to the proposed lot size whilst remaining consistent with the objectives and policies and achieving the anticipated environmental results.
- For lots smaller than 8000m², it is necessary to confirm the provision of services within the lot boundaries.
- Lots greater than 1.6ha may need an assessment, with respect to the productive potential of the land. If the land comprises existing curtilage around the house then the lot will not result in any unreasonable effects with respect to the productive potential of the balance land. If the land comprises productive potential, then a Farm Management report should be provided to demonstrate that the both the proposed lot and the balance lot are sized to ensure rural land uses continue to predominate.
- The creation of lots that accommodate existing and well-established rural activities where these are of a viable, sustainable and permanent nature and it is appropriate for these to be subdivided from other rural activities on the site should be provided for.

Point Number 873.7

Summary of Decision Requested: **Delete** Rule 22.4.1.2 RD1 (a)(v) General Subdivision;

AND

Add an additional matter of discretion to Rule 22.4.1.2 RD1(b) General subdivision, as follows:

(v) Effects on rural productivity and fragmentation of high class soils.

Decision Reasons:

- There is no analysis in the s32 regarding this relevance or practicality of this rule.
- The submitters agree with the intent of this rule, which is to design subdivision to avoid the fragmentation of the high-class soils. However, the strict and arbitrary 80/20 requirement of this rule though may not necessarily result in the best layout design or productivity and fragmentation of farming outcome for the site.
- The objectives and policies (5.1.1, 5.2) give protection to high-class soils. In addition to the objectives and policies (5.2), the submitter would like to see matters relating to the retention of high-class soils and the maintenance of productivity/farming systems addressed as a matter of discretion for the General Subdivision provisions. The strength of the objectives and policies together with expanded matters of discretion are sufficiently strong to ensure adverse outcomes on high-class soils are avoided.
- The requirement to demonstrate the 80/20 split will result in the necessary inclusion of Land Use Capability Reporting with every subdivision application under the General Provisions to demonstrate that this exact figure is met. This additional compliance cost does not necessarily result in a better environmental outcome and becomes a box ticking exercise for Council. Council Consent Planners should have the discretion of where these are required in accordance with the recommended matter of discretion.

Point Number 873.8

Summary of Decision Requested: **Retain** Rule 22.4.1.2(a)(iv) General subdivision which classifies creation of an additional lot between 8000m² and 1.6ha as a Restricted Discretionary activity.

Decision Reasons:

- The creation of an additional vacant lot between 8,000m² and 1.6ha as a Restricted Discretionary Activity is supported.

Point Number 873.9

Summary of Decision Requested: **Retain** Policy 5.3.8 Effects on rural character and amenity from rural subdivision, except for the amendments sought below

AND

- Amend** Policy 5.3.8 Effects on rural character and amenity from rural subdivision, as follows:
- Protect productive rural areas by directing urban forms of subdivision, use and development to within the boundaries of towns and villages.*
 - ~~*Ensure development does not compromise the predominant open space, character and amenity of rural areas.*~~
 - ...
 - Rural hamlet subdivision and boundary relocations ensure the following:*
 - Protection of rural land for productive purposes;*
 - Maintenance of the localised rural character and amenity of the surrounding rural environment;*
 - Minimisation of cumulative effects.*
 - Subdivision, use and development opportunities ensure that localised rural character and amenity values are maintained.*

Decision Reasons:

- Policy 5.3.8(b) duplicates Policy 5.3.8(d)(ii) and (e) which both seek to ensure that rural character and amenity are maintained.
- Not all rural areas comprise open space character and amenity. The district's rural character is varied in nature and comprises landscapes, landforms and structures. These are also areas of active and dynamic primary production and associated activities rather than necessarily benign landscapes.
- It should be recognised that structures and buildings such as greenhouses and pack houses could visually alter rural landscapes. However, these are recognized as important components of primary production activities, form part of the rural environment and are generally considered rural in appearance and value.

Point Number 873.10

Summary of Decision Requested: Amend the activities in Rule 22.4.1.1 Prohibited Subdivision, from Prohibited activities to Non-Complying.

Decision Reasons:

- In PR2 and PR3, there may be circumstances where the subdivision of high class soils has overall positive effects that can be supported by the objectives and policies. Not every subdivision on high-class soil would result in a significant adverse effect on the environment. Relocating consented lots within a holding, (multiple Records of Title held in the same ownership) may produce a better outcome from a farming and landscape perspective.
- There are circumstances where it may be unavoidable to create an additional Record of Title, i.e. where a title is limited as to parcels and held together by covenant.
- The rule relies on a definition of High Class Soils. This definition may not be versatile due to a range of factors identified through case law.
- It is unfair and unreasonable to prohibit the creation of lots when they are of a viable, sustainable and permanent nature and it is appropriate for these to subdivide from other rural activities on the site.
- Rural activities do not need to be held on the same certificate of title as other rural activities, and there may be circumstances where subdivision enables more significant opportunities for economic wellbeing and the efficient and effective operation of the activity.
- Commercial reasons could necessitate subdivision including the desire to sell or lease the business rather than having no other option but to dispose of the entire property, or the need to invest more capital in the operation.
- The prohibited activity status prevents opportunities for significant capital investment, particularly in buildings and the intensive rural activity will continue to be commercially viable and sustainable in the long-term following its separation from other rural activities on the site.
- PR4 may unreasonably restrict the subdivision potential over what is necessary to avoid undermining the intent of the rule under which these Records of Title were created (Rule 22B – Franklin Section). Under Rule 22B of the Franklin Section the donor certificates of title had to meet a minimum area of 1ha each, however, there is no maximum, with many donor Records of Title ranging upwards from 20ha prior to the amalgamation.
- In the Franklin Section of the District Plan, there was no corresponding rule that limited any further subdivision of the donor lot. While subdividing lots amalgamated under Section 22b of the Franklin Section require scrutiny this should merit a Non-Complying Activity status only. The land affected may contain qualifying Significant Natural Areas or may be able to relocate boundaries with a neighbor without creating an outcome that may compromise the prior transferable subdivision.
- The Proposed Plan should be sufficiently strong to ensure that the subdivision of land containing high-class soils is protected in the Rural Zone from inappropriate subdivision and development, and that subdivision in the Urban Expansion Zone does not undermine the integrated and efficient development of this zone.

Point Number 873.11

Summary of Decision Requested: Amend Rule 22.4.1.1 Prohibited subdivision, to change all of the references from "lot" to "Record of Title",

Decision Reasons:

- It may be necessary to create multiple lots and hold them in one Record of Title. This may occur where a stream or a public road bisects land held together in one Record of Title.

Submitter Number: 874

Submitter: Louise & Tony Cole

Point Number 874.1

Summary of Decision Requested: Retain Objective 5.1.1 The rural environment, as notified.

Decision Reasons:

- The Waikato District encompasses valuable areas of high-class soils that are of primary importance for food production both regionally and nationally. Protecting these soils from adverse effects of inappropriate use and development that may affect their life-supporting capacity is of national importance, this is now recognized with a NPS for Versatile Land and High Class Soils under consideration.
- Urban subdivision is an inefficient use of rural production land. Urban subdivision, particularly ad-hoc subdivision, may undermine the integrated development of identified townships and expansion areas.

Point Number 874.2

Summary of Decision Requested: Retain Objective 5.2.1 Rural Resources, except for the amendments sought below;

AND

Amend 5.2.1 (a)(i) Rural resources, as follows:

(a) Maintain or enhance the:

(i) *Inherent life-supporting capacity, accessibility, and versatility of soils, in particular high class soils;*

...

Decision Reasons:

- The submitter supports sub-policy (i), however accessibility to versatile land is also a key consideration in managing this resource.

Point Number 874.3

Summary of Decision Requested: Retain Policy 5.2.2 High Class Soils, as notified.

Decision Reasons:

- The submitter supports this policy.

Point Number 874.4

Summary of Decision Requested: Amend Objective 5.3.1 Rural character and amenity, as follows:

(a) *Rural character and amenity are maintained while recognising the localised character of different parts of the District.*

Decision Reasons:

- The submitter supports this policy, however, recognition of the variation of what defines rural character and amenity values across a large District is needed
- The District encompasses coastal areas, hill country comprising large landholdings and primarily pastoral uses and smaller landholdings, particularly in the northern part of the District which is used for higher value production activities such as intensive cropping,

greenhouses, etc.

Point Number 874.5
Summary of Decision Requested: Retain Rule 22.4.1.2 (a)(i), (ii) and (iii) General subdivision, as notified.
Decision Reasons:

- The submitters support the inclusion of the General Subdivision rules.

Point Number 874.6
Summary of Decision Requested: Add a new discretionary activity to Rule 22.4.1.2 General subdivision, as follows:
DI

- a. General subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.2 (iv) RD I
- b. General subdivision around established rural activities that does not comply with Rule 22.4.1.2 (iv) RD I

Decision Reasons:

- There should be flexibility in lot size to ensure that the existing farming regime can continue.
- It will ensure practical boundaries and the most efficient ongoing management of the land. A lot size consistent with the established farming regime will avoid the redevelopment of farm tracks and fence lines to access a relatively small piece of land.
- There may be site specific factors that create a unique situation that is conducive to the proposed lot size whilst remaining consistent with the objectives and policies and achieving the anticipated environmental results.
- For lots smaller than 8000m², it is necessary to confirm the provision of services within the lot boundaries.
- Lots greater than 1.6ha may need an assessment, with respect to the productive potential of the land. If the land comprises existing curtilage around the house then the lot will not result in any unreasonable effects with respect to the productive potential of the balance land. If the land comprises productive potential, then a Farm Management report should be provided to demonstrate that the both the proposed lot and the balance lot are sized to ensure rural land uses continue to predominate.
- The creation of lots that accommodate existing and well-established rural activities where these are of a viable, sustainable and permanent nature and it is appropriate for these to be subdivided from other rural activities on the site should be provided for.

Point Number 874.7
Summary of Decision Requested: Delete Rule 22.4.1.2 RD I (a)(v) General Subdivision;
AND
Add an additional matter of discretion to Rule 22.4.1.2 RD I(b) General subdivision, as follows:
(v) Effects on rural productivity and fragmentation of high class soils.

Decision Reasons:

- There is no analysis in the s32 regarding this relevance or practicality of this rule.
- The submitters agree with the intent of this rule, which is to design subdivision to avoid the fragmentation of the high-class soils. However, the strict and arbitrary 80/20 requirement of this rule though may not necessarily result in the best layout design or productivity and fragmentation of farming outcome for the site.
- The objectives and policies (5.1.1, 5.2) give protection to high-class soils. In addition to the objectives and policies (5.2), the submitter would like to see matters relating to the retention of high-class soils and the maintenance of productivity/farming systems addressed as a matter of discretion for the General Subdivision provisions. The strength of the objectives and policies together with expanded matters of discretion are sufficiently strong to ensure adverse outcomes on high-class soils are avoided.
- The requirement to demonstrate the 80/20 split will result in the necessary inclusion of Land Use Capability Reporting with every subdivision application under the General Provisions to demonstrate that this exact figure is met. This additional compliance cost does not necessarily result in a better environmental outcome and becomes a box ticking exercise for Council. Council Consent Planners should have the discretion of where these are required in accordance with the recommended matter of discretion.

Point Number 874.8
Summary of Decision Requested: Retain Rule 22.4.1.2(a)(iv) General subdivision, which classifies creation of an additional lot between 8000m² and 1.6ha as a restricted discretionary activity.

Decision Reasons:

- The creation of an additional vacant lot between 8,000m² and 1.6ha as a restricted discretionary activity is supported.

Point Number 874.9
Summary of Decision Requested: Retain Policy 5.3.8 Effects on rural character and amenity from rural subdivision, except for the amendments sought below;
AND
Amend Policy 5.3.8 Effects on rural character and amenity from rural subdivision, as follows:
(a) Protect productive rural areas by directing urban forms of subdivision, use and development to within the boundaries of towns and villages.
~~(b) Ensure development does not compromise the predominant open space, character and amenity of rural areas.~~
...
(d) Rural hamlet subdivision and boundary relocations ensure the following:
(i) Protection of rural land for productive purposes;
(ii) Maintenance of the localised rural character and amenity of the surrounding rural environment;
(iii) Minimisation of cumulative effects.
(e) Subdivision, use and development opportunities ensure that localised rural character and amenity values are maintained.

Decision Reasons:

- Policy 5.3.8(b) duplicates Policy 5.3.8(d)(ii) and (e) which both seek to ensure that rural character and amenity are maintained.
- Not all rural areas comprise open space character and amenity. The district's rural character is varied in nature and comprises landscapes, landforms and structures. These are also areas of active and dynamic primary production and associated activities rather than necessarily benign landscapes.

- It should be recognised that structures and buildings such as greenhouses and pack houses could visually alter rural landscapes. However, these are recognized as important components of primary production activities, form part of the rural environment and are generally considered rural in appearance and value.

Point Number 874.10

Summary of Decision Requested: Amend the activities in Rule 22.4.1.1 Prohibited Subdivision, from Prohibited activities to Non-Complying.

Decision Reasons:

- In PR2 and PR3, there may be circumstances where the subdivision of high class soils has overall positive effects that can be supported by the objectives and policies. Not every subdivision on high-class soil would result in a significant adverse effect on the environment. Relocating consented lots within a holding, (multiple Records of Title held in the same ownership) may produce a better outcome from a farming and landscape perspective.
- There are circumstances where it may be unavoidable to create an additional Record of Title, i.e. where a title is limited as to parcels and held together by covenant.
- The rule relies on a definition of High Class Soils. This definition may not be versatile due to a range of factors identified through case law.
- It is unfair and unreasonable to prohibit the creation of lots when they are of a viable, sustainable and permanent nature and it is appropriate for these to subdivide from other rural activities on the site.
- Rural activities do not need to be held on the same certificate of title as other rural activities, and there may be circumstances where subdivision enables more significant opportunities for economic wellbeing and the efficient and effective operation of the activity.
- Commercial reasons could necessitate subdivision including the desire to sell or lease the business rather than having no other option but to dispose of the entire property, or the need to invest more capital in the operation.
- The prohibited activity status prevents opportunities for significant capital investment, particularly in buildings and the intensive rural activity will continue to be commercially viable and sustainable in the long-term following its separation from other rural activities on the site.
- PR4 may unreasonably restrict the subdivision potential over what is necessary to avoid undermining the intent of the rule under which these Records of Title were created (Rule 22B – Franklin Section). Under Rule 22B of the Franklin Section the donor certificates of title had to meet a minimum area of 1 ha each, however, there is no maximum, with many donor Records of Title ranging upwards from 20ha prior to the amalgamation.
- In the Franklin Section of the District Plan, there was no corresponding rule that limited any further subdivision of the donor lot. While subdividing lots amalgamated under Section 22b of the Franklin Section require scrutiny this should merit a Non-Complying Activity status only. The land affected may contain qualifying Significant Natural Areas or may be able to relocate boundaries with a neighbor without creating an outcome that may compromise the prior transferable subdivision.
- The Proposed Plan should be sufficiently strong to ensure that the subdivision of land containing high-class soils is protected in the Rural Zone from inappropriate subdivision and development, and that subdivision in the Urban Expansion Zone does not undermine the integrated and efficient development of this zone.

Point Number 874.11

Summary of Decision Requested: Amend Rule 22.4.1.1 Prohibited subdivision, to change all of the references from "lot" to "Record of Title".

Decision Reasons:

- It may be necessary to create multiple lots and hold them in one Record of Title. This may occur where a stream or a public road bisects land held together in one Record of Title.

Submitter Number: 875

Submitter: DPI 2014 Limited

Point Number 875.1

Summary of Decision Requested: Retain the Country Living Zoning of the property at 37 Moorfield Road, Te Kauwhata, as notified.

Decision Reasons:

- It provides for efficient use of the land resources.
- It enables the subdivision of land to provide for the growth of the district.
- The site contains limited development constraints making it an appropriate site for country living use.
- Country Living zoning is an efficient use of a land resource that is in close proximity to the existing urban area of Te Kauwhata. The land comprises easy terrain that is suitable for rural residential development.
- This creates rural residential growth within an appropriate area and directs rural residential growth away from rural and coastal areas in the District, providing a buffer between urban living and rural living.

Point Number 875.2

Summary of Decision Requested: No specific decision sought, but submission recognises that the importation of fill to enable residential development is appropriate in Rule 23.2.3.1 Earthworks - General, and questions whether this would be a permitted activity (P2) or a non-complying activity (NC1).

Decision Reasons:

- These provisions seem workable but the submitter is interested in the thoughts of other submitters
- Clean-fill may be required in residential zones to enable green-field land to be developed for residential purposes. It is unclear to the submitter whether it is P2 permitted activity or NC1 non-complying activity. NC1 would be too restrictive and needs to be more lenient to enable green-field development within residential zones.

Point Number 875.3

Summary of Decision Requested: Amend Rule 23.4.2 RDI (a)(i) General Subdivision, as follows:

(i) All proposed lots must have a minimum net site area of ~~at least~~ 3000m² and average net site area of 5000m².

Decision Reasons:

- A blanket minimum lot size can present challenges when designing a subdivision where there are different parent lot shapes, sizes and topographical/vegetative/other constraints. Incorporating a minimum net size area and average net size area for subdivision will provide for greater flexibility in the instances where physical constraints exist.
- 5000m² is an awkward size to maintain for some people, being too large to maintain the large curtilage area but too small to have stock grazing. An average net size area of 5000m² would maintain the amenity values of the Country Living Zone, whilst a minimum net site area of 3000m² would provide a variety of housing living styles and greater flexibility in the instances where physical constraints exist.

Submitter Number: 876

Submitter: Turtle Nut Farm Limited

Point Number 876.1

Summary of Decision Requested: Retain the Country Living Zoning at 27 Travers Road, Te Kauwhata as notified.

Decision Reasons:

- It provides for efficient use of the land resources
- It enables the subdivision of land to provide for the growth of the district
- The site contains limited development constraints making it an appropriate site for country living use
- Country Living zoning is an efficient use of a land resource that is in close proximity to the existing urban area of Te Kauwhata. The land comprises easy terrain that is suitable for rural residential development. Rural residential development (Country Living) will represent an efficient use of the land resource.
- This creates rural residential growth within an appropriate area and directs rural residential growth away from rural and coastal areas in the District, providing a buffer between urban living and rural living.

Point Number 876.2

Summary of Decision Requested: Amend Rule 23.4.2 RD1(a)(i) General Subdivision, as follows:
(i) All proposed lots must have a minimum net site area of at least 3000m2 and average net size area of 5000m2.

Decision Reasons:

- A blanket minimum lot size can present challenges when designing a subdivision where there are different parent lot shapes sizes and topographical/vegetative/other constraints. Incorporating a minimum net size area and average net size area for subdivision will provide for greater flexibility in the instances where physical constraints exist.
- 5000m2 is an awkward size to maintain for some people, being too large to maintain the large curtilage area but too small to have stock grazing.
- An average net size area of 5000m2 would maintain the amenity values of the Country Living Zone, whilst a minimum net site area of 3000m2 would provide a variety of housing living styles and greater flexibility in the instances where physical constraints exist.
- The submitters have obtained subdivision consent (SUB0130/18) to create six lots of at least 5000m2 including around their existing dwelling. The submitters only need an area to contain the existing dwelling, new effluent disposal area and orchard. The additional area comprises of pasture and a pond that is surplus to their needs and ability to maintain and has only been included with their dwelling to comply with an arbitrary rule.

Submitter Number: 877 **Submitter:** Leigh Michael Shaw & Bradley John Hall

Point Number 877.1

Summary of Decision Requested: Retain the Rural zoning of the property at 58 Puketutu Road, Bombay as notified.

Decision Reasons:

- The submitter supports the rural zoning of the land.

Point Number 877.2

Summary of Decision Requested: Add to Chapter 13: Definitions a separate definition for "Free Range Poultry Farming" as per the Franklin Section of the Operative District Plan

Decision Reasons:

- There is a separate definition for this in the Franklin Section of the District Plan.

Point Number 877.3

Summary of Decision Requested: Add to Chapter 13: Definitions a separate definition for "Poultry Hatcheries" as per the Franklin Section of the Operative District Plan.

Decision Reasons:

- There needs to be a separate definition for this as it was in the Franklin Section of the Operative District Plan

Point Number 877.4

Summary of Decision Requested: Add to Chapter 13: Definitions a separate definition for "Farming Visit" as per the Franklin Section of the Operative District Plan.

Decision Reasons:

- There needs to be a separate definition for this as it was in the Franklin Section of the Operative District Plan

Point Number 877.5

Summary of Decision Requested: Add to Chapter 13: Definitions a separate definition for "Packhouse" as per the Franklin Section of the Operative District Plan.

Decision Reasons:

- There needs to be a separate definition for this as it was in the Franklin Section of the Operative District Plan

Point Number 877.6

Summary of Decision Requested: Add to Chapter 13: Definitions a separate definition for "Sleepout" as per the Franklin Section of the Operative District Plan.

Decision Reasons:

- There needs to be a separate definition for this as it was in the Franklin Section of the Operative District Plan

Point Number 877.7

Summary of Decision Requested: Add to Chapter 13: Definitions a separate definition for "On Site Primary Produce Manufacturing" as per the Franklin Section of the Operative District Plan.

Decision Reasons:

- There needs to be a separate definition for this as it was in the Franklin Section of the Operative District Plan

Point Number 877.8

Summary of Decision Requested: Amend the definition for "Farming" in Chapter 13: Definitions to include free-range poultry farming.

Decision Reasons:

- Include free-range poultry as part of "farming"

Point Number 877.9

Summary of Decision Requested: Add to Chapter 13: Definitions a definition for "horticultural activities" that includes glasshouses/greenhouses and plant nurseries and orchards.

Decision Reasons:

- There needs to be a definition of horticultural activities.

Point Number 877.10

Summary of Decision Requested: Amend the definition for "Intensive farming" in Chapter 13 Definitions as follows:

(a) intensive pig farming undertaken wholly or principally in sheds or other shelters or buildings;

~~*(b) free-range pig farming;*~~

(c) poultry or game bird farming undertaken wholly or principally within sheds or other shelters or buildings;

~~*(d) free-range poultry or game bird farming*~~

(e) mushroom farming; and

(f) intensive goat farming animal feedlots feeding livestock on food other than pasture grasses.

It excludes the following, provided the building is used for the purpose for which it was built:

...

(c) calf pens or wintering accommodation for less than 30 stock (except where stock are being reared for the replacement of breeding stock to be used on the same property); and

(d) glasshouse production or nurseries;

(e) free-range poultry or game bird farming;

(f) free-range pig farming;

(g) concentrated but temporary wintering of stock as part of normal farming operations, such as using animal feedpads and standoff pads; and

(h) Poultry hatcheries.

Decision Reasons:

- Intensive farming is the growing of fungi, livestock, or poultry within a building or structure, or an animal feed lot with limited or no dependence on natural soil quality on the site.
- Free-range farming is a distinct land based activity that should not come under the definition of intensive farming
- Poultry Hatcheries should also be excluded from the definition

Point Number 877.11

Summary of Decision Requested: Amend the definition for "Produce Stall" in Chapter 13: Definitions to include the sale of farm and garden produce grown or produced on a site owned by the same landowner.

Decision Reasons:

- This definition should include the sale of farm and garden produce grown or produced on a site owned by the same landholder.
- There can be multiple sites side-by-side or throughout the District that may be owned by the same person and therefore it makes sense for this landowner to sell produce from their stall that is grown on other land that they own.

Point Number 877.12

Summary of Decision Requested: Amend Rule 22.1.2 P2 (a) Permitted Activities to increase temporary event occurrences from three to six times per year.

Decision Reasons:

- This would still only allow for an average of one event every two months which is considered to be appropriate given the other standards are complied with (e.g. hours of operation and general noise levels).
- This is consistent with the Operative District Plan: Franklin Section.

Point Number 877.13

Summary of Decision Requested: Amend Rule 22.1.2 P4(b) Permitted Activities to allow for the storage of materials and machinery outside provided that they are fully screened (not visible) from places off site (including roads and highways).

Decision Reasons:

- Condition (b) should allow for the storage of materials and machinery outside provided that they are fully screened from places off site including roads and highways.
- Some rural properties are large enough and have sufficient on site features to ensure that materials and machinery can be adequately screened. This will have the same intent as storing them in a building.

Point Number 877.14

Summary of Decision Requested: **Add** small scale commercial/retail activities that may be ancillary to rural activities occurring on the site to Rule 22.1.3 Restricted Discretionary Activities. The submission refers to the Auckland Unitary Plan which has further definition and provision for similar activities. Examples include the following:

- Rural commercial services that support rural production activities;
- Small scale commercial activities ancillary to a primary rural activity, such as cafes on berry picking farms.
- Tourism activities and ancillary commercial or food and beverage activities,
- Small wedding venues
- Veterinary Clinics
- Boarding Kennels and Catteries
- Care Centres (less than ten people).

Decision Reasons:

- The Plan fails to provide opportunities for small-scale commercial/retail activities that may be ancillary to rural activities occurring on the site. These are examples of activities that should be provided in limited capacity in the Rural Zone.
- There are a range of small-scale activities that may support the rural economy and can be appropriately accommodated in the Rural Zone. For example, the District has some great tourism opportunities which rural landowners may want to draw upon however the Plan makes no provision for:
- Changing the Plan to allow for some more Restricted Discretionary Activities will give more clarity around the types of non-productive activities that may be acceptable in the Rural Zone and a reasonable expected to locate in this area.

Point Number 877.15

Summary of Decision Requested: **Retain** Rule 22.2.3.1 Earthworks - General as notified.

Decision Reasons:

- The submitter is generally supportive of this provision which provides for ancillary rural earthworks.

Point Number 877.16

Summary of Decision Requested: **Amend** Rule 22.3 Land Use - Building to provide clarification around what buildings are permitted and how this relates to the activities in Rule 22.1 Land Use - Activities.

Decision Reasons:

- This rule refers to Permitted dwellings and minor dwellings but does not reference other buildings such as accessory buildings (e.g. garages and sleep outs) to dwellings/minor dwellings.
- It does not reference buildings such as milking sheds or greenhouses that are associated with permitted farming activities
- There is no overriding activity status for any other building not listed in Rule 22.3 like there is under Rule 22.1, so it is assumed that the buildings themselves are all permitted.
- Amendments should be made to avoid any confusion, especially if their understanding of the applicability of Section 9 of the RMA and what Rule 22.3 allows for is incorrect.
- Submitter questions how an industrial or commercial building is permitted but the use of the building requires resource consent.

Point Number 877.17

Summary of Decision Requested: **Amend** Rule 22.3.6 P1 Building coverage to exclude buildings associated with permitted and controlled farming activities (including free range poultry farming and poultry hatcheries).

Decision Reasons:

- Buildings associated with permitted and controlled farming activities should be exempt from this rule.
- The rule could unduly restrict someone wanting to use the land for a productive purpose (like greenhouses) which for example would only allow 500m² on a 25,000m² property inclusive of the area required for a dwelling

Point Number 877.18

Summary of Decision Requested: **Amend** Rule 22.3.6 P1 Building coverage after considering whether a building coverage rule in the Rural Zone is necessary.

OR

Amend Rule 22.3.6 P1(a)(i) Building coverage to increase the 2% site area coverage limit.

Decision Reasons:

- The 2% building coverage is too low.
- The rule would unduly restrict someone wanting to use the land for a productive purpose (like greenhouses).

Point Number 877.19

Summary of Decision Requested: **Amend** the activity status of Rule 22.4.1.1 PR1, PR2, PR3 and PR4 Prohibited Subdivision, from Prohibited Activities to Non-Complying.

Decision Reasons:

- In PR2 and PR3, there may be circumstances where the subdivision of high class soils has overall positive effects that can be supported by the objectives and policies. Not every subdivision on high-class soil would result in a significant adverse effect on the environment. Relocating consented lots within a holding, (multiple Records of Title held in the same ownership) may produce a better outcome from a farming and landscape perspective.
- There are circumstances where it may be unavoidable to create an additional Record of Title, i.e. where a title is limited as to parcels and held together by covenant.
- The rule relies on a definition of High Class Soils. This definition may not be versatile due to a range of factors identified through case law.
- It is unfair and unreasonable to prohibit the creation of lots when they are of a viable, sustainable and permanent nature and it is appropriate for these to subdivide from other rural activities on the site.
- Rural activities do not need to be held on the same certificate of title as other rural activities, and there may be circumstances where subdivision enables more significant opportunities for economic wellbeing and the efficient and effective operation of the activity.
- Commercial reasons could necessitate subdivision including the desire to sell or lease the business rather than having no other option but to dispose of the entire property, or the need to invest more capital in the operation.
- The prohibited activity status prevents opportunities for significant capital investment, particularly in buildings and the intensive rural activity will continue to be commercially viable and sustainable in the long-term following its separation from other rural activities on the

- site.
- The Proposed Plan should be sufficiently strong to ensure that the subdivision of land containing high-class soils is protected in the Rural Zone from inappropriate subdivision and development, and that subdivision in the Urban Expansion Zone does not undermine the integrated and efficient development of this zone.

Point Number 877.20

Summary of Decision Requested: Amend Rule 22.4.1.1 Prohibited subdivision to change all of the references from "lot" to "Record of Title".

Decision Reasons:

- It may be necessary to create multiple lots and hold them in one Record of Title. This may occur where a stream or a public road bisects land held together in one Record of Title.

Point Number 877.21

Summary of Decision Requested: Retain Rule 22.4.1.4 Boundary relocation, except for the amendments sought below.

AND

Amend Rule 22.4.1.4 RD1 Boundary relocation as follows:

22.4.1.4 Boundary relocation or Adjustment

(a) The boundary relocation or adjustment must:

(i) Relocate a common boundary or boundaries between two or more existing Records of Title ~~that existed prior to 18 July 2018~~;

(ii) no additional potential for permitted activity dwellings and no additional subdivision potential is created beyond that which already existed prior to the subdivision occurring, ~~The Records of Title must form a continuous landholding~~;

(iii) The boundary relocation or adjustment must not result in the creation of additional titles, ~~Not result in any additional lot~~;

(iv) Create one lot of at least 8000m² in area.

Decision Reasons:

- The submitters support the inclusion of boundary relocation provisions and support flexibility to allow rural properties to rationalise large landholdings to provide a logical lot arrangement that better supports the farming activity.
- The rule should also recognise that land is exchanged between two Records of Title to accommodate the existing farming activity (one farmer may be leasing land from another and they wish to formalize this arrangement), or when a farmer owns multiple titles and wants to create a small rural lot for a dwelling and hold the balance of the farm together in one Record of Title
- Boundary relocations or adjustments typically result in positive effects through the enhancement of the productive farming system and allows for the relocation of potential house sites to more favourable locations
- It may be necessary to create multiple lots and hold them in one Record of Title
- The use of the date is inappropriate, as this would allow for closer scrutiny and a higher activity status for no apparent benefit.

Point Number 877.22

Summary of Decision Requested: Retain Rule 22.4.1.6 Conservation lot subdivision, except for the amendments sought below.

AND

Amend Rule 22.4.1.6 Conservation lot subdivision as follows:

(a) The subdivision must comply with all of the following conditions:

(i) The lot must contain;

A. a contiguous area of existing Significant Natural Area either as shown on the planning maps, and/or

B. a contiguous area, to be protected, enhanced and/or restored,

as determined by an experienced and suitably qualified ecologist in accordance with the table below..

(ii) The area of Significant Natural Area, and/or area to be enhanced and/or restored, is assessed by a suitably qualified person as satisfying at least one criteria in Appendix 2 (Criteria for Determining Significance of indigenous Biodiversity);

(iii) The Significant Natural Area or area to be restored is not already subject to legal protection ~~a conservation covenant pursuant to the Reserves Act 1977 or the Queen Elizabeth II National Trust Act~~;

(iv) The subdivision proposes to legally protect all areas of Significant Natural Area and/or area to be restored by way of conservation covenant pursuant to the Reserves Act 1977 or the Queen Elizabeth National Trust Act;

(v) An ecological management plan is prepared to address the ongoing management of the ~~covenant-protected~~ area to be protected area to ensure that the area to be protected is self sustaining and that plan:

A. Addresses fencing requirement for the ~~covenant-protected~~ area to be protected area;

B. Addresses ongoing pest plan and animal control;

C. Identifies any enhancement and/or restoration or edge planting required within the ~~covenant~~ area to be protected area.

(vi)....

(b) Council's discretion is restricted to the following matters:

(i) Subdivision layout and proximity of building platforms to ~~Significant Natural Area~~ the area to be protected;

(ii) Matters contained in an ecological management plan for the ~~covenant-protected~~ area to be protected area.

(iii) Effects of the subdivision on localised rural character and amenity values;

(iv) Extent of earthworks for the location of building platform and accessways.

(v) Mechanism of legal protection for the area to be protected.

Decision Reasons:

- The submitters support the incentivising of legally and physically protecting Significant Natural Areas and other areas of existing biodiversity, which offers positive benefits for the Region.
- There is no provision for ecological enhancement and/or restoration in the Conservation Lot Rules.
- There are significant biodiversity and water quality benefits to gain from ecological enhancement particularly along waterways and wetland areas. Water quality is a key issue identified by the Regional Policy Statement and The Vision and strategy (which requires an improvement of water quality in the Waikato catchment, not simply maintenance). It is also recognised in the corresponding Rural Objectives and Policies which seek enhancement of surface and ground water quality and the natural characteristics of waterways. The Plan should be enabling of improving both biodiversity and water quality within the Waikato Catchment and incentivise enhancement and/or restoration of areas that meet one or more criteria in Appendix 2: Criteria for Determining Significance of Indigenous

Biodiversity. Re-vegetation approximately costs \$45,000 per hectare, excluding fencing of re-vegetated areas from stock. Incentivising through subdivision would assist in offsetting this cost and encourage enhancement and/or restoration planting.

- The submitter seeks that provisions for ecological enhancement and/or restoration of appropriate areas be included in the Conservation Lot Subdivision rules. Appropriate features to be restored should meet one or more criteria in Appendix 2: Criteria for Determining Significance of Indigenous Biodiversity. Minimum areas for enhancement and/or restoration should be in accordance with Rule 22.4.1.6.
- Rule 22.4.1.6 (iii) requires the legal protection of the conservation feature. The submitter suggests that this rule require legal protection only and leave the mechanism of protection to the discretion of Council when assessing the application (e.g.

Point Number 877.23

Summary of Decision Requested: Add a discretionary rule to Rule 22.4.1.6 Conservation lot subdivision as follows:

DI

(a) Conservation lot subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.6 RD1 (vi-vii).

(b) Conservation lot subdivision around established rural activities that does not comply with Rule 22.4.1.6 RD1 (vi-vii).

Decision Reasons:

- Subdivision creating a child lot around an existing dwelling, where a curtilage is established and farming regime is already in place on the balance lot, should be provided flexibility in lot size to ensure that the existing farming regime can continue. This will ensure the boundaries proposed are a practical outcome to ensure the most efficient ongoing management of the land and not to meet an arbitrary rule. A lot size consistent with the established farming regime will avoid the redevelopment of farm tracks and fence lines to access what is a relatively small piece of land.
- A discretionary rule should also be provided for lots less than 8,000m² and greater than 1.6ha where they contain an existing dwelling. There may be site specific factors that create a unique situation that is conducive to the proposed lot size whilst remaining consistent with the objectives and policies and achieving the Anticipated Environmental Results.
- For lots smaller than 8,000m², it is only necessary to confirm the provision of services within the lot boundaries.
- Lots greater than 1.6ha may need an assessment with respect to the productive potential of the land. If the land comprises productive potential, then a Farm Management report should be provided to demonstrate that both the proposed lot and the balance lot are sized to ensure rural land uses continue to predominate.

Point Number 877.24

Summary of Decision Requested: Retain Rule 22.4.1.6(a)(vi) and (vii) Conservation lot subdivision which enables the creation of a vacant lot between 8000m² and 1.6ha as a Restricted Discretionary Activity.

Decision Reasons:

- The creation of an additional vacant lot between 8,000m² and 1.6ha as a restricted discretionary activity is supported.

Point Number 877.25

Summary of Decision Requested: Retain Farming as a permitted activity in Rule 22.1.2 P7 Permitted Activities.

Decision Reasons:

- The submitter supports Farming as a permitted activity, however seek to have the definition of farming amended as per their comment under Chapter 13: Definitions.

Point Number 877.26

Summary of Decision Requested: Add a new permitted activity to Rule 22.1.2 Permitted Activities as follows:

Activity:

Free-Range Poultry Farming

Activity specific conditions:

(g) Coops and associated areas for the treatment and/or disposal of wastes and composting must be setback at least 20m from the nearest site boundary.

Decision Reasons:

- Free-range poultry farming is a distinct land based activity utilising pasture and should be treated the same as any other permitted livestock activity that utilises natural soil quality on the site
- The Rural Zone is the only location that a free-range poultry activity can occur where poultry have access to areas of open grazing land.
- The effects of free-range poultry farming can be mitigated by the compliance with certain standards

Point Number 877.27

Summary of Decision Requested: Add the following activities to Rule 22.1.2 Permitted Activities:

On Site Primary Produce Manufacturing

Farming Visit, Public Garden

Packhouse and coolstore

Farmers' market (meeting certain performance standards)

Decision Reasons:

- There needs to be greater scope in the Permitted Activity table to allow for these activities as per the Franklin Section of the Operative District Plan
- These activities are appropriate for the Rural Zone as they are associated with farming activities and can be readily expected to establish without the need for resource consent.

Point Number 877.28

Summary of Decision Requested: Retain Rule 22.1.2 P9 Permitted Activities to enable Produce Stalls as a Permitted Activity.

Decision Reasons:

- The submitters support Produce Stalls as a permitted activity, however seek to have the definition of Produce Stall amended as per their comment under Chapter 13: Definitions.

Point Number 877.29

Summary of Decision Requested: **Delete** reference to free range poultry farming from Rule 22.1.3 RDI Restricted Discretionary Activities.

AND

Delete Rules 22.1.3 RDI(d)(i) and (ii) pertaining to setbacks for poultry farming.

AND

Add the assessment criteria/guidelines and effects of free range poultry farming as per the Franklin Section of the District Plan, particularly with regards to a more suitable setback as a permitted activity e.g. 20m.

Decision Reasons:

- Free-range poultry farming is a distinct activity that should not come under the definition of intensive farming. Refer to comments made elsewhere in the submission.
- Free-range poultry farming should not be subject to a 100m boundary setback. A 20m setback is adequate for a permitted free-range farming activity excluding grazing which should be allowed to occur in paddocks up to the boundary of a site as per any other permitted livestock activity.
- Free-range poultry farming should be treated the same as any other permitted livestock activity.
- There is no 100m site boundary condition in the Franklin Section of the Operative District Plan, only assessment criteria which provide a buffer area/guideline of 20m from the boundaries of a site. Any site boundary setbacks need to reflect this and the effects of the activity including the lower bird densities found in the free-range poultry industry.
- The submitter was unable to find section 32 justification of the 300m setback.

Submitter Number: 878

Submitter: David Wilson

Point Number 878.1

Summary of Decision Requested: **Retain** Chapter 9.2 Te Kowhai Airpark, as notified.

Decision Reasons:

- Te Kowhai aerodrome is an important hub for the aviation community of New Zealand.
- It's continued existence contributes to aviation safety in the Waikato region with fuel availability and a good alternate option to Hamilton.
- To enable an airpark would safeguard this unique facility and further enhance the considerable infrastructure that already exists at the aerodrome.
- This should be viewed as a huge opportunity for the Waikato region to take advantage of a unique and limited site where this type of development could be possible.

Point Number 878.2

Summary of Decision Requested: **Retain** Chapter 27 Te Kowhai Airpark Zone, as notified.

Decision Reasons:

- Te Kowhai aerodrome is an important hub for the aviation community of New Zealand.
- It's continued existence contributes to aviation safety in the Waikato region with fuel availability and a good alternate option to Hamilton.
- To enable an airpark would safeguard this unique facility and further enhance the considerable infrastructure that already exists at the aerodrome.
- This should be viewed as a huge opportunity for the Waikato region to take advantage of a unique and limited site where this type of development could be possible.

Submitter Number: 879

Submitter: Don Wilkinson

Organisation: SAA Auckland Chapter

Point Number 879.1

Summary of Decision Requested: **Retain** Te Kowhai Airfield.

AND

No specific decision sought, but submission seeks to 'enhance Te Kowhai Airfield per the Submission for even Airpark status'.

Decision Reasons:

- Te Kowhai is a very useful location for an emergency/refueling point, and in inclement weather. It is a safety "Bolt Hole".
- Airfields are diminishing in numbers generally.
- It provides camaraderie, healthy education and technical advancement with sport aircraft operation and maintenance.
- It is a sociable stop for company and fuel when heading south from Auckland.

Submitter Number: 880

Submitter: Dave Falconer

Point Number 880.1

Summary of Decision Requested: **Add** to Chapter 9 Specific Zones, new zoning policies, rules and methods to create a specific Kimihia Lakes Recreation and Events park zone, for the Lake Kimihia project and for the restoration of the former Solid Energy Huntly East Mine.

Decision Reasons:

- Other Councils have done it for Queenstown Events Centre, Lake Wanaka Centre, Rotorua Aquatic Centre, Taupo Events Centre, Taupo Equestrian Centre, etc.

- Council has responded to their LTDP submission: “WDC is working with the new landowners to support their vision for the Huntly East mine. ... Council and the landowner are in discussions about work programs to effect this rehabilitation. The Council has also been discussing with the New Zealand Transport Agency, the need for south facing expressway ramps to be installed. Activities such as the Huntly East Mine rehabilitation proposal will strengthen the need for such access.” This shows Council support for the Kimihia Lake and area development.
- The significance of the restoration of Lake Kimihia, and wetlands within the former mine area, to their former state embodies the policy I.5.7.2 Landscape and natural character.
- The restored Lake Kimihia would be a complete reflection of the relationship between people and place and it would be a good example of 'de-evolution'.
- The new owners have undone much of the exploitation of the lake by allowing it to refill and finally have its mana restored.
- The natural inclination of the water body is infilling the lake at a rate much faster than anticipated.
- It will be a stunning asset to future generations.
- Any means to allow the lake to infill even faster should be actively supported, as there are options available.
- The mining activity adversely affected the air quality in both odor and dust and was managed by Waikato Regional Council however under Section 31 (b) of the Resource Management Act Council can still control the actual effects of the protection of land.
- The submitters encourage Council to support the restoration of Lake Kimihia as a high priority.
- Once a coal mine is disestablished the adverse effects of the development need to be a high priority of Council to make sure restoration of a significant environmental asset such as a lake are unhindered by 'red tape'.
- Hampton Downs development took over a decade to work through the paperwork, however it was built on existing farm land which was in the flood zone and considered wet land', the defunct mine land is in need of restoration and its water and environmental value is in need of urgent care this can be understood under 1.11 Monitoring.
- The development of the Lake Kimihia Recreation and Events park would offer significant employment and development opportunities.
- It would be a popular events venue that is both accessible by the Auckland and Hamilton urban economies, generating income to Huntly —boosting employment opportunities that was forfeited by the closure of the mine.
- The submitters welcome recreational area to our growing population and significant tourism industry.
- The 'Golden Triangle' of Auckland, Hamilton, and Tauranga contains half of the national population and economy, and the present Labour government has committed to building a rapid rail network connecting these areas that run right past Huntly.
- Recreational use of the environment is important to the district however the scale of the proposed Kimihia Lakes Recreation and Events Park would be on a scale that could reach the major city centers that are within Hamilton and Auckland.
- The huge success of the Placemakers Huntly Speedway attests to the popularity of events drawing the crowds to the area and with the Expressway and envisioned access from/to Huntly this would only make the proposal more popular.
- It's time to be supportive to an outstanding vision to make Huntly a popular destination.
- The park will become a significant contribution to the Waikato District's economy.
- The proposed plan would enhance the Waikato economy and tourism industry.
- It is a picturesque lake and will have many tourism options, which are popular such as walks and sport opportunities, etc.
- Restoring a coalmine is of international interest and supports fully New Zealand's known 'Clean Green' image.
- Solid Energy and Waikato Regional Council assured us the lake would be restored.
- This is relevant to 1.9.3 Section 5 RMA, 1.9.5 Section 7 RMA, 1.12.5, 1.12.6, 1.12.7, 2.12.8, and Chapter 2: Tangata Whenua in the Proposed District Plan.

Point Number

880.2

Summary of Decision Requested:

Add a southbound on/exit ramp near Kimihia Road or McVie Road, Huntly, to divert as much traffic away as possible from Taupiri Mountain Cemetery, in relation to 2.12.1 (Tangata Whenua – Whakapapa (connection to nature) Policy – Whanaungatanga (relationship to nature)) and encourage Huntly's significant current growth.

Decision Reasons:

- The Maori King, in the late 1860's, wept when he was informed of the intended route of the main rail trunk line alongside state highway 1 effectively cutting the access to the sacred burial ground.
- Mount Taupiri is a sacred mountain and burial ground for Waikato Iwi and Kingitanga.
- Taupiri Te Putu Pa has a long history dating back to the 1600s, where past Maori Kings and Queen are buried in the highest part of the Uruapa, on the summit where Te Putu's pa stood.
- Parking and access became difficult because the State Highway and railway lie largely on gentler sloping land at the foot of the slopes of Taupiri Mountain
- Parking is required to be on the other side of the North Island transport system in a small and constrained area beside the Waikato River and Mangawara Stream.
- Many mourners attending Tangi often cause disruption to traffic, out of necessity.
- Mourners attending funerals have to manage 70kph traffic and then when the trains come it is formidable, as it is required to blow its horn amidst all the mourners and ceremony.
- Any reduction in traffic will be a much welcome outcome
- Maori obliged early European travelers to cross to the other side of the Waikato River to avoid the sacred area of Taupiri Mountain.
- It would be a valuable and thoughtful addition to include Taupiri Mountain and its significance to the Maori people as part of the Mayor's proposition to gain acceptance of the need for the southbound on/off ramp.
- Any traffic passage that can give relief to the sacred Taupiri Mountain Uruapa (Cemetery) and mourners must be of national and governmental significance and is reflected in the WDP, Chapter 2, Tangata Whenua
- This should be a major concern of Council and Government
- In 1.4.1.3, Huntly is projected to remain static. However, several new residential housing developments have fully sold including the Allen Mara Subdivision lifestyle development. Huntly is experiencing significant growth, which we have seen having lived in the town for decades, and it is highly likely the Waikato Expressway on/off ramp to Huntly will gain governmental approval to go ahead
- It is fatalistic of WDC to be 'planning' under 1.4.1.3 for the Expressway to bypass Huntly when the Mayor and many others have put in so much effort including by WDC for this to go ahead
- The Sacred Taupiri Mountain burial grounds should ensure the provision off the on/off ramps to Huntly on its own grounds alone.
- If Council has given up on the Huntly (Rahui Pokeka) Expressway on/off ramps then it needs to let the community know so they can take up the cause
- The Council responded to the submitters as follows: “The Council has also been discussing with The New Zealand Transport Agency, the need for south facing expressway ramps to be installed. Activities such as the Huntly East Mine rehabilitation proposal will strengthen the need for such access.” This response is contrary to the Waikato District Plan comments.
- Uruapa was recently discussed with the Mayor regarding the Sacred Burial Grounds of Taupiri Mountain and was considered a major factor in addressing the need for access from Huntly to the Expressway.
- The submitter has included part of their submission to the Long Term District Plan 2018 regarding this. Under 2.12.1, it states 'recognize the relationship of Tangata Whenua with areas of significance, including waahi tapu, urupa, maunga and other landforms...'
- Under the RMA the Treaty of Waitangi needs to be upheld in discussions regarding the urupa and the diversion of traffic away from the sacred burial site (Taupiri Mountain) via a Huntly/Rahui Pokeka off/on ramp

Point Number

880.3

Summary of Decision Requested:

Restore the town name of Huntly to its original name of Rahui Pokeka.

Decision Reasons:

- The Council need to be mindful of cultural value/impact assessments such as honoring urupa rather than factor the Huntly access to the Expressway
- The Council should be acknowledging Section 2.12.1, the significant legal power of Tangata Whenua and areas of significance such as urupa.
- It is a matter of utmost urgency and an obligation under Section 2.12.1 (iii)
- The Council had dismissed the submitters previously “At the stage Council is not looking to rename Huntly”.

Point Number

880.4

Summary of Decision Requested:

Amend zoning of a small portion of the land at Solid Energy's Huntly East Mine from Rural Zone to Residential Zone (not identified in the submission). This is to border historically Residential Zoned land.

Decision Reasons:

- This is in relation to Section 1.4.4 (Issues for Waikato District – The Urban Environment) and 1.5.2 (What does this mean for Waikato district strategic objectives and directions – Planning for urban growth and development)
- To help fund for the project proposed in previous submission points.
- The rezoning of a small portion of the defunct mine to Residential Zoning would meet the Councils requirement to ensure the environment is maintained and enhanced from the derelict state it was left in to creating quality residential sites in a desirable area, which will fund further development of the mine into a sustainable environment.

- The submitters were promised native plantings by both the mine and the Waikato Regional Council eight years ago, and that the smoldering coal fires would be sorted so that the acid fumes would not drift to neighboring residential homes.
- The constraints to avoid encroachment into rural land is not a consideration for the defunct mine, as it is a national responsibility to restore this area into its original state.
- It is no longer a rural area and is a derelict abandoned mining area.
- This is so that no residential fragmentation would occur in this case.
- The area to rezone as residential is sympathetic to the restoration project of Lake Kimihia, which is paramount in the Aliens vision to see the lake restored.
- The valued elements of the original local character are respected and cater for expected growth confirmed by all residential housing developments being sold in the area.
- The Council supports the development of the nationwide cycle network and the Hamilton Airport project, which are just outside of the District. The submitter supports this however the defunct mine is in the center of District jurisdiction and needs the Councils support.
- This will provide recreational opportunities through walkways and cycle routes and already has land set aside for connectivity to the Lake Hakanoa walkway via Kimihia Road.
- This follows the lead of the New Zealand Biodiversity Strategy, the Draft National Policy Statement on Biodiversity, and the Waikato District Conservation Strategy.

Submitter Number: 881 **Submitter:** Hannah Fisi'ihoi

Point Number 881.1

Summary of Decision Requested: Retain Chapter 2 Tangata Whenua.

Decision Reasons:

- Ngati Koata has close historical ties to Whaingaroa.
- These provisions allow Iwi to sustain their lands in a way that enables them to address the cultural and economic wellbeing of their people.
- These provisions allow the development of a fluid concept plan that can evolve with the needs of future generations.
- This will serve to revitalise the historical connection Ngati Koata has on the Whaanga Coast.

Submitter Number: 882 **Submitter:** Kenneth Kauluwehi

Point Number 882.1

Summary of Decision Requested: Retain Chapter 2 Tangata Whenua.

Decision Reasons:

- As Ngati Koata, the submitter appreciates the amendments to the Waikato District Proposed Plan in that they support the social, cultural and economic aspirations of mana whenua on the Whaanga Coast.
- Through the development of sustainable practices on their lands in Whaingaroa, they will be able to reinvigorate their connections with the area, the local iwi and the wider community.

Submitter Number: 883 **Submitter:** Jayde Smiler

Point Number 883.1

Summary of Decision Requested: Retain Chapter 2 Tangata Whenua.

Decision Reasons:

- As Ngati Koata with strong links to Whaingaroa, the submitter sees the removal of barriers to sustainable development of their lands as supporting Iwi aspirations to grow a prosperous, healthy, vibrant, innovative and culturally strong people.

Submitter Number: 884 **Submitter:** Reuben Smiler

Point Number 884.1

Summary of Decision Requested: Retain Chapter 2 Tangata Whenua.

Decision Reasons:

- As Ngati Koata, the submitter appreciates the amendments to the Plan in that it supports the social, cultural and economic aspirations of mana whenua on the Whaanga coast.
- Through the development of sustainable practices on their lands in Whaingaroa, the submitters will be able to reinvigorate their connections with the area, with local iwi and the wider community.

Submitter Number: 885 **Submitter:** David Smiler

Point Number 885.1

Summary of Decision Requested: Retain Chapter 2 Tangata Whenua.

Decision Reasons:

- As Ngati Koata with strong links to Whaingaroa, the submitter sees the removal of barriers to sustainable development of their lands as supporting Iwi aspirations to grow a prosperous, healthy, vibrant, innovating and culturally strong people.

Submitter Number:	886	Submitter:	Jeneah Smiler
Point Number	886.1		
Summary of Decision Requested:	Retain Chapter 2 Tangata Whenua.		
Decision Reasons:	<ul style="list-style-type: none"> • As Ngati Koata land block owners in Whaingaroa, the submitter feels that barriers expressed in the current district plan prevent Tangata Whenua from maintaining their relationship with their ancestral lands. • The submitter appreciates that the laws and policies outlined in the Plan supports more effectively the occupation and development of Maori land, allowing mana whenua to utilise, manage and enjoy their traditional resources in accordance with Tikanga Maori. • This will strengthen their connection to the area once again for generations. 		

Submitter Number:	887	Submitter:	Jared Smiler
Point Number	887.1		
Summary of Decision Requested:	Retain Chapter 2 Tangata Whenua.		
Decision Reasons:	<ul style="list-style-type: none"> • As Ngati Koata, the submitter appreciates the amendments to the Waikato District Proposed Plan in that they support the social, cultural and economic aspirations of mana whenua on the Whaanga Coast. • Through the development of sustainable practices on their lands in Whaingaroa, they will be able to reinvigorate their connections with the area, the local iwi and the wider community. 		

Submitter Number:	888	Submitter:	Murray Bassett
Point Number	888.1		
Summary of Decision Requested:	Retain Chapter 2 Tangata Whenua.		
Decision Reasons:	<ul style="list-style-type: none"> • The submitter feels that the policies and rules outlined in Chapter 2 help to address the barriers that have prevented owners from engaging and utilising the land for social, cultural and economic well-being. • As Ngati Koata, the submitter is excited about the prospect of being able to develop a master plan for their land blocks in Whaingaroa that supports the kind of sustainable development that will encourage more frequent visits of their iwi to the area. • The Plan may be the start of Whaingaroa once again becoming a turangawaewae stronghold for Ngati Koata. 		

Submitter Number:	889	Submitter:	Pirihira Bassett
Point Number	889.1		
Summary of Decision Requested:	Retain Chapter 2 Tangata Whenua.		
Decision Reasons:	<ul style="list-style-type: none"> • The policies and rules outlined in Chapter 2: Tangata Whenua help to address the barriers that have prevented owners from engaging and utilising the land for social and cultural and economic wellbeing. • As Ngati Koata, the submitter is excited about the prospect of being able to develop a master plan for their land blocks in Whaingaroa that supports the kind of sustainable development that will encourage more frequent visits of their iwi to the area. • This could be the start of Whaingaroa becoming a turangawaewae stronghold for Ngati Koata once again. 		

Submitter Number:	890	Submitter:	Summer Ata Brown
Point Number	890.1		
Summary of Decision Requested:	Retain Chapter 2 Tangata Whenua.		
Decision Reasons:	<ul style="list-style-type: none"> • Ngati Koata has close ties to Whaingaroa. • While the submitters are owners of land blocks in the area, current restrictions make it difficult to develop the land in sustainable ways. • The submitters acknowledge that the proposed changes provides Tangata Whenua with the ability to utilise communally owners land in accordance with their cultural values, as well as opportunity for creating economic development that will allow whanau to visit the land more frequently. 		

Submitter Number:	891	Submitter:	John Angus Kendall
Point Number	891.1		
Summary of Decision Requested:	Retain Chapter 2 Tangata Whenua.		
Decision Reasons:	<ul style="list-style-type: none"> • Ngati Koata has close ties to Whaingaroa. • While the submitters are owners of land blocks in the area, current restrictions make it difficult to develop the land in sustainable ways. • The submitters acknowledge that the proposed changes provides Tangata Whenua with the ability to utilise communally owners land in accordance with their cultural values, as well as opportunity for creating economic development that will allow whanau to visit the land 		

more frequently.

Submitter Number:	892	Submitter:	Rebekah Hemi
Point Number	892.1		
Summary of Decision Requested:	Retain Chapter 2 Tangata Whenua.		
Decision Reasons:	<ul style="list-style-type: none">• The policies and rules outlined in Chapter 2: Tangata Whenua help to address the barriers that have prevented owners from engaging and utilizing the land for social and cultural and economic wellbeing.• As Ngati Koata, the submitter is excited about the prospect of being able to develop a master plan for their land blocks in Whaingaroa that supports the kind of sustainable development that will encourage more frequent visits of their iwi to the area.• This could be the start of Whaingaroa becoming a turangawaewae stronghold for Ngati Koata once again.		

Submitter Number:	893	Submitter:	Irene Hemi
Point Number	893.1		
Summary of Decision Requested:	Retain Chapter 2 Tangata Whenua.		
Decision Reasons:	<ul style="list-style-type: none">• As Ngati Koata with strong links to Whaingaroa, the submitter sees the removal of barriers to sustainable development of their lands as supporting iwi aspirations to grow a prosperous, healthy, vibrant, innovative and culturally strong people.		

Submitter Number:	894	Submitter:	Pene Wahanui (Benjamin) Hemi
Point Number	894.1		
Summary of Decision Requested:	Retain Chapter 2 Tangata Whenua.		
Decision Reasons:	<ul style="list-style-type: none">• Ngati Koata has close ties to Whaingaroa.• While the submitters are owners of land blocks in the area, current restrictions make it difficult to develop the land in sustainable ways.• The submitters acknowledge that the proposed changes provides Tangata Whenua with the ability to utilise communally owned land in accordance with their cultural values, as well as opportunity for creating economic development that will allow whanau to visit the land more frequently.		

Submitter Number:	895	Submitter:	Rachel Leutele
Point Number	895.1		
Summary of Decision Requested:	Retain Chapter 2 Tangata Whenua.		
Decision Reasons:	<ul style="list-style-type: none">• As Ngati Koata, the submitter appreciates the amendments to the Waikato District Proposed Plan in that they support the social, cultural and economic aspirations of mana whenua on the Whaanga Coast.• Through the development of sustainable practices on their lands in Whaingaroa, they will be able to reinvigorate their connections with the area, the local iwi and the wider community.		

Submitter Number:	896	Submitter:	Dean Leutele
Point Number	896.1		
Summary of Decision Requested:	Retain Chapter 2 Tangata Whenua.		
Decision Reasons:	<ul style="list-style-type: none">• While the District Council has expressed an obligation to upholding the Rangatiratanga Principle inherent in Te Tiriti o Waitangi in respect to Tangata Whenua, the existing District Council plan created barriers to the actualisation of iwi controlling their resources as their own.• The Proposed District Council plan goes a long way in significantly reducing barriers, thus allowing Ngati Koata to develop their land blocks in sustainable ways in accordance with their own values.		

Submitter Number:	897	Submitter:	Manu-ofa-tupufo'ou Fisi'ihoi
Point Number	897.1		
Summary of Decision Requested:	Retain Chapter 2 Tangata Whenua.		

Decision Reasons:

- As Ngati Koata, the submitter appreciates the amendments to the Waikato District Proposed Plan in that they support the social, cultural and economic aspirations of mana whenua on the Whaanga Coast.
- Through the development of sustainable practices on their lands in Whaingaroa, they will be able to reinvigorate their connections with the area, the local iwi and the wider community.

Submitter Number: 898 **Submitter:** Tania Enoka

Point Number 898.1

Summary of Decision Requested: Retain Chapter 2 Tangata Whenua.

Decision Reasons:

- While the District Council has expressed an obligation to upholding the Rangatiratanga Principle inherent in Te Tiriti o Waitangi in respect to Tangata Whenua, the existing District Council Plan created barriers to the actualisation of iwi controlling their resources as their own.
- The Proposed District Council Plan goes a long way in significantly reducing barriers, thus allowing Ngati Koata to develop their land blocks in sustainable ways in accordance with their own values.

Submitter Number: 899 **Submitter:** Tapsell Enoka

Point Number 899.1

Summary of Decision Requested: Retain Chapter 2 Tangata Whenua.

Decision Reasons:

- The Existing District Plan created barriers to actualisation of Iwi controlling their resources as their own, despite the District Council expressing an obligation to uphold Rangatiratanga Principle inherent in Te Tiriti o Waitangi.
- The Proposed Waikato District Plan significantly reduces those barriers, allowing Ngati Koata to develop their land blocks in sustainable ways in accordance with their own values.

Submitter Number: 900 **Submitter:** Arnelle Hemi

Point Number 900.1

Summary of Decision Requested: Retain Chapter 2 Tangata Whenua.

Decision Reasons:

- As Ngati Koata land block owners in Whaingaroa, the submitter feel that barriers in the current District Plan prevent Tangata Whenua from maintaining their relationship with ancestral lands.
- Laws and policies in the Proposed Waikato District Plan supports the occupation and development of Maori land and allows mana whenua to utilise, manage and enjoy traditional resources in accordance with Tikanga Maori.
- This will strengthen connection to area again for future generations.

Submitter Number: 901 **Submitter:** Tiwini Hemi

Point Number 901.1

Summary of Decision Requested: Retain Chapter 2 Tangata Whenua.

Decision Reasons:

- As Ngati Koata, the submitter appreciates the Proposed Waikato District Plan as it supports social, cultural and economic aspirations of mana whenua on the Whaanga Coast.
- Will be able to reinvigorate connections with the area, local iwi and the wider community through sustainable development practices.

Submitter Number: 902 **Submitter:** William Elkington

Point Number 902.1

Summary of Decision Requested: Retain Chapter 2 Tangata Whenua.

Decision Reasons:

- Proposed Waikato District Plan policies and rules in Chapter 2 Tangata Whenua help address barriers that have prevented owners from engaging and utilising land for social, cultural and economic well-being.
- As Ngati Koata, the submitter is excited about being able to develop master plan for Whaingaroa land blocks that supports kind of sustainable development that will encourage more visits of their iwi to the area.
- There is the potential for area to (once again) become a turangawaewae for Ngati Koata.

Submitter Number: 903 **Submitter:** Sharon Elkington

Point Number	903.1
Summary of Decision Requested:	Retain Chapter 2 Tangata Whenua.
Decision Reasons:	<ul style="list-style-type: none"> • Ngati Koata have a historical connection to Whaingaroa. • Chapter 2 Tangata Whenua Provisions supports cultural and economic well-being as it allows Iwi to sustain their lands. • They allow the development of a fluid concept plan that can evolve with the needs of future generations which will also revitalise the historic connection between Ngati Koata and the Whaanga Coast.

Submitter Number:	904	Submitter:	Anthony Elkington
Point Number	904.1		
Summary of Decision Requested:	Retain Chapter 2 Tangata Whenua.		
Decision Reasons:	<ul style="list-style-type: none"> • Ngati Koata have a historical connection to Whaingaroa. • Chapter 2 Tangata Whenua Provisions supports cultural and economic well-being as it allows Iwi to sustain their lands. • They allow the development of a fluid concept plan that can evolve with the needs of future generations which will also revitalise the historic connection between Ngati Koata and the Whaanga Coast. 		

Submitter Number:	905	Submitter:	Arthur Elkington
Point Number	905.1		
Summary of Decision Requested:	Retain Chapter 2 Tangata Whenua.		
Decision Reasons:	<ul style="list-style-type: none"> • Ngati Koata have a historical connection to Whaingaroa. • Chapter 2 Tangata Whenua Provisions supports cultural and economic well-being as it allows Iwi to sustain their lands. • They allow the development of a fluid concept plan that can evolve with the needs of future generations which will also revitalise the historic connection between Ngati Koata and the Whaanga Coast. 		

Submitter Number:	906	Submitter:	Nephi Marangai Elkington
Point Number	906.1		
Summary of Decision Requested:	Retain Chapter 2 Tangata Whenua.		
Decision Reasons:	<ul style="list-style-type: none"> • Ngati Koata have a historical connection to Whaingaroa. • Chapter 2 Tangata Whenua Provisions supports cultural and economic well-being as it allows Iwi to sustain their lands. • They allow the development of a fluid concept plan that can evolve with the needs of future generations which will also revitalise the historic connection between Ngati Koata and the Whaanga Coast. 		

Submitter Number:	907	Submitter:	Mona Elkington
Point Number	907.1		
Summary of Decision Requested:	Retain Chapter 2 Tangata Whenua.		
Decision Reasons:	<ul style="list-style-type: none"> • Ngati Koata have a historical connection to Whaingaroa. • Chapter 2 Tangata Whenua Provisions supports cultural and economic well-being as it allows Iwi to sustain their lands. • They allow the development of a fluid concept plan that can evolve with the needs of future generations which will also revitalise the historic connection between Ngati Koata and the Whaanga Coast. 		

Submitter Number:	908	Submitter:	Ria Harrison
Point Number	908.1		
Summary of Decision Requested:	Retain Chapter 2 Tangata Whenua.		
Decision Reasons:	<ul style="list-style-type: none"> • Ngati Koata has close ties to Whaingaroa. • Even though they own the land, current restrictions make it difficult to sustainably develop the land. • The Proposed Waikato District Plan provide Tangata Whenua with the ability to use land in accordance with cultural values and creates economic development that will allow for more frequent visits to the land from whanau. 		

Submitter Number:	909	Submitter:	Samuel Harrison
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Point Number	909.1
Summary of Decision Requested:	Retain Chapter 2 Tangata Whenua.
Decision Reasons:	<ul style="list-style-type: none"> • Ngati Koata has close ties to Whaingaroa. • Even though they own the land, current restrictions make it difficult to sustainably develop the land. • The Proposed Waikato District Plan provide Tangata Whenua with the ability to use land in accordance with cultural values and creates economic development that will allow for more frequent visits to the land from whanau.

Submitter Number:	910	Submitter:	May-Grace Elkington
Point Number	910.1		
Summary of Decision Requested:	Retain Chapter 2 Tangata Whenua.		
Decision Reasons:	<ul style="list-style-type: none"> • The Proposed Waikato District Plan policies and rules in Chapter 2 Tangata Whenua help address barriers that have prevented owners from engaging and utilising the land for social, cultural and economic well-being. • As Ngati Koata, the submitter is excited about being able to develop a master plan for Whaingaroa land blocks that supports the kind of sustainable development that will encourage more visits of their iwi to the area. • Potential for area to (once again) become a turangawaewae for Ngati Koata. 		

Submitter Number:	911	Submitter:	Tahana Elkington
Point Number	911.1		
Summary of Decision Requested:	Retain Chapter 2 Tangata Whenua.		
Decision Reasons:	<ul style="list-style-type: none"> • The Proposed Waikato District Plan policies and rules in Chapter 2 Tangata Whenua help address barriers that have prevented owners from engaging and utilising the land for social, cultural and economic well-being. • As Ngati Koata, the submitter is excited about being able to develop a master plan for Whaingaroa land blocks that supports the kind of sustainable development that will encourage more visits of their iwi to the area. • Potential for area to (once again) become a turangawaewae for Ngati Koata. 		

Submitter Number:	912	Submitter:	Tyler Morris (Elkington)
Point Number	912.1		
Summary of Decision Requested:	Retain Chapter 2 Tangata Whenua.		
Decision Reasons:	<ul style="list-style-type: none"> • Ngati Koata have a historical connection to Whaingaroa. • Chapter 2 Tangata Whenua Provisions supports cultural and economic well-being as it allows Iwi to sustain their lands. • They allow the development of a fluid concept plan that can evolve with the needs of future generations which will also revitalise the historic connection between Ngati Koata and the Whaanga Coast. 		

Submitter Number:	913	Submitter:	Noel Morris
Point Number	913.1		
Summary of Decision Requested:	Retain Chapter 2 Tangata Whenua.		
Decision Reasons:	<ul style="list-style-type: none"> • Ngati Koata have a historical connection to Whaingaroa. • Chapter 2 Tangata whenua Provisions supports cultural and economic well-being as it allows Iwi to sustain their lands. • They allow the development of a fluid concept plan that can evolve with the needs of future generations which will also revitalise the historic connection between Ngati Koata and the Whaanga Coast. 		

Submitter Number:	914	Submitter:	Rei Elkington-Kendall
Point Number	914.1		
Summary of Decision Requested:	Retain Chapter 2 Tangata Whenua.		
Decision Reasons:	<ul style="list-style-type: none"> • Ngati Koata has close ties to Whaingaroa. • Despite while being owners of the land, current restrictions make it difficult to sustainably develop the land. • The Proposed Waikato District Plan provide Tangata Whenua with the ability to use the land in accordance with cultural values and creates economic development that will allow for more frequent visits to the land from whanau. 		

Submitter Number:	915	Submitter:	Aaran Elkington
Point Number	915.1		
Summary of Decision Requested:	Retain Chapter 2 Tangata Whenua.		
Decision Reasons:	<ul style="list-style-type: none"> The existing District Plan created barriers to actualization of Iwi controlling their resources as their own, despite the District Council expressing an obligation to uphold Rangatiratanga Principle inherent in Te Tiriti o Waitangi. The Proposed Waikato District Plan significantly reduces those barriers, allowing Ngati Koata to develop their land blocks in sustainable ways in accordance with their own values. 		

Submitter Number:	916	Submitter:	Mele Elkington
Point Number	916.1		
Summary of Decision Requested:	Retain Chapter 2 Tangata Whenua.		
Decision Reasons:	<ul style="list-style-type: none"> Proposed Waikato District Plan policies and rules in Chapter 2 Tangata Whenua help address barriers that have prevented owners from engaging and utilising land for social, cultural and economic well-being. As Ngati Koata, the submitter is excited about being able to develop a master plan for Whaingaroa land blocks that supports kind of sustainable development that will encourage more visits of their iwi to the area. There is the potential for area to (once again) become a turangawaewae for Ngati Koata. 		

Submitter Number:	917	Submitter:	Jonelle Modlik
Point Number	917.1		
Summary of Decision Requested:	Retain Chapter 2 Tangata Whenua.		
Decision Reasons:	<ul style="list-style-type: none"> As Ngati Koata land block owners in Whaingaroa, feel that barriers in current District Plan prevent Tangata Whenua from maintaining relationship with ancestral lands. Laws and policies in Chapter 2 Tangata Whenua of the the Proposed Waikato District Plan supports the occupation and development of Maori land and allows mana whenua to utilise, manage and enjoy traditional resources in accordance with Tikanga Maori. This will strengthen the connection to area again for future generations. 		

Submitter Number:	918	Submitter:	Dalton Wihongi
Point Number	918.1		
Summary of Decision Requested:	Retain Chapter 2 Tangata Whenua.		
Decision Reasons:	<ul style="list-style-type: none"> As Ngati Koata, the submitter, appreciates the Proposed Waikato District Plan as it supports social, cultural and economic aspirations of mana whenua on the Whaanga Coast. Will be able to reinvigorate connections with the area, local iwi and the wider community through sustainable development practices. 		

Submitter Number:	919	Submitter:	Kaui Wihongi
Point Number	919.1		
Summary of Decision Requested:	Retain Chapter 2 Tangata Whenua.		
Decision Reasons:	<ul style="list-style-type: none"> Ngati Koata has close ties to Whaingaroa. Despite being owners of the land, current restrictions make it difficult to sustainably develop the land. The Proposed Waikato District Plan provide Tangata Whenua with the ability to use land in accordance with cultural values and creates economic development that will allow for more frequent visits to the land from whanau. 		

Submitter Number:	920	Submitter:	Sydina Curtis
Point Number	920.1		
Summary of Decision Requested:	Retain Chapter 2 Tangata Whenua.		
Decision Reasons:	<ul style="list-style-type: none"> As Ngati Koata land block owners in Whaingaroa, feel that barriers in current District Plan prevent Tangata Whenua from maintaining relationship with ancestral lands. Laws and policies in the Proposed Waikato District Plan supports the occupation and development of Maori land and allows mana whenua to utilise, manage and enjoy traditional resources in accordance with Tikanga Maori. Will strengthen connection to area again for future generations. 		

Submitter Number: 921 **Submitter:** Mercer Airport
On behalf of: Mercer Airport

Point Number 921.1

Summary of Decision Requested: **Add** a special zone for the Mercer Airport (comprising Lot 1 DP 485184 (CT 689084), Lot 2 DP 485184 (CT 689085) and Lot 1 DP 384812 (CT 338998));
AND
Amend the zoning of Mercer Airport (Lot 1 DP 485184 (CT 689084), Lot 2 DP 485184 (CT 689085) and Lot 1 DP 384812 (CT338998) from Rural Zone to Mercer Airport Zone (see map included in the submission);
AND
Add a new section, 9.5 Mercer Airport Zone, to Chapter 9 Specific Zones, as follows:
Objective 1: Mercer Airport is able to operate safely and efficiently and is developed to meet the current and future needs of the aviation community.
Policy 1a: To enable the continued operation and development of Mercer Airport by providing for a diversity of aviation and other activities which support the aviation sector.
Policy 1b: To protect the operational and safety requirements of Mercer Airport by controlling development surrounding the Airport that may restrict or infringe those requirements.
Policy 1c: To ensure that the bulk and location of buildings and structures at the Airport provide for the unique operational requirements of an airport whilst achieving appropriate levels of amenity at the Airport and surrounding properties.
Policy 1d: To enable a range of aviation opportunities at the Airport and any associated infrastructure and business including, fixed wing aircraft, helicopters, and rockets by recognizing their operational and safety requirements.
Objective 2: The adverse effects of airport activities are managed to ensure acceptable amenity outcomes.
Policy 2a: Mitigate adverse airport effects by managing:
(a) The scale and intensity of on-site activities;
(b) Noise;
(c) Lighting; and
(d) Hazardous substances.
Policy 2b: To ensure that bulk and location standards provide for the unique operational requirements of an airport whilst at the same time achieving appropriate levels of amenity.
AND
Add new Section 7 Mercer Airport Zone to Appendix 1 Acoustic Insulation (refer to submission for specific wording);
AND
Add a new Chapter 29 Mercer Airport Zone to Section C Rules (see submission for specific wording);
AND
Add an Air Noise Boundary (65 dBA Ldn Contour) and Outer Control Noise Boundary (55dBA) for Mercer Airport (see submission for map);
AND
Add a new Appendix 13 Mercer Airport Zone to Chapter 29: Appendices (see submission for specific wording);
AND
Add aerodrome characteristics (runway and runway strip dimensions) as an Appendix to the Mercer Airport Zone (see submission for the technical specification provided by Airbiz Consultants).

Decision Reasons:

Zoning

- Currently, aviation-related activities are constrained by provisions of the Rural Zone.
- By necessity airfields are required to locate in rural areas because of the space needed for runway operations and need to avoid environmental impacts on higher density urban areas.
- The restrictive nature of Rural Zone provisions means aerodromes within Waikato District lack commercial and operational flexibility need to ensure their sustainability and long term growth.
- Any form of aviation-related development typically triggers an RMA consent requirement, which can be costly and litigious.
- Uncertainty associated with the RMA process can also be a barrier to industry investment, to the detriment of the wider aviation community and the wider community at large.
- The proposed rezoning is consistent with the approach adopted elsewhere in the PDP for the Te Kowhai, which faces similar challenges.
- The benefit of rezoning is that it provides more certainty for the aviation community in terms of activities which can be undertaken by right.

Objectives and Policies

- Ensures that the operational needs of the Airport are protected and its benefits recognised while ensuring that the adverse effects of the airport operation are appropriately managed.
- The objectives and policies are needed to support existing and proposed activities within the General Plan Mercer Airport Zone.
- NZS 6805 uses a 55dBA Ldn contour to define the OCB and this deemed to be an appropriate threshold for the protection of amenity values.
- NZS 6805 recommends a noise level of >65 dB Ldn to define the inner ACB.
- Based on the above, people living outside of the OCB are considered to experience no adverse effects from aircraft noise whereas those living between the OCB and the ANB are considered to be affected to some degree, the latter resulting typically in acoustic insulation being required.
- People within the inner ANB are affected by aircraft noise to the extent that residential activity and other noise sensitive activities are not provided for in that location.
- Are currently no noise control boundaries for Mercer Airport in Operative District Plan maps.
- Consent conditions from March 2014 however require Mercer Airport to operate in accordance with 55dBA Ldn contour prescribed by Hegley Acoustic Consultants.
- Results of Hegley Acoustic Consultants modeling demonstrated that, with the exception of two properties immediately west of the runway, resulting noise levels at all residential properties in the vicinity of the airport would be less than 55dBA Ldn, the threshold for 'reasonable' noise in terms of residential amenity under NZ6805.
- Although 2 residential properties are located within the 55dBA Ldn contour, these landowners provided written approval.

New Appendix

- Obstacle limitation surfaces are necessary to enable aircraft to maintain a satisfactory level of safety while maneuvering at low altitude in the vicinity of an airfield.
- It protects airport flight paths from over height development or vegetation.
- It is needed to futureproof the aerodrome to meet the long term needs of the aviation community.
- Without it, physical development in the vicinity of the aerodrome has the potential to limit flight operations, undermining the sustainability of the airport.

Rules

- Zone-specific rules will provide surety for the wider community that aviation activities and aviation-related development can be managed to ensure acceptable levels of amenity.

- This plan illustrates the dimensional requirements of the runway and runway strip to ensure compliance with Civil Aviation Authority Classification.

Point Number 921.2

Summary of Decision Requested: **Amend** the Proposed District Plan to make additional and consequential amendments to address the matters raised in the submission.

Decision Reasons:

- Various as outlined in the submission.

Submitter Number: 922

Submitter: John Rowe

Point Number 922.1

Summary of Decision Requested: **Amend** Chapter 22.4 Subdivision by enabling transferable rural lot right subdivision as a restricted discretionary activity and discretionary activity throughout the Waikato District.

Decision Reasons:

- The transferable Rural Lot process allows for the transfer of existing titles or consented conservation lots to more appropriate areas in the district.
- There is no net increase in the overall number of development rights across the district.
- On the whole the submitter believes that the process has been working well for many years in the Former Franklin area and is an effective mechanism for promoting development in more appropriate areas whilst protecting high quality versatile soils.
- To remove the provision for Transferable Rural Lot subdivisions and making it a prohibited activity is unnecessary and compromises the current and proposed objectives for the rural area.
- The natural outcome of the Transferable Rural Lot process is to transfer existing/consented titles from less intensively developed outlying areas to the more intensively developed central areas.
- It seeks to manage growth in the rural zones and to avoid the wide dispersal of lots and protection of larger rural blocks.
- The Transferable Rural Lot provisions of the former Franklin District Plan were designed to protect and enhance the potential use of high quality versatile soils by encouraging the transfer of surplus titles to more environmentally sustainable locations.
- This is consistent with the draft District Plan objectives and policies and the objectives of the Resource Management Act 1991.
- The fact that the former Franklin District is now administered by Waikato District Council does not remove the underlying objectives of wiser use of resources.
- The same resources remain in the same district. The fact that the administering authority may want a consistent set of subdivision rules across the district is not relevant.
- By prohibiting the transfer of lots within the District, the proposed objectives and policies may not be able to be met.
- In particular the removal of the process:
 - Will prevent the consolidation of existing titles
 - Will not promote the protection of productive land or versatile soils within the District;
 - Will not assist in the reorganisation of the wide dispersal of and reduction in rural titles, and will negate opportunities for the retention of land versatility and larger lot sizes in rural areas and for productive farming units to better manage the use of soils and rural land;
 - Will not promote positive effects on the rural environment, rural character and rural amenity;
 - Will not reduce reverse sensitivity effects when existing title rights are developed in rural production areas of the District; and
 - Will not promote positive effects on the rural environment, rural character and rural amenity;
 - Will not reduce reverse sensitivity effects when existing title rights are developed in rural production areas of the District; and
 - Will not promote outcomes that are consistent with the rural objectives and policies.
- The majority of transferable rural lot subdivision applications in the Waikato District are removing titles for the larger productive land holdings, thus reducing or eliminating adverse effects on unplanned and scattered rural residential development in the more remote rural Waikato, and reducing the burden on infrastructure, particularly in more remote areas.
- If these rights are now restricted to where they currently are within the Waikato District, they will result in the uptake and development of latent capacity in outlying areas of the District, which is inconsistent with and contrary to the objectives and policies.

Point Number 922.2

Summary of Decision Requested: **Amend** Rule 22.4.1.2 RD1 (a) (iv) General subdivision, as follows:

RD1 (a) Subdivision must comply with all of the following conditions:

...

(iv) The additional lot must have a proposed area of between ~~8,000m²~~ 4000m² and 1.6 ha;

Decision Reasons:

- A lot area range of 8000m² - 1.6ha will result in a lifestyle block that is too large and will force developers to turn potentially productive farming paddocks into areas that will not be used for farming and become neglected.
- The best maintenance of open pasture (all classes of soils) is grazing animals.
- The lots created will be too small to be productive or grazed, yet they are too big to be easily managed as lifestyle properties.
- If a landowner is subdividing off an existing farm cottage, the house and curtilage area will be approximately 2000m².
- This will result in at least 6000m² of potentially productive farming land being wasted or not utilised.
- The high class soil rule will restrict this to some degree because an area of land is not classified as 'high class soil', it doesn't mean that it can't be used for productive purposes or add valuable support to a farming operation.

Point Number 922.3

Summary of Decision Requested: **Delete** Rule 22.4.1.4 (a)(i) Boundary relocation,

OR

Amend Rule 22.4.1.4 (a)(i) Boundary relocation to allow application of this rule to more than two existing Records of Title.

Decision Reasons:

- The rule needs to allow for two or more existing titles as many landholdings in the Waikato District are comprised of several titles and the proposed rule will therefore restrict logical layouts.
- Titles created after 18 July 2018 may be the result of a minor boundary adjustment or the balance of a general subdivision application and it is unreasonable to a discretionary activity test to apply in this instance if rural land use is to be supported and better environmental outcomes achieved.
- Boundary relocations are a legitimate way to adjust legal boundaries and the potential adverse effects of moving a boundary or title are generally minimal.
- The assumption is that the intent of Rule (a)(i) is to prevent making new conservation lots or the additional title created from the General subdivision rule, larger in size.
- This intent will now potentially restrict or make boundary adjustments tougher for larger rural blocks that may have a title created after 18 July 2018 for whatever reason.
- These newer titles could have been subject to another minor boundary adjustment or could be the larger balance lot of a General subdivision application.

- The submitter does not think that a further boundary relocation of these larger lots should be a discretionary activity as it then becomes too restrictive on larger land holdings that may be relocating boundaries for legitimate reasons.
- Rule (a)(i) does not recognise the legitimate need to adjust rural lot boundaries to support rural land use and create a better environmental outcome.
- It also doesn't allow for the logical restructure of landholdings with more than two existing larger titles.
- It also doesn't allow for the logical restructure of landholdings with more than two existing larger titles.
- What if the two titles subject to the boundary relocation are less than 8000m² to begin with?

Point Number 922.4

Summary of Decision Requested: Delete the maximum number of titles from Rule 22.4.1.5 Rural Hamlet Subdivision.

Decision Reasons:

- The current Rural Hamlet subdivision rule will not be a wholesale provision for better restructuring existing titles on many rural properties, especially larger landholdings.
- The rural zone varies drastically throughout the district from open flat countryside predominantly used for dairy farming, to more undulating hilly terrain with scattered mature vegetation predominantly used for dry-stock farming.
- Often the most logical subdivision layout on rural properties that preserve the largest area of land for productive purposes and have the least potential for adverse effects on the surrounding environment, are influenced by the site specific characteristics such as topography, vegetation, road frontage and existing building development on that particular property.
- Ideally, all new lots clustered together as a hamlet styled subdivision would be great but (unlike the residential zoned land) planning ideology such as the proposed only works on a small minority of the rural zoned land in the District and provision or more desecration needs to be allowed to cater for these other landholdings.
- In the rural environment, especially in the upper Waikato, these physical restraints greatly restrict such a logical layout. Often it may be a far better result for that particular environment to position the existing titles around existing development on the property or at other ends of the property from each other which could be km's apart and even accessed off different public roads.
- Making a rural subdivision application a Non-Complying activity for creating a better overall result for that particular environment is too restrictive and needs to be at least a Discretionary activity.

Point Number 922.5

Summary of Decision Requested: Amend Rule 22.4.1.6 Conservation lot subdivision, so that this rule provides for riparian planting and clarification on enhancement planting for Significant Natural Areas.

Decision Reasons:

- The Conservation Lot subdivision rules are generally positive, but further allowance can still be made for additional lots through riparian planting of streams and rivers.
- This will provide incentive for farmers to plant the sides of their waterways which will obviously bring significant ecological gain to the district.
- The cost to a property owner of protecting and maintaining in perpetuity, significant stands of vegetation are substantial.
- The cost of appropriate bush covenant fencing alone is currently around \$30 per meter.
- Generally speaking, farmers are becoming more and more acceptable to riparian planting on their properties, but this significant cost will need to be offset to incentivise this ecological enhancement.
- The usual signoff requirements with ecologists certifying that the riparian planting is self-sustaining would obviously still be applicable.

Point Number 922.6

Summary of Decision Requested: Amend Rule 22.3.2 P1(b)(i) Minor dwelling, as follows:

(i) The minor dwelling must be located within ~~20m~~ 150m of the dwelling;

Decision Reasons:

- Submitter supports specifying a separation distance.
- The proposed 20m separation distance is too small as it does not allow for existing site constraints such as curtilage area, effluent disposal fields and other ancillary buildings.
- The requested 150m distance will make a huge difference in terms of functionality of the property while providing some degree of privacy between the main dwelling and minor dwelling.

Point Number 922.7

Summary of Decision Requested: Amend Rule 22.3.7.1 Building Setbacks - All boundaries, by deleting P1 (a)(iii) and amending P1 (a)(iv) as shown below:

P1 (a) A habitable building located on a site less than 1.6ha must be set back a minimum of:

...

~~(iii) 25m from the boundary of an adjoining site that is 6ha or more;~~

(iv) 12m from the boundary of an adjoining site ~~that is less than 6ha.~~

Decision Reasons:

- The operative rule in the Franklin Section which requires a 10m setback has worked well.
- A 25m setback is too restrictive and not justified.
- There is no discernible difference between a 25m setback and 12m setback.
- A 25m setback restricts houses from being built on more appropriate sites.

Point Number 922.8

Summary of Decision Requested: Amend Rule 22.3.7.1 P2 (a)(iii) Building Setbacks - All boundaries, as follows:

P2 (a) A non-habitable building located on a Record of Title less than 1.6ha must be set back a minimum of:

...

(iii) ~~12m~~ 5m from every boundary other than a road boundary.

Decision Reasons:

- The proposed 12m setback is too restrictive for a non-habitable building and many people move to rural blocks so that they have space for a garage or shed.

Point Number 922.9

Summary of Decision Requested: Amend Rule 22.3.7.1 P3 (a)(iii) Building Setbacks - All boundaries, as follows:

P3 (a) A habitable building located on a Record of Title 1.6ha or more must be set back a minimum of:

...

(iii) ~~25m~~ 12m from every boundary other than a road boundary.

Decision Reasons:

- The proposed 25m setback is too restrictive and not justified.
- Small rural blocks are usually created on undulating land with low class soils and a 25m setback will restrict the location of a dwelling.

Point Number 922.10

Summary of Decision Requested: Amend Rule 16.4.1 RD1 (a)(i) Subdivision - General, as follows:

RD1 (a) Subdivision must comply with all of the following conditions:

(i) Proposed lots must have a minimum net site area of ~~450m²~~ 400m², except where the proposed lot is an access allotment or utility allotment or reserve to vest;

Decision Reasons:

- The proposed minimum net site area of 450m² is too large and restrictive.
- Smaller lots are generally more popular for easy maintenance and the request for 400m² will still be large enough to fit a decent sized dwelling.

Point Number 922.11

Summary of Decision Requested: Amend Rule 16.4.1 RD1 (a)(iv) Subdivision - General, to include an area requirement before triggering a "rear lot" rule, e.g. 1 hectare.

Decision Reasons:

- The proposed rule is not fully workable for smaller infill subdivisions and should only apply to larger sites. The submitter suggests that a threshold of over 1 ha is appropriate.

Point Number 922.12

Summary of Decision Requested: Amend Rule 22.4.1.5 Rural Hamlet Subdivision to be a discretionary activity rather than a non-complying activity if there is non-compliance with Rule 22.4.1.5 RD1 (a)(i)-(v).

Decision Reasons:

- The default activity status of non-complying is too restrictive and it is more appropriate for applications that breach this rule to be considered as a discretionary activity when there is logic for the final title layout.

Point Number 922.13

Summary of Decision Requested: Delete Rule 22.4.1.2 (v) General Subdivision regarding high class soils.

Decision Reasons:

- Land Use Capability Assessments are expensive and the 80%/20% requirement is difficult to understand given the objective of retaining high class soil.
- It would be more appropriate for the rule to refer to the actual size of the high class soils. For instance, a larger rural property that only has 10% high class soils may have significantly more of these soils than a smaller property that has 80% high class soils.
- The rule is open to interpretation.
- This rule will be difficult to administer.
- This rule makes compliance harder with no actual gain.

Point Number 922.14

Summary of Decision Requested: Delete Rural Zone - General Subdivision Rule 22.4.1.2(a)(v) regarding high class soils.

Decision Reasons:

- Subdivision rules have to be clear and easy to understand and not open for interpretation.
- The submitter believes that this rule doesn't seem to make any logical or practical sense and will be far too difficult to administer or interpret correctly in the rural environment and the potential gains are negligible.
- The rule will trigger an expensive Landuse Capability Report for a very small amount of soil (8000m² - 1.6ha as proposed).
- The General Subdivision rule allows for a 2 lot subdivision of a 20 hectare sized lot, with one of the lots being 8000m² and 1.6ha.
- Does this rule mean that if you have a 20 hectare sized title that has 1 hectare of high class soil, 80% of that high class soil can be on the smaller lot? And 20% on the larger lot? Or is it the other way round?
- The objectives and policies promote the protection of high class soil which is encouraged but this rule makes compliance harder than it needs to be with no actual gains.
- Due to the size restrictions on the new lot created (8000m² - 1.6ha), the maximum amount of high class soil that could ever be removed from production is 8% of the overall property (based on a 20 hectare sized site) size that would never be bigger enough to be economically productive in the first place.
- Most titles eligible for this subdivision opportunity will be much larger than 20 hectares, so the overall potential loss of high class soil in terms of an overall percentage will be significantly less and negligible in terms of the overall scale of the rural property.
- Too much emphasis is put on the percentage of high class soils on a particular property.
- It would be more appropriate to be in terms of the actual size of the high class soils. For example a larger rural property that has only 10% high class soils may have significantly more high class soil than a smaller property that has say 80% high class soils.
- The percentage rule doesn't practically achieve what it intends to.

Point Number 922.15

Summary of Decision Requested: Amend Rule 22.3.7.1 Building Setbacks - AI boundaries, so that P4 (a)(iii) reads as follows:

P4 (a) A non-habitable building located on a Record of Title 1.6ha or more must be set back a minimum of:

...

(iii) ~~25m~~ 5m from every boundary other than a road boundary.

Decision Reasons:

- The proposed 12m setback is too restrictive for a non-habitable building.
- Many people move to rural properties to have space for a garage or shed.
- Having these 12m from the boundary is going to be too restrictive.

Point Number 922.16

Summary of Decision Requested: **Amend** Rule 22.3.7.2 Building setback - sensitive land use, by adding text to PI (a) (iv) and (v) to confirm that the specified separation distances are measured from the identified Aggregate Extraction Area rather than the title boundaries that contain this extraction area.

OR

Amend the definition of 'Aggregate Extraction Area' in Chapter 13: Definitions so that it refers to the consented extraction area, rather than the title boundary of the subject site.

Decision Reasons:

- The submitter has stated that some resource consent applications involving an Aggregate Extraction Area have been incorrectly assessed by Council staff and expensive legal opinions have had to be sought in order to confirm how the separation distance is to be calculated.

Point Number 922.17

Summary of Decision Requested: **Amend** Rule 22.3.7.2 PI (a)(vii) Building setback - sensitive land use, as follows:

(a) Any building for a sensitive land use must be set back a minimum of:

...

(vii) 300m from the actual boundary of another site containing an intensive farming activity;

Decision Reasons:

- This rule needs to be clarified so that the 300m buffer distance applies to the intensive farming activity rather than the boundary of a title that contains that activity. For example, an intensive farming activity may be located at one end of a very large site. It would then be unfair to require an owner of an opposite property, which may be several hundred metres away, to locate their buildings at least 300m from the site that contains the intensive farming activity.

Point Number 922.18

Summary of Decision Requested: **Amend** Rule 22.4.9 RD1 (a)(iii) Subdivision - Building platform, as follows:

(a) Subdivision, other than an access or utility allotment, must provide a building platform on the proposed lot that:

...

(ii) Has an average gradient not steeper than ~~1:6~~ 1:8;

Decision Reasons:

- The proposed maximum gradient of 1:8 is too restrictive for the Rural Zone, particularly in the upper Waikato District where building sites are more likely to be on undulating topography.
- The objectives and policies promote the location of new lots away from high class soils and the rule will therefore force new lots and building sites to locate on steeper topography.
- A grade of 1:6 is still workable and as long as a geotechnical report supports the location.

Point Number 922.19

Summary of Decision Requested: **Delete** Rule 23.4.2 RD1 (a)(i) General Subdivision

AND

Amend the zoning of properties from Country Living Zone to Village Zone

AND

Amend Rule 24.4.1 RD1 (a) General Subdivision, as follows:

(a) Proposed lots must have a minimum net site area of ~~3,000m²~~ 2000m², except where the proposed lot is an access allotment, utility allotment or reserve to vest.

Decision Reasons:

- The submitter states that all Village zoned lots must have a minimum net site area of 2000m².
- The Country Living Zone which requires a minimum lot size of 5000m² creates lots too small to be productive or grazed and too big to be easily managed for lifestyle purposes.
- A smaller lot of 2000m² is efficient and it still retains an open rural residential character which can be planted, fenced, mowed and easily maintained.
- New houses are generally no larger than 3000m² and with an effluent disposal field of approximately 600m², this would leave more than 1000m² for additional curtilage.
- This outcome would remain consistent with the objectives and policies for the Country Living Zone.

Submitter Number: 923 **Submitter:** Waikato District Health Board

Point Number 923.1

Summary of Decision Requested: **Amend** Chapter 23: Country Living Zone to add a statement of purpose and anticipated outcomes of corresponding zone or subzone, and where appropriate make links to health and wellbeing considerations.

Decision Reasons:

- Currently there are no statements of purpose or descriptions for any of the zones or the intended outcomes to be achieved, leading to a reliance on objectives, policies and explanations within Section B of the Plan, which are based under generic heading topics with little zone based commentary.
- There is an opportunity to clarify the purpose of a zone and increase understanding of outcomes, and appropriate types of activities for the different environments.
- The amendments would assist with a clear understanding of the purpose and character of the various zones.

Point Number 923.2

Summary of Decision Requested: **Amend** Chapter 24: Village Zone to add a statement of purpose and anticipated outcomes of corresponding zone or subzone, and where appropriate make links to health and wellbeing considerations.

Decision Reasons:

- Currently there are no statements of purpose or descriptions for any of the zones or the intended outcomes to be achieved, leading to a reliance on objectives, policies and explanations within Section B of the Plan, which are based under generic heading topics with little zone based commentary.
- There is an opportunity to clarify the purpose of a zone and increase understanding of outcomes, and appropriate types of activities for the different environments.
- The amendments would assist with a clear understanding of the purpose and character of the various zones.

Point Number

923.3

Summary of Decision Requested:

Amend Chapter 25: Reserve Zone to add a statement of purpose and anticipated outcomes of corresponding zone or subzone, and where appropriate make links to health and wellbeing considerations.

Decision Reasons:

- Currently there are no statements of purpose or descriptions for any of the zones or the intended outcomes to be achieved, leading to a reliance on objectives, policies and explanations within Section B of the Plan, which are based under generic heading topics with little zone based commentary.
- There is an opportunity to clarify the purpose of a zone and increase understanding of outcomes, and appropriate types of activities for the different environments.
- The amendments would assist with a clear understanding of the purpose and character of the various zones.

Point Number

923.4

Summary of Decision Requested:

Amend Chapter 26: Hampton Downs Motor Sport and Recreation Zone to add a statement of purpose and anticipated outcomes of corresponding zone or subzone, and where appropriate make links to health and wellbeing considerations.

Decision Reasons:

- Currently there are no statements of purpose or descriptions for any of the zones or the intended outcomes to be achieved, leading to a reliance on objectives, policies and explanations within Section B of the Plan, which are based under generic heading topics with little zone based commentary.
- There is an opportunity to clarify the purpose of a zone and increase understanding of outcomes, and appropriate types of activities for the different environments.
- The amendments would assist with a clear understanding of the purpose and character of the various zones.

Point Number

923.5

Summary of Decision Requested:

Amend Chapter 27: Te Kowhai Airpark Zone to add a statement of purpose and anticipated outcomes of corresponding zone or subzone, and where appropriate make links to health and wellbeing considerations.

Decision Reasons:

- Currently there are no statements of purpose or descriptions for any of the zones or the intended outcomes to be achieved, leading to a reliance on objectives, policies and explanations within Section B of the Plan, which are based under generic heading topics with little zone based commentary.
- There is an opportunity to clarify the purpose of a zone and increase understanding of outcomes, and appropriate types of activities for the different environments.
- The amendments would assist with a clear understanding of the purpose and character of the various zones.

Point Number

923.6

Summary of Decision Requested:

Amend Chapter 28: Rangitahi Peninsula Zone to add a statement of purpose and anticipated outcomes of corresponding zone or subzone, and where appropriate make links to health and wellbeing considerations.

Decision Reasons:

- Currently there are no statements of purpose or descriptions for any of the zones or the intended outcomes to be achieved, leading to a reliance on objectives, policies and explanations within Section B of the Plan, which are based under generic heading topics with little zone based commentary.
- There is an opportunity to clarify the purpose of a zone and increase understanding of outcomes, and appropriate types of activities for the different environments.
- The amendments would assist with a clear understanding of the purpose and character of the various zones.

Point Number

923.7

Summary of Decision Requested:

Retain Issue 1.4.4- The Urban Environment as notified.

Decision Reasons:

- The submitter supports the stated intent to maintain the Waikato District's rural resources and ensuring population growth and urban development results in high-amenity urban areas.
- The 'centers-based' approach of retail development is also supported, as is consolidating growth to achieve compact urban form as this better aligns with the agreed Future Proof settlement pattern. If accompanied by quality pedestrian infrastructure this will enable walkability, increased physical activity, and therefore improved health and wellbeing outcomes.
- A commitment to robust and comprehensive master planning and structure planning that is co-developed with local communities will help enable strong local 'place making' and positive community health and wellbeing outcomes.

Point Number

923.8

Summary of Decision Requested:

Retain 1.5.1- Compact urban development as notified.

Decision Reasons:

- The consolidating of growth to achieve compact urban form as this better aligns with the agreed Future Proof settlement pattern is supported. If accompanied by quality pedestrian infrastructure will enable walkability, increased physical activity, and therefore improved health and wellbeing outcomes.

Point Number 923.9
Summary of Decision Requested: **Retain** 1.5.2- Planning for urban growth and development as notified.
Decision Reasons:

- A commitment to robust and comprehensive master planning and structure planning that is co-developed with local communities will help enable strong local 'place making' and positive community health and wellbeing outcomes.

Point Number 923.10
Summary of Decision Requested: **Retain** 1.5.3- Cross-boundary issues as notified.
Decision Reasons:

- No reasons provided.

Point Number 923.11
Summary of Decision Requested: **Retain** 1.5.4- Urban Growth as notified.
Decision Reasons:

- The consolidating of growth to achieve compact urban form as this better aligns with the agreed Future Proof settlement pattern is supported. If accompanied by quality pedestrian infrastructure will enable walkability, increased physical activity, and therefore improved health and wellbeing outcomes.

Point Number 923.12
Summary of Decision Requested: **Retain** 1.5.5- Services and general infrastructure as notified.
Decision Reasons:

- Compact urban form if accompanied by quality pedestrian infrastructure will improve health and wellbeing outcomes.

Point Number 923.13
Summary of Decision Requested: **Retain** 1.5.6- Transport and logistics as notified.
Decision Reasons:

- Compact urban form if accompanied by quality pedestrian infrastructure will improve health and wellbeing outcomes.

Point Number 923.14
Summary of Decision Requested: **Add** a new clause (f) to Section 1.5.7.3- Water which states, the importance of quality fresh water for public health outcomes use, storm water management to protect public health; and promotion of the use of water tanks for the onsite storage of rainwater for uses other than for human consumption, should be promoted.
Decision Reasons:

- The submitter understands the current pressure on water supplier's across the Waikato District and the link between the three waters and public health risk has been identified in Future Proof Three Waters Strategy (2012).
- The submitter supports the use of water tanks for onsite storage of rainwater, and encourages Council to consider provisions that enable broader water demand management options for some communities, e.g. Another potential use of rainwater is to supplement some current water use within the home (i.e. toilet flushing, washing of laundry etc.), where use of treated water isn't necessary.

Point Number 923.15
Summary of Decision Requested: **Amend** Clause 1.5.6 (c)- Transport and Logistics to correctly reference the Waikato Regional Land Transport Plan.
Decision Reasons:

- Clause 1.5.6 (c) Should reference the Waikato Regional Land Transport Plan, as it includes objectives and policy related to transport and logistics and transport, and land use and land transport integration.
- 1.5.6 (c) References the Regional Land Transport Strategy which has now been replaced under the Land Transport Management Act by the Regional Land Transport Plan.
- Is important in promoting connected communities and positive public health and wellbeing outcomes.

Point Number 923.16
Summary of Decision Requested: **Amend** Integration of District Plan with other plans and documents section 1.10.2.3- Waikato Region Strategies and Plans to correctly reference the Waikato Regional Land Transport Plan.
Decision Reasons:

- Clause 1.5.6 (c) Should reference the Waikato Regional Land Transport Plan, as it includes objectives and policy related to transport and logistics and transport, and land use and land transport integration.
- Is important in promoting connected communities and positive public health and wellbeing outcomes.

Point Number 923.17
Summary of Decision Requested: **Amend** Clause 1.5.6 (c)- Transport and Logistics to correctly reference the Waikato Regional Public Transport Plan.
Decision Reasons:

- The narrative on public transport and urban subdivision would benefit from reference to Regional Public Transport Plan, containing specific objectives, policies, services and service frequencies for public transport in the Waikato District.
- Important in promoting connected communities and positive public health and wellbeing outcomes.

Point Number 923.18

Summary of Decision Requested: **Amend** Section 1.5.7- Natural Environment to correctly reference the Waikato Regional Land Transport Plan and the development of the Hamilton to Auckland passenger rail service.

Decision Reasons:

- The narrative on public transport and urban subdivision would benefit from reference to Regional Public Transport Plan, containing specific objectives, policies, services and service frequencies for public transport in the Waikato District.
- Is important in promoting connected communities and positive public health and wellbeing outcomes.

Point Number 923.19

Summary of Decision Requested: **Amend** Clause 1.10- Integration of District Plan with Other documents to correctly reference the Waikato Regional Land Transport Plan and development of the Hamilton to Auckland passenger rail service.

Decision Reasons:

- The submitter requests that this section correctly references the development of the Hamilton to Auckland Passenger rail service.

Point Number 923.20

Summary of Decision Requested: **Retain** Section 1.6-Ngaai Iwi o Tainui ki te Waikato Takiwaa as notified.

Decision Reasons:

- The submitter supports the provision and has a co-governance relationship with Iwi through Memorandum of Understanding with Iwi Maori Council.
- It is important that Council are strengthening its partnership with Ngaai Iwi o Tainui ki te Waikato Takiwaa and have a commitment to fulfil joint management agreements and legislation requirements.

Point Number 923.21

Summary of Decision Requested: **Retain** Section 1.7- Settlements Act/Co-management/Rivers-Vision and Strategies/ Joint Management Agreements as notified.

Decision Reasons:

- The submitter supports the provision and has a co-governance relationship with Iwi through Memorandum of Understanding with Iwi Maori Council.
- It is important that Council are strengthening its partnership with Ngaai Iwi o Tainui ki te Waikato Takiwaa and have a commitment to fulfil joint management agreements and legislation requirements.

Point Number 923.22

Summary of Decision Requested: **Retain** Section 1.8- Statutory Acknowledgements as notified.

Decision Reasons:

- The submitter supports the provision and has a co-governance relationship with Iwi through Memorandum of Understanding with Iwi Maori Council.
- It is important that Council are strengthening its partnership with Ngaai Iwi o Tainui ki Te Waikato Takiwaa and have a commitment to fulfil joint management agreements and legislation requirements.

Point Number 923.23

Summary of Decision Requested: **Amend** Sections 1.12.1-1.12.8- Strategic directions and objectives for the District by redrafting them as a set of specific objectives and policies.

Decision Reasons:

- The submitter supports Sections 1.12.1-1.12.8 in part, but seeks clarity in whether these provisions are to be considered as strategic objectives or strategic desired outcomes.
- The distinction between objectives and outcomes is significant for evaluation of resource consent applications pursuant to section 104 RMA.

Point Number 923.24

Summary of Decision Requested: **Retain** Strategic Objective 2.11- Tautoko Te Whakatupuranga Tautoko Te Whakatupuranga as notified.

Decision Reasons:

- The objective reflects the importance of Maori Communities being supported to achieve prosperous, healthy, vibrant, innovative and culturally strong outcomes within the District, which is of high importance to achieving strong public health and well-being goals for the Waikato DHB.
- Prominence provided by stating the above issue in Chapter 2 is supported.

Point Number 923.25

Summary of Decision Requested: **Retain** Section 4.1- Strategic Direction.

Decision Reasons:

- The strategic direction will assist with giving effect to the direction contained with the Future Proof Strategy including its identified settlement pattern. These also assist to give effect to the Waikato Regional Policy Statement. Policies may need to be updated to align

Point Number 923.26

Summary of Decision Requested: **Amend** Objective 4.1.1- Strategic to more explicitly refer to planned growth and development that is integrated with infrastructure (core and community infrastructure).

Decision Reasons:

- Objective 4.1.1 is supported in part as it will assist to some extent with giving effect to the direction contained within the Future Proof Strategy including its identified settlement pattern and the Waikato Regional Policy Statement.
- A broad range of infrastructure is need to support community wellbeing, and if well integrated as part of a local community's urban form, can enable physical and mental wellbeing, and community connectedness.

Point Number 923.27

Summary of Decision Requested: **Add** a new policy (or policies) to explicitly 'give effect to' Objective 4.1.1- Strategic.

Decision Reasons:

- There is no corresponding policy that gives effect to Objective 4.1.1, and it is therefore unclear how Council intends to achieve the objective.

Point Number 923.28

Summary of Decision Requested: **Amend** Objective 4.1.2- Urban growth and development to state more clearly that urban growth and development is only to occur within and around towns and villages identified in the Future Proof Strategy settlement pattern and Waikato Regional Policy Statement.

Decision Reasons:

- Objective 4.1.2 is supported in part as it will assist to some extent with giving effect to the direction contained within the Future Proof Strategy including its identified settlement pattern and with giving effect to the Waikato Regional Policy Statement.

Point Number 923.29

Summary of Decision Requested: **Amend** Policy 4.1.3- Location of Development, however amendments sought are unclear.
OR
Add additional policy for urban residential activities to Chapter 4: Urban Environment similar to Policy 4.1.6- Commercial and industrial activities.

Decision Reasons:

- The submitter notes that as a result of the Stage 2 update of the Future Proof Strategy and the Auckland-Hamilton Corridor Plan development, there may be changes to the current settlement pattern and should be reflected in the district plan provisions.
- Employment and essential infrastructure and services are key determinants of health and wellbeing for the Waikato District residents.
- Core and social infrastructure is critical to enabling and supporting quality urban developments, liveability and health and wellbeing for local communities.
- Policy 4.1.3 policy direction is similar to that contained in Policy 4.1.6 in respect to zoning and location of commercial and industrial development.

Point Number 923.30

Summary of Decision Requested: **Retain** Policy 4.1.4- Staging of development as notified.

Decision Reasons:

- The submitter supports the policy's intent to help ensure subdivision, use and development in new urban areas is located, designed and staged to adequately support existing or planned infrastructure, community facilities, open space networks and local services.
- Infrastructure and services can enable positive health and wellbeing outcomes.

Point Number 923.31

Summary of Decision Requested: **Retain** Policy 4.1.5-Density, except for the amendments sought below;
AND
Amend Policy 4.1.5 (b)- Density to indicate that in the Residential Zone closest to a Business Town Centre, it is anticipated that a higher minimum density per hectare is to be achieved.

Decision Reasons:

- The submitter supports the policy's intent to help ensure subdivision, use and development in new urban areas is located, designed and staged to adequately support existing or planned infrastructure, community facilities, open space networks and local services.
- Policy 4.1.5 is supported in part as it is consistent with density provisions identified in the Future Proof Strategy. However, the submitter suggests more ambitious minimum density targets for the Residential Zone be specified as this will enable compact urban form, access to essential services and community connectedness.
- Higher minimum densities than are proposed are more appropriate for established residential areas immediately adjacent to the Business Town Centre zones. Higher residential densities would better support public transport and other infrastructure, the commercial vitality of the town centre and promotes people living, working, learning and playing within their local town centres.

Point Number 923.32

Summary of Decision Requested: Amend the Proposed District Plan to provide for higher density and mixed use developments close to train stations that have been signaled for potential re-opening.

Decision Reasons:

- Enabling higher public transport levels of service improves access to essential services for local residents, which is has a link to the proposed inter-regional passenger rail service and proposed train stops between Hamilton and Auckland.

Point Number 923.33

Summary of Decision Requested: Retain Policy 4.1.6- Commercial and Industrial Activities as notified.

Decision Reasons:

- Policy is supported as this will assist with giving effect to the Waikato Regional Policy Statements' policy direction regarding the location of commercial and industrial activities.

Point Number 923.34

Summary of Decision Requested: Amend Objective 4.1.7-Character of Towns to provide better alignment with the associated policies
OR

Add to Section 4.1- Strategic Direction additional objectives that better support and align with matters covered by the associated policies, including that the existing residential and commercial character of the district's urban environments is to be maintained and enhanced by new growth and development.

Decision Reasons:

- Provisions are supported in part as they assist with giving effect to the Waikato Regional Policy Statement and the Future Proof Strategy in respect of seeking to ensure connectivity and integration between new and existing development, and high amenity values in urban areas.
- Reference to townships that are connected is particularly supported as this serves to contribute to strong health and wellbeing outcomes for communities.
- Is considered however that links to the WRPS and the Future Proof Strategy and other forms of guidance could be much stronger in order to manage the ongoing development of the district's townships.

Point Number 923.35

Summary of Decision Requested: Amend Policy 4.1.8- Integration and connectivity to provide more detailed guidance about the future urban outcomes (including residential, business and industrial uses) for the centres, particularly in relation to density, location of growth areas, the time and staging of new development and its integration with existing towns.

Decision Reasons:

- Provisions are supported in part as they assist with giving effect to the Waikato Regional Policy Statement and the Future Proof Strategy in respect of seeking to ensure connectivity and integration between new and existing development, and high amenity values in urban areas.
- Is considered however that links to the WRPS and the Future Proof Strategy and other forms of guidance could be much stronger in order to manage the ongoing development of the district's townships.

Point Number 923.36

Summary of Decision Requested: Amend Policy 4.1.9- Maintaining Landscape Characteristics to provide more detailed guidance about the future urban outcomes (including residential, business and industrial uses) for the centres, particularly in relation to density, location of growth areas, the time and staging of new development and its integration with existing towns.

Decision Reasons:

- Provisions are supported in part as they assist with giving effect to the Waikato Regional Policy Statement and the Future Proof Strategy in respect of seeking to ensure connectivity and integration between new and existing development, and high amenity values in urban areas.
- Is considered however that links to the WRPS and the Future Proof Strategy and other forms of guidance could be much stronger in order to manage the ongoing development of the district's townships.

Point Number 923.37

Summary of Decision Requested: Amend Policy 4.1.10- Tuakau to provide more detailed guidance about the future urban outcomes (including residential, business and industrial uses) for the centres, particularly in relation to density, location of growth areas, the time and staging of new development and its integration with existing towns.

Decision Reasons:

- Provisions are supported in part as they assist with giving effect to the Waikato Regional Policy Statement and the Future Proof Strategy in respect of seeking to ensure connectivity and integration between new and existing development, and high amenity values in urban areas.
- Is considered however that links to the WRPS and the Future Proof Strategy and other forms of guidance could be much stronger in order to manage the ongoing development of the district's townships.

Point Number 923.38

Summary of Decision Requested: Amend Policy 4.1.11- Pokeno to provide more detailed guidance about the future urban outcomes (including residential, business and industrial uses) for the centres, particularly in relation to density, location of growth areas, the time and staging of new development and its integration with existing towns.

Decision Reasons:

- Provisions are supported in part as they assist with giving effect to the Waikato Regional Policy Statement and the Future Proof Strategy in respect of seeking to ensure connectivity and integration between new and existing development, and high amenity values in urban areas.

- Is considered however that links to the WRPS and the Future Proof Strategy and other forms of guidance could be much stronger in order to manage the ongoing development of the district's townships.

Point Number 923.39

Summary of Decision Requested: **Amend** Policy 4.1.12- Te Kauwhata to provide more detailed guidance about the future urban outcomes (including residential, business and industrial uses) for the centres, particularly in relation to density, location of growth areas, the time and staging of new development and its integration with existing towns.

Decision Reasons:

- Provisions are supported in part as they assist with giving effect to the Waikato Regional Policy Statement and the Future Proof Strategy in respect of seeking to ensure connectivity and integration between new and existing development, and high amenity values in urban areas.
- Is considered however that links to the WRPS and the Future Proof Strategy and other forms of guidance could be much stronger in order to manage the ongoing development of the district's townships.

Point Number 923.40

Summary of Decision Requested: **Amend** Policy 4.1.13-Huntly to provide more detailed guidance about the future urban outcomes (including residential, business and industrial uses) for the centres, particularly in relation to density, location of growth areas, the time and staging of new development and its integration with existing towns.

Decision Reasons:

- Provisions are supported in part as they assist with giving effect to the Waikato Regional Policy Statement and the Future Proof Strategy in respect of seeking to ensure connectivity and integration between new and existing development, and high amenity values in urban areas.
- Is considered however that links to the WRPS and the Future Proof Strategy and other forms of guidance could be much stronger in order to manage the ongoing development of the district's townships.

Point Number 923.41

Summary of Decision Requested: **Amend** Policy 4.1.14- Taupiri to provide more detailed guidance about the future urban outcomes (including residential, business and industrial uses) for the centres, particularly in relation to density, location of growth areas, the time and staging of new development and its integration with existing towns.

Decision Reasons:

- Provisions are supported in part as they assist with giving effect to the Waikato Regional Policy Statement and the Future Proof Strategy in respect of seeking to ensure connectivity and integration between new and existing development, and high amenity values in urban areas.
- Is considered however that links to the WRPS and the Future Proof Strategy and other forms of guidance could be much stronger in order to manage the ongoing development of the district's townships.

Point Number 923.42

Summary of Decision Requested: **Amend** Policy 4.1.15- Ngaruawahia to provide more detailed guidance about the future urban outcomes (including residential, business and industrial uses) for the centres, particularly in relation to density, location of growth areas, the time and staging of new development and its integration with existing towns.

Decision Reasons:

- Provisions are supported in part as they assist with giving effect to the Waikato Regional Policy Statement and the Future Proof Strategy in respect of seeking to ensure connectivity and integration between new and existing development, and high amenity values in urban areas.
- Is considered however that links to the WRPS and the Future Proof Strategy and other forms of guidance could be much stronger in order to manage the ongoing development of the district's townships.

Point Number 923.43

Summary of Decision Requested: **Amend** Policy 4.1.16- Horotiu to provide more detailed guidance about the future urban outcomes (including residential, business and industrial uses) for the centres, particularly in relation to density, location of growth areas, the time and staging of new development and its integration with existing towns.

Decision Reasons:

- Provisions are supported in part as they assist with giving effect to the Waikato Regional Policy Statement and the Future Proof Strategy in respect of seeking to ensure connectivity and integration between new and existing development, and high amenity values in urban areas.
- Is considered however that links to the WRPS and the Future Proof Strategy and other forms of guidance could be much stronger in order to manage the ongoing development of the district's townships.

Point Number 923.44

Summary of Decision Requested: **Amend** the Proposed District Plan to include additional provisions, including Objectives, Policies, Zone descriptions and references to design guidelines in Appendix 3, character statements for specific towns and villages in Appendix 10 and structure plans included as other appendices to the plan to assist with an understanding of the particular character, development focus and desired strategic outcome(s) for each of the identified towns and villages; and how these outcomes are to be achieved.

Decision Reasons:

- Provisions are supported in part as they assist with giving effect to the Waikato Regional Policy Statement and the Future Proof Strategy in respect of seeking to ensure connectivity and integration between new and existing development, and high amenity values in urban areas.

Point Number 923.45

Summary of Decision Requested: Amend Objective 4.2.3 (a)-Residential built form and amenity as follows:
(a) Maintain neighbourhood residential amenity values, promote urban design protocols (Appendix 3.3), and facilitate safety in the Residential Zone.

Decision Reasons:

- The submitter supports Objective 4.2.3 in principle but requests that it include promotion of the urban design protocols and guidelines as reference in Appendix 3.3- Town Centre Guidelines, to optimize health and wellbeing outcomes for all residents.
- The purpose of the principles is to guide the design of environments, products and communications and describe the concepts of designing all products and the built environment to be aesthetic and usable to the greatest extent possible by everyone, regardless of age, disability or status.

Point Number 923.46

Summary of Decision Requested: Add to Policy 4.5.11 (a)- Residential Upper Floors: Business Town Centre Zone and Business Zone as follows:
(iii.) Provide for mixed use developments which promote urban design protocols.

Decision Reasons:

- The submitter supports Policy 4.5.11 in principle but requests that it include promotion of the urban design protocols and guidelines as referenced in Appendix 3.3- Town Centre Guidelines.
- The purpose of the principles is to guide the design of environments, products and communications and describe the concepts of designing all products and the built environment to be aesthetic and usable to the greatest extent possible by everyone, regardless of age, disability or status.

Point Number 923.47

Summary of Decision Requested: Amend Policy 4.5.13 (i)- Town Centre Built Form as follows:
(i) Provide for a safe, accessible, compact and attractive town centre environment which promotes urban design protocols (Appendix 3.3).

Decision Reasons:

- The submitter supports Policy 4.5.13 in principle but requests that it include promotion of the urban design protocols and guidelines as referenced in Appendix 3.3- Town Centre Guidelines, to optimize health and wellbeing outcomes for everyone.
- The purpose of the principles is to guide the design of environments, products and communications and describe concepts of designing all products and the built environment to be aesthetic and usable to the greatest extent possible by everyone, regardless of age, disability or status.

Point Number 923.48

Summary of Decision Requested: Retain Objective 4.2.16- Housing Options as notified.

Decision Reasons:

- The submitter this objective as it assists with giving effect to the Future Proof Strategy and the Waikato Regional Policy Statements' directions relating to the integration of land use with public transport and walking and cycling.
- Directions in these documents linked to housing typology and multiple unit dwellings should enable increased levels of physical activity if accompanied by parallel improvements in access to accessible public transport services and infrastructure, and safe and accessible walking and cycling infrastructure.

Point Number 923.49

Summary of Decision Requested: Retain Policy 4.2.17- Housing types as notified.

Decision Reasons:

- The submitter supports this objective as it assists with giving effect to the Future Proof Strategy and the Waikato Regional Policy Statements' directions relating to the integration of land use with public transport and walking and cycling.
- Directions in these documents linked to housing typology and multiple unit dwellings should enable increased levels of physical activity if accompanied by parallel improvements in access to accessible public transport services and infrastructure, and safe and accessible walking and cycling infrastructure.

Point Number 923.50

Summary of Decision Requested: Retain Policy 4.2.18- Multi-unit development as notified.

Decision Reasons:

- The submitter supports this objective as it assists with giving effect to the Future Proof Strategy and the Waikato Regional Policy Statements' directions relating to the integration of land use with public transport and walking and cycling.
- Directions in these documents linked to housing typology and multiple unit dwellings should enable increased levels of physical activity if accompanied by parallel improvements in access to accessible public transport services and infrastructure, and safe and accessible walking and cycling infrastructure.

Point Number 923.51

Summary of Decision Requested: Retain Policy 4.2.26- Neighborhood centres in structure plans as notified.

Decision Reasons:

- Neighborhood centres provide a really important function to support local communities to have access to commercial and community facilities.

Point Number 923.52

Summary of Decision Requested: **Amend** Objective 4.3.1- Village Zone character to include a stronger description of the character and purpose of the Village Zone including anticipated intensity of development.

Decision Reasons:

- Should be amended to make a stronger correlation between infrastructure provision and the outcomes sought in terms of the zone, and to provide a stronger description as to what the Village Zone characteristics are that the objective seeks to maintain. This is significant given that absence of any meaningful description as to the purpose of the Village Zone.

Point Number 923.53

Summary of Decision Requested: **Amend** Policy 4.3.2- Character to provide greater clarity about the character of the Village Zone and to make stronger correlation with Infrastructure.

Decision Reasons:

- Should be amended to make a stronger correlation between infrastructure provision and the outcomes sought in terms of the zone and the associated objective.

Point Number 923.54

Summary of Decision Requested: **Amend** Policy 4.3.3- Future Development- Tuakau and Te Kowhai to provide greater clarity about the urban outcomes sought for the Village Zone, including anticipated development density

AND

Remove reference to "semi-rural character"; and make a stronger correlation between infrastructure provision and the outcome sought for the zone.

Decision Reasons:

- In respect of the Future Proof Strategy, clarity is required as to whether the villages are considered urban 'settlements' or part of the rural environment, with the Plan being ambiguous on this point.
- Given the plan's approach of consolidating development around existing towns and villages, it is not considered suitable that villages are described as being semi-rural.

Point Number 923.55

Summary of Decision Requested: **Amend** Policy 4.3.8 (a) (ii)- Residential Amenity and Function as follows:
Provide for the health, safety and well-being of the community.

Decision Reasons:

- Submitter supports Policy 4.3.8 to the extent that recognition is given to the health and wellbeing of communities. However, recommends that the wording better reflects section 5 of the RMA which also refers to the safety of the community.

Point Number 923.56

Summary of Decision Requested: **Retain** Policy 4.3.1 | - Maintain Residential function as notified.

Decision Reasons:

- Submitter supports this policy as it will assist with giving effect to the Waikato Regional Policy Statement's policy direction relating to the Future Proof settlement pattern.

Point Number 923.57

Summary of Decision Requested: **Amend** Objective 4.4.1 (a)- Adverse effects of land use and development as follows:
The health, safety, and wellbeing of people communities and the environment are protected from the adverse effects of land use and development.

Decision Reasons:

- The submitter supports Objective 4.4.1- Adverse effects of land use and development to the extent that recognition is given to the health and wellbeing of communities and communities are protected from the adverse effects of land use and development, however recommends that the wording better reflects section 5 of the RMA which also refers to the safety of the community.

Point Number 923.58

Summary of Decision Requested: **Retain** Objective 4.5.1- Commercial function and purpose as notified.

Decision Reasons:

- Objective is supported as it assists with giving effect to the Waikato Regional Policy Statement's policy direction relating to the Future Proof settlement pattern and commercial development in the Future Proof area.

Point Number 923.59

Summary of Decision Requested: Retain Policy 4.5.2- Commercial function and purpose as notified.

Decision Reasons:

- Policy is supported as it assists with giving effect to the Waikato Regional Policy Statement's policy direction relating to the Future Proof settlement pattern and commercial development in the Future Proof area.

Point Number 923.60

Summary of Decision Requested: Retain Policy 4.5.3- Commercial purpose: Business Town Centre as notified.

Decision Reasons:

- Policy is supported as it assists with giving effect to the Waikato Regional Policy Statement's policy direction relating to the Future Proof settlement pattern and commercial development in the Future Proof area.

Point Number 923.61

Summary of Decision Requested: Retain Policy 4.5.4- Commercial Zone- Business Zone as notified.

Decision Reasons:

- Policy assists with giving effect to the WRPS' policy direction relating to the Future Proof settlement pattern and commercial development in the Future Proof area.

Point Number 923.62

Summary of Decision Requested: Retain Policy 4.5.7- Commercial Purpose: Neighborhood Centres in Structure Plans as notified.

Decision Reasons:

- The submitter supports the Policy in principle given the important role of neighbourhood centres in providing local commercial and community services which can contribute to positive health and wellbeing outcomes.

Point Number 923.63

Summary of Decision Requested: Retain Policy 4.5.13- Town centre built form as notified.

Decision Reasons:

- The submitter supports the policy as providing for a safe, accessible, compact and attractive town centre environment can have positive impacts on community health and wellbeing for local residents.
- Policy gives effect to the Future Proof Growth Strategy and Waikato Regional Policy Statements' directions on encouraging and promoting walking, cycling and multimodal transport and maximizing opportunities for people to live, work, learn and play within their local communities.

Point Number 923.64

Summary of Decision Requested: Retain Objective 4.6.1 Economic growth and industry, as notified.

Decision Reasons:

- Policy 4.6.1 Economic growth and industry will assist with maintaining the Future Proof settlement pattern and retaining industrial activities primarily within identified industrial nodes.

Point Number 923.65

Summary of Decision Requested: Retain Policy 4.6.4- Maintain Industrial land for Industrial purpose as notified.

Decision Reasons:

- The submitter supports the policy as it will assist with maintaining the Future Proof settlement pattern; retaining industrial activities primarily within identified industrial nodes and managing reverse sensitivity issues. This is important for maintaining prosperity for the community, certainty as to the location of industrial land uses, and protecting public health by separating industrial and residential land use.

Point Number 923.66

Summary of Decision Requested: Retain Objective 4.6.6- Manage adverse effects as notified.

Decision Reasons:

- Submitter supports this objective as it assists with giving effect to the Waikato Regional Policy Statement's direction relating to the need to have regard to reverse sensitivity effects, which can have potential to negatively impact community health and wellbeing.

Point Number 923.67

Summary of Decision Requested: Retain Policy 4.6.7- Management of adverse effects within industrial zones.

Decision Reasons:

- Submitter supports this Policy as it assists with giving effect to the Waikato Regional Policy Statement's direction relating to the need to have regard to reverse sensitivity effects, which can have potential to negatively impact community health and wellbeing.

Point Number 923.68

Summary of Decision Requested: **Retain** Objective 4.7.1- Subdivision and land use integration as notified.

Decision Reasons:

- Will give effect to the Waikato Regional Policy Statement Policies 6.1, 6.3 and Section 6A regarding a planned, coordinated approach to subdivision, use and development and infrastructure provision, and recognises the significance of community safety through environmental design.
-

Point Number 923.69

Summary of Decision Requested: **Retain** Policy 4.7.2- Subdivision location and design as notified.

Decision Reasons:

- Will give effect to the Waikato Regional Policy Statement Policies 6.1, 6.3 and Section 6A regarding a planned, coordinated approach to subdivision, use and development and infrastructure provision and recognises the significance of community safety through environmental design.
-

Point Number 923.70

Summary of Decision Requested: **Retain** Policy 4.7.3- Residential Subdivision as notified.

Decision Reasons:

- Will give effect to the Waikato Regional Policy Statement Policies 6.1, 6.3 and Section 6A regarding a planned, coordinated approach to subdivision, use and development and infrastructure provision and recognises the significance of community safety through environmental design.
-

Point Number 923.71

Summary of Decision Requested: **Amend** Policy 4.7.4- Lot Sizes to support appropriate urban outcomes for the Village Zone.

Decision Reasons:

- Submitter is concerned that in Policy 4.7.4 (b) the minimum lot sizes in the Village Zone (particularly Te Kowhai and Tuakau) appear to promote rural rather than urban outcomes, and will not achieve the sustainable, compact urban form necessary to support efficient, effective transport and infrastructure and walkability.
-

Point Number 923.72

Summary of Decision Requested: **Amend** Policy 4.7.4- Lot Sizes to provide for more intense development in locations immediately adjacent to Business Town Centre Zones.

Decision Reasons:

- While generally supportive of the minimum site area of 450m² for urban residential areas across the district, there are locations where higher densities and a more intensive subdivision pattern is suitable, to promote walkable neighbourhoods and connectivity with commercial and community services. This is relevant in particular locations within the Residential Zone immediately adjacent to the Business Town Centre Zones.
-

Point Number 923.73

Summary of Decision Requested: **Review** the extent of the live zoning and its ability to be serviced with infrastructure.

OR

Consider including much stronger development staging rules which are linked to the provision of infrastructure and development of structure plans.

Decision Reasons:

- Submitter supports this policy as it will assist with giving effect to the Waikato Regional Policy Statement's policy direction in regard to a planned, coordinated approach to subdivision, use and development and infrastructure provision, achieving compact urban environments, and having regard to reverse sensitivity effects, which can have potential to negatively impact community health and wellbeing.
 - The submitter has concerns around the approach of 'live zoning' significant areas of land rather than undertaking a staged approach. Should council continue with live zoning there should be a much stronger approach to staging which is tied to infrastructure provision and structure planning.
-

Point Number 923.74

Summary of Decision Requested: **Review** the extent of the live zoning and its ability to be serviced with infrastructure.

OR

Consider including much stronger development staging rules which are linked to the provision of infrastructure and development of structure plans.

Decision Reasons:

- Submitter supports this policy as it will assist with giving effect to the Waikato Regional Policy Statement's policy direction in regard to a planned, coordinated approach to subdivision, use and development and infrastructure provision, achieving compact urban environments, and having regard to reverse sensitivity effects, which can have potential to negatively impact community health and wellbeing.
 - The submitter has concerns around the approach of 'live zoning' significant areas of land rather than undertaking a staged approach. Should council continue with live zoning there should be a much stronger approach to staging which is tied to infrastructure provision and structure planning.
-

Point Number 923.75

Summary of Decision Requested: **Review** the extent of the live zoning and its ability to be serviced with infrastructure.

OR

Consider including much stronger development staging rules which are linked to the provision of infrastructure and development of structure plans.

Decision Reasons:

- Submitter supports this policy as it will assist with giving effect to the Waikato Regional Policy Statement's policy direction in regard to a planned, coordinated approach to subdivision, use and development and infrastructure provision, achieving compact urban environments, and having regard to reverse sensitivity effects, which can have potential to negatively impact community health and wellbeing.
- The submitter has concerns around the approach of 'live zoning' significant areas of land rather than undertaking a staged approach. Should council continue with live zoning there should be a much stronger approach to staging which is tied to infrastructure provision and structure planning.

Point Number 923.76

Summary of Decision Requested: **Review** the extent of the live zoning and its ability to be serviced with infrastructure.

OR

Consider including much stronger development staging rules which are linked to the provision of infrastructure and development of structure plans.

Decision Reasons:

- Submitter supports this policy as it will assist with giving effect to the Waikato Regional Policy Statement's policy direction in regard to a planned, coordinated approach to subdivision, use and development and infrastructure provision, achieving compact urban environments, and having regard to reverse sensitivity effects, which can have potential to negatively impact community health and wellbeing.
- The submitter has concerns around the approach of 'live zoning' significant areas of land rather than undertaking a staged approach. Should council continue with live zoning there should be a much stronger approach to staging which is tied to infrastructure provision and structure planning.

Point Number 923.77

Summary of Decision Requested: **Review** the extent of the live zoning and its ability to be serviced with infrastructure.

OR

Consider including much stronger development staging rules which are linked to the provision of infrastructure and development of structure plans.

Decision Reasons:

- Submitter supports this policy as it will assist with giving effect to the Waikato Regional Policy Statement's policy direction in regard to a planned, coordinated approach to subdivision, use and development and infrastructure provision, achieving compact urban environments, and having regard to reverse sensitivity effects, which can have potential to negatively impact community health and wellbeing.
- The submitter has concerns around the approach of 'live zoning' significant areas of land rather than undertaking a staged approach. Should council continue with live zoning there should be a much stronger approach to staging which is tied to infrastructure provision and structure planning.

Point Number 923.78

Summary of Decision Requested: **Review** the extent of the live zoning and its ability to be serviced with infrastructure.

OR

Consider including much stronger development staging rules which are linked to the provision of infrastructure and development of structure plans.

Decision Reasons:

- Submitter supports this policy as it will assist with giving effect to the Waikato Regional Policy Statement's policy direction in regard to a planned, coordinated approach to subdivision, use and development and infrastructure provision, achieving compact urban environments, and having regard to reverse sensitivity effects, which can have potential to negatively impact community health and wellbeing.
- The submitter has concerns around the approach of 'live zoning' significant areas of land rather than undertaking a staged approach. Should council continue with live zoning there should be a much stronger approach to staging which is tied to infrastructure provision and structure planning.

Point Number 923.79

Summary of Decision Requested: **Review** the extent of the live zoning and its ability to be serviced with infrastructure.

OR

Consider including much stronger development staging rules which are linked to the provision of infrastructure and development of structure plans.

Decision Reasons:

- Submitter supports this policy as it will assist with giving effect to the Waikato Regional Policy Statement's policy direction in regard to a planned, coordinated approach to subdivision, use and development and infrastructure provision, achieving compact urban environments, and having regard to reverse sensitivity effects, which can have potential to negatively impact community health and wellbeing.
- The submitter has concerns around the approach of 'live zoning' significant areas of land rather than undertaking a staged approach. Should council continue with live zoning there should be a much stronger approach to staging which is tied to infrastructure provision and structure planning.

Point Number 923.80

Summary of Decision Requested: **Review** the extent of the live zoning and its ability to be serviced with infrastructure.

OR

Consider including much stronger development staging rules which are linked to the provision of infrastructure and development of structure plans.

Decision Reasons:

- Submitter supports this policy as it will assist with giving effect to the Waikato Regional Policy Statement's policy direction in regard to a planned, coordinated approach to subdivision, use and development and infrastructure provision, achieving compact urban environments, and having regard to reverse sensitivity effects, which can have potential to negatively impact community health and wellbeing.
- The submitter has concerns around the approach of 'live zoning' significant areas of land rather than undertaking a staged approach. Should council continue with live zoning there should be a much stronger approach to staging which is tied to infrastructure provision and structure planning.

Point Number 923.81

Summary of Decision Requested: Retain Objective 5.1.1- The Rural environment as notified.

Decision Reasons:

- Objective 5.1.1 gives effect to the Waikato Regional Policy Statement Implementation Method 14.2.1 regarding high class soils and supporting productive rural activities and provisions Waikato Regional Policy Statement relate to the Built Environment, including 6.1.5 and Section 6A.
- The submitter considers protecting food production and security as important community health and wellbeing considerations for the Waikato District and its residents.
- Concentrating urban development within identified growth locations is important to protect the rural land resource.

Point Number 923.82

Summary of Decision Requested: Retain Objective 5.2.1- Rural resources as notified.

Decision Reasons:

- The submitter supports the objective noting the inclusion of maintaining and enhancing high class soils and freshwater bodies and their catchments which enable environmental and community health and wellbeing outcomes.

Point Number 923.83

Summary of Decision Requested: Retain Policy 5.2.2- High class soils as notified.

Decision Reasons:

- Submitter supports the objective noting the inclusion of maintaining and enhancing high class soils which enable environmental and community health and wellbeing outcomes.

Point Number 923.84

Summary of Decision Requested: Retain Policy 5.2.3- Effects of subdivision and development on soils as notified.

Decision Reasons:

- Submitter supports the objective noting the inclusion of maintaining and enhancing high class soils which enable environmental and community health and wellbeing outcomes.

Point Number 923.85

Summary of Decision Requested: Retain Objective 6.1.1- Development, operation and maintenance of infrastructure as notified.

Decision Reasons:

- Submitter supports the objective as it states clearly the importance of infrastructure provision to achieving social, economic, cultural and environmental wellbeing.

Point Number 923.86

Summary of Decision Requested: Retain Policy 6.1.4- Infrastructure benefits as notified.

Decision Reasons:

- Submitter supports Policy 6.1.4 in full as a key implementation measure for Objective 6.1.1 and emphasizes the important elements of timely and effective infrastructure provision for community wellbeing.

Point Number 923.87

Summary of Decision Requested: Retain Objective 6.1.8- Infrastructure in the community and identified areas as notified.

Decision Reasons:

- Submitter supports Objective 6.1.8 as infrastructure should take into account the qualities and characteristics of community wellbeing and have positive public health benefits.
- While not included in the Plan definition for infrastructure, community and social infrastructure, such as community halls and hubs is an important contributor to community health and wellbeing.

Point Number 923.88

Summary of Decision Requested: Retain Policy 6.1.9- Environmental effects, community health, safety and amenity as notified.

Decision Reasons:

- The submitter supports Policy 6.1.9 as it acknowledges that development, operation and maintenance of infrastructure can have positive public health benefits and statutory requirements of Waikato District Council under section 23 of the Health Act.

Point Number 923.89

Summary of Decision Requested: **Amend** Policy 6.1.13- Future growth areas to clearly state how 'where appropriate' will be determined.

AND

Amend Policy 6.1.13- Future growth areas to clearly state to what extent provision of services shall require that infrastructure services be developed to enable the service to be extended to future growth areas.

Decision Reasons:

- Submitter supports Policy 6.1.13 as development of infrastructure and services to an appropriate standard enables the service, e.g. drinking water infrastructure, to be extended to future growth areas which will have positive public health benefits.
- It is less clear how Council will implement this policy, particularly given the substantial 'live' zoning areas identified and the apparent absence of confirmed infrastructure proposals to service these areas.
- Policy is too uncertain to operate effectively as written, with issues with how this is implemented, with risks that servicing will be inadequate to meet the needs of the community in particular localities, and potentially undermine community health and wellbeing.

Point Number 923.90

Summary of Decision Requested: **Retain** Policy 6.1.16- Water conservation as notified.

Decision Reasons:

- Submitter supports Policy 6.1.16 as it has positive environmental benefits.
- The greater use of on-property multi-purpose landscaping/vegetation also offers human "quality of life" opportunities through offering greener neighbourhoods and contributing to a local community's overall 'liveability', value, sense of place and aesthetics.

Point Number 923.91

Summary of Decision Requested: **Amend** Chapter 1 to more clearly state the strategic objectives and policies in each policy chapter, and identify how they relate to each other and the issues.

Decision Reasons:

- Several chapters in the Plan include strategic objectives and policies, and the relationship between these and what might be termed non-strategic objectives and policies and resource management issues identified in Chapter 1 is not clear.
- Within Chapter 1 the relationship between the various strategic provisions within 1.4, 1.5 and 1.12 is unclear, in particular whether there is a hierarchy between these provisions.

Point Number 923.92

Summary of Decision Requested: **Amend** Strategic Objectives and Policies in each Policy Chapter so they relate more strongly to the purpose of the RMA as encapsulated by section 5 in terms of objectives related to the natural and built environment resources and their contributions to community health and wellbeing outcomes.

Decision Reasons:

- Considered to be a general absence of links to health and wellbeing considerations (in accordance with the purpose of section 5 RMA) within these strategic issues and objectives.
- Clarity on how these provisions relate to the objectives with Section B of the Plan.

Point Number 923.93

Summary of Decision Requested: **Amend** Chapter One: Introduction by establishing a stronger objective, policy and rule framework than is proposed for un-serviced urban residential areas where there is uncertainty about the funding, staging and timing for infrastructure provision.

Decision Reasons:

- The amendments are requested to ensure activities of an urban nature, including subdivision, are not provided for prior to structure planning processes being undertaken and without certainty about the funding, timing and staging of infrastructure provision and so subdivision, use and development is not compromised in these areas for future development.
- The submitter is concerned provisions do not adequately address how subdivision and development activities will be managed where a 'live' residential zoning is proposed for un-serviced land within urban towns and villages.
- No obvious strategy as to how Council intends to manage these areas, how long the transition to urban use will be for particular areas, how Council is achieving its Future Proof land allocation obligations, or any framework evaluating other non-identified 'live zoning' areas.
- Proposed Plan creates a highly uncertain development environment for communities as to where and how future urban growth will be provided for, and how health and wellbeing outcomes will be managed in parallel to managing growth.

Point Number 923.94

Summary of Decision Requested: **Amend** Chapter Four: Urban Environment by establishing a stronger objective, policy and rule framework than is proposed for un-serviced urban residential areas where there is uncertainty about the funding, staging and timing for infrastructure provision.

Decision Reasons:

- The amendments are requested to ensure activities of an urban nature, including subdivision, are not provided for prior to structure planning processes being undertaken and without certainty about the funding, timing and staging of infrastructure provision and so subdivision, use and development is not compromised in these areas future development.
- The submitter is concerned provisions do not adequately address how subdivision and development activities will be managed where a 'live' residential zoning is proposed for un-serviced land within urban towns and villages.
- No obvious strategy as to how Council intends to manage these areas, how long the transition to urban use will be for particular areas, how Council is achieving its Future Proof land allocations obligations, or any framework evaluating other non-identified 'live zoning' areas.

- Proposed Plan creates a highly uncertain development environment for communities as to where and how future urban growth will be provided for, and how health and wellbeing outcomes will be managed in parallel to managing growth.

Point Number 923.95

Summary of Decision Requested: **Amend** Chapter 16: Residential Zone by establishing a stronger objective, policy and rule framework than is proposed for un-serviced urban residential areas where there is uncertainty about the funding, staging and timing for infrastructure provision.

Decision Reasons:

- The amendments are requested to ensure activities of an urban nature, including subdivision, are not provided for prior to structure planning processes being undertaken and without certainty about the funding, timing and staging of infrastructure provision and so subdivision, use and development is not compromised in these areas for future development.
- The submitter is concerned provisions do not adequately address how subdivision and development activities will be managed where a 'live' residential zoning is proposed for un-serviced land within urban towns and villages.
- No obvious strategy as to how Council intends to manage these areas, how long the transition to urban use will be for particular areas, how Council is achieving its Future Proof land allocations obligations, or any framework evaluating other non-identified 'live zoning' areas.
- Proposed Plan creates a highly uncertain development environment for communities as to where and how future urban growth will be provided for, and how health and wellbeing outcomes will be managed in parallel to managing growth.

Point Number 923.96

Summary of Decision Requested: **Amend** the Planning Maps by establishing a stronger objective, policy and rule framework than is proposed for un-serviced urban residential areas where there is uncertainty about the funding, staging and timing for infrastructure provision.

Decision Reasons:

- The amendments are requested to ensure activities of an urban nature, including subdivision, are not provided for prior to structure planning processes being undertaken and without certainty about the funding, timing and staging of infrastructure provision and so subdivision, use and development is not compromised in these areas for future development.
- The submitter is concerned provisions do not adequately address how subdivision and development activities will be managed where a 'live' residential zoning is proposed for un-serviced land within urban towns and villages.
- No obvious strategy as to how Council intends to manage these areas, how long the transition to urban use will be for particular areas, how Council is achieving its Future Proof land allocations obligations, or any framework evaluating other non-identified 'live zoning' areas.
- Proposed Plan creates a highly uncertain development environment for communities as to where and how future urban growth will be provided for, and how health and wellbeing outcomes will be managed in parallel to managing growth.

Point Number 923.97

Summary of Decision Requested: **Amend** the relevant provisions that are proposed for un-serviced urban residential areas where there is uncertainty about the funding, staging and timing for Infrastructure provision by establishing a stronger objective, policy and rule framework than is proposed for un-serviced urban residential areas where there is uncertainty about the funding, staging and timing for infrastructure provision.

Decision Reasons:

- The amendments are requested to ensure activities of an urban nature, including subdivision, are not provided for prior to structure planning processes being undertaken and without certainty about the funding, timing and staging of infrastructure provision and so subdivision, use and development is not compromised in these areas for future development.
- The submitter is concerned provisions do not adequately address how subdivision and development activities will be managed where a 'live' residential zoning is proposed for un-serviced land within urban towns and villages.
- No obvious strategy as to how Council intends to manage these areas, how long the transition to urban use will be for particular areas, how Council is achieving its Future Proof land allocations obligations, or any framework evaluating other non-identified 'live zoning' areas.
- Proposed Plan creates a highly uncertain development environment for communities as to where and how future urban growth will be provided for, and how health and wellbeing outcomes will be managed in parallel to managing growth.

Point Number 923.98

Summary of Decision Requested: **Amend** Plan provisions where and when appropriate to provide for outcomes identified in the Auckland-Hamilton Corridor Plan and Future Proof Strategy (Stage 2) review.

Decision Reasons:

- The submitter and Waikato District Council are involved in collaborative work underway to develop an Auckland-Hamilton Spatial Corridor Plan and also to complete Future Proof growth Strategy update (Stage 2).
- While in progress and not yet operative, these processes will generate an agreed vision for managing urban growth and development in significant parts of the Waikato District that may differ in some respects that are currently proposed in the Plan.

Point Number 923.99

Summary of Decision Requested: **Amend** the Planning maps where and when appropriate to provide for outcomes identified in the Auckland-Hamilton Corridor Plan and Future Proof Strategy (Stage 2) review.

Decision Reasons:

- The submitter and Waikato District Council are involved in collaborative work underway to develop an Auckland-Hamilton Spatial Corridor Plan and also to complete Future Proof growth Strategy update (Stage 2).
- While in progress and not yet operative, these processes will generate an agreed vision for managing urban growth and development in significant parts of the Waikato District that may differ in some respects that currently proposed in the Plan.

Point Number 923.100

Summary of Decision Requested: **Amend** Chapter 1 (and/or s32 Analysis) to show the requirements of the 2017 National Policy Statement for Urban Development Capacity have been considered, which may include the following:

- Identifying which of the District's towns and villages are to be the focus for urban growth and development;
- Indicating the extent to which each of these areas are currently serviced with necessary infrastructure to protect and promote health and wellbeing, e.g. potable water;

- Clarifying whether structure/master planning or other detailed investigations have been done for these areas, and if not, when this is expected to occur;
- Addressing the issue of how areas identified for growth that currently have no supporting infrastructure (including community infrastructure) are to be sustainably managed through the plan provisions to ensure health and wellbeing is not negatively impacted.

Decision Reasons:

- National Policy Statement for Urban Development Capacity impacts multiple chapters and sections of the plan, related to the provision of sufficient feasible zoned and serviced housing and business land is provided for.
- Proposed approach to 'live zone' new urban growth areas, leads to a concern related to zoning new areas of land for urban development where it is unclear what infrastructure is available or proposed to be provided.
- Provision of core and community infrastructure within the built environment impacts on health and wellbeing outcomes.

Point Number 923.101

Summary of Decision Requested: **Amend** the structure of the Plan to provide for cross references between issues, objectives, policies and rules.

Decision Reasons:

- Links and cross-references between related issues, objectives, policies and rules are not clear, leading to a confusing collection of issues, objectives, policies and rules without a strong hierarchy.
- There is an opportunity to make it clear for users of the plan to understand.

Point Number 923.102

Summary of Decision Requested: **Amend** Chapter 16: Residential Zone to add a statement of purpose and anticipated outcomes of corresponding zone or subzone, and where appropriate make links to health and wellbeing considerations.

Decision Reasons:

- Currently there are no statements of purpose or descriptions for any of the zones or the intended outcomes to be achieved, leading to a reliance on objectives, policies and explanations within Section B of the Plan, which are based under generic heading topics with little zone based commentary.
- There is an opportunity to clarify the purpose of a zone and increase understanding of outcomes, and appropriate types of activities for the different environments.
- The amendments would assist with a clear understanding of the purpose and character of the various zones.

Point Number 923.103

Summary of Decision Requested: **Amend** Chapter 17: Business Zone to add a statement of purpose and anticipated outcomes of corresponding zone or subzone, and where appropriate make links to health and wellbeing considerations.

Decision Reasons:

- Currently there are no statements of purpose or descriptions for any of the zones or the intended outcomes to be achieved, leading to a reliance on objectives, policies and explanations within Section B of the Plan, which are based under generic heading topics with little zone based commentary.
- There is an opportunity to clarify the purpose of a zone and increase understanding of outcomes, and appropriate types of activities for the different environments.
- The amendments would assist with a clear understanding of the purpose and character of the various zones.

Point Number 923.104

Summary of Decision Requested: **Add** a new rule section setting requirements for mechanical ventilation as follows:

X. Mechanical ventilation

1. Buildings that are required to have acoustic insulation must be designed, constructed and maintained with a mechanical ventilation system so that windows can be kept closed. The mechanical ventilation system must achieve the following requirements:

(i) For habitable rooms for a residential activity;

A. Provide mechanical ventilation to satisfy clause G4 of the New Zealand Building Code;

B. Be adjustable by the occupant to control the ventilation rate in increments up to a high air flow setting that provides at least 6 air changes per hour;

C. Provide relief for equivalent volumes of spill air;

D. Provide cooling and heating that is controllable by the occupant and can maintain the inside temperature between 18 degree Celsius and 25 degree Celsius;

E. Generate less than 35 dB L_{Aeq(30s)} when measured 1m away from any grille or diffuser.

(ii) For other spaces, a specification as determined by a suitably qualified and experienced person.

2. A commissioning report must be submitted to the Council prior to occupation of the building demonstrating compliance with all of the mechanical ventilation system performance requirements in X.1.

Decision Reasons:

- New sensitive land-uses should preferably be located away from areas of high noise exposure. However, in areas where there is not a practicable alternative, requirements to provide sound insulation provides a minimum 'back-stop' for managing adverse health effects.
- In all cases where sound insulation is required under Appendix I it would be undermined if windows have to be opened. Whilst Appendix I does require mechanical ventilation in some instances, the specified performance would not be sufficient to provide thermal comfort. Therefore, occupants would either have to suffer excess noise or excess/insufficient temperature. As occupants would then be forced to open windows, this situation does not address the adverse noise effect.
- A ventilation system should be required that provides thermal comfort with windows closed.

Point Number 923.105

Summary of Decision Requested: **Delete** Appendix I - Acoustic Insulation 2.1 (2)

AND

Add to Appendix 1- Acoustic Insulation a new 2.1 (2) as follows:

For both options one and option two, a mechanical ventilation must be installed in accordance with X.

Decision Reasons:

- In all cases where sound insulation is required under Appendix 1 it would be undermined if windows have to be opened. Whilst Appendix 1 does require mechanical ventilation in some instances, the specified performance would not be sufficient to provide thermal comfort. Therefore, occupants would either have to suffer excess noise or excess/insufficient temperature. As occupants would then be forced to open windows, this situation does not address the adverse noise effect.
- A ventilation system should be required that provides thermal comfort with windows closed.

Point Number 923.106

Summary of Decision Requested: Delete Appendix 1- Acoustic Insulation 2.1 (3) (i) (C) and 2.1 (3) (i) (D)

AND

Add to Appendix 1- Acoustic Insulation a new 2.1 (3) (C) as follows:

A mechanical ventilation must be installed in accordance with X.

Decision Reasons:

- In all cases where sound insulation is required under Appendix 1 it would be undermined if windows have to be opened. Whilst Appendix 1 does require mechanical ventilation in some instances, the specified performance would not be sufficient to provide thermal comfort. Therefore, occupants would either have to suffer excess noise or excess/insufficient temperature. As occupants would then be forced to open windows, this situation does not address the adverse noise effect.
- A ventilation system should be required that provides thermal comfort with windows closed.

Point Number 923.107

Summary of Decision Requested: Delete Appendix 1- Acoustic Insulation 2.2 (6) and 2.2 (7)

AND

Add to Appendix 1- Acoustic Insulation a new 2.2 (6) as follows:

A mechanical ventilation must be installed in accordance with X.

Decision Reasons:

- In all cases where sound insulation is required under Appendix 1 it would be undermined if windows have to be opened. Whilst Appendix 1 does require mechanical ventilation in some instances, the specified performance would not be sufficient to provide thermal comfort. Therefore, occupants would either have to suffer excess noise or excess/insufficient temperature. As occupants would then be forced to open windows, this situation does not address the adverse noise effect.
- A ventilation system should be required that provides thermal comfort with windows closed.

Point Number 923.108

Summary of Decision Requested: Delete Appendix 1- Acoustic Insulation 3.1. (3), 3.1.4 and 3.1.5

AND

Add to Appendix 1- Acoustic Insulation a new 3.1 (3) as follows:

A mechanical ventilation must be installed in accordance with X.

Decision Reasons:

- In all cases where sound insulation is required under Appendix 1 it would be undermined if windows have to be opened. Whilst Appendix 1 does require mechanical ventilation in some instances, the specified performance would not be sufficient to provide thermal comfort. Therefore, occupants would either have to suffer excess noise or excess/insufficient temperature. As occupants would then be forced to open windows, this situation does not address the adverse noise effect.
- A ventilation system should be required that provides thermal comfort with windows closed.

Point Number 923.109

Summary of Decision Requested: Delete Appendix 1- Acoustic Insulation 3.2 (3), 3.2 (4) and 3.2 (5)

AND

Add to Appendix 1- Acoustic Insulation a new 3.2 (3) as follows:

A mechanical ventilation must be installed in accordance with X.

Decision Reasons:

- In all cases where sound insulation is required under Appendix 1 it would be undermined if windows have to be opened. Whilst Appendix 1 does require mechanical ventilation in some instances, the specified performance would not be sufficient to provide thermal comfort. Therefore, occupants would either have to suffer excess noise or excess/insufficient temperature. As occupants would then be forced to open windows, this situation does not address the adverse noise effect.
- A ventilation system should be required that provides thermal comfort with windows closed.

Point Number 923.110

Summary of Decision Requested: Add a new Permitted Activity Standard 4.1.2 as follows:

2.) A mechanical ventilation must be installed in accordance with X.

Decision Reasons:

- In all cases where sound insulation is required under Appendix 1 it would be undermined if windows have to be opened. Whilst Appendix 1 does require mechanical ventilation in some instances, the specified performance would not be sufficient to provide thermal comfort. Therefore, occupants would either have to suffer excess noise or excess/insufficient temperature. As occupants would then be forced to open windows, this situation does not address the adverse noise effect.
- A ventilation system should be required that provides thermal comfort with windows closed.

Point Number 923.111

Summary of Decision Requested: Amend Appendix I Acoustic Insulation Table 13 - Internal Sound Levels, as follows:

Area **Internal design sound level**

Waikato Gun Club Noise Control Boundary ~~CNR 75 (Composite Noise Rating) 40 dB LA_{Fmax}~~

Decision Reasons:

- Sound insulation requirements near the Waikato Gun Club are in terms of the "CNR" measure. This is not defined in the Proposed Plan or New Zealand Standards. The CNR cannot be assessed, even by a specialist, without detailed information about the Gun Club that is not in the District Plan or publicly available.

Point Number 923.112

Summary of Decision Requested: Add new Permitted Activity Standard 5.1.3 as follows:

3. A mechanical ventilation must be installed in accordance with X.

Decision Reasons:

- In all cases where sound insulation is required under Appendix I it would be undermined if windows have to be opened. Whilst Appendix I does require mechanical ventilation in some instances, the specified performance would not be sufficient to provide thermal comfort. Therefore, occupants would either have to suffer excess noise or excess/insufficient temperature. As occupants would then be forced to open windows, this situation does not address the adverse noise effect.
- A ventilation system should be required that provides thermal comfort with windows closed.

Point Number 923.113

Summary of Decision Requested: Add new Permitted Activity Standard 6.1.2 as follows:

2. A mechanical ventilation must be installed in accordance with X.

Decision Reasons:

- In all cases where sound insulation is required under Appendix I it would be undermined if windows have to be opened. Whilst Appendix I does require mechanical ventilation in some instances, the specified performance would not be sufficient to provide thermal comfort. Therefore, occupants would either have to suffer excess noise or excess/insufficient temperature. As occupants would then be forced to open windows, this situation does not address the adverse noise effect.
- A ventilation system should be required that provides thermal comfort with windows closed.

Point Number 923.114

Summary of Decision Requested: Retain Appendix 3.3- Town Centre Guidelines as notified.

Decision Reasons:

- Submitter supports the good urban design outcomes embodied in these guidelines (Appendix 3.3 Town Centre Guidelines). This includes reference to the NZ Urban Design Protocol of which Crime Prevention through Environmental Design, Universal Access Design, Energy Efficiency, and Street trees are part; as it commits the signatories to specific urban design initiatives intended to raise the quality of urban design within the town/city thereby increasing opportunities for optimal health and wellbeing.

Point Number 923.115

Summary of Decision Requested: Amend Chapter 18: Business Town Centre Zone to add a statement of purpose and anticipated outcomes of corresponding zone or subzone, and where appropriate make links to health and wellbeing considerations.

Decision Reasons:

- Currently there are no statements of purpose or descriptions for any of the zones or the intended outcomes to be achieved, leading to a reliance on objectives, policies and explanations within Section B of the Plan, which are based under generic heading topics with little zone based commentary.
- There is an opportunity to clarify the purpose of a zone and increase understanding of outcomes, and appropriate types of activities for the different environments.
- The amendments would assist with a clear understanding of the purpose and character of the various zones.

Point Number 923.116

Summary of Decision Requested: Amend Chapter 19: Business Zone Tamahere to add a statement of purpose and anticipated outcomes of corresponding zone or subzone, and where appropriate make links to health and wellbeing considerations.

Decision Reasons:

- Currently there are no statements of purpose or descriptions for any of the zones or the intended outcomes to be achieved, leading to a reliance on objectives, policies and explanations within Section B of the Plan, which are based under generic heading topics with little zone based commentary.
- There is an opportunity to clarify the purpose of a zone and increase understanding of outcomes, and appropriate types of activities for the different environments.
- The amendments would assist with a clear understanding of the purpose and character of the various zones.

Point Number 923.117

Summary of Decision Requested: Amend Chapter 20: Industrial Zone to add a statement of purpose and anticipated outcomes of corresponding zone or subzone, and where appropriate make links to health and wellbeing considerations.

Decision Reasons:

- Currently there are no statements of purpose or descriptions for any of the zones or the intended outcomes to be achieved, leading to a reliance on objectives, policies and explanations within Section B of the Plan, which are based under generic heading topics with little zone based commentary.

- There is an opportunity to clarify the purpose of a zone and increase understanding of outcomes, and appropriate types of activities for the different environments.
- The amendments would assist with a clear understanding of the purpose and character of the various zones.

Point Number 923.118

Summary of Decision Requested: **Amend** Chapter 21: Heavy Industrial Zone to add a statement of purpose and anticipated outcomes of corresponding zone or subzone, and where appropriate make links to health and wellbeing considerations.

Decision Reasons:

- Currently there are no statements of purpose or descriptions for any of the zones or the intended outcomes to be achieved, leading to a reliance on objectives, policies and explanations within Section B of the Plan, which are based under generic heading topics with little zone based commentary.
- There is an opportunity to clarify the purpose of a zone and increase understanding of outcomes, and appropriate types of activities for the different environments.
- The amendments would assist with a clear understanding of the purpose and character of the various zones.

Point Number 923.119

Summary of Decision Requested: **Amend** Chapter 22: Rural Zone to add a statement of purpose and anticipated outcomes of corresponding zone or subzone, and where appropriate make links to health and wellbeing considerations.

Decision Reasons:

- Currently there are no statements of purpose or descriptions for any of the zones or the intended outcomes to be achieved, leading to a reliance on objectives, policies and explanations within Section B of the Plan, which are based under generic heading topics with little zone based commentary.
- There is an opportunity to clarify the purpose of a zone and increase understanding of outcomes, and appropriate types of activities for the different environments.
- The amendments would assist with a clear understanding of the purpose and character of the various zones.

Point Number 923.120

Summary of Decision Requested: **Retain** Objective 6.4.1- Integration of infrastructure with subdivision, land use and development as notified.

Decision Reasons:

- Objective is supported as it helps to give effect to Waikato Regional Policy Statement policies 6.1, 6.3, 6.15 and Section 6A in terms of placing emphasis on planned, coordinated approach to subdivision and development and provision of supporting infrastructure.
- Submitter considers that this approach is essential to achieving strong health and wellbeing outcomes for the district's communities.

Point Number 923.121

Summary of Decision Requested: **Retain** Policy 6.4.2- Provide adequate infrastructure as notified.

Decision Reasons:

- Policy is supported as it helps to give effect to Waikato Regional Policy Statement policies 6.1, 6.3, 6.15 and Section 6A in terms of placing emphasis on planned, coordinated approach to subdivision and development and provision of supporting infrastructure.
- Submitter considers that this approach is essential to achieving strong health and wellbeing outcomes for the district's communities.

Point Number 923.122

Summary of Decision Requested: **Retain** Policy 6.4.3- Infrastructure Location and Services as notified.

Decision Reasons:

- Policy is supported as it helps to give effect to Waikato Regional Policy Statement policies 6.1, 6.3, 6.15 and Section 6A in terms of placing emphasis on planned, coordinated approach to subdivision and development and provision of supporting infrastructure.
- Submitter considers that this approach is essential to achieving strong health and wellbeing outcomes for the district's communities.

Point Number 923.123

Summary of Decision Requested: **Retain** Policy 6.4.4- Road and rail network as notified.

Decision Reasons:

- Policy is supported as it helps to give effect to Waikato Regional Policy Statement policies 6.1, 6.3, 6.15 and Section 6A in terms of placing emphasis on planned, coordinated approach to subdivision and development and provision of supporting infrastructure.
- Submitter considers that this approach is essential to achieving strong health and wellbeing outcomes for the district's communities.

Point Number 923.124

Summary of Decision Requested: **Retain** Policy 6.4.5- Roading Infrastructure as notified.

Decision Reasons:

- Policy is supported as it helps to give effect to Waikato Regional Policy Statement policies 6.1, 6.3, 6.15 and Section 6A in terms of placing emphasis on planned, coordinated approach to subdivision and development and provision of supporting infrastructure.
- Submitter considers that this approach is essential to achieving strong health and wellbeing outcomes for the district's communities.

Point Number 923.125

Summary of Decision Requested: **Retain** Policy 6.4.7-Stormwater as notified.

Decision Reasons:

- Submitter supports policy 6.4.7 as it can help improve access to water and enhance water quality which can in turn affect environmental health, the local economy and overall quality of life and community wellbeing.

Point Number 923.126

Summary of Decision Requested: **Amend** Objective 6.5.1 (a) (i)- Land Transport Network as follows:
All transport modes including public transport and walking and cycling are accessible, safe, effective and efficient.

Decision Reasons:

- The objective is supported subject to amendments to align it more strongly to the Waikato Regional Land Transport Plan and to transport modes that can positively impact community health and wellbeing. More explicit recognition of the Waikato Regional Land Transport Plan is required.
- Transport provides access to economic and social opportunities which is key to supporting social engagement and inclusion, whilst also providing access to essential services e.g. education, healthcare and employment.
- Public transport infrastructure and services, and walking and cycling infrastructure play an important role not only in increasing the capacity of the network, but in enabling access for those people whose transport choices are limited.
- Transport system can also enable increased levels of physical activity which can in turn have positive impacts on risk factors associated with chronic conditions.

Point Number 923.127

Summary of Decision Requested: **Amend** Policy 6.5.2 (a)- Construction and operation of the land transport network as follows:
Promote the construction and operation of an efficient, effective, integrated, safe, resilient, accessible and sustainable transport network through:
AND
Amend Policy 6.5.2 (a) (iv)- Construction and operation of the land transport network as follows:
Safe and accessible provision for pedestrians and cyclists to maximise accessibility, that addresses accessibility, including off-road facilities and connections.

Decision Reasons:

- Submitter supports the policy in principle subject to amendments to align it more strongly to the Waikato Regional Land Transport Plan.
- Proposed amendments more strongly contribute to achieving community health and wellbeing outcomes.
- Accessible transport networks can enable increased levels of physical activity and community connectedness for all users.

Point Number 923.128

Summary of Decision Requested: **Retain** Reserves Objective 8.1.1 as notified.

Decision Reasons:

- Policy is supported as the submitter emphasises the importance of public open space, natural reserves, and recreational opportunities, which can make a positive contribution to community health and wellbeing.

Point Number 923.129

Summary of Decision Requested: **Retain** Policy 8.1.2- Provision, use and development of public open space and reserves as notified.

Decision Reasons:

- Policy is supported as current research shows that access to open, and especially green spaces, improves people's health and sense of wellbeing.
- The use of open spaces to promote physical activity is an important part of addressing these conditions in an urban setting.
- Open spaces promote health behaviors by providing an accessible, affordable and enjoyable place to be physically active, which is emphasized within the NZ Urban Design Guide.

Point Number 923.130

Summary of Decision Requested: **Retain** Policy 8.1.3 Esplanade reserves and walkways, as notified.

Decision Reasons:

- Policy is supported as current research shows that access to open, and especially green spaces, improves people's health and sense of wellbeing.
- The use of open spaces to promote physical activity is an important part of addressing these conditions in an urban setting.
- Open spaces promote health behaviors by providing an accessible, affordable and enjoyable place to be physically active, which is emphasized within the NZ Urban Design Guide.

Point Number 923.131

Summary of Decision Requested: **Retain** Objective 10.1.1-Effects of hazardous substances as notified.

Decision Reasons:

- Policy is supported.
- The robust management of hazardous substances within the district is important for maintaining community health, safety and wellbeing.

Point Number	923.132
Summary of Decision Requested:	Retain Policy 10.1.2- Location of new hazardous facilities as notified.
Decision Reasons:	<ul style="list-style-type: none"> • Policy is supported. • The robust management of hazardous substances within the district is important for maintaining community health, safety and wellbeing.
Point Number	923.133
Summary of Decision Requested:	Retain Policy 10.1.3- Residual risks of hazardous substances as notified.
Decision Reasons:	<ul style="list-style-type: none"> • Policy is supported. • The robust management of hazardous substances within the district is important for maintaining community health, safety and wellbeing.
Point Number	923.134
Summary of Decision Requested:	Amend Objective 10.2.1- Contaminated Land as follows: <i>The subdivision, use and development of contaminated land is managed to protect human health <u>and safety</u> and the environment.</i>
Decision Reasons:	<ul style="list-style-type: none"> • Use of 'human health and the environment' is supported as it aligns with the Natural Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESCS) and section 31 (1) (b) of the RMA. • The submitter recommends that the wording better reflect section 5 of the RMA.
Point Number	923.135
Summary of Decision Requested:	Amend Policy 10.2.2 (b)- Managing the use of contaminated land as follows: <i>Disposal of contaminated soil must be carried out in a manner that avoids further adverse effects on human health <u>and safety</u>, or on the environment.</i>
Decision Reasons:	<ul style="list-style-type: none"> • The submitter supports Policy 10.2.2 (b) to the extent that recognition is given to human health from the adverse effects of contaminated land. • The submitter recommends that the wording better reflect section 5 of the RMA.
Point Number	923.136
Summary of Decision Requested:	Add to Chapter 13: Definitions the following definitions: <u>Access: The means or opportunity to approach or enter a place or facility.</u> AND <u>Accessible: Means able to be easily accessed by all members of the community, including those with sight and mobility impairment.</u> AND <u>Accessibility: Means the ease with which activities (either economic or social) or facilities, can be reached or accessed by people.</u> AND <u>Any consequential amendments</u>
Decision Reasons:	<ul style="list-style-type: none"> • Chapter 13 provides definitions for Rules, however there are no definitions provided for in Section A Plan Overview and Strategic Directions, in particular related to 'access, accessible or accessibility.' These terms are becoming more relevant for district planning given the District's projected growth and changing population profile. • The word "access" is used to define access allotment, but beyond that there is no definition to guide the meaning of access or accessibility. • There are two broad meanings of access. The first dimension is around availability and the second focusing on the use of facilities, services and amenities such as greenspace, which is critical. • If a population is to have access to a facility, then the facility itself should be able to accommodate a variety of personal needs. This requires a built environment that is appropriate to a wide range of people and their needs.
Point Number	923.137
Summary of Decision Requested:	Amend the definition of "emergency generator" in Chapter 13: Definitions as follows: <i>Means either a fixed or trailer-mounted generator that can supply reticulated water and wastewater networks or treatment facilities with emergency power where and when necessary. <u>It does not include any generator when running for testing or maintenance.</u></i>
Decision Reasons:	<ul style="list-style-type: none"> • The definition is used to exclude this sound source from noise limits in most zones. The exclusion is reasonable for emergency operation of generators but not for routine testing or maintenance, particularly outside of core daytime hours.
Point Number	923.138
Summary of Decision Requested:	Amend the definition of "Farming Noise" in Chapter 13: Definitions as follows: <i>Means noise generated by agricultural vehicles, any aircraft used for aerial spraying, agricultural machinery or equipment and farm animals, including farm dogs. It does not include <u>fixed equipment or facilities</u>, bird scaring devices and frost fans.</i>
Decision Reasons:	<ul style="list-style-type: none"> • The definition excludes farming noise sources from noise limits in some zones. Whilst there is justification for making this exclusion for some farming activities, it would be unreasonable with respect to fixed equipment (such as pumps) and facilities (such as dairy sheds). Unless properly designed and attenuated the sound from such sources could cause adverse health effects.

Point Number 923.139

Summary of Decision Requested: **Delete** definition of "noise-sensitive activity" from Chapter 13: Definitions.
AND
Amend the Proposed District Plan to change all uses of the term "noise sensitive activity" to refer instead to "Sensitive Land Use."

Decision Reasons:

- Whilst the concept of the definition is broadly supported, it is used in the proposed plan interchangeably and inconsistently with the definition of "sensitive land use," which is similar but not identical, and only one of these two definitions should be required.

Point Number 923.140

Summary of Decision Requested: **Amend** the definition of "Sensitive Land Use" in Chapter 13: Definitions as follows:
Means an education facility including a childcare facility, Waanaga and Kohanga Reo, a Residential activity, Papakainga building, rest home, retirement village, travelers' accommodation, Student accommodation, home stay, place of assembly, health facility or hospital.

Decision Reasons:

- Definition is used to define where controls are required to protect certain land-use activities from noise, which is appropriate.
- The definition covers most but not all sensitive land uses, and amendments are requested.
- It should also be adapted to avoid the need for a separate definition of 'noise-sensitive activity.'

Point Number 923.141

Summary of Decision Requested: **Retain** the definition of "Health facility" in Chapter 13: Definitions as notified.

Decision Reasons:

- The submitter supports the definition.

Point Number 923.142

Summary of Decision Requested: **Amend** Rule 14.2.1.1 (1. (e)- Permitted Activities: New Infrastructure as follows:
Not exceed the relevant noise limits that are applicable to that zone, ~~when measured at the nearest boundary of the site.~~

Decision Reasons:

- The Rule refers to zone noise limits, which is appropriate. However, the rule then refers to application of noise limits at the "... boundary of the site," which is inconsistent with some zone noise limits that are specified at notional boundaries.
- As drafted the rule contradicts itself. As each zone noise limit explicitly specifies a receiver point it should not be referenced here.
- As noted in other submissions, regardless, all assessment locations should be "at any point within" rather than "at" site or notional boundaries.

Point Number 923.143

Summary of Decision Requested: **Retain** Rule/Table 14.12.5.10- Required bicycle spaces as notified.

Decision Reasons:

- Supports requirement for bicycle spaces for all activities in Rule/Table 14.12.5.10 to facilitate the uptake of cycling.
- Cycling has proven community health benefits and should be promoted and the rule assists in achieving this outcome.

Point Number 923.144

Summary of Decision Requested: **Retain** Rule 16.1.2 P3- A new retirement village or alterations to an existing retirement village as notified.

Decision Reasons:

- Submitter supports the rule's encouragement for location of retirement villages within 400m walking distance of public transport.
- Retirement villages are becoming an increasingly strong element of urban areas and are critical for providing aged care of the community.

Point Number 923.145

Summary of Decision Requested: **Retain** Rule 16.1.3 RD1- A Multi-Unit Development as notified.

Decision Reasons:

- Submitter supports the encouragement as drafter for multi-unit development in the residential zone to be located within 400m walking distance of public transport.
- Compact urban forms that are well connected to community and commercial facilities are to be encouraged, given the public health and well-being benefits that accrue.

Point Number 923.146

Summary of Decision Requested: **Amend** Rule 16.4.1 RD1- Subdivision- General to allow for more intensive subdivision in residential areas directly adjacent to the Business Town Centre zones at Huntly, Ngaruawahia, Pokeno, Raglan, Te Kauwhata and Tuakau.
OR

Amend the Proposed District Plan to apply a new alternative residential or mixed use zone or an overlay to the residential zone, or any other method, that includes objective(s) and policy(ies) that provide for a more intensive residential pattern around the Business Town Centre zones at

Decision Reasons:

- Submitter is concerned that applying the minimum lot size specified in Rule 16.4.1 RD1 to areas directly adjacent to the Business Town Centre Zones for Huntly, Ngaruawahia, Pokeno, Raglan, Te Kauwhata and Tuakau will not enable the achievement of a range of the Plan's objectives and policies for the urban environment, including those related to housing choice; density aligned with the Future Proof Strategy; and promotion of subdivision, land use and development that encourages thriving, sustainable town centres, and integrates with and is supportive of provision of public transport and other infrastructure. This is considered inconsistent with WRPS Policies 6.1, 6.3 and 6.16 and Section 6A.

Point Number

923.147

Summary of Decision Requested:

Amend Rule 16.2.1.1 P2, P3 and D1 as follows:

~~P2~~

~~Sound measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 must not exceed:~~

~~(a) Noise measured the following noise limits at any point within any other site in the Residential Zone must not exceed:~~

~~(i) 50dB LAeq(15min) dB (LAeq), 7am to 7pm every day;~~

~~(ii) 45dB LAeq(15min) dB (LAeq), 7pm to 10pm, every day; and~~

~~(iii) 40dB LAeq(15min) dB (LAeq) and 65dB (LAmax), 10pm to 7am the following day;~~

~~(iv) 65dB LAfmax, 10pm to 7am the following day;~~

~~(b) The permitted activity noise limits for the zone of any other site where sound is received.~~

~~P3~~

~~(a) Noise levels shall be measured in accordance with the requirements of NZS 6801: 2008 "Acoustics Measurement of Environmental Sound"; and~~

~~(b) Noise levels shall be assessed in accordance with the requirements of NZS 6802:2008 "Acoustic Environmental Noise."~~

~~D1~~

~~(a) Sound that is outside the scope of NZS 6802: 2008 or a permitted activity standard; and~~

~~(b) Sound Noise that does not comply with Rule 16.2.1.1 P1 or P2 or P3.~~

Decision Reasons:

- It is preferable for noise limits to be district-wide provisions as they should be based on receiver locations/zones rather than based on source locations/zones.
- The proposed noise limits are generally in accordance with guideline values and use current measurement and assessment standards, acoustical metrics, numerical values, assessment location and time-frames. However, the following issues have been identified:
 - Incorrect terminology has been used in conflict with the standards specified,
 - No provision has been made for sound sources outside the scope of NZS 6802,
 - The measurement and assessment standards are an integral part of the noise limits and cannot be a separate permitted activity standard,
 - No noise limits are specified for sound received in adjoining zones.

Point Number

923.148

Summary of Decision Requested:

Retain Rule 17.1.3 RD1- Multi Unit Development as notified.

Decision Reasons:

- Submitter supports the provision for multi-unit development in the Business Zone to encourage this type of development to locate within 400m walking distance of public transport.
- Compact urban forms that are well connected to community and commercial facilities are to be encouraged, given the public health and well-being benefits that accrue.

Point Number

923.149

Summary of Decision Requested:

Amend Rule 17.2.1.1 P2, P3, P4 and D1- Noise- General as follows:

~~P2~~

~~Sound measured in accordance with NZS 6801: 2008 and assessed in accordance with NZS 6802: 2008 must not exceed:~~

~~(a) Noise measured the following noise limits at any point within any other site:~~

~~(i) In the Business Zone must not exceed:~~

~~(ii) 65dB LAeq(15min) dB (LAeq), 7am to 11pm every day; and~~

~~(iii) 60dB LAeq(15min) dB (LAeq) and 85dB (LAmax), 11pm to 7am the following day;~~

~~(iv) 85dB LAfmax, 11pm to 7am the following day;~~

~~(b) The permitted activity noise limits for the zone of any other site where sound is received.~~

~~(c) In the Residential or Village Zone must not exceed:~~

~~A. 55 dB (LAeq), 7am to 7pm;~~

~~B. 50 dB (LAeq), 7pm to 10pm;~~

~~C. 45 dB (LAeq) and 75dB (LAmax), 10pm to 7am the following day.~~

~~P3~~

~~(a) Noise measured within any site in any zone other than the Business Zone, Residential Zone or Village Zone must meet the permitted noise levels for that zone.~~

~~P4~~

~~(a) Noise levels must be measured in accordance with the requirements of NZS 6801:2008 "Acoustics Measurement of Environmental Sound;"~~

~~(b) Noise levels must be assessed in accordance with the requirements of NZS 6802:2008 "Acoustics Environmental Noise;"~~

~~D1~~

~~(a) Sound that is outside the scope of NZS 6802:2008 or a permitted activity standard; and~~

~~(b) Sound Noise that does not comply with Rule 17.2.1.1 P1 or P2, P3 or P4.~~

Decision Reasons:

- The proposed noise limits are generally in accordance with guideline values and use current measurement and assessment standards, acoustical metrics, numerical values, assessment location and time-frames. However, the following issues have been identified:
 - Incorrect terminology has been used in conflict with the standards specified,
 - No provision has been made for sound sources outside the scope of NZS 6802,
 - The measurement and assessment standards are an integral part of the noise limits and cannot be a separate permitted activity standard,
 - Incomplete noise limits are specified for sound received in adjoining zones. A consistent approach has not been adopted for sound between zones.

Point Number 923.150

Summary of Decision Requested: Retain Rule 18.1.3 RD1 - A Multi-Unit Development as notified.

Decision Reasons:

- Submitter supports the provisions for multi-unit development in the Business Town centre to be located with 400m walking distance of public transport.
- Compact urban forms that are well connected to community and commercial facilities are to be encouraged given the public health and wellbeing benefits that accrue.

Point Number 923.151

Summary of Decision Requested: Amend Rule 18.2.1.1 P2, P3, P4 and D1 Noise - General, as follows:

P2

~~Sound measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 must not exceed:~~

~~(a) Noise measured the following noise limits at any point within any other site:~~

~~(i) In the Business Town Centre Zone must not exceed:~~

~~(i) ~~65~~ ~~dB~~ ~~L~~_{Aeq}(15min) ~~dB~~ (L_{Aeq}), 7am to 11pm every day; and~~

~~(ii) ~~55~~ ~~dB~~ ~~L~~_{Aeq}(15min) ~~dB~~ (L_{Aeq}) and ~~95~~ ~~dB~~ (L_{Amax}), 11pm to 7am the following day;~~

~~(iii) ~~85~~ ~~dB~~ ~~L~~_AFmax, 11pm to 7am the following day;~~

~~(b) The permitted activity noise limits for the zone of any other site where sound is received,~~

~~(i) in the Residential and Village Zone must not exceed:~~

~~A. 55dB (L_{Aeq}), 7am to 7pm;~~

~~B. 50dB (L_{Aeq}), 7pm to 10pm;~~

~~45 dB (L_{Aeq}) and 65dB (L_{Amax}), 10pm to 7am the following day;~~

~~P3~~

~~(a) Noise measured within any site in any zone other than the Business Town Centre Zone, Residential Zone or Village Zone must meet the permitted noise levels for that zone.~~

~~P4~~

~~(a) Noise levels must be measured in accordance with the requirements of NZS 6801:2008 Acoustics Measurement of Environmental Sound.~~

~~(b) Noise levels must be assessed in accordance with the requirements of NZS 6802:2008 Acoustic Environmental Noise.~~

~~D1~~

~~(a) Sound that is outside the scope of NZS 6802:2008 or a permitted activity standard; and~~

~~(b) Sound Noise that does not comply with Rules 18.2.1.1 P1 or P2, P3 and P4.~~

Decision Reasons:

- The proposed noise limits are generally in accordance with guideline values and use current measurement and assessment standards, acoustical metrics, numerical values, assessment location and time-frames. However, the following issues have been identified:
 - Incorrect terminology has been used in conflict with the standards specified,
 - No provision has been made for sound sources outside the scope of NZS 6802,
 - The measurement and assessment standards are an integral part of the noise limits and cannot be a separate permitted activity standard,
 - There is an inconsistent approach for sound received in another zone.

Point Number 923.152

Summary of Decision Requested: Amend Rule 19.2.1.1 P2, P3, P4 and D1- Noise- General as follows:

P2

~~Sound measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 must not exceed:~~

~~(a) Noise measured within the following noise limits at any point within any other site in the Business Zone Tamahere must not exceed:~~

~~(i) 65dB L_{Aeq}(15min) dB (L_{Aeq}), 7am to 11pm every day; and~~

~~(ii) 55dB L_{Aeq}(15min) dB (L_{Aeq}), 11pm Friday to 1am Saturday; and~~

~~(iii) 55dB L_{Aeq}(15min) dB (L_{Aeq}), 11pm Saturday to 1am Sunday; and~~

~~(iv) 45dB L_{Aeq}(15min) dB (L_{Aeq}), Sunday to Thursday 11pm to 1am the following day;~~

~~(v) 45dB L_{Aeq}(15min) dB (L_{Aeq}), 1am to 7am every day; and~~

~~(vi) 75dB L_{Aeq}(15min) dB (L_{Aeq}), 11pm to 7am the following every day;~~

~~(b) The permitted activity noise limits for the zone of any other site where sound is received,~~

~~P3~~

~~(a) Noise measured at the notional boundary within any site in the Country Living Zone must not exceed:~~

~~(i) 50 dB (L_{Aeq}), 7am to 7pm every day;~~

~~(ii) 45 dB (LAeq), 7pm to 10pm every day; and~~

~~(iii) 40 dB (LAeq), and 65 dB (LAmax), 10pm to 7am every day;~~

~~-P4~~

~~(a) Noise levels must be measured in accordance with the requirements of NZS 6801:2008 "Acoustics Measurement of Environmental Sound;" and~~

~~(b) Noise levels must be assessed in accordance with the requirements of NZS 6802:2008 "Acoustic Environmental Noise;"~~

~~-D1~~

~~(a) Sound that is outside the scope of NZS 6802:2008 or a permitted activity standard; and~~

~~(b) Sound Noise that does not comply with Rule 19.2.1.1 P1 or P2, P3 or P4.~~

Decision Reasons:

- The proposed noise limits are generally in accordance with guideline values and use current measurement and assessment standards, acoustical metrics, numerical values, assessment location and time-frames. However, the following issues have been identified:
 - Incorrect terminology has been used in conflict with the standards specified,
 - No provision has been made for sound sources outside the scope of NZS 6802,
 - The measurement and assessment standards are an integral part of the noise limits and cannot be a separate permitted activity standard,
 - There is an inconsistent approach for sound received in another zone.
 - There is a gap in the noise limits for Sundays to Thursday between 11pm and 1am the next day.

Point Number

923.153

Summary of Decision Requested:

Amend Rule 20.2.3.1 P2, P3, P4 and D2- Noise General as follows:

P2

Sound measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 must not exceed:

(a) Noise measured: The following noise limits at any point within any other site:

~~(i) In the Industrial Zone must not exceed:~~

~~(i) A. 75 dB LAeq(15min), dB (LAeq), 7am to 10pm; and~~

~~(ii) B. 55 dB LAeq(15min), dB (LAeq) and 85 dB (LAmax), 10pm to 7am the following day;~~

~~(iii) C. 85 dB LAeq, 10pm to 7am the following day;~~

(b) The permitted activity noise limits for the zone of any other site where sound is received

~~(i) In the Residential or Village Zone must not exceed:~~

A. 55 dB (LAeq), 7am to 7pm;

B. 50 dB (LAeq), 7pm to 10pm;

C. 45 dB (LAeq) and 75 dB (LAmax), 10pm to 7am the following day.

~~-P3~~

~~(a) Noise measured within any site in any zone other than the Industrial Zone and the Heavy Industrial Zone, must meet the permitted noise levels for that zone.~~

~~-P4~~

~~(a) Noise levels must be measured in accordance with the requirements of NZS 6801:2008 "Acoustics Measurement of Environmental Sound;"~~

~~(b) Noise levels must be assessed in accordance with the requirements of NZS 6802:2008 "Acoustic Environmental Noise;"~~

~~-D2L~~

~~(a) Sound that is outside the scope of NZS 6802:2008 or a permitted activity standard; and~~

~~(b) Sound Noise that does not comply with Rule 20.2.3.1 P1 or P2, P3 or P4.~~

Decision Reasons:

- The proposed noise limits are generally in accordance with guideline values and use current measurement and assessment standards, acoustical metrics, numerical values, assessment location and time-frames. However, the following issues have been identified:
 - Incorrect terminology has been used in conflict with the standards specified,
 - No provision has been made for sound sources outside the scope of NZS 6802,
 - The measurement and assessment standards are an integral part of the noise limits and cannot be a separate permitted activity standard,
 - There is an inconsistent approach for sound received in another zone.
 - It is often appropriate to impose no intra-zonal noise limits on industrial zones, as otherwise noise limits can frustrate the fundamental purpose of the zone. Issues arising could be addressed under RMA s16.

Point Number

923.154

Summary of Decision Requested:

Amend Rule 21.2.3.1 P2, P3, P4 and RD1- Noise- General as follows:

P2

Sound measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 must not exceed:

(a) Noise measured: the following noise limits at any point within any other site in the Heavy Industrial Zone must not exceed:

(i) A. 75 dB LAeq(15min), dB (LAeq) at any time;

(b) The permitted activity noise limits for the zone of any other site where sound is received.

~~(i) In the Industrial Zone must not exceed:~~

A. 75 dB (LAeq), 7am to 10pm;

B. 55 dB (LAeq) and 85 dB (LAmax), 10pm to 7pm the following day.

~~-P3~~

~~Noise measured within any site in the Residential Zone must meet the permitted noise levels for that zone.~~

~~-P4~~

~~(a) Noise levels must be measured in accordance with the requirements of NZS 6801:2008 "Acoustics Measurement of Environmental Sound;"~~

~~Noise levels must be assessed in accordance with the requirements of NZS 6802:2008 "Acoustic Environmental Noise;"~~

~~-RD1~~

~~(a) Sound that is outside the scope of NZS 6802:2008 or a permitted activity standard; and~~

~~(b) Sound Noise that does not comply with Rule 21.2.3.1 P1, or P2, P3 and P4.~~

~~(b)~~ (c). Council's discretion...

Decision Reasons:

- The proposed noise limits are generally in accordance with guideline values and use current measurement and assessment standards, acoustical metrics, numerical values, assessment location and time-frames. However, the following issues have been identified:
 - Incorrect terminology has been used in conflict with the standards specified,
 - No provision has been made for sound sources outside the scope of NZS 6802,
 - The measurement and assessment standards are an integral part of the noise limits and cannot be a separate permitted activity standard,
 - There is an inconsistent approach for sound received in another zone.
- It is often appropriate to impose no intra-zonal noise limits in industrial zones, particularly heavy industrial zones, as otherwise noise limits can frustrate the fundamental purpose of the zone. Issue arising could be addressed under RMA s16.

Point Number 923.155

Summary of Decision Requested: Amend Rule 21.2.3.2 P2, P3, P4 and RD1 - Noise- Huntly Power Station as follows:

~~P2~~

~~Sound measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 must not exceed:~~

~~(a) Noise measured at the following noise limits at any point within a notional boundary within in the Rural Zone must not exceed:~~

~~(i) 55dB LAeq(15min) dB (LAeq) 7am to 10pm; and~~

~~(ii) 45dB LAeq(15min) dB (LAeq) and 75dB (LAmax) 10pm to 7am the following day;~~

~~(iii) 75dB LAFmax 10pm to 7am the following day;~~

~~(b) The permitted activity noise limits for the zone of any other site where sound is received, other than in the Rural Zone,~~

~~P3~~

~~(a) Noise measured within any site in the Residential Zone must meet the permitted noise levels for that zone.~~

~~P4~~

~~(a) Noise levels must be measured in accordance with the requirements of NZS 6801:2008 "Acoustics Measurement of Environmental Sound."~~

~~(b) Noise levels must be assessed in accordance with the requirements of NZS 6802:2008 "Acoustic Environmental Noise."~~

~~RD1~~

~~(a) Sound that is outside the scope of NZS 6802:2008 or a permitted activity standard; and~~

~~(b) Sound Noise that does not comply with Rule 21.2.3.2 P1, or P2, P3 and P4.~~

~~(b)~~ (c). Council's discretion...

Decision Reasons:

- The proposed noise limits are generally in accordance with guideline values and use current measurement and assessment standards, acoustical metrics, numerical values, assessment location and time-frames. However, the following issues have been identified:
 - Incorrect terminology has been used in conflict with the standards specified,
 - No provision has been made for sound sources outside the scope of NZS 6802,
 - The measurement and assessment standards are an integral part of the noise limits and cannot be a separate permitted activity standard,
 - There is an inconsistent approach for sound received in another zone.
- A location has been specified "at" rather than "at any point within" a notional boundary.

Point Number 923.156

Summary of Decision Requested: Amend Rule 22.4.1.5 (v)- Rural Hamlet Subdivision to provide for a minimum 40ha balance lot.

Decision Reasons:

- This is inconsistent with Policy 5.2.3 (a)- Effects of subdivision and development on soils around minimising fragmentation of productive rural land.

Point Number 923.157

Summary of Decision Requested: Amend Rule 22.2.1.1 P2, P3, P4 and D1- Noise General as follows:

~~P2~~

~~Sound measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 must not exceed:~~

~~(a) Noise measured at The following noise limits at any point within a notional boundary on any other site in the Rural Zone must not exceed:~~

~~(i) 50dB LAeq(15min) dB (LAeq) 7am to 7pm, everyday;~~

~~(ii) 45dB LAeq(15min) dB (LAeq) 7pm to 10pm, every day;~~

~~(iii) 40dB LAeq(15min) dB (LAeq) and 65 dB (LAmax) 10pm to 7am the following day;~~

~~(iv) 65dB LAFmax 10pm to 7am the following day;~~

~~(b) The permitted activity noise limits for the zone of any other site where sound is received,~~

~~P3~~

~~(a) Noise measured within any site in any zone, other than the Rural Zone, must meet the permitted noise levels for that zone.~~

~~P4~~

~~(a) Noise levels shall be measured in accordance with the requirements of NZS 6801:2008 "Acoustics Measurement of Environmental Sound."~~

~~(b) Noise levels shall be assessed in accordance with the requirements of NZS 6802:2008 "Acoustic Environmental Noise."~~

~~D1~~

~~(a) Sound that is outside the scope of NZS 6802:2008 or a permitted activity standard; and~~

~~(b) Sound Noise that does not comply with Rule 22.2.1.1 P1, or P2, P3 or P4.~~

Decision Reasons:

- The proposed noise limits are generally in accordance with guideline values and use current measurement and assessment standards, acoustical metrics, numerical values, time-frames and assessment location. However, the following issues have been identified:
 - Incorrect terminology has been used in conflict with the standards specified,
 - No provision has been made for sound sources outside the scope of NZS 6802,

- The measurement and assessment standards are an integral part of the noise limits and cannot be a separate permitted activity standard.

Point Number 923.158

Summary of Decision Requested: Amend Rule 22.2.1.2 P1 Noise- Frost Fans, as follows:

P1

~~(a) Sound Noise generated by a frost fans measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 must not exceed 55 dB LAeq(15min) dB (LAeq) when measured at the at any point within a notional boundary on any other site in any zone in the Rural Zone and within any site in the Country Living Zone, Village Zone or Residential Zone.~~

~~(b) Frost fans must be at least 300m from any notional boundary on any other site.~~

~~(c) Frost fans must only be operated for:~~

~~(i) Protection of crops on the site from bud burst to harvest, when wind speeds are not greater than 8 km/h and the local air temperature measured at the lowest height above ground of the buds being protected is less than 1 degree Celsius;~~

~~(ii) Maintenance and testing during the daytime between 8am and 5pm;~~

~~(iii) Compliance testing by the Council.~~

~~(d) A log must be kept of the usage of each frost fan and made available to the Council on request, including dates, times, durations, wind speeds and temperatures.~~

Decision Reasons:

- The proposed noise limit for frost fans is reasonable, but only if the usage of the frost fans is limited.
- A measurement and assessment stand should be specified.
- Locations should be "at any point within" not "at" a notional boundary.

Point Number 923.159

Summary of Decision Requested: Amend Rule 23.2.1.1 P2, P3, P4, P5 and D1- Noise- General as follows:

P2

Sound measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 must not exceed:

~~(a) Noise measured at the following noise limits at any point within a notional boundary on within any site in the Rural Zone and within any other site in the Country Living Zone must not exceed:~~

~~(i) 50dB LAeq(15min) dB (LAeq), 7am to 7pm, every day;~~

~~(ii) 45dB LAeq(15min) dB (LAeq), 7pm to 10pm every day;~~

~~(iii) 40dB LAeq(15min) dB (LAeq) and 65 dB (LAmax), 10pm to 7am the following day;~~

~~(iv) 65dB LAFmax, 10pm to 7am the following day;~~

~~(b) The permitted activity noise limits for the zone of any other site where sound is received~~

P3

~~(a) Noise measured within any site in any zone, other than the Country Living Zone and Rural Zone, must meet the permitted noise levels for that zone.~~

P4

~~(a) Noise generated by any activity in Tamahere Commercial Area A and Tamahere Commercial Area B, as identified on the planning maps, must not exceed the following levels:~~

~~(i) In Tamahere Commercial Areas A and B does not exceed:~~

~~(i) 65dB (LAeq), 7am to 10pm;~~

~~(ii) 50dB (LAeq) and 75 dB (LAmax), 10pm to 7am the following day;~~

~~(b) Outside Tamahere Commercial Areas A and B, does not exceed:~~

~~(i) 55dB (LAeq), 7am to 10pm;~~

~~(ii) 40dB (LAeq) and 70dB (LAmax), 10pm to 7am the following day.~~

P5

~~(a) Noise levels shall be measured in accordance with the requirements of NZS 6801:2008 "Acoustics Measurement of Environmental Sound;"~~

~~(b) Noise levels shall be assessed in accordance with the requirements of NZS 6802:2008 "Acoustic Environmental Noise;"~~

D1

~~(a) Sound that is outside the scope of NZS 6802:2008 or a permitted activity standard; and~~

~~(b) Sound Noise that does not comply with Rule 23.2.1.1 P1 or P2, P3, P4 or P5.~~

Decision Reasons:

- The proposed noise limits are generally in accordance with guideline values and use current measurement and assessment standards, acoustical metrics, numerical values, time-frames and assessment location. However, the following issues have been identified:
 - Incorrect terminology has been used in conflict with the standards specified,
 - No provision has been made for sound sources outside the scope of NZS 6802,
 - The measurement and assessment standards are an integral part of the noise limits and cannot be a separate permitted activity standard,
 - There is an inconsistent approach for sound received in another zone,
 - Tamahere Commercial Areas A and B have been treated inconsistently with other areas in that a noise limit is based on the source location and not the receiver location. This should be moved onto a separate rule, as for Huntly Power Station in the Rural Zone

Point Number 923.160

Summary of Decision Requested: Add new Rule 23.2.1.X applying to activity in Tamahere Commercial Areas A and B, worded as follows:

P1

Farming noise, and sound generated by emergency generators and emergency sirens.

P2

Sound measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 must not exceed:

(a) The following noise limits at any point within any other site in Tamahere Commercial Areas A and B:

(i) 65dB LAeq(15min), 7am to 10pm;

~~(ii) 50dB LAeq(15min), 10pm to 7am;~~

~~(iii) 75 dB LA Fmax, 10pm to 7am the following day;~~

~~(b) The following noise limits at any point within any site outside the Tamahere Commercial Areas A and B:~~

~~(i) 55dB LAeq(15min), 7am to 10pm;~~

~~(ii) 40dB LAeq(15min), 10pm to 7am;~~

~~(iii) 70dB LA Fmax, 10pm to 7am the following day;~~

~~D1~~

~~(a) Sound that is outside the scope of NZS 6802:2008 or a permitted activity standard; and~~

~~(b) Sound that does not comply with Rule 23.2.1.X P1 or P2.~~

Decision Reasons:

- The preceding submission point refers to the Tamahere commercial area and the need to create a separate rule.

Point Number 923.161

Summary of Decision Requested: Amend Rule 24.2.1 P2, P3 and D1 Noise - General, as follows:

~~P2~~

~~Sound measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 must not exceed:~~

~~(a) Noise measured The following noise limits at any point within any other site in the Village Zone must not exceed:~~

~~(i) 50dB LAeq(15min), dB (LAeq), 7am to 7pm, every day;~~

~~ii) 45dB LAeq(15min), dB (LAeq), 7pm to 10pm, every day; and~~

~~(iii) 40dB LAeq(15min), dB (LAeq) and 65dB (LAmax), 10pm to 7am the following day;~~

~~(iv) 65dB LA Fmax, 10pm to 7am the following day;~~

~~(b) The permitted activity noise limits for the zone of any other site where sound is received.~~

~~P3~~

~~(a) Noise levels shall be measured in accordance with the requirements of NZS 6801:2008 "Acoustics Measurement of Environmental Sound"; and~~

~~(b) Noise levels shall be assessed in accordance with the requirements of NZS 6802:2008 "Acoustic Environmental Noise."~~

~~D1~~

~~(a) Sound that is outside the scope of NZS 6802:2008 or a permitted activity standard; and~~

~~(b) Sound Noise that does not comply with Rule 24.2.1 P1 or P2 or P3.~~

Decision Reasons:

- The proposed noise limits are generally in accordance with guideline values and use current measurement and assessment standards, acoustical metrics, numerical values, time-frames and assessment location. However, the following issues have been identified:
 - Incorrect terminology has been used in conflict with the standards specified,
 - No provision has been made for sound sources outside the scope of NZS 6802,
 - The measurement and assessment standards are an integral part of the noise limits and cannot be a separate permitted activity standard,
 - No noise limits are specified for sound received in adjoining zones.

Point Number 923.162

Summary of Decision Requested: Amend Rule 24.4.1- Subdivision- General to allow for more intensive subdivision in Village Zone areas directly adjacent to the commercial zones.

Decision Reasons:

- Submitter is concerned that applying this minimum lot size to areas within the Village Zone that are directly adjacent to commercial areas will not enable the achievement of a range of the Plan's objectives and policies for the villages, such as those relating to housing choice; density aligned with the Future Proof strategy; and promotion of subdivision, land use and development that encourages thriving, sustainable town centres, and integrates with and is supportive of provision of public transport and other infrastructure. This is considered inconsistent with WRPS Policies 6.1, Policy 6.3 and Policy 6.16 and Section 6A.

Point Number 923.163

Summary of Decision Requested: Amend Rule 24.4.2- Subdivision Te Kowhai and Tuakau to allow for more intensive subdivision in Village Zone areas directly adjacent to the commercial zones.

Decision Reasons:

- Submitter is concerned that applying this minimum lot size to areas within the Village Zone that are directly adjacent to commercial areas will not enable the achievement of a range of the Plan's objectives and policies for the villages, such as those relating to housing choice; density aligned with the Future Proof strategy; and promotion of subdivision, land use and development that encourages thriving, sustainable town centres, and integrates with and is supportive of provision of public transport and other infrastructure. This is considered inconsistent with WRPS Policies 6.1, Policy 6.3 and Policy 6.16 and Section 6A.

Point Number 923.164

Summary of Decision Requested: Amend Rule 25.2.1.1 P1, P2, P3, P4, and D1 Noise - General, as follows:

~~P1~~

~~(a) Crowd noise, excluding any amplified sound or music;~~

~~(b) Noise generated by emergency generators and emergency sirens.~~

~~P2~~

~~Sound received outside the Reserve Zone, measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008, must not exceed the permitted activity noise limits for the zone of the site where sound is received.~~

(e) Noise measured within the notional boundary on any site in the Residential Zone, Village Zone, Country Living Zone and Rural Zone must not exceed:

(i) 50dB (L_{Aeq}), 7am to 7pm, every day;

(ii) 45dB (L_{Aeq}), 7pm to 10pm, every day;

(iii) 40dB (L_{Aeq}) and 65dB (L_{Amax}), 10pm to 7am the following day;

-P3

(e) Noise measured within any site in any zone other than the Reserve Zone, Residential Zone, Village Zone, Country Living Zone and Rural Zone must meet the permitted noise levels for that zone:

-P4

(e) Noise levels shall be measured in accordance with the requirements of NZS 6801:2008 "Acoustics - Measurement of Environmental Sound;"

(f) Noise levels shall be assessed in accordance with the requirements of NZS 6802:2008 "Acoustic Environmental Noise;"

-D1

(a) Sound that is outside the scope of NZS 6802:2008 or a permitted activity standard; and

(b) Sound Noise that does not comply with Rule 25.2.1.1 P1, ~~or~~ P2, ~~P3~~ or P4:

Decision Reasons:

- The proposed noise limits are generally in accordance with guideline values and use current measurement and assessment standards, acoustical metrics, numerical values, time-frames and assessment location. However, the following issues have been identified:
 - Incorrect terminology has been used in conflict with the standards specified,
 - No provision has been made for sound sources outside the scope of NZS 6802,
 - The measurement and assessment standards are an integral part of the noise limits and cannot be a separate permitted activity standard,
 - An exemption has been made for "crowd noise" but this could potentially permit a wider range of sounds than intended.

Point Number

923.165

Summary of Decision Requested:

Amend Rule 26.2.1 P1, P2 and P3 Noise - Motorsport and Recreation activity, as follows:

P1

(a) The ~~sound noise level~~ from motor sport and recreation activities, measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008, shall not exceed the following limits measured at any point beyond the 'Hampton Downs Noise Control Boundary' shown in Appendix 12 (Motorsport and Recreation):

(i) ~~65 dB L_{Aeq}(15min) dBA L10~~ on no more than 27 days per year (with no more than 10 of the 27 days to be on a Sunday or public holiday) between the hours of 9.00am-6.00pm; and

(ii) ~~55 dB L_{Aeq}(15min) dBA L10~~ on no more than 40 days per year between the hours of 9.00am-6.00pm; and

(iii) ~~50 dB L_{Aeq}(15min) dBA L10~~ between the hours of 7am to 6pm any other days of the year; and

(iv) ~~45 dB L_{Aeq}(15min) dBA L10~~, between the hours of 6pm to 10pm every day of the year, and

(v) ~~40dB L_{Aeq}(15min) dBA L10 and 65 dB L_{Amax} dBA Lmax~~ at all other times

(b) The motor racing activities in Rule 26.2.1 P1 (a) (i) and (ii) are exclusive of each other and the activities are considered to be on separate days.

P2

The use of a public address system shall only occur between the hours of 7.00am and 7.00pm and shall not exceed a ~~noise limit of 50 dBA L10: dB L_{Aeq}(15min)~~, measured at any point beyond the "Hampton Downs Noise Control Boundary" shown in Appendix 12 (Motorsport and Recreation) in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008.

P3

...

C. A programme of noise management and assessment of compliance with the noise standards, including details of the monitoring of noise levels for vehicles competing in events with a noise limit of ~~65 dB L_{Aeq}(15 min) dBA L10~~.

Decision Reasons:

- Sound from motorsport and other activity at Hampton Downs is currently authorized by a resource consent. The proposed permitted activity standards closely follow but do not exactly mirror the resource consent.
- Issues have been identified with the noise controls in both the existing resource consent and proposed rules:
 - Noise limits have been written in terms of the outdated "L10" parameter. This doesn't represent good practice and might not adequately represent sound from short duration events. It also inconsistent with other noise limits in the plan.
 - Incorrect notation has been used.
 - Measurement and assessment standards are not specified in the proposed plan (they are in the resource consent).
- It is submitted these matters should be addressed in the new permitted activity standards. While this does not prevent activity continuing under the existing resource consent, it sets a robust baseline for any further developments or alterations to activity.
- Council could also update the noise conditions in the resource consent to match the new plan provisions under the review condition (97).

Point Number

923.166

Summary of Decision Requested:

Amend Rule 26.2.2 P1 and D1- Noise- Business and Industrial Area Precinct B and Minor Race Track Area- Precinct C as follows:

P1

(e) ~~Sound~~ The noise level from activities within Precinct B and Precinct C, other than motor racing activities within Precinct B and Precinct C, measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 must ~~shall~~ not exceed the following noise limits ~~when measured at the at any point within a notional boundary on any other site of any dwelling~~:

(i) ~~50dB L_{Aeq}(15min)~~, 7am to 7pm, Monday to Saturday excluding public holidays;

(ii) ~~40 dB L_{Aeq}(15min)~~, 7am to 7pm, Sunday and Public Holidays;

(iii) ~~40 dB L_{Aeq}(15min)~~, 7pm to 7am the following day;

(iv) ~~75 dB L_{Amax}~~, 10pm to 7am the following day;

~~Monday to Friday 7.00am to 7.00pm 50 dBA L10:~~

~~Saturday 7.00am to 6.00pm 50 dBA L10:~~

~~All other times including public holidays 40 dBA L10~~

~~Monday to Sunday 10.00pm to 7.00am 75 dBA Lmax:~~

~~Noise levels shall be measured and assessed in accordance with the requirements 6801:2008 'Acoustics - Measurement of environmental sound' and NZS 6802:2008 'Acoustics - Environmental noise.'~~

~~(b) The notional boundary means a line 20m from the façade of any dwelling or the legal boundary, whichever is the closer to the dwelling as defined in NZS 6801:2008 'Acoustics - Measurement of environmental sound';~~

~~-D1~~

~~(g) Sound that is outside the scope of NZS 6802:2008 or a permitted activity standard; and~~

~~(b) Sound Any activity that does not comply with Rule 26.2.2 P1.~~

~~-~~

Decision Reasons:

- The proposed noise limits are generally in accordance with guideline values and use current measurement and assessment standards, acoustical metrics, numerical values, time-frames and assessment location. However, the following issues have been identified:
 - Incorrect terminology has been used in conflict with the standards specified,
 - No provision has been made for sound sources outside the scope of NZS 6802.
 - Noise limits have been written in terms of the outdated "L10" parameter. This doesn't represent good practice and might not adequately represent sound from short duration events. It also inconsistent with other noise limits in the plan.
 - There is a difference of one hour between noise limits on Monday-Friday and Saturdays, which is inconsistent with other zones and is an unnecessary complication.
 - Notional boundary is defined in Chapter 13 and should not be redefined or repeated in this rule.
 - The format of the rule is inconsistent with other zones.

Point Number

923.167

Summary of Decision Requested:

Delete Rule 27.2.7- Noise- Taxiways.

Decision Reasons:

- The proposed noise limits are generally in accordance with guideline values and use current measurement and assessment standards, acoustical metrics, numerical values, time-frames and assessment location. Inclusion of rules for specific activity are supported, however, the following issues have been identified:
 - Incorrect terminology has been used in conflict with the standards specified,
 - No provision has been made for sound sources outside the scope of NZS 6802,
 - Measurement and assessment standards need to be specified,
 - There is an inconsistent approach for sound received in another zone,
 - The separation of noise limit into Rules 27.2.6 and 27.2.7 adds unnecessary complexity.
 - The format of the rules is inconsistent with other chapters.

Point Number

923.168

Summary of Decision Requested:

Amend Rule 27.2.6 P1, P2, P3 and D1 Noise - Other than Taxiways, as follows:

P1

~~(a) Noise from any activity in PRECINCT B must not exceed the following noise limits when measured at the notional boundary of a site within the Rural Zone:~~

~~(i) 55dB (LAeq), 7am to 10pm every day; and~~

~~(ii) 40dB (LAeq) and 70dB (LAfmax), 10pm to 7am the following day.~~

~~(a) Sound from emergency sirens.~~

~~(b) Sound from aircraft movements on taxiways received at 98A and 98B Limmer Road.~~

P2

~~(a) Noise from any activity in PRECINCTS C OR D must not exceed the following noise limits when measured at the notional boundary of any site in the Rural Zone outside of the Te Kowhai Airpark Zone:~~

~~(i) 50dB (LAeq), 7am to 7pm every day; and~~

~~(ii) 45dB (LAeq), 7pm to 10pm every day; and~~

~~(iii) 40dB (LAeq), and 65dB (LAfmax) all other times.~~

~~Sound measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 must not exceed:~~

~~(a) For sound from activity in Precinct B, excluding aircraft movements on taxiways, the following noise limits at any point within a notional boundary on any site outside the Te Kowhai Airpark Zone:~~

~~(i) 55 dB LAeq(15min), 7am to 10pm;~~

~~(ii) 40 dB LAeq(15min), 10pm to 7am the following day;~~

~~(iii) 70dB LAfmax, 10pm to 7am the following day.~~

~~(b) For sound from activity in Precincts C or D, excluding aircraft movements on taxiways, the permitted activity noise limits for the zone of any site where sound is received outside the Te Kowhai Airpark Zone.~~

~~(c) For sound from aircraft movements on taxiways, the following noise limits at any point within notional boundaries on 202, 212 and 214 Limmer Road:~~

~~(i) 50 dB LAeq(15min), 7am to 10pm;~~

~~(ii) 40 dB LAeq(15min), 10pm to 7am the following day;~~

~~(iii) 65 dB LAfmax, 10pm to 7am the following day;~~

~~(d) For sound from aircraft movements on taxiways, received at any other sites outside the Te Kowhai Airpark Zone, the permitted activity noise limits for the zone of any site where sound is received.~~

P3

~~(a) In ALL PRECINCTS, Rules P1 and P2 do not apply to:~~

~~(i) Noise from aircraft movement on the taxiways; or~~

~~(ii) Construction noise; or~~

~~(iii) Noise from emergency sirens.~~

D1

~~(a) Sound that is outside the scope of NZS 6802:2008 or a permitted activity standard; and~~

~~(b) Sound Any activity that does not comply with Rule 27.2.6 P1 or P2.~~

Decision Reasons:

- The proposed noise limits are generally in accordance with guideline values and use current measurement and assessment standards, acoustical metrics, numerical values, time-frames and assessment location. Inclusion of rules for specific activity are supported, however, the following issues have been identified:
 - Incorrect terminology has been used in conflict with the standards specified,

- No provision has been made for sound sources outside the scope of NZS 6802,
- Measurement and assessment standards need to be specified,
- There is an inconsistent approach for sound received in another zone,
- The separation of noise limit into Rules 27.2.6 and 27.2.7 adds unnecessary complexity,
- The format of the rules is inconsistent with other chapters.

Point Number 923.169

Summary of Decision Requested: Amend Rule 28.2.1.2 P2 and D1 Noise - General, as follows:

P2

Sound measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 must not exceed:

(a) Noise measured the following limits at any point within any other site in the Rangitahi Peninsula Zone must not exceed:

(i) 50 dB LAeq(15min) ~~dB (LAeq)~~ 7am to 7pm, every day; ~~and~~

(ii) 45 dB LAeq(15min) ~~dB (LAeq)~~ 7pm to 10pm, every day; ~~and~~

(iii) 40 dB LAeq(15min) ~~dB (LAeq)~~ and 65 dB (Amax) 10pm to 7am the following day;

(iv) 65 dB LA_{Fmax} 10pm to 7am the following day;

~~(b) Noise levels must be measured in accordance with the requirements of NZS 6801:2008 "Acoustics Measurement of Environmental Sound;"~~

~~(c) Noise levels must be assessed in accordance with the requirements of NZS 6802:2008 "Acoustic Environmental noise;"~~

-D1

(a) Sound that is outside the scope of NZS 6802:2008 or a permitted activity standard; and

(b) Sound Noise generated by any activity, that does not comply with Rule 28.2.1.2 P1 ~~or~~ P2.

Decision Reasons:

- The proposed noise limits are generally in accordance with guideline values and use current measurement and assessment standards, acoustical metrics, numerical values, time-frames and assessment location. However, the following issues have been identified:
 - Incorrect terminology has been used in conflict with the standards specified,
 - No provision has been made for sound sources outside the scope of NZS 6802.

Submitter Number: 924 **Submitter:** Alice Barnett
Organisation: Genesis Energy Limited

Point Number 924.1

Summary of Decision Requested: Amend the Proposed District Plan so that Regionally Significant Industries are identified explicitly in the Plan.

Decision Reasons:

- The submitter considers that existing and proposed regionally significant industry and regionally significant infrastructure is an important component of the Waikato District.
- Policy 4.4 in the Waikato Regional Policy Statement (WRPS) requires that the values and long-term benefits of regionally significant industry to economic, social and cultural wellbeing are recognised and that the potential for reverse sensitivity effects are avoided or minimised.
- Implementation method 4.4.1 anticipates that these matters will be addressed in District Plans. The RPS also requires that regionally significant industry be "identified in Regional or District plans."

Point Number 924.2

Summary of Decision Requested: Amend the Proposed District Plan to explicitly identify Huntly Power Station as a Regionally Significant Industry in appropriate places in the Plan.

Decision Reasons:

- The submitter considers that existing and proposed regionally significant industry and regionally significant infrastructure is an important component of the Waikato District.
- Policy 4.4 in the Waikato Regional Policy Statement (WRPS) requires that the values and long-term benefits of regionally significant industry to economic, social and cultural wellbeing are recognised and that the potential for reverse sensitivity effects are avoided or minimised.
- Implementation method 4.4.1 anticipates that these matters will be addressed in District Plans. The RPS also requires that regionally significant industry be "identified in Regional or District plans."

Point Number 924.3

Summary of Decision Requested: Add clause (c) to Section 1.4.4- Urban Environment as follows:

(c) In line with the Regional Policy Statement, the district plan must ensure that urban development recognises, provides for and protects existing and proposed regionally significant industry and regionally significant infrastructure.

Decision Reasons:

- The submitter notes that the Proposed District Plan states that protecting the rural environment for such things as productive rural activities is a key focus for the plan and that a key issue for the urban environment is the maintenance of the productive capacity of rural resource. Whilst the submitter does not disagree with these, it considers that this must be achieved within a context that also protects existing and new regionally significant infrastructure and regionally significant industry.
- This is recognised in 1.4.3.2 (c) but not with respect to the urban environment in section 1.4.4.

Point Number 924.4

Summary of Decision Requested: Amend Section 1.5.5 (d)-Services and general infrastructure as follows or words to like effect:

Decision Reasons:

- The use of "i.e." in the paragraph leads the reader to a specific interpretation limited to the infrastructure listed. The submitter submits that it would be more appropriate to use "e.g." to ensure that the listed infrastructure are identified as examples (and not an exhaustive list) of the regionally and nationally significant infrastructure.

Point Number 924.5

Summary of Decision Requested: **Amend** Section 1.5.5.7- Energy as follows:

The District Plan recognizes the national and regional importance of existing energy resources and infrastructure, which include coalfields, coal mines, Huntly Power Station, gas, electricity transmission, and coal conveyance facilities, as well as renewable energy. These are regionally significant industries located in the Waikato District. The plan addresses the positive and adverse effects on energy infrastructure and development.

Decision Reasons:

- The submitter supports the recognition of the importance of the Huntly Power Station and associated infrastructure both at a national and regional level.
- The submitter considers that the energy resources and infrastructure listed in section 1.5.5.7 should be identified as regionally significant industries.

Point Number 924.6

Summary of Decision Requested: **Delete** the areas identified on the planning maps as Significant Natural Areas on the Huntly Power Station site.

Decision Reasons:

- The submitter supports the Waikato District Council's general approach towards management and identification of the District's Significant Natural Areas (SNA) and acknowledges WDC's response to the feedback provided by the submitter on the Draft Proposed Plan.
- However, the submitter remains concerned with the extent of SNAs identified on the Huntly Power Station site, ancillary land and enhancement sites. Such enhancement sites having been planted and maintained by the submitter as requirements of regional resource consents.
- The Proposed Plan defines an SNA as "an area of significant indigenous biodiversity that is identified on the planning maps." From this definition there doesn't appear to be anything 'natural' about areas defined as SNAs and the term is therefore a misnomer when applied to created areas such as the Genesis River site planting projects.
- The areas currently by managed by the submitter for enhancement planting are subject to ongoing maintenance to enhance the values within the sites for the purpose of improving biodiversity but should not be protected in the same way as an existing natural area.
- The additional restrictions and rules as drafted in the Plan would impact the management of the enhancement plantings and the submitter's ability to meet conditions imposed by resource consents.

Point Number 924.7

Summary of Decision Requested: **Delete** the areas identified on the planning maps as Significant Natural Areas on 'Scott Farm,' Te Ohaki Road, Huntly as identified on the submission map.

Decision Reasons:

- The submitter supports the Waikato District Council's general approach towards management and identification of the District's Significant Natural Areas (SNA) and acknowledges WDC's response to the feedback provided by the submitter on the Draft Proposed Plan.
- However, the submitter remains concerned with the extent of SNAs identified on the Huntly Power Station site, ancillary land and enhancement sites. Such enhancement sites having been planted and maintained by the submitter as requirements of regional resource consents.
- The Proposed Plan defines an SNA as "an area of significant indigenous biodiversity that is identified on the planning maps." From this definition there doesn't appear to be anything 'natural' about areas defined as SNAs and the term is therefore a misnomer when applied to created areas such as the Genesis River site planting projects.
- The areas currently by managed by the submitter for enhancement planting are subject to ongoing maintenance to enhance the values within the sites for the purpose of improving biodiversity but should not be protected in the same way as an existing natural area.
- Drafted additional restrictions and rules as drafted in the Plan would impact the management of the enhancement plantings and Genesis' ability to meet conditions imposed by resource consents.

Point Number 924.8

Summary of Decision Requested: **Amend** Policy 3.2.3 (a) (iv)- Management Hierarchy as follows:

iv.) After remediation or mitigation has been undertaken, offset or compensate any significant residual adverse effects ~~in accordance with Policy 3.2.4.~~

Decision Reasons:

- The submitter supports the general approach to management of Significant Natural Areas (SNA) as detailed in Policy 3.2.3 and 3.2.4.
- The submitter considers that there may be circumstances where it is impractical for "no net loss" to be achieved. In that regard, the submitter considers that environmental compensation be included as a mechanism to manage effects, specifically for regionally significant industry and regionally significant infrastructure. This approach has been used widely around New Zealand in District Plans for managing biodiversity.

Point Number 924.9

Summary of Decision Requested: **Amend** Policy 3.2.4- Biodiversity Offsetting as follows:

(a) Allow for a biodiversity offset or compensatory measure to be offered by a resource consent applicant where an activity will result in significant residual adverse effects on a Significant Natural Area, or on indigenous biodiversity outside such Significant Natural Areas.

(b) Within a Significant Natural Area, a biodiversity offset or compensatory measure will only be considered appropriate where adverse effects have been avoided, remedied or mitigated in accordance with the hierarchy established in Policy 3.2.3; and

(i) The biodiversity offset is consistent with the framework detailed in Appendix 6 Biodiversity Offsetting; and

(ii) The biodiversity offset can achieve no net loss of indigenous biodiversity;

A. Preferably in the affected area of Significant Natural Area;

Or

B. Where that is not practicable, in the ecological district in which the affected area of Significant Natural Area is located.

(iii) Environmental compensation will be considered for effects associated with operation, maintenance and enhancement of regionally significant industry and regionally significant infrastructure.

Decision Reasons:

- The submitter supports the general approach to management of Significant Natural Areas (SNA) as detailed in Policy 3.2.3 and 3.2.4.
- The submitter considers that there may be circumstances where it is impractical for "no net loss" to be achieved. In that regard, the submitter considers that environmental compensation be included as a mechanism to manage effects, specifically for regionally significant industry and regionally significant infrastructure. This approach has been used widely around New Zealand in District Plans for managing biodiversity.

Point Number 924.10

Summary of Decision Requested: **Add** clause (v) to Policy 3.2.6-Providing for Vegetation Clearance by including the following (or wording to similar effect):

(v) The vegetation is impinging on adjacent existing activities.

Decision Reasons:

- The submitter considers that there should be a provision of vegetation clearance within SNAs that includes clearance of vegetation that is impinging on adjacent existing activities.
- It is inappropriate to identify SNAs on land used for the Huntly Power Station and at Scott Farm.

Point Number 924.11

Summary of Decision Requested: **Delete** the Significant Amenity Landscape overlay from the Huntly Power Station on the Planning Maps.

Decision Reasons:

- The submitter supports the general approach to maintain and enhance identified Significant Amenity Landscapes (SAL) as detailed in Section 3.4-Significant Amenity Landscapes.
- The area of the site's intake forebay and cooling water discharge has been identified as a SAL. It is not appropriate for this area be mapped as a SAL as public access is restricted due to significant health and safety risk.
- This area is zoned Heavy Industrial in the Proposed District Plan and there are no amenity landscapes in this area that need to be mapped or protected.

Point Number 924.12

Summary of Decision Requested: **Amend** Planning Maps by removing the Significant Amenity Landscape (SAL) overlay from 'Scott Farm,' Te Ohaki Road, Huntly as identified on the submission map.

Decision Reasons:

- The submitter supports the general approach to maintain and enhance identified Significant Amenity Landscapes (SAL) as detailed in Section 3.4-Significant Amenity Landscapes.
- An area of the 'Scott Farm' land which the submitter owns has been identified as a SAL. This area is a productive dairy farm, in a rural landscape, and it forms part of the overall Huntly Power Station ash management regime, rather than an area with high amenity value that warrants protection.
- The submitter is concerned that the overlay may compromise the existing use of that land as a pastoral farm, the operation of the Huntly Power Station ash disposal system and the site enhancement and/or remediation work that the submitter is undertaking or proposes.
- Identification of this land as part of a SAL is inconsistent with operational uses of the land and health and safety matters arising from those operations.

Point Number 924.13

Summary of Decision Requested: **Retain** Policy 4.1.6 Commercial and industrial activities, except for the amendments sought below

AND

Amend Policy 4.1.6 (a)- Commercial and Industrial activities as follows:

(a) Provide for commercial and industrial development in the following zones:

(i) Business Town Centre;

(ii) Business;

(iii) Industrial; ~~and~~

(iv) Heavy Industrial; and

(v) Electricity generation within the Huntly Power Station Heavy Industrial Zone.

Decision Reasons:

- The submitter supports the direction of Policy 4.1.6 that commercial and industrial activities be provided for in the Heavy Industrial Zone, which is what the Huntly Power Station has been zoned as.
- However, the submitter also considers that electricity generation activities should also be provided within the Huntly Power Station Heavy Industrial Zone.

Point Number 924.14

Summary of Decision Requested: **Add** clause (vi) to Policy 5.3.7 (a)- Reverse Sensitivity Effects as follows:

(vi) Existing and proposed regionally significant industry and regionally significant infrastructure.

Decision Reasons:

- The submitter considers that existing and proposed regionally significant industry and regionally significant infrastructure also forms part of the rural environment and should also be provided for in this policy.

Point Number 924.15

Summary of Decision Requested: **Amend** Policy 5.3.17 (b)- Specific Area- Huntly Power Station- Coal and ash water as follows:

(b) Provide for specific facilities that include the handling, stockpiling and haulage of coal and the ~~disposal~~ management of coal ash and associated water within identified areas in close proximity to Huntly Power Station.

Decision Reasons:

- The submitter supports Policy 5.3.17 as it recognises and provides for facilities that are integral to the operation of the Huntly Power Station.
- It is appropriate that the overlay in the planning maps specifies the area in which these activities occur and facilities are located.
- Policy 5.3.17 (b) Incorrectly lists the facilities as being for disposal of coal ash but those facilities provide for the management of the coal ash. The submitter considers this policy should be amended to correctly reflect the purpose for which the ash management site exists.
- Policy 5.3.17 does not list coal stockpiling in this specific area but this is an activity that is undertaken within the identified area and is integral to the operation of Huntly Power Station.

Point Number 924.16

Summary of Decision Requested: **Add** a new Policy to Section 6.1- General Infrastructure as follows:

6.1.X Policy- Regionally Significant Infrastructure

a. Have particular regard to the benefits that can be gained from the development and use of regionally significant infrastructure (as defined in the Waikato Regional Policy Statement 2016); and

b. Protect the effectiveness and efficiency of existing and planned regionally significant infrastructure.

Decision Reasons:

- The submitter considers that existing and proposed regionally significant infrastructure should be explicitly recognised and provided for in the Infrastructure section of the Plan.
- Policy 6.6 in the Waikato Regional Policy Statement requires that the effectiveness and efficiency of existing and planned regionally significant infrastructure is protected and that particular regard is given to the benefits that can be gained from the development and use of regionally significant infrastructure.

Point Number 924.17

Summary of Decision Requested: **Retain** Objective 6.1.1-Development, operation and maintenance of infrastructure in the same or similar form.

Decision Reasons:

- The submitter supports this objective and recommends it is retained in the same or similar form.

Point Number 924.18

Summary of Decision Requested: **Retain** Policy 6.1.2- Development, operation and maintenance in the same or similar form.

Decision Reasons:

- The submitter supports this policy and recommends it is retained in the same or similar form.

Point Number 924.19

Summary of Decision Requested: **Retain** Policy 6.1.4- Infrastructure benefits in the same or similar form.

Decision Reasons:

- The submitter supports this policy and recommends it is retained in the same or similar form.

Point Number 924.20

Summary of Decision Requested: **Amend** Policy 6.1.5 (a)- Natural Hazards and Climate Change as follows:

(a) Encourage the design and location of new infrastructure to take account of natural hazards and the effects of climate change.

Decision Reasons:

- The submitter supports the intent of this policy, but recommends it is made explicit that this policy relates to new infrastructure.

Point Number 924.21

Summary of Decision Requested: **Retain** Objective 6.1.6- Reverse Sensitivity in the same or similar form.

Decision Reasons:

- The submitter supports this objective and recommends it is retained in the same or similar form.

Point Number 924.22

Summary of Decision Requested: **Retain** Policy 6.1.7- Reverse sensitivity and Infrastructure in the same or similar form.

Decision Reasons:

- The submitter supports this policy and recommends it is retained in the same or similar form.

Point Number 924.23

Summary of Decision Requested: Amend Objective 6.3.6 (a)- Non-renewable energy as follows
(a) Non-renewable energy resources and electricity generation are recognized within the district.

Decision Reasons:

- The submitter supports this objective and the recognition of non-renewable energy resources within the district.
- The submitter recommends that this policy is amended to make it explicit that the district also recognises non-renewable electricity generation.

Point Number 924.24

Summary of Decision Requested: Retain Policy 6.3.7- Recognise non-renewable energy resources in the same or similar form.

Decision Reasons:

- The submitter supports this policy and recommends it is retained in the same or similar form.

Point Number 924.25

Summary of Decision Requested: Retain rules in Section 14.2- Rules applying to all Infrastructure in the same or similar form.

Decision Reasons:

- The submitter is generally supportive of the proposed rule framework in section 14.2 of the Proposed District Plan.

Point Number 924.26

Summary of Decision Requested: Retain rules in Section 14.3- General Infrastructure in the same or similar form.

Decision Reasons:

- The submitter is generally supportive of the proposed rule framework in section 14.3 of the Proposed District Plan.

Point Number 924.27

Summary of Decision Requested: Retain Rule 14.6.1-Permitted Activities except for the amendments outlined below
AND
Add a new permitted activity to Rule 14.6.1- Permitted Activities as follows:
Activity
P5 Electricity generation within the Huntly Power Station Heavy Industrial Zone.
Activity-Specific Conditions
14.6.1.[X]
Electricity generation within the Huntly Power Station Heavy Industrial Zone that complies with the Huntly Power Station Heavy Industrial rules.
AND
Add a new activity to Rule 14.6.2- Restricted Discretionary Activities as follows:
Activity
RD4 Electricity generation within the Huntly Power Station Heavy Industrial Zone that do not comply with one or more conditions of the Rule 14.6.1.[X].
Activity-Specific Conditions
Discretion is restricted to the extent of effects associated with the Huntly Power Station Heavy Industrial Zone rules that the activity does not comply with.

Decision Reasons:

- Electricity generation is the primary activity undertaken within the Huntly Power Station Heavy Industrial Zone.
- The submitter considers it to be unclear whether "electricity generation" is an industrial activity provided for within the zone or whether the electricity generation provisions in section 14.6 apply.

Point Number 924.28

Summary of Decision Requested: Retain Activity specific condition 14.12.1.4 P4 (1)(f)- relating to- Traffic Generation as notified.

Decision Reasons:

- The submitter supports retaining the specific permitted activity conditions for traffic generation from Huntly Power Station.

Point Number 924.29

Summary of Decision Requested: Retain Rule 21.2.3.2 P1- Noise-Permitted Activities- Huntly Power Station as notified.

Decision Reasons:

- The submitter supports the permitted activity for noise generated by emergency generators and emergency sirens.

Point Number 924.30

Summary of Decision Requested:**Amend** Rule 21.2.3.2 P2- Noise-Permitted Activities- Huntly Power Station as follows*(a) Noise measured at the notional boundary of any dwelling house existing as at 25 September 2004 within any site in the Rural Zone does not exceed:**(i) 55 dB (LAeq), 7am to 10pm**(ii) 45 dB (LAeq) and 75 dB (LAmax), 10pm to 7am the following day.***Decision Reasons:**

- The submitter is supportive of including specific noise rules for Huntly Power Station.
- The wording of Permitted Activity Rule 2 and Rule 3 differs from the Operative District Plan in that it refers to noise measured within any site in the Residential Zone or at the notional boundary within any site in the Rural Zone. This means that if sites change within either zone, the noise standard that the Huntly Power Station is expected to meet will change, particularly within the Rural Zone.
- Development outside of the Huntly Power Station site could compromise operation of the Station as it is difficult to alter the current operating noise environment around the Station.
- The submitter therefore recommends that the present rule framework providing for the existing noise emissions remains in place and protects the significant infrastructure from potential noise and reverse sensitivity effects.
- The submitter does not consider the Section 32 Report provides adequate justification as to why these changes to the permitted activity rules have been made.

Point Number

924.31

Summary of Decision Requested:**Amend** Rule 21.2.3.2 P3- Noise-Permitted Activities- Huntly Power Station as follows:*(a) Noise measured within any site in the Residential Zone must meet the permitted noise levels for that zone; at the site boundary of any dwelling house existing as at 25 September 2004 in any other zone does not exceed:**(i) 50dBA (L10), 7am to 7pm, Monday to Saturday, and**(ii) 45dBA (L10), 7pm to 10pm, Monday to Saturday, and**(iii) 40dBA (L10), and 65dBA (Lmax) all other times and public holidays.***Decision Reasons:**

- The submitter is supportive of including specific noise rules for Huntly Power Station.
- The wording of Permitted Activity Rule 2 and Rule 3 differs from the Operative District Plan in that it refers to noise measured within any site in the Residential Zone or at the notional boundary within any site in the Rural Zone. This means that if sites change within either zone, the noise standard that the Huntly Power Station is expected to meet will change, particularly within the Rural Zone.
- Development outside of the Huntly Power Station site could compromise operation of the Station as it is difficult to alter the current operating noise environment around the Station.
- The submitter therefore recommends that the present rule framework providing for the existing noise emissions remains in place and protects the significant infrastructure from potential noise and reverse sensitivity effects.
- The submitter does not consider the Section 32 Report provides adequate justification as to why these changes to the permitted activity rules have been made.

Point Number

924.32

Summary of Decision Requested:**Amend** Rule 21.2.6- Hazardous Substances as follows:*Hazardous substance use, storage or disposal at any site within a Heavy Industrial zone shall be managed in accordance with the Safety at Work (Hazardous Substances) Regulations and that any activity that does not comply with the Safety at Work (Hazardous Substances) Regulation is a discretionary activity.*

OR

Amend Rule 21.2.6 P1- Hazardous substances as follows:*(a) The use, storage or disposal of any hazardous substance where:**(i) The aggregate quantity of hazardous substance of any hazard classification on a site is less than the quantity specified for the Heavy Industrial Zone in Table 5.1 contained within Appendix 5 (Hazardous Substances); or**(ii) The activity is located in the Heavy Industrial Zone at Huntly Power Station and is located at least 20m distance from the zone boundary, except in relation to existing water intake and outfall structures (where no setback applies).***Decision Reasons:**

- A range of hazardous substances are stored and used at Huntly Power Station, in compliance with the relevant Health and Safety at Work (Hazardous Substances) Regulations and the Health and Safety at Work Act (HSAW Act).
- The submitter notes that the proposed hazardous substance rules represent a duplication of the requirements under these regulations and HSAW Act and would prefer that all control of such substances at Huntly Power Station site is exercised under the Regulations and HSAW Act, designed specifically for and is fit for that purpose.
- Alternatively, the submitter seeks site specific provisions relating to the Huntly Power Station site to provide for such matters as operation of the gas reception area and operation of the water intake structures on the banks of the Waikato River.

Point Number

924.33

Summary of Decision Requested:**Retain** Rule 21.2.7.1 P1, P2, P3 and RD1-Signs -General in the same or similar form.**Decision Reasons:**

- The submitter supports the rule framework proposed.

Point Number

924.34

Summary of Decision Requested:**Add** a new clause (a) to Rule 21.2.8 P1- Outdoor storage of goods or materials as follows:*(a) Stackpiles of coal located within existing stackpile areas on the Huntly Power Station site; or*

AND

Amend Rule 21.2.8 P1 (a) Outdoor storage of goods or materials as follows:*(b) ~~(a)~~ Outdoor storage of goods or materials must comply complying with all of the following conditions...***Decision Reasons:**

- Coal stockpiles are maintained at the Huntly Power Station in order to provide an ongoing supply of coal to the generation units, created specifically for the power station's operation and can vary in dimension within the stockpile over time as generation demand varies. With such changes due to coal supplies arriving in bulk, or coal being stockpiled to provide generation resilience during potential power supply shortages
- The stockpiles are managed as a strategic fuel supply source. The submitter seeks the flexibility to operate the coal stockpiles within the site according to demand requirements rather than the specific limits in the Proposed Plan and therefore there should be no bulk limits in relation to these areas.

Point Number 924.35

Summary of Decision Requested: Add a new permitted activity to Rule 21.3.1 PI Height-General as follows:

P2

(a) The construction or alteration of any building or structure at the Huntly Power Station may be up to:

(i) A maximum height of 60m, and

(ii) 35m on 90% of the site.

Decision Reasons:

- The Operative District Plan contains specific rules for the construction or alteration of a building or structure at Huntly Power Station.
- The submitter requests that the Proposed Plan retains the specific provisions for Huntly Power Station from the Operative District Plan to ensure future development is not compromised.

Point Number 924.36

Summary of Decision Requested: Amend Rule 22.2.4 PI Hazardous Substances as follows:

(a) The use, storage or disposal of any hazardous substance where:

(i) The aggregate quantity of hazardous substances of any hazard classification on a site is less than the quantity specified for the Rural Zone in Table 4.5.1 contained within Appendix 4.5 (Hazardous Substances), or

(ii) he activity is located in Specific Area 22.6.1 and is managed in accordance with the Health and Safety at work (Hazardous Substances) Regulations.

Decision Reasons:

- A range of hazardous substances are stored and used at Huntly Power Station, in compliance with the relevant Health and Safety at Work (Hazardous Substances) Regulations and the Health and Safety at Work Act (HSAW Act).
- The submitter notes that the proposed hazardous substance rules represent a duplication of the requirements under these regulations and HSAW Act and would prefer that all control of such substances at Huntly Power Station site is exercised under the Regulations and HSAW Act, designed specifically for and is fit for that purpose.

Point Number 924.37

Summary of Decision Requested: Add a new setback requirement to Rule 22.3.7.2 PI Building Setback- Sensitive Land Use as follows:

(x) 500m from the boundary of the Huntly Power Station.

Decision Reasons:

- Land surrounding Huntly Power Station is zoned Rural.
- Huntly Power Station is not listed in P1 and The submitter considers it appropriate for the power station to also be listed.

Point Number 924.38

Summary of Decision Requested: Amend Section 22.6 Specific Area-Huntly Power Station-Coal and Ash Water to create a stand alone set of rules for the Huntly Power Station as set out in the submission.

Decision Reasons:

- The submitter supports the intent of the Waikato District Council in addressing concerns raised in the previous feedback provided by the submitter in relation to coal and ash management.
- However, the rules proposed in the Rural Zone chapter are unnecessarily complex and involve a significant degree of cross referencing.
- The submitter considers that given the specificity of the ash management practices to the Huntly Power Station (in that few other activities in the district would require rules of this nature) a standalone rule, specific to the Huntly Power Station activities should be created that does not rely on cross referencing.
- The ash ponds are not the final location for disposal of the ash. It is an ash management facility where by the suspended solids (i.e. ash) are separated from the ash water.
- The ash water is returned to the Huntly Power Station and discharged via the cooling water outfall. The solid ash is reclaimed from the ponds, stockpiled (for drying) and then transported to an appropriate offsite disposal facility. The submitter considers that all of these activities should be covered by way of a specific permitted activity rule. Therefore, the specific area should be renamed "Huntly Power Station: Coal and Ash Management Specific Area."

Point Number 924.39

Summary of Decision Requested: Retain Appendix I 6.1 Conditions for Permitted Activities in the same or similar form.

AND

Retain Appendix I Table 14: Internal Sound Level in the same or similar form.

Decision Reasons:

- The submitter supports the specific requirements for buildings containing noise-sensitive activities within 350m of the Huntly Power Station site boundary requiring specific internal sound levels.

Point Number 924.40

Summary of Decision Requested: No specific decision sought, but submission is neutral in terms of Rule 21.2.5.2-Earthworks- Significant Natural Areas as this rule has implications for the requested deletion of the Significant Natural Areas on the Huntly Power Station and Scott Farm.

Decision Reasons:

- Part of the Huntly Power Station that is zoned Heavy Industrial has been identified as a SNA. This identification is inappropriate for such a site.

Point Number 924.41

Summary of Decision Requested: **Retain** the objectives, policies, rules, planning maps/overlays and section 32 to enable the continued operation of the Huntly Power Station and associated ancillary activities, except where otherwise sought in the submission points.

Decision Reasons:

- Given the national importance of the Huntly Power Station, the submitter has significant interest in ensuring that the current and future operation of Huntly Power Station is not compromised.

Point Number 924.42

Summary of Decision Requested: **Amend** the Section 32 Report for Infrastructure regarding the Huntly Power Station's transition to being completely gas fired as set out in the submission

Decision Reasons:

- The information about the Rankine Units is not correct.

Point Number 924.43

Summary of Decision Requested: **Add** clause (iv) to Policy 4.1.13 (a)- Huntly as follows:

(iv) Reverse sensitivity effects on regionally significant industry and infrastructure are avoided or minimised.

Decision Reasons:

- It is important to protect existing and new regionally significant infrastructure and/or industry from reverse sensitivity issues as a direction of the Regional Policy Statement, which the District Plan must give effect to.
- The submitter considers it important to explicitly state in the Plan that Huntly is developed in such a manner that recognizes, provides for and protects the Huntly Power Station and ancillary activities.

Point Number 924.44

Summary of Decision Requested: **Retain** Policy 4.6.2- Provide Industrial Zones with different functions except for the amendments sought below
AND

Add a new clause (iii) to Policy 4.6.2-Provide Industrial Zones with different functions as follows:

(iii) Recognise and provide for the Huntly Power Station as a regionally significant industry.

Decision Reasons:

- The submitter supports the inclusion of Industrial and Heavy Industrial Zones in the Waikato District Plan and their appropriate application to activities such as regionally significant industries.
- The submitter considers that Huntly Power Station should be recognized as a regionally significant industry in this policy context.

Point Number 924.45

Summary of Decision Requested: **Add** clause (viii) to Policy 4.7.2- Subdivision location and design by including the following as follows:

(viii) Avoids reverse sensitivity effects on existing and proposed regionally significant industry and regionally significant infrastructure.

Decision Reasons:

- The submitter considers that subdivision activities in the urban environment must be located and designed to ensure reverse sensitivity effects on regionally significant industry and infrastructure are avoided.

Point Number 924.46

Summary of Decision Requested: **Amend** Policy 4.7.11- Reverse Sensitivity as follows:

(b) Avoid potential reverse sensitivity effects of locating new dwellings sensitive activities in the vicinity of an intensive farming, extraction industry or industrial activity.

AND

Add clause (c) to Policy 4.7.11- Reverse Sensitivity as follows:

(c) Avoid potential reverse sensitivity effects of locating new sensitive activities in the vicinity of Regionally Significant Industry or Regionally Significant Infrastructure.

Decision Reasons:

- The submitter supports Policy 4.7.11 Reverse Sensitivity but considers it be amended to explicitly refer to existing and proposed regionally significant industry and regionally significant infrastructure in the same way it refers to intensive farming, extraction industry and industrial activity and to replace "dwellings" with "sensitive activities."

Point Number 924.47

Summary of Decision Requested: **Add** clause (c) to Policy 5.3.3- Industrial and Commercial Activities as follows:

(c) Provide for the existing coal and ash transport and management facilities associated with the Huntly Power Station.

Decision Reasons:

- The submitter considers that the matters listed should be extended to include the coal transport and ash management activities associated with the Huntly Power Station.

Submitter Number:	925	Submitter:	Karen Hoki Parker
Point Number	925.1		
Summary of Decision Requested:	Retain Section B Chapter 2 - Tangata Whenua.		
Decision Reasons:	<ul style="list-style-type: none"> As Ngaati Koata with strong links to Whaingaroa, the submitter sees the removal of barriers to sustainable development of their lands as supporting Iwi aspirations to grow prosperous, healthy, vibrant, innovative and culturally strong people. 		
Submitter Number:	926	Submitter:	Jevan Kaka
Point Number	926.1		
Summary of Decision Requested:	Retain Section B Chapter 2 - Tangata Whenua.		
Decision Reasons:	<ul style="list-style-type: none"> As Ngaati Koata with strong links to Whaingaroa, the submitter appreciates the amendments to the Waikato District Proposed Plan in that it supports the social, cultural and economic aspirations of mana whenua on the Whaanga Coast. Through the development of sustainable practices they will be able to reinvigorate their connections to their lands in Whaingaroa, with local Iwi and the wider community. 		
Submitter Number:	927	Submitter:	Alesha Ramari Kaka (Parker)
Point Number	927.1		
Summary of Decision Requested:	Retain Section B Chapter 2 - Tangata Whenua.		
Decision Reasons:	<ul style="list-style-type: none"> As Ngaati Koata with strong links to Whaingaroa, the submitter appreciates the amendments to the Waikato Districts Proposal Plan in that they support the social, cultural, and economic aspirations of mana whenua on the Whaanga Coast. Through development of sustainable practices on their lands in Whaingaroa they will be able to reinvigorate their connections with the area, with local Iwi and the wider community 		
Submitter Number:	928	Submitter:	Ben Knapp
Point Number	928.1		
Summary of Decision Requested:	Retain Section B Chapter 2 - Tangata Whenua.		
Decision Reasons:	<ul style="list-style-type: none"> As Ngaati Koata land block owners in Whaingaroa, the submitter feels that barriers expressed in the current district plan prevent Tangata whenua from maintaining their relationship with their ancestral lands. They appreciate that the laws and policies in the Proposed District Plan supports more effectively the occupation and development of maori land, allowing mana whenua to utilise, manage and enjoy their traditional resources in accordance with tikanga Maaori. The submitter feels it will strengthen their connections to the area once again for generations to come. 		
Submitter Number:	929	Submitter:	Chantelle White
Point Number	929.1		
Summary of Decision Requested:	Retain Section B Chapter 2 - Tangata Whenua.		
Decision Reasons:	<ul style="list-style-type: none"> The submitter feels that the policies and rules as outlined in the chapter addresses the barriers that have prevented owners from engaging and utilizing the land for social, cultural and economic well-being. As Ngaati Koata she is excited about the prospect of being able to develop a master plan for our land blocks in Whaingaroa that supports the kind of sustainable development that will encourage more frequent visits of our Iwi to the area. The submitter adds that maybe Council's proposed plan may be the star of Whaingaroa becoming once again a turangawaewae stronghold for Ngaati Koata. 		
Point Number	929.2		
Summary of Decision Requested:	Retain Rules as notified in the proposed plan to support Maaori land development.		
Decision Reasons:	<ul style="list-style-type: none"> Reasons of support based on submitter's comments on previous point. (921.1). 		
Submitter Number:	930	Submitter:	Natasha Osborne

Point Number	930.1
Summary of Decision Requested:	Retain Section B Chapter 2 - Tangata Whenua.
Decision Reasons:	<ul style="list-style-type: none"> As Ngati Koata, the submitter has strong links to Whaingaroa and sees the removal of barriers to sustainable development of their lands as supporting Iwi aspirations to grow a prosperous, healthy, vibrant, innovative and culturally strong people.

Submitter Number:	931	Submitter:	Graham Kendall
Point Number	931.1		
Summary of Decision Requested:	Retain Section B Chapter 2 - Tangata Whenua as notified.		
Decision Reasons:	<ul style="list-style-type: none"> While the District Council have expressed an obligation to upholding the Rangatiratanga principle inherent in Te Tiriti o Waitangi in respect to Tangata whenua the existing District Council plan created barriers to the actualisation of Iwi controlling their resources as their own. The Proposed District Council plan goes a long way in significantly reducing those barriers, thus allowing Ngaati Koata to develop their land blocks in sustainable ways in accordance with their own values. 		

Submitter Number:	932	Submitter:	Ashton Frew
Point Number	932.1		
Summary of Decision Requested:	Retain Section B Chapter 2 - Tangata Whenua.		
Decision Reasons:	<ul style="list-style-type: none"> Ngati Koata has close owner ties to Whaingaroa As owners of land blocks in the area, the current restrictions make it difficult to develop their land in sustainable ways. The proposed changes to the plan will provide Tangata whenua with the ability to utilise communally owned land in accordance with cultural values and to create economic development that will allow whanau to visit their lands more frequently. 		

Submitter Number:	933	Submitter:	Megan Tuoro
Point Number	933.1		
Summary of Decision Requested:	Retain Section B Chapter 2 - Tangata Whenua.		
Decision Reasons:	<ul style="list-style-type: none"> As Ngati Koata, the submitter appreciates the amendments made to the Waikato District Proposed Plan in that it supports the social, cultural and economic aspirations of mana whenua on the Whaanga Coast. Through the development of sustainable practices on their lands in Whaingaroa they will be able to reinvigorate their connections with the area, with local Iwi and the wider community. 		

Submitter Number:	935	Submitter:	Baylee Modlik
Point Number	935.1		
Summary of Decision Requested:	Retain Section B Chapter 2 - Tangata Whenua.		
Decision Reasons:	<ul style="list-style-type: none"> As Ngati Koata, the submitter appreciates the amendments made to the Waikato District Proposed Plan in that they support the social, cultural, and economic aspirations of mana whenua on the Whaanga Coast. Through the development of sustainable practices of their lands in Whaingaroa, they will be able to reinvigorate their connections with the area, with local Iwi and the wider community. 		

Submitter Number:	936	Submitter:	Kimberley Modlik
Point Number	936.1		
Summary of Decision Requested:	Retain Section B Chapter 2 - Tangata Whenua.		
Decision Reasons:	<ul style="list-style-type: none"> The submitter is a Ngaati Koata owner in land blocks in Whaingaroa who feels the current District Plan provisions presented barriers which prevented them from having a relationship with their ancestral lands. The submitter appreciates the Proposed District Plan which supports more effectively the occupation and development of Maori land. This will allow them to utilise, manage and enjoy their traditional resources in accordance with Tikanga Maaori and strengthen their connection with the area. 		

Submitter Number:	937	Submitter:	Arnesen Paul
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On behalf of: Planning Focus Limited

Point Number: 937.1

Summary of Decision Requested: Amend the zoning of the following sites from Residential Zone to Industrial Zone: 472 Great South Road, Huntly, 474 Great South Road, Huntly, 476 Great South Road, Huntly, 478 Great South Road, Huntly, 486 Great South Road, Huntly, 492 Great South Road, Huntly, 2B Jackson Road Huntly, 4 Jackson Road, Huntly and 6 Jackson Road, Huntly (see map attached to submission).

Decision Reasons:

- There is limited space for expansion of industrial activities within Huntly
- The proposed Industrial Zoning would better provide for the social and economic needs of the community, through increasing the supply of land for employment purposes.
- Land to the south and east is similarly zoned Industrial making the sites suitable for an expansion to the existing Industrial Zone.

Submitter Number: 938

Submitter: Neil and Linda Porritt

Point Number: 938.1

Summary of Decision Requested: Amend Rule 22.4.1.7 Subdivision, to create a reserve, as follows:

RD1

(a) Subdivision to create a reserve must comply with all of the following conditions:

(i) The lot being subdivided must contain an area that is identified in a Waikato District Council Parks Strategy as being required for permanent public access or for reserve purposes;

(ii) The area identified in the Parks Strategy as being required for permanent public access or for reserve purposes is to be vested in Council or public access is permanently secured by way of easement;

(iii) No more than one additional lot is created from each lot being subdivided, excluding any land vested in Council.

(iv) The proposed additional lot, excluding the reserve, has a minimum size of 8,000,000m².

(b) Council's discretion is restricted to the following matters:

(i) Size and location of area for which public access or reserve is secured;

(ii) Method of securing public access;

(iii) Management of any land remaining in private ownership over which access rights are granted;

(iv) Location of additional lot.

D1

A reserve lot subdivision that does not comply with Rule 22.4.1.7 RD1, conditions (a)(ii)-(iv).

NC1

A reserve lot subdivision that does not comply with Rule 22.4.1.7 RD1 conditions (a)(i).

Decision Reasons:

- The Reserve Lot Subdivision provisions should apply to all areas that are identified in any Waikato District Council strategy documents as being required for permanent public access or reserve purposes, not just areas identified in the Parks Strategy; ((a)(i)).
- The Reserve Lot Subdivision provisions should apply where land access is to be secured by way of an easement not only where it is to be vested in Council; ((a)(ii)).
- It should be clear that one additional Lot being subdivided ((a)(iii)).
- The minimum lot size for consideration as a RD activity should be 5000m², not 8000m²; ((a)(iv)).
- Reserve Lot Subdivision not complying with conditions (a)(ii)-(iv) should be considered as a discretionary activity, not as a non-complying activity.

Point Number: 938.2

Summary of Decision Requested: Amend Rule 22.4.1.5 Rural Hamlet Subdivision, as follows:

RD1

(a) Subdivision to create a Rural Hamlet must comply with all of the following conditions:

(i) It results in 3 to ~~5~~ proposed lots being clustered together;

(ii) All existing Records of Title form one continuous landholding;

(iii) Each proposed lot has a minimum area of 8,000,000m²;

(iv) Each proposed lot has a maximum area of 1.6ha;

(v) The proposed balance lot has a minimum area of 20ha; and

(vi) It does not create any additional lots beyond the number of existing Records of Title.

(b) Council's discretion is restricted to the following matters:

(i) subdivision layout and design including dimension, shape and orientation of the proposed lots;

(ii) effects on rural character and amenity values;

(iii) effects on landscape values;

(iv) potential for reverse sensitivity effects;

(v) extent of earthworks including earthworks for the location of building platforms and access ways.

D1

Rural Hamlet Subdivision that does not comply with Rule 22.4.1.5 RD1, conditions (a)(ii)-(iv).

NC1

Rural Hamlet Subdivision that does not comply with Rule 22.4.1.5 RD1, condition (a)(i).

Decision Reasons:

- Proposed Rule 22.4.1.5 will serve the relevant objectives and policies of the plan better if the conditions for Restricted Discretionary subdivision are more versatile in terms of the maximum number of clustered lots and the minimum lot size. (conditions (a)(i) and (iii)).
- The Rule will operate more effectively if a subdivision that does not comply with conditions RD1 (a)(ii)-(vi) is considered as a Discretionary activity.

Submitter Number: 939

Submitter: David Totman

On behalf of: Waipa District Council

Point Number: 939.1

Summary of Decision Requested: No specific decision sought, but submission supports the Proposed Waikato District Plan at an overall level.

Decision Reasons:

- The Proposed Waikato District Plan combines the existing separate Franklin and Waikato sections of the Waikato District Plan into a single document with a consistent approach to development and growth across the district.

Point Number 939.2

Summary of Decision Requested: **Retain** the strategic directions and objectives as set out in Section 1.12- Strategic directions and objectives for the district.

Decision Reasons:

- Waipa Council is supportive of the Proposed Waikato District Plan's strategic directions and objectives as a Future Proof partner.

Point Number 939.3

Summary of Decision Requested: **Amend** the planning maps to show the matching noise contour around the Mystery Creek Event Centre that matches that of the Waipa District Plan (See map provided in the submission).

Decision Reasons:

- The Operative Waipa District Planning Maps have a noise contour around Mystery Creek Event Centre. This contour ends abruptly at the Waikato River and is not matched in the Proposed Waikato District Plan Maps on the north side of the Waikato River and adjacent to the Mystery Creek Event Centre.

Point Number 939.4

Summary of Decision Requested: **Add** provisions to Rule 22.2.1.1 Noise - General for the Mystery Creek Event centre, to mirror that contained in the Operative Waipa District Plan Rule 9.4.2.16(c).

Decision Reasons:

- The Noise Rule should mirror the Noise Rule provided in the Waipa Operative District Plan for the Mystery Creek Events Centre on activity days under Rule 9.4.2.16 which states that noise levels "between 12.30am and 7.30am, noise levels must not exceed LAeq 45dB within the notional boundary of any dwelling within the Waipa District territorial boundary, and LAeq 40dB within the notional boundary of any dwelling within the Waikato District territorial boundary".

Point Number 939.5

Summary of Decision Requested: **Add** provisions to Rule 23.2.1.1 Noise - General for the Mystery Creek Event Centre, to mirror that contained in the Operative Waipa District Plan Rule 9.4.2.16 (c).

Decision Reasons:

- The Noise Rule should mirror the Noise Rule provided in the Waipa Operative District Plan for the Mystery Creek Events Centre on activity days under Rule 9.4.2.16 which states that noise levels "between 12.30am and 7.30am, noise levels must not exceed LAeq 45dB within the notional boundary of any dwelling within the Waipa District territorial boundary, and LAeq 40dB within the notional boundary of any dwelling within the Waikato District territorial boundary".

Point Number 939.6

Summary of Decision Requested: **Retain** Chapter 2 Tangata Whenua, as notified.

Decision Reasons:

- Supports the inclusion of the chapter.

Point Number 939.7

Summary of Decision Requested: **Retain** the proposed approach for addressing development on Maaori land through the preparation of a Concept Management Plan;
AND
Provide further information as to how the Concept Management Plans will be implemented as part of a Resource Management Act process.

Decision Reasons:

- In support of Waikato-Tainui, the Waipa District Council would like further information as to the implementation of these plans.

Submitter Number: 940 **Submitter:** Dennis Ngataki

On behalf of: Turangawaewae Board of Trustees

Point Number 940.1

Summary of Decision Requested: No specific decision sought, but submitter would like to provide a cultural value based position on the Proposed Waikato District Plan. The cultural value based principles are included in their submission and include:

- Tangata Whenua values
- Wai - Mauri
- Whenua - Mauri

Full details on each of these values can be found in the submission.

Decision Reasons:

- No reasons provided.

Point Number 940.2

Summary of Decision Requested: No specific decision sought, but the submitter supports parts of the direction that the Waikato District Council has taken regarding the Proposed District Plan, particularly certain aspects of the Proposed Plan and how it will provide for current and future interests.

Decision Reasons:

- No reason provided.

Point Number 940.3

Summary of Decision Requested: No specific decision sought, but the submitter identifies a main interest around Chapter 2 Tangata Whenua which addresses Tangata Whenua concerns, issues and opportunities.

Decision Reasons:

- No reason provided.

Point Number 940.4

Summary of Decision Requested: No specific decision sought, but the submitter notes that Chapter 2 Tangata Whenua discusses a range of statutory requirements specific to the Treaty of Waitangi, the Waikato River Settlement Act 2010 and the Resource Management Act.

Decision Reasons:

- No reason provided.

Submitter Number: 941 **Submitter:** Graham McBride

On behalf of: Te Kowhai Community Group

Point Number 941.1

Summary of Decision Requested: Retain the Walkway, Cycleway and Bridleway on the planning maps, located on the true right of the Te Otamanui Lagoon, Te Kowhai, as notified.

Decision Reasons:

- This route is an essential link in the vision of creating a public walkway from Te Kowhai village, along the Te Otamanui Stream (completed), the Te Otamanui Lagoon (half completed) to the proposed 'Waipa' river-bank trail to Waingarua Road.

Point Number 941.2

Summary of Decision Requested: No specific decision sought, but submitter raises concerns about the extension of the Te Kowhai Airport Obstacle Limitation Surface and the need "to give effect to the principles of the Resource Management Act with the Proposed District Plan (avoid, remedy, mitigate)."

Decision Reasons:

- The Te Kowhai Community Group has a number of concerns with the proposed extension to the Obstacle Limitation Surface:
 - Lack of consultation by Waikato District Council within the wider district prior to notification.
 - Lack of clarity about future activities at the airpark.
 - No proposed limitations concerning noise abatement, hours of flying, night flying, duration and frequency of flights and scope and scale of future activities.
 - Lack of enforcement capability within the Obstacle Limitation Surface rules.
 - Lack of clarity about the safety of residential properties under the flight path footprint.

Submitter Number: 942 **Submitter:** Angeline Greensill

Organisation: Tainui

Point Number 942.1

Summary of Decision Requested: No specific decision sought for Section 1.7.3.3 Consultation, but the submitter expects Tainui to be contacted directly on resource management matters within their tribal rohe.

Decision Reasons:

- The submitter has been involved in environmental management of the Whaingaroa rohe since prior to the enactment of the Resource Management Act and have been listed on the Te Kahui Mangai site under section 35 of the Resource Management Act.
- The Council is commended for initiating the establishment of an Iwi Reference Group, as part of its consultation process.
- While it is useful to discuss matters of relevant to iwi and hapu through the forum, the submitter still expects to be contacted directly on resource management matters within their own tribal rohe.

Point Number 942.2

Summary of Decision Requested: Provide resources, such as a planner or funds to employ one to complete an Iwi engagement plan as outlined in section 1.7.3.4 Iwi Management Plans.

Decision Reasons:

- The submitter intends to complete an Iwi environmental plan prior to publication of Stage 2 of the Proposed District Plan.

Point Number 942.3

Summary of Decision Requested: Add a new chapter that addresses Genetically Modified Organisms.

Decision Reasons:

- The District Plan concentrates mostly on the effects on human health or amenity, therefore there is a need to be vigilant where new technologies are being trialed and have the potential to impact on communities.
- These should stay in containment as the risks and unexpected consequences are too great to control.

Point Number	942.4
Summary of Decision Requested:	<p>Add the following activities as permitted activities on Maori Freehold Land on Riria Kereopa Drive:</p> <ul style="list-style-type: none"> • Facilities for surface water activities; • Recreation; • Kohanga reo; • Education facilities; • Public toilets; • Camp site, grocery or boating store and marae; • Restaurant; • Conference facilities; • Traveller's accommodation. <p>AND</p> <p>Amend Section 1.12.1 Strategic Direction to recognise the Tihei Mauriora Plan.</p>
Decision Reasons:	<ul style="list-style-type: none"> • The submitter has requested provisions to facilitate and bring to fruition the vision contained in the Tihei Mauriora Plan. • This Tihei Mauriora Plan was presented and taken in to account in two previous District Plans. • The submitter seeks an exception from the Maori Freehold Rules to have this plan accepted in its entirety as there are several stages to complete, before long term benefits to whanau and the local community of employment and self-sufficient economic growth can be realised.
Point Number	942.5
Summary of Decision Requested:	No specific decision is sought for Section 2.2 Background, but the submitter seeks recognition of whanau and hapu who have the ultimate responsibility for ensuring the mauri and taonga inherited from tupuna are not negatively affected through resource consents and activities.
Decision Reasons:	<ul style="list-style-type: none"> • The submitter supports the attempt to recognise the encumbrances placed on tangata whenua in terms of land use and development in both Te Ture Whenua Maori Act and the Resource Management Act. • The submitter also understands the need to recognise statutory obligations and take into account iwi management plans. • While Waikato Tainui is currently recognised through a raupatu land settlement as being iwi authority, it is likely during the term of this planning process that the resolution of the West Coast treaty claims will see other iwi given the recognition they deserve.
Point Number	942.6
Summary of Decision Requested:	Amend Section 2.2(a) Background to recognise all whanau, hapu and iwi within the district. eg. Tainui, Nga Uri o Mahanga/Hourua, Ngati Whakamarurangi and Ngati Tamainupo/Nga Tokotoru.
Decision Reasons:	<ul style="list-style-type: none"> • Waikato Tainui are a corporate organisation established in 1995 to receive and manage the raupatu land settlement. • The district is home to a diverse range of people including Whanau, hapu and iwi of many rohe and they are the tangata whenua who have interests in and around the district and Whaingaroa harbour area. • They practice kaitiakitanga and are obliged to make decisions regarding activities that impact upon our people, environment and future.
Point Number	942.7
Summary of Decision Requested:	<p>Amend Section 2.2(b) Background, as follows:</p> <p><i>The Waikato River is the tuupuna (ancestor) of Waikato-Tainui from which Tainui derive their name. Tainui relates to the sea, waka and the people who descend from the original people of an area that includes Waikato. Tainui also refers to a confederation of the 12 hapu of Whaingaroa, The Kingitanga movement ...</i></p>
Decision Reasons:	<ul style="list-style-type: none"> • No reasons provided.
Point Number	942.8
Summary of Decision Requested:	Amend Section 2.4 Principles of the Treaty of Waitangi (Te Tiriti o Waitangi) to include principles of partnership, reciprocity, mutual benefit, to make informed decisions and active protection.
Decision Reasons:	<ul style="list-style-type: none"> • Principles supported by case law and Waitangi Tribunal decisions should be included.
Point Number	942.9
Summary of Decision Requested:	Amend Objective 2.15 Waikatotanga (way of life) to clarify.
Decision Reasons:	<ul style="list-style-type: none"> • There are hapu and iwi who do not identify or practice Waikatotanga within the Waikato District.
Point Number	942.10
Summary of Decision Requested:	Retain Policy 2.16.1 Whaanga Coast Special Area.
Decision Reasons:	<ul style="list-style-type: none"> • The submitter supports this policy.
Point Number	942.11
Summary of Decision Requested:	Retain Policy 2.16.2 Aahuatanga Motuhake (special features).
Decision Reasons:	<ul style="list-style-type: none"> • The submitter supports the policy.

Point Number	942.12
Summary of Decision Requested:	Amend Policy 3.3.2(a)(i) Recognising values and qualities to recognise and "protect" the attributes of ridgelines.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	942.13
Summary of Decision Requested:	Retain the objectives and policies in Chapter 3 Natural Environment that protect an enhance the natural environment.
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports the objectives and policies.
Point Number	942.14
Summary of Decision Requested:	Amend Objective 4.1.1(b) Strategic to identify the towns and their predicted housing development to cater for growth based on evidence.
Decision Reasons:	<ul style="list-style-type: none"> 13,330 to 17,500 dwellings will be built over the next 27 years around existing towns and villages where infrastructure and services can be efficiently and economically provided. There is no indication as to where this growth will occur, or in fact whether this is supported by evidence.
Point Number	942.15
Summary of Decision Requested:	Amend Policy 4.1.5 Density to provide for retirement villages on marae and within papakainga on Maori Freehold Land.
Decision Reasons:	<ul style="list-style-type: none"> Kaumatuas have special cultural needs and are sometimes not eligible for assistance or able to actively continue to carry out their roles. The Proposed District Plan encourages retirement villages to be located near commercial centres, community facilities, public transport and open space.
Point Number	942.16
Summary of Decision Requested:	Amend the Proposed District Plan, including Policy 4.1.6 Commercial and Industrial activities to permit the following activities at Te Kopua 3 and 4, Riria Kereopa Memorial Drive: <ul style="list-style-type: none"> Facilities for surface water activities Recreation Kohanga reo Education facilities Public toilets Camp site, grocery or boating store and marea Restaurant Conference facilities Travellers accommodation
Decision Reasons:	<ul style="list-style-type: none"> The submitter has a plan focused on creating an economic base for its iwi. This request has already been accepted on two previous occasions. The submitter requests an exception to the rule to allow planned development to take place.
Point Number	942.17
Summary of Decision Requested:	Add a character statement of Raglan to the Proposed District Plan and ensure that the small seaside town is not compromised by future multi-storey development.
Decision Reasons:	<ul style="list-style-type: none"> The submitter does not want Raglan to lose its unique identity. Since post -2nd world war, towns like Raglan have changed dramatically with the closure of centralised government agencies like the Post Office, Banks, Dance Halls, Picture theatres, hotels and small specialist stores and are being replaced with supermarkets, boutiques, cafes, petrol stations, boutique tourist accommodation, IT and outdoor pursuits, signage and hire companies. In 2018 small towns are beginning to look alike and are losing their unique character which made them attractive to those who came, saw economic opportunities to exploit the natural resources and thus began changing the place.
Point Number	942.18
Summary of Decision Requested:	Provide plans showing potential infill areas and statistics to justify redevelopment or infilling is necessary in the context of Policy 4.1.18(a)(i) Raglan.
Decision Reasons:	<ul style="list-style-type: none"> The submitter opposes infill and redevelopment until such areas are identified on planning maps. Development such as apartment dwellings in wrong locations may impact on wildlife, character of place, cultural and natural environment.
Point Number	942.19
Summary of Decision Requested:	Retain Policy 4.1.18(iv) Raglan
Decision Reasons:	<ul style="list-style-type: none"> The submitter acknowledges that connections are already happening. The three bridges connecting Nihinihi, Papahua and Te Kopua at Raglan West with the township and is a popular walk with locals and visitors.

Point Number 942.20

Summary of Decision Requested: **Add** a new clause to Policy 4.1.18 Raglan as follows:
(v) Roads, parks, pedestrian and cycle networks are developed as part of subdivision development contributions.

Decision Reasons:

- Although Raglan is a town that has the Karioi classic event, a mountain bike park and a high percentage of electric bike users, there is no reference in the Raglan section to cycling or walking.

Point Number 942.21

Summary of Decision Requested: **Amend** Objective 4.2.16 Housing options to ensure the character of Raglan is not compromised.

Decision Reasons:

- While policies 4.2.17 and 4.2.18 enable a variety of housing types, there is a need to ensure that the character of Raglan is not compromised.

Point Number 942.22

Summary of Decision Requested: **Retain** Policy 4.1.9 Maintaining Landscape Characteristics.

Decision Reasons:

- No reason provided.

Point Number 942.23

Summary of Decision Requested: **Retain** Policy 4.5.14 Raglan Town Centre
AND
No specific decision sought, but submission opposes Policy 4.5.14(a)(v)(F) Raglan Town Centre, particularly the change from one storey to two storeys.

Decision Reasons:

- The submitter supports the policy but opposes a changes from one to two storeys which would change the character of Raglan's main street.

Point Number 942.24

Summary of Decision Requested: **Add** a separate chapter to include a separate chapter addressing Genetically Modified Organisms that prohibits the release of Genetically Modified Organisms into the rural environment through field trials, similar to the provisions of neighbouring Councils e.g. Auckland.
AND
Amend the Proposed District Plan to require all applications for Genetically Modified Organism releases to be publicly notified.
AND
Amend the Proposed District Plan to require a bond be imposed to cover clean up should the EPA approve applications for the release of Genetically Modified Organisms in the district.

Decision Reasons:

- The release of genetically modified organisms into the rural landscape has become more imminent.
- No field trials have been permitted in New Zealand, however experiments in containment have been ongoing since the late 1990s.
- With the recent arrival and marketing of CRISPR and other gene editing technologies in the primary sector, it is likely that the next life of the district plan will be required to address genetically modified organisms, potentially putting taonga, primary production and the economy at risk.
- Council is committed to protecting high class soils for primary productive producers.
- There is no option but to ban field trials or release of genetically modified organisms into the environment.
- Tainui and the local community have become informed and more concerned about the risks of genetically modified organisms.

Point Number 942.25

Summary of Decision Requested: **Add** a new clause to Policy 5.6.3 Artificially outdoor lighting as follows:
In remote coastal and rural areas ensure artificial outdoor lighting is directed downward.

Decision Reasons:

- Observation of the stars to predict future trends, or times to undertake particular activities has been practiced for centuries around the world.
- As residential areas grow, night lighting is making it difficult to easily observe the stars.
- Whaingaroa has a number of places where views of the night sky are not compromised and can still be studied, enjoyed and photographed.

Point Number 942.26

Summary of Decision Requested: No specific decision sought, but the submitter supports the objectives and most of the policies within Chapter 6 Infrastructure and Energy.

Decision Reasons:

- No reasons provided.

Point Number 942.27

Summary of Decision Requested: **Amend** Policy 6.1.10(a) Infrastructure in identified areas to clarify what an identified area is.

Decision Reasons:

- The submitter supports the policy but seeks clarification on what an identified area is.

Point Number 942.28

Summary of Decision Requested: **Amend** the planning maps to provide for an overlay map identifying potential sites for transmission corridors, infrastructure, energy and renewable energy activities.

Decision Reasons:

- With over a thousand years of history hidden in layers of the landscape, the submitter has concerns about undergrounding infrastructure in Maori areas of significance.
- To avoid adverse effects on Maori sites of significance.

Point Number 942.29

Summary of Decision Requested: **Add** a rule requiring communities to be notified if cell towers or other transmitters are to be located in their area.

Decision Reasons:

- While infrastructure that generates electromagnetic or radiation frequency fields must comply with the International Commission on Non-ionising Radiation Protection Guidelines, relevant WHO guidelines and the New Zealand Standard Electromagnetic field (EMF), EMF can still pass through the earth, walls and human or animal bodies and therefore can have adverse effects on the health and wellbeing of humans and their environment.

Point Number 942.30

Summary of Decision Requested: **Retain** Policy 6.1.15(a) Raglan navigation beacons.

Decision Reasons:

- The submitter supports the policy.

Point Number 942.31

Summary of Decision Requested: **Retain** Policy 6.1.16 Water conservation.

Decision Reasons:

- The submitter supports this policy.

Point Number 942.32

Summary of Decision Requested: No specific decision sought, but the submitter supports the principles adopted by Waikato District Council concerning proactive planning and management of urban growth and development, cost-effective provision of services and infrastructure, sustainable management of natural character and the principles of Treaty of Waitangi.

Decision Reasons:

- No reasons provided.

Point Number 942.33

Summary of Decision Requested: No specific decision sought, but the submitter supports Council's vision to provide liveable, thriving and connected communities which are sustainable, efficient and co-ordinated and look forward to contributing to that vision and the general thrust of the plan with some amendments to chapters that affect Tainui whanau, hapu and iwi.

Decision Reasons:

- No reasons provided.

Point Number 942.34

Summary of Decision Requested: **Hal**t the Proposed District Plan process and extend the submission date to enable the completion of the Stage 2 chapters in the Proposed District Plan so the proposed District Plan document is complete.

Decision Reasons:

- The Proposed District Plan fails to address current key issues affecting coastal iwi in communities like Raglan, especially Natural Hazards and Climate Change which has a place holder, making it difficult to understand the Proposed District Plan.
- Having to submit on Stage 2 of the Proposed District Plan is a time consuming process for the submitter, however the submitter has no choice but to participate in a process that determines their futures on the submitter's land.
- The Stage 2 matters are important and should have been considered earlier in the planning process.

Point Number 942.35

Summary of Decision Requested: **Add** the following new clauses to Section 1.4.2.3 Challenges:

(x) The retention and development of Maori Freehold land in both urban and rural areas.

(xi) Lack of housing, training and employment opportunities for Maori in west coast communities.

Decision Reasons:

- The submitter agrees that the Waikato district faces huge challenges and has identified some that specifically affect Maori landowners of multiply owned lands which need to be included.

Point Number 942.36

Summary of Decision Requested: **Amend** Section 1.4.3.2(c) Protecting the rural environment to require areas that are likely to be set aside for electricity transmission renewable energy or mining, particularly if located on sites culturally significant to Tangata whenua to be notified.

Decision Reasons:

- No reasons provided.

Point Number 942.37

Summary of Decision Requested: **Amend** section 1.4.4(a) The urban environment, to clarify what the following sentence means:
Commercial activity should be of a size or function that does not compromise the vitality and viability of the primary commercial centres.

Decision Reasons:

- The submitter seeks further clarification.

Point Number 942.38

Summary of Decision Requested: No specific decision sought, but the submitter supports the acknowledgement in Section 1.4.5 Maaori Freehold Land of the burden placed on Maori landowners to satisfy Te Ture Whenua Maori Act and the Resource Management Act 1991 when attempting to utilise their land.

Decision Reasons:

- The submitter supports the plan's acknowledgement of the extra burden placed on Maori landowners to satisfy both Te Ture Whenua Maori Act and the Resource Management Act.

Point Number 942.39

Summary of Decision Requested: **Consider** an alternative transport route in the event that State Highway 23 is inaccessible.

Decision Reasons:

- Dual routes should be considered in case accidents occur on State Highway 23.

Point Number 942.40

Summary of Decision Requested: **Retain** the objectives and policies in Chapter 3 Natural Environment.

Decision Reasons:

- The coastal montane area between Bryant Home and Pauake stream is largely owned by tangata whenua and remained natural until the incursions of the public in the mid 1950s brought a road, subdivisions, walling tracks and development. This destroyed habitats and impacted negatively on the biodiversity within the Karioi Native Reserve.
- The submitter supports the objectives and policies in Chapter 3 drafted to protect and enhance the natural environment outlined.

Point Number 942.41

Summary of Decision Requested: **Provide** Tangata whenua with resourcing to undertake surveys and ensure the survival rate of indigenous biodiversity improves on their lands.

Decision Reasons:

- Indigenous biodiversity is threatened by pest species both plants and animal which have been imported into the area and human activity.
- Submission questions what assistance is available to hapu and iwi to deal with problems they did not create.

Point Number 942.42

Summary of Decision Requested: No specific decision sought, but the submitter comments that the methodology (including section 1.5.7.2 Landscape and Natural Character) used to assess landscape and natural character is eurocentric and ignores cultural context.

Decision Reasons:

- The methodology used to assess landscape and natural character continues to deal with these in a eurocentric manner ignoring the cultural context.

Point Number 942.43

Summary of Decision Requested: No specific decision sought for section 1.5.7.3 Water, but the submitter notes that Raglan's water supply should be locally owned and operated.
AND
No specific decision sought for section 1.5.7.3 Water, but the submitter supports the use of water tanks for all new builds and for winter storage.

Decision Reasons:

- No reasons provided.

Point Number 942.44

Summary of Decision Requested: **Amend** the Proposed District Plan to ban air contaminants from sprays.
OR
Add more stringent rules to ensure spraying is only undertaken when there is no wind and avoids watercourses and children's play areas.

Decision Reasons:

- Air contaminants create health issues for young and old.

Point Number 942.45

Summary of Decision Requested: No specific decision sought, but the submitter opposes the commodification of the coastal space.

AND

Amend the Proposed District Plan to classify economic development of the coast as a discretionary activity and notified.

Decision Reasons:

- The submitter have a MACA claim over the Whaingaroa harbour and rohe moana out to 200km.
- The submitter intends to enjoy the coastal space as a recreational space for whanau and visitors.
- Economic development brings threats which need to be planned for and notified as discretionary activities.

Point Number

942.46

Summary of Decision Requested:

Amend Section 1.6(c) Ngaa Iwi o Tainui ki te Waikato Takiwa to recognise that Tainui Hapu Environmental Management Committee is a mandated organisation under the Resource Management Act for the Tainui Iwi of Whaingaroa.

Decision Reasons:

- Section 35A of the Resource Management Act provides for groups that represent hapu for the purposes of the Resource Management Act to request that the Crown includes the required information for that hapu in the record which can be accessed by relevant local authorities.
- While it is acknowledged that Te Whakakitenga o Waikato Incorporated Society (Waikato Tainui) are recognised for Raupatu matters, the submitter does not agree they should be authoritative representative of their 12 hapu for Resource Management issues.
- All matters regarding decision-making about resource management within the Tainui rohe remain with Tainui.

Point Number

942.47

Summary of Decision Requested:

Amend Section 1.6.2 Te Tiriti o Waitangi by moving it earlier in Chapter 1 to be in Section 1.1.

Decision Reasons:

- This is one of the Nation's founding documents and should be placed in the beginning of the Proposed District Plan.

Point Number

942.48

Summary of Decision Requested:

Add the following values to Section 1.6.4 Values of Importance:

- Whakapapa - binds all past and present;
- Rangaitatanga - sovereignty or power;
- Taimutanga - tribal uniqueness, identity;
- Tauutu - Reciprocity, acts of always giving back or replacing what you take or receive;
- Turangawaewae - a place to stand; and
- Mauri - life essence.

Decision Reasons:

- If Maori values are going to be included than there are some that are specifically relevant to Te Taiao which could be incorporated.

Point Number

942.49

Summary of Decision Requested:

Add the following rivers, which are important to the West Coast, to Section 1.7.2 Rivers - Vision and Strategy:

- Wainui;
- Omahina;
- Oporu;
- Waitetuna;
- Kaawa;
- Tauterei; and
- Whaingaroa.

Decision Reasons:

- There is no vision, strategy or acknowledgement of rivers along the West Coast outside of the Waikato River catchment area covered by the Settlement Act.
- All rivers are important and more need to be acknowledged in the Proposed District Plan.

Point Number

942.50

Summary of Decision Requested:

Retain Objective 6.3.1 Renewable energy.

Decision Reasons:

- The submitter supports this policy.

Point Number

942.51

Summary of Decision Requested:

Retain Policy 6.3.2 Utilising energy efficiency

Decision Reasons:

- The submitter supports this policy.

Point Number

942.52

Summary of Decision Requested:

Retain Policy 6.3.3 Enabling renewable electricity generation

Decision Reasons:

- The submitter supports this policy.

Point Number

942.53

Summary of Decision Requested:

Retain Policy 6.3.4 Future renewable electricity.

Decision Reasons:

- The submitter supports this policy.

Point Number 942.54

Summary of Decision Requested: **Retain** Policy 6.3.5 Existing renewable electricity facilities

Decision Reasons:

- The submitter supports this policy

Point Number 942.55

Summary of Decision Requested: No specific decision sought, but submission expresses concern that there is no climate change chapter, and supports efforts to reduce carbon footprints by encouraging off the grid living and biodiversity offsets when properties are developed.

Decision Reasons:

- No reasons provided.

Point Number 942.56

Summary of Decision Requested: **Add** a new clause to Policy 6.4.5(a) Roading infrastructure as follows:

(y) Where land is still owned by Maori but has been appropriated by Council without compensation for public use, lease arrangements should be entered into.

Decision Reasons:

- The predecessor the the council acquired vast area of inalienable Maori land in Whaingaroa/Raglan for roads and other public purposes.
- Council could be proactive in establishing arrangements with affected landowners.

Point Number 942.57

Summary of Decision Requested: **Retain** Policy 6.4.6 Stormwater and drainage

Decision Reasons:

- The submitter supports this objective.

Point Number 942.58

Summary of Decision Requested: **Add** a new clause to Policy 6.4.7 Stormwater as follows:

(ix) Overland flow should be intercepted, and managed to minimise effects like erosion on coastlines and beaches.

(x) Ensure that storm water from overland flow does not adversely affect neighbouring properties.

Decision Reasons:

- One area not mentioned are the stormwater pipes and other infrastructure directed to local beaches, which result in scouring out of dunes, loss of vegetation and backdunes and encroachment on coastal land.
- In terms of residential areas, all developments needs to have infrastructure signed off as compliant with rules especially where the development occurs above existing homes as gravity and the natural flow paths may end up adversely affecting the health of people living below.

Point Number 942.59

Summary of Decision Requested: **Retain** objective and policies in Chapter 7: Historic Heritage

Decision Reasons:

- Submitter supports this objective and policies.

Point Number 942.60

Summary of Decision Requested: **Add** a new clause to Policy 7.1.2 Identification as follows:

Permission to be sought from Hapū/iwi before releasing locations of significant Maaori sites.

Decision Reasons:

- Many Maaori sites on Maaori land are not identified because whanau and hapu have chose to protect them from public scrutiny and disturbance.
- Those that have been compiled since the 1960s by NZAA have been accessed, investigated, recorded and sometimes taken taonga without informing Tangata whenua.
- Although this record exists in the public domain, a schedule can be kept by Council and provided on a need to know basis when applications to develop are applied for.

Point Number 942.61

Summary of Decision Requested: **Retain** Policy 7.1.6 Notable Trees

Decision Reasons:

- Submitter supports this policy.

Point Number 942.62

Summary of Decision Requested: No specific decision sought, but the submitter supports Policy 7.1.9 Tree maintenance.

Decision Reasons:

- Submitter supports this policy.

Point Number 942.63

Summary of Decision Requested: **Add** notable trees to Schedule 30.2 Notable Trees including the following:

- Pohutakawa tree at Te Whaanga
- 3 Puriri trees,
- Ngaio and
- Kowhai located between Iwitahi and Pauaeke

AND

Undertake a survey by Tangata whenua of notable trees over-bordering Karioi Native reserve.

Decision Reasons:

- Trees are the first children of Tane Mahuta and were placed to clothe the earth, store carbon, oxygenate the planet, and provide for human seeds.
- Unfortunately the 20-21 century growth and development have seen the destruction of trees that have stood for centuries.
- Some of these trees protected by tangata whenua as markers, have been felled without regard for their age or purpose within the forest ecosystem.
- Tangata whenua have protected most of the trees within the Karioi Native Reserve for generations but those that are close to roads or beaches are threatened by human activity.

Point Number 942.64

Summary of Decision Requested: No specific definition sought, but the submitter supports Objective 8.2.1 Natural Values.

Decision Reasons:

- The submitter supports this objective as it provides for public open space, and recreation as well as protection and enhancement of biodiversity and the natural environment.
- Commercial activities should be discouraged on the reserves.
- Occasionally developers will attempt to vest reserves in Council, but are refused as there are underlying issues of the cost management or the presence of Maori cultural sites which need covenanting.

Point Number 942.65

Summary of Decision Requested: **Retain** Policy 8.1.2 Provision, use and development of public open space and reserves.

AND

Add a new clause to Policy 8.1.2 Provision, use and development of public open space and reserves as follows:

(e) Where Council do not wish to manage small scale areas of significance to Maori, vested as a contribution to development, a section 33 vesting to the appropriate iwi should be considered.

Decision Reasons:

- The submitter supports the policy as it provides for public open space and recreation as well as protection and enhancement of biodiversity and the natural environment.
- Commercial activities should be discouraged on the reserves.
- Occasionally developers will attempt to vest reserves in Council but are refused as there are underlying issues of the cost management or the presence of Maori cultural sites which need covenanting.

Point Number 942.66

Summary of Decision Requested: **Amend** Policy 8.1.3 Esplanade reserves to require that a hui be organised for Ngati Tahinga and Tainui landowners to discuss any proposed before decisions are made.

Decision Reasons:

- Tainui has always opposes opening access to West Coast beaches in the north for vehicular access as history has shown that activities are not monitored, rubbish is left, beaches erode, kaimoana is decimated through easy access to traditional food supplies, dotterel nesting sites are disturbed, and sites of significance interfered with.
- The west coast is known for being rugged, wild and unforgiving, something that should be borne in mind if public access is obtained.

Point Number 942.67

Summary of Decision Requested: **Amend** the planning maps to indicate where access is available in the district and where it is not due to private property.

Decision Reasons:

- This information should be appended to the Proposed District Plan and made available at the information centres that service the communities. Tainui lands around Raglan and Karioi are accessed daily by an increasing number of locals.
- Tourists freedom camp and walk uninformed with their dogs through both Whaanga, and Te Kopua properties.
- Despite signage, this behaviour continues.

Point Number 942.68

Summary of Decision Requested: **Retain** the objectives and policies in Chapter 10 Hazardous Substances and Contaminated Land.

AND

Add a requirement for a bond to cover liability to be charged as part of the approval during resource consent process to ensure contaminated land is remediated following use.

Decision Reasons:

- The submitter supports the objectives and policies in Chapter 10 Hazardous Substances and Contaminated Land.

Point Number 942.69

Summary of Decision Requested: No specific decision sought, but submission seeks clarification on whether Chapter 11 Natural Hazards and Climate Change is a placeholder for Stage 2 District Plan review.

Decision Reasons:

- No reasons provided.

Point Number 942.70

Summary of Decision Requested: **Add** a new clause to Activity specific condition 14.12.1.1(1) as follows:

(g) Not be sited on Maori sites of significance

Decision Reasons:

- Over the last 150 years Maori cultural landscapes and sites of significance have been sacrificed for growth and development.
- A few years ago Contact Energy sought a consent which covered numerous Maori areas of significance from south of Port Waikato to north of Raglan.
- With the enactment of the Resource Management Act 1991 attention to the effects of land use on people are more closely scrutinised.
- Today with tourism growing there is an opportunity to enhance Maori sites of significance as well as have infrastructure that meets the needs of communities.

Point Number 942.71

Summary of Decision Requested: **Amend** Section 14.11 Water, wastewater and stormwater to require that no new or replacement infrastructure be installed on Maori cultural sites of significance.

Decision Reasons:

- No reasons provided.

Point Number 942.72

Summary of Decision Requested: **Add** new clauses to Activity specific conditions 14.11.1.1 relating to Rule 14.11.1 P1 as follows

(a) New development or subdivision must have a stormwater system that complies with all of the following conditions:

...

(v) Stormwater management measures, including low impact design measures, must be implemented as appropriate in accordance with the following drainage hierarchy:

...

F. Re-routing of stormwater to avoid coastal discharge into sandy areas.

...

(b) Where the existing management of stormwater does not meet the requirement for New Developments and problems are resulting, upgrading may be required to mitigate adverse effects in accordance with 14.11.1.1 section (a).

(c) Manages stormwater in the following manner: No stormwater discharges into coastal sandy beach areas to minimise the risks of erosion.

Decision Reasons:

- Stormwater outlets have been responsible for numerous land sourced erosion events along the Ngarunui - Te Kopua Beaches.
- Efforts by Beachcare and Coast care volunteers have helped mitigate effects through having outlets stopped and re-routed, affected areas fences, followed by focused planting of dune species.

Point Number 942.73

Summary of Decision Requested: **Retain** Activity Specific condition 14.11.1.3(a)(iii) relating to Rule 14.11.1 P3.

Decision Reasons:

- The submitter has fought for over 50 years for a circular system of wastewater treatment and disposal, and are open to considering options which would better protect the mauri of waterways which are currently used for wastewater disposal.
- Most of the multiply owned land available to whanau and hapu for development are sited in areas which are not serviced by reticulated systems so again other options need to be investigated.

Point Number 942.74

Summary of Decision Requested: Add an exemption to Rule 14.11.4 NC2 (xx) Non-Complying Activities as follows:

(xx) Rangitahi Peninsula Zone;

Land made available for treatment of sewage through wetlands or land based treatment is exempted

AND

Add a new clause to Rule 14.11.4 NC2 Non-Complying Activities as follows:

(xxx) In conjunction with the planning, consideration shall be given to the identification of areas suitable for wastewater polishing and mini treatment plants to mitigate the risk of disposal in the event of failure to the existing networks from significant events or natural disasters.

Decision Reasons:

- No reasons provided.

Point Number 942.75

Summary of Decision Requested: **Amend** Rule 16.1.2 P3(b) Permitted Activities to clarify if a village cannot be built if there is not public transport available.

Decision Reasons:

- Clarification is required.

Point Number 942.76

Summary of Decision Requested: Clarify Rule 16.1.2 P9 Permitted Activities by identifying how many homes are occupied by residents and how many are reserved for homestay accommodation.

AND

No specific decision sought, but the submitter supports priority being given to building homes in Residential Zones for residents with respect to Rule 16.1.2 P9 Permitted Activities.

Decision Reasons:

- Many long term residents have moved to Hamilton as land and homes that are available for renting have become scarce at realistic and affordable prices.

Point Number 942.77

Summary of Decision Requested: Add a new matter of discretion to Rule 16.1.3 RD1 Restricted Discretionary Activities as follows:

(k) Enhancement of the character of the town.

Decision Reasons:

- No reasons provided.

Point Number 942.78

Summary of Decision Requested: Amend Rule 16.2.4.2 Earthworks - Maaori sites and Areas of significance to limit the extent of earthworks and vegetation clearance to minimise the negative impacts to the environment and to ensure the values of the site are protected.

Decision Reasons:

- Lands have been cleared of 100m² per year for several years eventually ending with enough space to build 5 houses in areas that were once coastal montane forest.
- Recently 2500m² of original kanuka and manuka was inadvertently cleared for one house site which was in excess of the earthworks allowed.

Point Number 942.79

Summary of Decision Requested: Amend Rule 16.4.2.3 Earthworks - Significant Natural Areas to limit the extent of earthworks and vegetation clearance to minimise the negative impacts to the environment and to ensure the values of the site are protected.

Decision Reasons:

- Lands have been cleared of 100m² per year for several years eventually ending with enough space to build 5 houses in areas that were once coastal montane forest.
- Recently 2500m² of original kanuka and manuka was inadvertently cleared for one house site which was in excess of the earthworks allowed.
- The submitter supports rules that protect significant areas from unnecessary destruction.

Point Number 942.80

Summary of Decision Requested: Add a new clause to Rule 17.2.6.1 C1(b) Notable tree - removal or destruction as follows:

(iv) Effects on Maori cultural values if the tree has been identified by Tangata whenua as a Notable Tree.

Decision Reasons:

- No reasons provided.

Point Number 942.81

Summary of Decision Requested: Amend the Proposed District Plan to incorporate a policy of environmental offset promoting the establishment of woodlots to replace trees cut and provide for future needs, using the principle of reciprocity to give back to the land.

Decision Reasons:

- Manuka and kanuka are an important part of the forest and wetland ecosystem.
- They provide for numerous purposes including food, homes and traditional uses.
- As most rural land in the district has been cleared for pastoral grazing, supplies have diminished.
- If Council is going to allow 5m³ of these timbers to be cut and burnt every 12 months the supply will eventually disappear, putting more pressure on Maori land which is largely covered in manuka and other native species.

Point Number 942.82

Summary of Decision Requested: Retain the provisions within Rule 22.1.2 P1 Permitted Activities, and the objectives and policies relating to Maori Freehold Land.

Decision Reasons:

- The provisions will enable Maori owners to use their Maori freehold land for a number of uses including marae, kohanga reo and papakainga housing.
- Planning staff made a genuine attempt to understand the aspirations of Whaanga Coast land owners of Maori Freehold Land and have delivered a document that improves options for Maori not only in Whaingaroa/Raglan but throughout the district.
- There are long overdue for whanaa who have been denied the right to build and live on their land.

Point Number 942.83

Summary of Decision Requested: No specific decision sought, but submission opposes the Walkway, Cycleway and Bridleway overlay up the coast where the routes travel over waahi tapu areas on the Raglan Coast - Map 23.

Decision Reasons:

- No reasons provided.

Point Number 942.84

Summary of Decision Requested:	No specific decision sought, but the submission expresses disappointment that the plan does not improve public transport between the west coast communities and Auckland, Hamilton and Kawhia.
Decision Reasons:	<ul style="list-style-type: none"> Given the increased visitor population using Whaingaroa as a tourist destination, it is disappointing to see nothing in the Proposed District Plan.
Point Number	942.85
Summary of Decision Requested:	No specific decision sought to section 1.5.7.5 The Coast, but submission considers stormwater should be directed into culverts and not discharged onto sandy beaches.
Decision Reasons:	<ul style="list-style-type: none"> Discharge of stormwater onto sandy beaches causes scouring and erosion.
Point Number	942.86
Summary of Decision Requested:	No specific decision sought for section 1.5.7.5 The Coast, but submission opposes access over dunes to the beach by vehicles, including horse-drawn carriages.
Decision Reasons:	<ul style="list-style-type: none"> Vehicle use over beaches can adversely affect recovering pipi and kutai beds as well as disturb recreational users.
Point Number	942.87
Summary of Decision Requested:	Retain Policy 2.15.1 Ngaa taonga tuku iho (Maori Sites and Areas of Significance).
Decision Reasons:	<ul style="list-style-type: none"> The submitter supports the policy.
Point Number	942.88
Summary of Decision Requested:	Amend Section 14.11 Water, wastewater and stormwater to clarify what is an identified area.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	942.89
Summary of Decision Requested:	No specific decision sought, but submission refers to Rule 17.2.1.1 Earthworks - Maori Sites and Areas of Significance.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	942.90
Summary of Decision Requested:	Add a new clause to Rule 17.2.6.1 Notable tree- removal or destruction as follows: <i>(xx) Effects on Maori cultural values if the tree has been identified by Tangata Whenua as a notable tree;</i>
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	942.91
Summary of Decision Requested:	No specific decision sought, but submission refers to Rule 17.4.1.1 Esplanade Reserves and Esplanade strips.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	942.92
Summary of Decision Requested:	Add a new clause to Rule 17.2.6.2 RD1 Notable tree- trimming as follows: <i>(xx) Effects on Maori cultural values if the tree has been identified by Tangata Whenua as a notable tree;</i>
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	942.93
Summary of Decision Requested:	Add a new clause to Rule 17.2.6.3 Notable tree- activities within the dripline as follows: <i>(xx) Effects on Maori cultural values if the tree has been identified by Tangata Whenua as a notable tree;</i>
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.

Submitter Number:	943	Submitter:	McCracken Surveys Limited
Point Number	943.1		
Summary of Decision Requested:	<p>Amend Rule 16.3.7 P1 (a)(iii) Living Court, as follows:</p> <p>(iii) <i>When located on the ground floor, it has a minimum area of 60 60m² and a minimum dimension of 4m in any direction; and</i></p> <p>AND</p> <p>Add a rule to Rule 16.3.7 Living Court, so that the living court is not facing south, similar to Hamilton City Council residential.</p>		
Decision Reasons:	<ul style="list-style-type: none"> • 60m² allows for larger dwellings or additional bedrooms. • Current plan and proposed plan have no requirements for the living court to not be facing south. 		
Point Number	943.2		
Summary of Decision Requested:	<p>Amend Rule 16.3.9.1 P1 (a)(ii) – Buildings setbacks – All boundaries, as follows;</p> <p>(ii) <i>13m from the edge <u>centreline</u> of an indicative road;</i></p>		
Decision Reasons:	<ul style="list-style-type: none"> • Indicative roads have no legal boundaries resulting in planning location only. • District Plan maps are not of scale that is useful in accurately determining a boundary. • The centre of the indicative road provides a useful degree of variance. 		
Point Number	943.3		
Summary of Decision Requested:	<p>Amend the Proposed Waikato District Plan to clarify what and where the Environmental Protection Areas are as referred to in Rule 16.3.9.4 - Building setback - Environment Protection Area.</p>		
Decision Reasons:	<ul style="list-style-type: none"> • Not obvious on map. 		
Point Number	943.4		
Summary of Decision Requested:	<p>Retain Rule 16.3.9.1 (a)(i) Buildings setbacks – All boundaries, as notified.</p>		
Decision Reasons:	<ul style="list-style-type: none"> • No reason provided. 		
Point Number	943.5		
Summary of Decision Requested:	<p>Amend Rule 16.4.1 RD1 (a)(ii) – Subdivision – General, as follows;</p> <p>(iii) <i>Where roads are to be vested in Council, they must <u>should</u> follow a grid layout;</i></p> <p>AND</p> <p>Any consequential amendments as required.</p>		
Decision Reasons:	<ul style="list-style-type: none"> • Rule is far too restrictive. • Grid layout may not always be possible given topography that may require curvilinear layout. • The word 'must' will result in a forced performance failure and fall to full discretionary. 		
Point Number	943.6		
Summary of Decision Requested:	<p>Delete Rule 16.4.4 (a)(iv)(Table) – Subdivision – Multi-unit development.</p> <p>AND</p> <p>Add the Table from Rule 16.4.4 (a)(iv) - Subdivision Multi-Unit Development to Rule 16.1.3 RD1 – Multi-Unit development.</p>		
Decision Reasons:	<ul style="list-style-type: none"> • Table is not suited for subdivision rule. • Areas are subject to land use provisions and not a result of subdivision. 		
Point Number	943.7		
Summary of Decision Requested:	<p>Amend Rule 16.4.5 C1 (b) Subdivision – Boundary adjustments, to correct the inconsistency in terminology between boundary adjustment and boundary relocation.</p>		
Decision Reasons:	<ul style="list-style-type: none"> • Decision is required. 		
Point Number	943.8		
Summary of Decision Requested:	<p>Amend Rule 16.4.6 C1 - Subdivision - Amendments and updates to cross lease flats plans and conversion to freehold, to make the activity a Permitted activity rather than a Controlled Activity.</p> <p>AND</p> <p>Amend Rule 16.4.6 D1 – Subdivision - Amendments and updates to cross lease flats plans and conversion to freehold, to be a Restricted Discretionary activity status rather than a Discretionary Activity.</p>		

Decision Reasons:

- Sites are already developed where conversion causes no additional environmental effects and are simply a cadastral change.
- Discretionary activity status is too onerous.

Point Number

943.9

Summary of Decision Requested:

Delete Rule 16.4.6 C2 (b)(i) Subdivision - Amendments and updates to cross lease flats plans and conversion to freehold.

Decision Reasons:

- The purpose of the boundary adjustment is stated in C2 (a) and as such, C2 (b)(i) is a duplication.

Point Number

943.10

Summary of Decision Requested:

Amend Rule 16.4.12 RD1 (a)(i) Subdivision - Building platform, to be inclusive of yards or be reduced to 15m,
AND

Any consequential amendments to other residential zones throughout the Proposed Waikato District Plan.

Decision Reasons:

- The requirement (as notified) would be difficult to achieve on many sites typically being 20m in length.
- No obvious planning support for 18m.

Point Number

943.11

Summary of Decision Requested:

No specific decision sought, but submission states:

This rule prevents, as a Restricted Discretionary activity, the common need to relocate an approved but not issued small allotment (8000m² to 1.6ha) created by subdivision to another part of a farm and record of title that is continuous. Where for example, a farm is held in three continuous titles two of which are under 20ha and cannot be subdivided. The larger title is subdivided and consent is granted to create the small lot and the balance land. The small lot prior to issuance of a title should simultaneously be able to be relocated to the third and continuous title. The third might contain low quality soils so the parent larger lot retains the benefit of the land area (that may well be High Quality Soils) or is relocation within the land holding being better suited to a small lot such as being remote from the centre of farm operations.

Decision Reasons:

- No reason provided.

Point Number

943.12

Summary of Decision Requested:

Amend Rule 22.4.7 RD1 (b) - Esplanade reserves and esplanade strips, to include RMA s230(3).

Decision Reasons:

- RMA s230(3) provides for the requirement for esplanade reserves to be waived through the resource consent process and hence provides the full gambit of possibilities allowed by the RMA notwithstanding identified high priority areas.
- Too often a presumption in plans is that reserves must be taken in all cases. This presumption is further negatively amplified by Council refusals to help the cost of fencing esplanade reserves (there is no legislation that precludes payments) or reluctance to take responsibility to manage and maintain esplanade reserves.

Point Number

943.13

Summary of Decision Requested:

Amend Rule 22.3.1 (a) Number of dwellings within a lot, to replace the word "lot" with "site".

Decision Reasons:

- Lot is not defined within Chapter 13 Definitions.

Point Number

943.14

Summary of Decision Requested:

Amend Rule 22.3.2 Minor dwelling, to replace the word "lot" with "site".

Decision Reasons:

- Term "Lot" is not defined in Chapter 13 Definitions.

Point Number

943.15

Summary of Decision Requested:

Amend Rule 22.3.2 P1 (a) Minor dwelling, to exclude garages, as follows:

(a) One minor dwelling not exceeding 70m² gross floor area, excluding garage within a lot.

Decision Reasons:

- Garages should be excluded from the area of a minor dwelling.

Point Number

943.16

Summary of Decision Requested:

Amend Rule 22.3.4.1 P2 Height - Building General, as follows:

The height of any ~~dwelling~~ or building must not exceed 7.5m in a Significant Amenity Landscape.

Decision Reasons:

- A dwelling is a building.

Point Number

943.17

Summary of Decision Requested: **Amend** Rule 22.3.7.1 P2 (a) - Building Setbacks – All boundaries, as follows;
(a) A non-habitable building located on a ~~Record of Title site~~ less than 1.6ha must be set back a minimum of:
AND
Amend Rule 22.3.7.1 P3 (a) - Building Setbacks – All boundaries, as follows;
(a) A habitable building located on a ~~Record of Title site~~ 1.6ha or more must be set back a minimum of:
AND
Amend Rule 22.3.7.1 P4 (a) - Building Setbacks – All boundaries, as follows;
(a) A non-habitable building located on a ~~Record of Title site~~ 1.6ha or more must be set back a minimum of:

Decision Reasons:

- The term "site" is more appropriate and is defined in Chapter 13 Definitions.

Point Number 943.18

Summary of Decision Requested: **Amend** Rule 22.3.7.1 P1 (ii) Building Setbacks – All boundaries, as follows;
(ii) 17.5m from the centre line of an indicative road that has not yet been vested;
AND
Amend Rule 22.3.7.1 P2 (ii) Building Setbacks – All boundaries as follows;
(ii) 17.5m from the centre line of an indicative road that has not yet been vested;
AND
Amend Rule 22.3.7.1 P3 (ii) Building Setbacks – All boundaries, as follows;
(ii) 22m from the centre line of an indicative road; that has not yet been vested;
AND
Amend Rule 22.3.7.1 P4 (ii) Building Setbacks – All boundaries, as follows;
(ii) 22m from the centre line of an indicative road; that has not yet been vested;

Decision Reasons:

- Avoids the need for resource consent when a road has been located in a different alignment than shown on the planning maps.

Point Number 943.19

Summary of Decision Requested: **Amend** Rule 22.3.7.5 P1 - Building Setbacks – water bodies, as follows;
(a) Any building must be set back a minimum of:
(i) 32m from the margin of any;
A. Lake with a bed area of 8ha or more or; ~~and~~
B. Wetland with an area greater than 1ha;
(ii) 23m from the bank of any river (other than the Waikato River and Waipa River) whose bed has an average width 3m or more;
...

Decision Reasons:

- There needs to be parameters as to when Rule 22.3.7.5 applies.
- Proposed parameters are from the Operative District Plan.

Point Number 943.20

Summary of Decision Requested: **Amend** the planning maps to identify "Outstanding Natural Character Areas" and "High Natural Character Areas".

Decision Reasons:

- "Outstanding Natural Character Areas" and "High Natural Character Areas" appear throughout the Proposed Waikato District Plan but are not defined on the planning maps.

Point Number 943.21

Summary of Decision Requested: **Add** "Residential activity" as a Permitted activity to Rule 22.1.2 Permitted Activities.

Decision Reasons:

- Relief sought would correct an omission.

Point Number 943.22

Summary of Decision Requested: **Amend** Rule 22.1.5 NCI - Non-Complying Activities, as follows;
NCI Construction of a building located on an indicative road that has not yet been vested;

Decision Reasons:

Avoids the need for resource consent when a road has been located in a different alignment than shown on the planning maps.

Point Number 943.23

Summary of Decision Requested: **Amend** Rule 22.2.3.1 P1 (a) (iv) Earthworks – General, as follows;
(iv) A building platform for a residential activity, including accessory buildings and access;

Decision Reasons:

- To include provision of access within the scope of permitted earthworks.

Point Number	943.24
Summary of Decision Requested:	Delete Rule 22.2.3.1 P2 (a) (iii) Earthworks – General.
Decision Reasons:	<ul style="list-style-type: none"> • Earthworks within 1.5m of a boundary are inevitable and even most minor activities such as digging a posthole would trigger a requirement for resource consent.
Point Number	943.25
Summary of Decision Requested:	Amend Rule 22.2.3.1 P4 (a) (i) Earthworks – General, as follows: <i>(i) not exceed a total volume of 200 1000m³;</i>
Decision Reasons:	<ul style="list-style-type: none"> • No reason provided.
Point Number	943.26
Summary of Decision Requested:	Amend Rule 22.4.1.1 PR1 Prohibited subdivision, as follows: <i>Any subdivision within the Urban Expansion Area involving the creation of any additional lot record of title excluding one containing a dwelling existing as at 18 July 2018.</i>
Decision Reasons:	<ul style="list-style-type: none"> • Subdivision of existing dwellings can assist with the creation of large land holdings suitable for future urban development.
Point Number	943.27
Summary of Decision Requested:	Amend Rule 22.4.1.1 PR3 (c) (i) Prohibited subdivision, as follows: <i>(i) Where the record of Title was created as a result of a boundary relocation or boundary adjustment under the former District Plan, a boundary relocation or adjustment between Records of Title that existed prior to 6 December 1997; (refer to Rule 22.4.1.4); or</i>
Decision Reasons:	<ul style="list-style-type: none"> • No reason provided.
Point Number	943.28
Summary of Decision Requested:	Delete Rule 22.4.1.2 RD1 (a) (v) General subdivision.
Decision Reasons:	<ul style="list-style-type: none"> • The rule is confusing, difficult to administer and complicates the consenting process.
Point Number	943.29
Summary of Decision Requested:	Add clause (v) to Rule 22.4.1.1 PR3 (b) Prohibited subdivision, as follows: <i>(b) Exceptions to PR3(a) are where an additional lot is created by any of the following:</i> <i>(i) Conservation lot subdivision (Rule 22.4.1.6);</i> <i>(ii) Reserve lot subdivision (Rule 22.4.1.7);</i> <i>(iii) Access allotment or utility allotment using Rule 14.12 (Transportation);</i> <i>(iv) Subdivision of Maori Freehold Land (Rule 22.4.1.3);</i> <i>v) Rural Hamlet (Rule 22.4.1.5)</i> AND In the event that the relief sought in relation to Rule 22.4 is not accepted, add clause (vi) to Rule 22.4.1.1 PR3 (b) Prohibited subdivision, as follows: <i>vi) Boundary Relocation (Rule 22.4.1.4).</i>
Decision Reasons:	<ul style="list-style-type: none"> • No reasons provided.
Point Number	943.30
Summary of Decision Requested:	Amend Rule 22.4.1.4 RD1 (a) (i)- Boundary relocation, as follows: <i>(i) Relocate a common boundary or boundaries between two or more existing Records of Title that existed prior to 18 July 2018;</i>
Decision Reasons:	<ul style="list-style-type: none"> • Boundary relocation between more than two Records of Title will be necessary from time to time. • No reason why boundary relocation cannot occur between Records of Title after 18 July 2018.
Point Number	943.31
Summary of Decision Requested:	Amend Rule 22.4.1.6 RD1 (a) (i) Conservation lot subdivision, as follows: <i>(i) The lot must contain an contiguous area of existing Significant Natural Area either as shown on the planning maps or as determined by an experienced and suitably qualified ecologist in accordance with the table below:</i>
Decision Reasons:	

- Legal and physical protection of Significant Natural Areas should be encouraged regardless of being physically contiguous or not.

Point Number 943.32

Summary of Decision Requested: **Delete** Section 20.5 – Nau Mai Business Park and consolidate the Nau Mai Business Park Area rules within Chapter 20 – Industrial Zone.

AND

In the event that the submission point above is successful, the following amendments apply for the business park area only:

Amend Rule 20.5.7 P2 (a) (iv) – Signs General to delete references to Lot 1 DP454300 and to recognise the sign is located within Area BB DP 517948 secured by an existing easement that will endure if the parent Lot 1 DP 517948 is further subdivided.

AND

Add a prohibited rule to Chapter 20 – Industrial Zone to prevent the storage or use of fireworks as per the Operative District Plan.

AND

Amend Chapter 20 – Industrial Zone to consider including the rule 'no incineration of rubbish, waster or recreational fires'.

AND

Retain Rule 20.5.12 Gross Floor Area, except for the amendment outlined below.

And

Add a new clause to Rule 20.5.12 – Gross Floor Area as follows;

the reduction of fire risk.

AND

Add specific rules to Chapter 20 - Industrial Zone, to retain "effective platform areas" and existing landscape areas which are interlinked to ensure development is contained and the local environment is maintained.

AND

Amend Chapter 20 – Industrial Zone, to protect the existing and extensive landscaping and batters by adding a permitted earthworks activity rule to limit earthworks to repair and maintenance of the batters and replacement of planting.

AND

Add a new rule to Chapter 20 – Industrial Zone as follows;

Any onsite liquid trade waste tanks are to be installed, operated and maintained in accordance with manufacturer instructions.

AND

Amend the planning maps to provide hatching for the Nau Mai effective area overlays for clarity.

Decision Reasons:

- If the zone is not deleted as submitted then Council will endure a chapter that is no future relevance and without amendment to the Industrial Zone Chapter will risk slow degradation of the business park current environment unless Council remains vigilant.
- The business park land area is subject to a lawful and land use consent that has not lapsed, has been given effect and has not and will not be surrendered thus being a live consent. The industrial activities authorised by the land use consent are more expansive than the proposed and operative zoning. The land use consent takes precedence over the district plan rules.
- The business park area has extensive planted areas and limited firefighting capacity to allow an increase risk this activity creates for buildings.
- All Operative District Plan fire rules have been drafted in consultation with the NZ Fire Service.
- The 800m² originated as a fire safety cell maximum area in order to minimise the fire and the spread of fire.
- Within the business park area there is a need to protect the existing and extensive landscaping and batters created as part of the original and operative land use consent which serves to provide amenity, prevents erosion and therefore helps to improve stream water quality.
- No protection of the landscaping and batters will result in significant change as the park is developed.
- Appropriate storage is also important to local lwi (Ngati Mahanga).

Point Number 943.33

Summary of Decision Requested: **Amend** the zoning at the properties in Raglan on the north-eastern side of the intersection with Hills Road and State Highway 23 Raglan, from Residential Zone to Business Zone, as shown on the plans attached to the original submission and labelled "Proposed Business Zone and Indicative Road Layout – Submission".

Decision Reasons:

- Seeks extension to Business Zone due to limited Business Zone land in Raglan.
- Extended in the south east (Area B). This is because Council, via a subdivision application, has requested the access be closed and a new access located further west. This land as road would have taken on Business Zone for planning purposes and so it makes sense that it should remain zoned Business to the south of Moonlight Bay Drive.
- Area C is proposed to be rezoned to Business from the current Living Zone. This extension provides additional business land lost to kumara pit protection (Area E) as well as providing a width more appropriate for Business Zone development.
- To the northwest (Area A) is an additional business area north of the indicative road and SH 23. This is area is proposed to be rezoned Business to take logical advantage of the Council lead initiative to locate a new access (roundabout) at or near the intersection of SH 23, Hills Road and Lorenzen Bay Road. Note: Existing segregation strips along SH23 will become Business Zone. Note: Area A contours are in part steep contour.

Point Number 943.34

Summary of Decision Requested: **Retain** A new retirement village as a permitted activity in Rule 16.1.2 P3 Permitted Activities.

Decision Reasons:

- No specific reason provided.

Point Number 943.35

Summary of Decision Requested: **Add** an explicit exception to Rule 16.1.2 P3(a) - A new retirement village or alterations to an existing retirement village, (a), to add an explicit exception to allow smaller development without a minimum area to support development in Raglan.

Decision Reasons:

- The 3 Ha minimum site area is not appropriate for Raglan contour.
- No apparent reason to apply a minimum in the Residential Zone in Raglan.
- Lack of existing near level land may require two storey structures in Raglan.

Point Number 943.36

Summary of Decision Requested: Retain Child care facility, as a permitted activity in Rule 17.1.2 P6.

Decision Reasons:

- No reason provided.

Point Number 943.37

Summary of Decision Requested: Retain the proposed Residential Zone for the property at 75 Te Kauwhata Road, Te Kauwhata (1003295), as notified.

Decision Reasons:

- No reason provided.

Point Number 943.38

Summary of Decision Requested: Delete the indicative roads on the planning maps for the property at 75 Te Kauwhata Road, Te Kauwhata (1003295).

Decision Reasons:

- The rezoning to Residential opens wide the potential for various road layouts.
- The current locations fail to support proposed Rule 16.4.3 Subdivision - Te Kauwhata West Residential Area (a)(iv) where roads are to be vested in Council, they are to follow a grid layout.
- The indicative roads serve no obvious reasonable purpose.

Point Number 943.39

Summary of Decision Requested: Amend the planning maps to reduce the amount of Reserve zoning to only include the dripline of the mature notable trees, from the property at 75 Te Kauwhata Road, Te Kauwhata (1003295),

AND

Amend the planning maps as a consequential amendment to extend the Residential Zone for the property at 75 Te Kauwhata Road, Te Kauwhata (1003295).

Decision Reasons:

- The Reserve land was taken by Council when the Operative District Plan was notified.
- The Reserve contains 13 notable trees.
- The Reserve Zoning extends beyond the identified notable trees.

Point Number 943.40

Summary of Decision Requested: Amend Rule 22.4.1.4 RD1 (a)(i) - Boundary relocation as follows:

(i) Relocate a common boundary or boundaries between two or more existing Records of Title ~~that existed prior to 18 July 2018;~~

...

Decision Reasons:

- Boundary relocation between more than two Records of Title will be necessary.
- No reason why it should not occur between any number of Records of Title that are created after 18 July 2018.

Point Number 943.41

Summary of Decision Requested: Amend Rule 22.4.1.5 (a)(i) and (iii) - Rural Hamlet Subdivision, to clarify to confirm that to meet the proposed rule, six existing continuous Records of Title can be relocated to allow for the maximum 5 small lots between 8000m² and 1.6 Ha and one balance allotment greater than 20 Ha

AND

Amend the heading of Rule 22.4.1.5 - Rural Hamlet Subdivision as follows:

22.4.1.5 Rural Hamlet Boundary Relocation Subdivision

Decision Reasons:

- The rule appears to limit the potential multiple relocation of existing titles to 5 titles.
- Three to five lot clustering is not consistent with the potential number of Records of Title that can be relocated over time and eventually each contains a dwelling.

Point Number 943.42

Summary of Decision Requested: Amend Appendix 3 – Design Guidelines – 3.1: Residential Subdivision Guidelines, to bold the following statement and for it to be implemented in the intent that the words portray as follows:

Every application will be different (and not all the outcomes sought and design guidelines will be relevant to the assessment) of the proposed subdivision application. Each subdivision will be assessed on its merits taking into account its context and specific attributes.

A degree of flexibility in relation to how the proposals respond to the guidelines is reasonable and to be expected. What is important is that the outcomes sought are clearly achieved and that this able to be demonstrated in the proposal.

Decision Reasons:

- The bracketed part of the sentence in the relief sought is potential cause for concern. It states that not all design guidelines will be relevant. Yet the boxes throughout the guideline are ticked or not ticked. Are the ticks in each box to be interpreted as being relevant no matter or can the applicant disagree with Beca and invoke the above statement? Reasonableness must play a part and to ensure that the statements must be given primacy for processing planners.
- Potential conflicts will arise if the above statement is not held in high regard and consistently implemented by processing planners.

Point Number 943.43

Summary of Decision Requested: Amend the rules and provisions applicable to overhead netting for kiwifruit operations as it is unnecessarily captured by multiple rules e.g. building height, site coverage, boundary setbacks.

Decision Reasons:

- The proposed plan continues an inconsistency that allows horticulture as a permitted activity but in the case of kiwifruit operations (farming) resource consent is required for netting. Under both the Operative and Proposed and District Plan rules kiwifruit side netting is determined to be a "fence" where it viticultural is over 2.0m in height (a building) or fails a setback, resource consent is required. Over height fences with top netting (as is required for some kiwifruit varieties is a building and subject to coverage standards. Kiwi fruit orchards that may require overhead netting in this zone or in the Rural Zone will require resource consent which is otherwise a farming and permitted activity.

Point Number 943.44

Summary of Decision Requested: Amend Rule 16.1.3 RD1 (c) - Multi-Unit development, to apply the 'Average Net Site Area' rather than the minimum net site area.

Decision Reasons:

- Apartments are likely to be two storeys and terraced rather than vertical.
- Net site area minimum is problematic for apartment design.
- Average Net Site Area for apartments will provide a greater degree of design flexibility in terms of for example placement, separation and outlook, privacy, daylighting and access.

Point Number 943.45

Summary of Decision Requested: Amend Rule 16.1.4 Discretionary Activities to reflect where a permitted or restricted discretionary performance standard is failed it should remain restricted discretionary to the failed performance standard.

AND

No specific relief sought, but submission considers the approach of the Proposed District Plan cascading to a discretionary activity upon non-compliance with a permitted standard has negative and unnecessary implication for increased application cost.

Decision Reasons:

- The widening to full discretionary is not warranted.

Point Number 943.46

Summary of Decision Requested: Amend Rule 16.2.4.1 P1 (a) (ii) – Earthworks General, as follows:

(iii) Not exceed a volume of ~~250~~ 500m³; AND

Amend Rule 16.2.4.1 P3 (a)(i) – Earthworks General, as follows:

(i) Not exceed a total volume of ~~20~~ 500m³;

Decision Reasons:

- 500m³ allows for variation in topography or ground conditions where 250m³ can easily be exceeded, especially in Raglan.
- Will avoid penalising steeper sites.
- Effects of earthworks are well understood and 500m³ can be managed as 250m² area by way of the performance standards.
- Sites are subject to engineering at building consent.

Point Number 943.47

Summary of Decision Requested: Amend Rule 16.3.2 (a) (i) Minor dwelling, as follows:

(i) The net site area is ~~900~~ 600m² or more;

Decision Reasons:

- Other jurisdictions have 600m² where a maximum of 70m² is imposed.
- 600m² still provides a reasonable degree of living space and functionality.
- Reduction in Net Site Area provides opportunities that has significant benefits for people and communities, young and old living close to families; additional income.

Point Number 943.48

Summary of Decision Requested: Amend Rule 16.3.3.1 P1 - Building general, so that 'Height' is taken at the building edge from the highest foundation height, projected out and over any slope.

Decision Reasons:

- Rule works for near level residential dwelling sites only.
- Experience in Raglan shows that there is nearly always a land use infringement due to topography.
- Will reduce annoying minor infringements on many sloping sites. Noting that daylight omission rules on more steeper sites from dominating structures.

Point Number 943.49

Summary of Decision Requested: Amend Rule 16.3.5 P1 - Daylight admission, to increase daylighting to 45 degrees north and 37 degrees south measured 3.0m above the ground level at all boundaries.

Decision Reasons:

- The rule is unnecessarily restrictive for all sites and lacks consistency with other councils.

Point Number 943.50

Summary of Decision Requested: Amend Rule 22.4.1.6 RD1 (a) Conservation lot subdivision, to clarify if the table allows landowners that have at least 3.5ha of Significant Natural Areas within the 'Hamilton Basin' one lot and an additional one lot for having a Significant Natural Area between 2ha and 5ha.

Decision Reasons:

- No reason provided.

Point Number 943.51

Summary of Decision Requested: Add clause (vi) to Rule 22.4.7 RD1 (b) Esplanade reserves and esplanade strips, as follows:
(vi) costs and benefits of acquiring the land.

Decision Reasons:

- To allow Council to consider the costs and benefits of land purchase.

Point Number 943.52

Summary of Decision Requested: Amend Rule 22.4.9 RD1 (a) Subdivision - Building platform, as follows:
(a) Subdivision, other than an access or utility allotment, must provide a building platform on the proposed lot that:
(i) Has an area of 1,000m² exclusive of boundary setbacks; A shape factor, being either:
A. A circle with a diameter of at least 30m, exclusive of boundary setbacks, or
B. A rectangle of at least 1000m², exclusive of setbacks, and;
C. Containing a building platform being a circle with a diameter of at least 18m;
(ii) Has an average gradient not steeper than 1:8;
(iii) Is certified by a geotechnical engineer as geotechnically stable;
(iv) Has vehicular access in accordance with Rule 14.12.1 P1 (Transportation)
(v) Is not subject to inundation in a 2% AEP storm or flood event;
(vi) A dwelling could be built on as a permitted activity in accordance with Land Use - Building Rules in Rule 22.3.

Decision Reasons:

- Wants to retain existing shape factor and building platform dimensions from the Operative District Plan which have been proven to be effective.
- Certification of a building platform by a geotechnical engineer is not always necessary. Council can apply this on a case by case basis by retaining discretion over this matter under (b)(ii).

Point Number 943.53

Summary of Decision Requested: Amend Section 22.4 Subdivision, to replace the term "Lot" with Record of Title" throughout the section.

Decision Reasons:

- Ensures consistent use of terminology and avoids complicating any boundary relocation by way of amalgamation.

Point Number 943.54

Summary of Decision Requested: Amend the zoning of the property at 669 Horotiu Road, Te Kowhai (Lot 1 DPS 80472), from Rural Zone to Village Zone.

Decision Reasons:

- Located amongst adjacent Village zoned land.
- No logic to this land remaining Rural Zone.

Point Number 943.55

Summary of Decision Requested: Amend Rule 24.3.6.1 P1 (a)(ii) Building setbacks - All boundaries, to have the setback from the centre line of the indicative road.

Decision Reasons:

- No reason provided.

Point Number 943.56

Summary of Decision Requested: Retain on the planning maps, the indicative road connecting Horotiu Road and Te Kowhai Road, Te Kowhai, as notified.

Decision Reasons:

- No reason provided.

Point Number 943.57

Summary of Decision Requested: Retain Rule 24.4.1 RD1 (a) Subdivision – General, as notified.

Decision Reasons:

- No reason provided.

Point Number 943.58

Summary of Decision Requested: No specific decision sought, but the submission opposes Rule 24.3.3.2 P1 - Building, structures or vegetation within an Airport Obstacle Limitation Surface due to a number of effects that the Obstacle Limitation Surface (with respect to the Te Kowhai Airfield) will have on landowners including:

- Requirements for tree topping/removal.
- No clarity where costs lie to removal any infringing obstacle.
- Increase setbacks from existing obstacle limitation surface.
- Two storey dwellings precluded by up to 8m linear.
- Not known if other items will be prohibited/regulated other than structures.
- No clarity on the benefits other than future proofing.
- No reasoning for the 1:5 gradient.

Decision Reasons:

- The submission raises many questions including:
 - What is the demand for IFR capability
 - What are the effects of IFR
 - What are the potential effects of other regulations relating to IFR.
 - How will Te Kowhai purpose meet those commitments.
 - There is no clarity of the benefits, or details of other changes and effects or commitment by the Te Kowhai Airfield other than a desire to future proof the aerodrome.
 - The Obstacle Limitation Surface change is required by CAA rules to implement IFR. However given the information available and reviewed, there is no information that confirms the basis or reason why the 1:5 gradient is necessary.
 - What are the other regulations requiring CAA compliance to allow IFR and what is the potential effect of these regulation on adjoining property owners?
 - What is the degree of commitment of Te Kowhai Airfield to meet those commitments? Will, for example, Te Kowhai Airfield commit to the relocation of their existing structures to the south that infringe the proposed Obstacle Limitation Surface?
 - Questions arise concerning the actual level of demand for IFR capability.
 - What are the probable future effects of IFR.
 - Will IFR result in additional take off and landings and if so what is the change and effect? Will it extend operation hours that will have associated effects on adjoining and nearby landowners?
 - Is there an actual need for aircraft operating in poor weather or low visibility that requires IFR and therefore the OLS?
 - Will IFR lead to flight training and associated effects?
 - Generally the landowners anticipate no known or assured benefits resulting from imposition of the proposed OLS that outweigh the dis-benefits.

Point Number 943.59

Summary of Decision Requested: **Retain** the restricted discretionary 2000m2 minimum net lot area in Rule 24.4.1 RD1 (a) Subdivision – General and discretionary activity status criteria in Rule 24.4.1 RD1(b) as notified.

Decision Reasons:

- No reason provided.

Point Number 943.60

Summary of Decision Requested: **Amend** Rule 24.4.10 RD1 (a) (i) Subdivision - Building platform, to be inclusive of yards.

OR

Amend Rule 24.4.10 RD1 (a) (i) - Subdivision - Building platform, as follows:

(i) A circle with a diameter of at least ~~18~~ 15m exclusive of yards; or

AND

Any consequential amendments to other residential zones.

Decision Reasons:

- The 18m diameter is not achievable where a road frontage is 20m (Rule 24.4.9) and side yards (Rule 24.3.6.1) which equates to a 17m maximum diameter circle exclusive of yards.
- The 18m circle exclusive of yards is too restrictive for many sites. The requirement would be difficult to achieve or many sites typically being 20m in length.
- There is no obvious planning outcome or support for an 18m standard.

Point Number 943.61

Summary of Decision Requested: **Amend** Rule 24.4.4 C1 (a) Subdivision - Amendments to cross lease and flats plans and conversions, to be a Permitted activity subject to Certificate of Compliance.

AND

ADD criteria to Rule 24.4.4 - Subdivision - Amendments to cross lease and flats plans and conversions, as follows:

Amendments shall be for the purpose of showing alterations to existing buildings or additional lawfully established buildings.

The alteration shall be either permitted or otherwise lawfully established.

Decision Reasons:

- Lots are usually fully developed without additional adverse effects.
- Will avoid unnecessary consent applications and streamline the process that has no adverse impacts.
- The Certificate of Compliance could be declined and controlled resource consent required.

Point Number 943.62

Summary of Decision Requested: **Amend** the zoning of the property at 648 Te Kowhai Road, Te Kowhai (Lot 3 DP 361630) from Rural Zone to Village Zone where the land falls within the Regional Policy Statement Urban Limit (2008).

Decision Reasons:

- Falls within the Regional Policy Statement Urban Limit (2008).
- Land lies adjacent to the Village Zone; is within the urban limits; supports the long term need for expansion; has the same attributes as land zoned Village; is adjacent to the village; rezoning would otherwise be a matter of timing subject to demand.

Point Number 943.63

Summary of Decision Requested: **Amend** Table 14.12.5.14 – Access and road conditions (Residential, Village, Business, Business Town Centre and Industrial Zones) to change the following for Access leg to an allotment residential, village:

- Minimum Road/ROW Reserve Width to 3m;
- Seal width of 3m up to 6 units or lots;
- Minimum Road/ROW Reserve Width to 5.5m and 6m for more than 6 units or lots; and
- Seal width of 4m for 6 or more units or lots.

AND

Delete the 'Access lot residential, village' from Table 14.12.5.14.

AND

Any consequential amendments required for all zones.

Decision Reasons:

- Widths sought would be consistent with other Council residential widths.
- Tenure of the access lot is no justification for minimum width.
- Width of access should be based on usage, not tenure as tenure is not relevant in determining access formation requirements.

Point Number	943.64
Summary of Decision Requested:	Amend Rule 23.2.3.1 P1 (a)(iii) Earthworks – General, to include access/driveway.
Decision Reasons:	<ul style="list-style-type: none"> • Earthworks for access/driveway is a part of the residential earthworks to establish a dwelling.
Point Number	943.65
Summary of Decision Requested:	Amend Rule 23.3.7.5 P1 (a) – Building setback - Waterbodies, to carry over existing rule from the Operative District Plan.
Decision Reasons:	<ul style="list-style-type: none"> • The setbacks in the Notified version need to be workable and known parameters as to when the rule applies.
Point Number	943.66
Summary of Decision Requested:	Add clause (v) to Rule 23.4.12 RD1 (b) – Subdivision – Esplanade reserves and esplanade strips, as follows; <i>(v) costs and benefits of acquiring the land</i>
Decision Reasons:	<ul style="list-style-type: none"> • To allow Council to consider the costs and benefits of land purchase.
Point Number	943.67
Summary of Decision Requested:	No specific decision sought, but the submission states: The rule is too restrictive and has not prevented the significant development Zone Subdivision of dwellings within the Airport Subdivision Control Boundary or inside the SEL 95 Boundary. The rule has created an anomaly of larger lots over 1.1 ha whereas the majority of surrounding lots are closer to 5000m2. There is no longer a valid reason to retain the average.
Decision Reasons:	<ul style="list-style-type: none"> • No reasons provided.
Point Number	943.68
Summary of Decision Requested:	Amend Rule 22.4.1.5 RD1 (i) and (iii) Rural Hamlet Subdivision to enable up to 8 Records of Title to be relocated to form an 8 Lot cluster and the minimum lot size reduced to 5,000m2 or less.
Decision Reasons:	<ul style="list-style-type: none"> • Up to 8 Records of Title can be relocated to form an 8 lot cluster and that the minimum lot area is reduced to 5000m2 or less (more residential than lifestyle); • Has the combined effect of creating a Hamlet that can reasonable be visually integrated in the rural environment subject to landscaping as well as provide an incentive for multiple title land owners to utilise available poor quality soil to locate the hamlets without a significant degree of inconsistency with rural objectives and policy. • Provides an improved incentive for landowners with multiple titles not to construct a dwelling in each existing title and create scattered dwellings in the zone. • There are ongoing technological advances in farming to lower costs and improve efficiencies to help offset productivity. The fact farmers are willing to subdivide land or relocate existing titles indicates that such cadastral changes do not have adverse effects on their farming operations and by extension the district productive nature of rural farmland.
Point Number	943.69
Summary of Decision Requested:	Amend the Proposed Waikato District Plan to be consistent with terminology, e.g. the definition of a Significant Natural Area does not match the names on the planning maps.
Decision Reasons:	<ul style="list-style-type: none"> • Definitions provide for Significant Natural Areas to be as that identified on the map. Planning maps show no area of that same name. • Cannot expect layperson to extrapolate or assume what a Significant Natural Area is in the District Plan.
Point Number	943.70
Summary of Decision Requested:	Amend Rule 22.4.7 RD1 (b) Esplanade reserves and esplanade strips, to include as a matter of discretion, RMA s230(3).
Decision Reasons:	<ul style="list-style-type: none"> • RMA s230(3) provides for the requirement for esplanade reserves to be waived through the resource consent process and hence provide the full gambit of possibilities allowed by the RMA notwithstanding identified high priority areas. • Too often a presumption in plans is that reserves must be taken in all cases. This presumption is further negatively amplified by Council refusals to help the cost of fencing esplanade reserves (there is no legislation that precludes payments) or reluctance to take responsibility to manage and maintain esplanade reserves.
Point Number	943.71
Summary of Decision Requested:	Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.
Decision Reasons:	<ul style="list-style-type: none"> • Various reasons as outlined in the submission.
Point Number	943.72
Summary of Decision Requested:	Amend Rule 23.4.12 RD1 (b) e – Subdivision – Esplanade reserves and esplanade strips, to include as a matter of discretion, RMA s230(3).
Decision Reasons:	

- RMA s230(3) provides for the requirement for esplanade reserves to be waived through the resource consent process and hence provide the full gambit of possibilities allowed by the RMA notwithstanding identified high priority areas.
- Too often a presumption in plans is that reserves must be taken in all cases. This presumption is further negatively amplified by Council refusals to help the cost of fencing esplanade reserves (there is no legislation that precludes payments) or reluctance to take responsibility to manage and maintain esplanade reserves.

Point Number 943.73

Summary of Decision Requested: Retain Village Zone.

Decision Reasons:

- No reason provided.

Submitter Number: 944 **Submitter:** Janet Evans

On behalf of: Brodick Farms Ltd

Point Number 944.1

Summary of Decision Requested: **Amend** the planning maps by deleting the identified areas (Significant Natural Area and Significant Amenity Landscape) from the property at 849 Matahuru Road, Matahuru.

Decision Reasons:

- Because the site has "identified features", tracks and earthworks are limited by Rule 22.2.3.3 Earthworks - Significant Natural Areas.
- The only access to the property to farm it in an economic and safe way is by tracks.
- Under the rules, maintenance would be problematic, becoming a health and safety issue and therefore making the land incapable of reasonable use.
- The submission includes photos of the tracks on the property.
- The submitter does not consider that the property meets either Significant Natural Area or Significant Amenity Landscape status as they were not clearly identified on the map that was sent to the submitter and, as such, the submitter does not have enough information to make an informed decision.
- The property has not been ground-truthed and therefore, there is no accurate details as to why the land qualifies for the Significant Natural Area and Significant Amenity Landscape overlays.

Submitter Number: 945 **Submitter:** First Gas Limited

Point Number 945.1

Summary of Decision Requested: **Retain** activity specific condition 14.3.1.3(3)(a) relating to Permitted Activities.

Decision Reasons:

- The submitter supports the inclusion of Activity P4 which provides for earthworks associated with infrastructure as a permitted activity, noting that the submitter has sought to amend the definition of infrastructure to include above ground incidental equipment.

Point Number 945.2

Summary of Decision Requested: **Retain** the Restricted Discretionary activity status of Rule 14.3.3 Restricted Discretionary Activities.

Decision Reasons:

- The submitter supports the Restricted Discretionary status under the rule.

Point Number 945.3

Summary of Decision Requested: **Retain** Rule 14.7.1 - Permitted Activities and the rule framework for liquid fuels and gas pipelines and storage facilities.

Decision Reasons:

- The submitter supports the rule framework for liquid fuels and gas pipelines and storage facilities, including P1, P2 and P3 and the associated activity specific conditions.

Point Number 945.4

Summary of Decision Requested: **Retain** Rule 14.7.2 Discretionary Activities.

Decision Reasons:

- The submitter supports a Discretionary activity status where the permitted activity conditions in 14.7.1 are not complied with.

Point Number 945.5

Summary of Decision Requested: **Add** new activities to Rule 16.1.3: RD1 Restricted Discretionary Activities as follows:

Establishment of a residential activity or use within 20m of a gas transmission pipeline.

Establishment of a residential activity or use within 60m of the gas network (other than a gas transmission pipeline).

Establishment of a sensitive land use (excluding residential activities) within 60m of the gas network.

AND

Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- In order to protect the gas network inclusive of delivery points the submitter seeks to include a minimum setback between a delivery point and sensitive land use.
- The submitter seeks minimum setbacks between the gas network (excluding distribution pipelines) and sensitive activities to ensure the safety of the gas transmission network and the people living and working near this network.

Point Number 945.6

Summary of Decision Requested: **Add** a new matter of discretion to Rule 16.1.3 RD1(b) Restricted Discretionary Activities as follows:
(k) The safe, effective and efficient operation, maintenance and upgrade of the gas network.
 AND
 Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- The submitter seeks to include an additional matter over which Council's discretion shall be limited under RD1 (b) to address potential reverse sensitivity effects on the gas network inclusive of delivery points.

Point Number 945.7

Summary of Decision Requested: **Add** a new condition to Rule 16.2.4.1 P1 Earthworks general as follows:
(x) Earthworks to a depth of greater than 200mm must be located a minimum of 12m from the centre line of a gas transmission pipeline.
 AND
 Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- To address reverse sensitivity effects, the submitter seeks the inclusion of an additional condition under the Earthworks-General Rules within the Residential Zone.
- It is requested to include an additional condition requiring a 12m setback from gas transmission pipelines where earthworks are proposed to a depth of greater than 200mm is requested within the Residential zone rules.

Point Number 945.8

Summary of Decision Requested: **Add** a new matter of discretion to Rule 16.2.4.1 RD1(b) Earthworks - General as follows:
Effects on the safe, effective and efficient operation, maintenance and upgrade of infrastructure, including access.

Decision Reasons:

- The submitter seeks to include an additional matter over which the Council's discretion shall be limited under RD1 to address potential effects of earthworks on the gas network.

Point Number 945.9

Summary of Decision Requested: **Add** the following subdivision rule to Rule 16.4 Subdivision:
Subdivision - Site containing a gas transmission pipeline:
a) The subdivision of land containing a gas transmission pipeline is a restricted discretionary activity.
b) Council's discretion shall be restricted to the following matters:
(i) The extent to which the subdivision design avoids or mitigates conflict with the gas infrastructure and activities.
(ii) The ability for maintenance and inspection of pipelines including ensuring access to the pipelines.
(iii) Consent notices on titles to ensure on-going compliance with AS2885 Pipelines- Gas and Liquid Petroleum - Parts 1 to 3.
(iv) The outcome of any consultation with First Gas Limited.
 AND
 Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- To address reverse sensitivity effects, the submitter seeks the inclusion of a new rule under the Subdivision rules within the Residential Zone.
- The addition of a new rule would make subdivision of a site containing a gas transmission pipeline a restricted discretionary activity.

Point Number 945.10

Summary of Decision Requested: **Add** a new Restricted Discretionary Activity to Rule 20.1 Land Use Activities as follows:
Establishment of a residential activity or use within 20m of a gas transmission pipeline.
Establishment of a residential activity or use within 60m of the gas network (other than a gas transmission pipeline).
Establishment of a sensitive land use (excluding residential activities) within 60m of the gas network.
 AND
Add a new matter of discretion to Rule 20.1 Land use - Activities as follows:
Effects on the safe, effective and efficient operation, maintenance and upgrade of infrastructure.
 AND
 Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- In order to protect the gas network inclusive of delivery points the submitter seeks to include a minimum setback between a delivery point and sensitive land use.
- The submitter seeks to include an additional matter over which Council's discretion shall be limited under RD1 (b) to address potential reverse sensitivity effects on the gas network inclusive of delivery points.

Point Number 945.11

Summary of Decision Requested: **Add** an additional condition to Rule 20.2.5.1 PI Earthworks-General as follows:
(g) Earthworks to a depth of greater than 200mm must be located a minimum of 12m from the centre line of a gas pipeline.
AND
Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- To address reverse sensitivity effects, the submitter seeks the inclusion of an additional condition under the Earthworks-General Rules within the Industrial Zone.
- It is requested to include an additional condition requiring a 12m setback from gas transmission pipelines where earthworks are proposed to a depth of greater than 200m is requested within the Industrial Zone rules.

Point Number 945.12

Summary of Decision Requested: **Add** a new matter of discretion to Rule 20.2.5.1 RD1 (b) as follows:
(b) (viii) Effects on the safe, effective and efficient operation, maintenance and upgrade of infrastructure, including access.
AND
Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- The submitter seeks to include an additional matter over which Council's discretion shall be limited under RD1 (b) to address potential effects of earthworks on gas transmission lines.

Point Number 945.13

Summary of Decision Requested: **Add** a new rule to Chapter 20.4: Subdivision as follows:
Subdivision - Site containing a gas transmission pipeline:
(a) The subdivision of land containing a gas transmission pipeline is a restricted discretionary activity.
(b) Council's discretion shall be restricted to the following matters:
(i) The extent to which the subdivision design avoids or mitigates conflict with the gas infrastructure and activities.
(ii) The ability for maintenance and inspection of pipelines including ensuring access to the pipelines.
(iii) Consent notices on titles to ensure on-going compliance with AS2885 Pipelines-Gas and Liquid Petroleum-Parts 1 to 3.
(iv) The outcome of any consultation with First Gas Limited.
AND
Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- To address reverse sensitivity effects, the submitter seeks the inclusion of a new rule under the Subdivision rules within the Industrial zone.
- The addition of a new rule would make subdivision of a site containing a gas transmission pipeline a restricted discretionary activity.

Point Number 945.14

Summary of Decision Requested: **Add** a new Restricted Discretionary Activity to Rule 21.1 Land Use - Activities as follows:
Establishment of a residential activity or use within 20m of a gas transmission pipeline.
Establishment of a residential activity or use within 60m of the gas network (other than a gas transmission pipeline).
Establishment of a sensitive land use (excluding residential activities within 60m of the gas network.
AND
Add a new matter of discretion to Rule 21.1 Land Use - Activities as follows:
(g) The extent to which the development will avoid or mitigate conflict with the gas network.
AND
Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- In order to protect the gas network inclusive of delivery points the submitter seeks to include a minimum setback between a delivery point and sensitive land use.
- The submitter seeks to include an additional matter over which Council's discretion shall be limited under RD1 (b) to address potential reverse sensitivity effects on the gas network inclusive of delivery points.

Point Number 945.15

Summary of Decision Requested: **Add** a new condition (x) to Rule 21.2.5.1 PI (a) Earthworks - General as follows:
(x) Earthworks to a depth of greater than 200mm must be located to a minimum of 12m from the centre line of a gas pipeline.
AND
Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- To address reverse sensitivity effects, the submitter seeks the inclusion of an additional condition under the Earthworks-General Rules within the Industrial Zone.
- It is requested to include an additional condition requiring a 12m setback from gas transmission pipelines where earthworks are proposed to a depth of greater than 200m is requested within Industrial Zone rules.

Point Number 945.16

Summary of Decision Requested: **Add** a new matter of discretion to Rule 21.2.5.1 RD1 (b) Earthworks - General as follows:
(p) Effects on the safe, effective and efficient operation, maintenance and upgrade of infrastructure, including access.
AND
Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- The submitter seeks to include an additional matter over which Council's discretion shall be limited under RD1 (b) to address potential effects of earthworks on gas pipelines.

Point Number 945.17

Summary of Decision Requested: **Add** a new rule to Rule 21.4: Subdivision as follows:
Subdivision - Site containing a gas transmission pipeline:
(g) The subdivision of land containing a gas transmission pipeline is a restricted discretionary activity.
(b) Council's discretion shall be restricted to the following matters:
(i) The extent to which the subdivision design avoids or mitigates conflict with the gas infrastructure and activities.
(ii) The ability for maintenance and inspection of pipelines including ensuring access to the pipelines.
(iii) Consent notices on titles to ensure on-going compliance with AS2885 Pipelines-Gas and Liquid Petroleum-Parts 1 to 3.
(iv) The outcome of any consultation with First Gas Limited.
AND
Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- To address reverse sensitivity effects, the submitter seeks the inclusion of a new rule under the Subdivision rules within the Industrial zone.
- The addition of a new rule would make subdivision of a site containing a gas transmission pipeline a restricted discretionary activity.

Point Number 945.18

Summary of Decision Requested: **Add** a new Restricted Discretionary Activity to Rule 22.1.3 Restricted Discretionary Activities as follows:
Establishment of a residential activity or use within 20m of a gas transmission pipeline.
Establishment of a residential activity or use within 60m of the gas network (other than a gas transmission pipeline).
Establishment of a sensitive land use (excluding residential activities within 60m of the gas network.
AND
Add a new matter of discretion to Rule 22.2.3.1 Restricted Discretionary Activities as follows:
(g) The extent to which the development will avoid or mitigate conflict with the gas network.
AND
Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- In order to protect the gas network inclusive of delivery points the submitter seeks to include a minimum setback between a delivery point and sensitive land use.
- The submitter seeks to include an additional matter over which Council's discretion shall be limited under RD1 (b) to address potential reverse sensitivity effects on the gas network inclusive of delivery points.

Point Number 945.19

Summary of Decision Requested: **Add** a new clause (vii) to Rule 22.2.3.1 P2 (a) Earthworks - General as follows:
(vii) Earthworks to a depth of greater than 200mm are to be located a minimum of 12m from the centre line of a gas pipeline.
AND
Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- To address reverse sensitivity effects, the submitter seeks the inclusion of a new earthworks rule requiring a 12m setback from gas transmission pipelines where earthworks are proposed to a depth of greater than 200m.

Point Number 945.20

Summary of Decision Requested: **Add** a new matter of discretion to Rule 22.2.3.1 RD1 (b) Earthworks - General as follows:
(xii) Effects on the safe, effective and efficient operation, maintenance and upgrade of infrastructure, including access.
AND
Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- The submitter seeks to include an additional matter over which Council's discretion shall be limited under RD1 (b) to address potential effects of earthworks on gas transmission lines.

Point Number 945.21

Summary of Decision Requested: **Add** a new rule to Rule 22.4.1 Subdivision as follows:
Subdivision - Site containing a gas transmission pipeline:
(g) The subdivision of land containing a gas transmission pipeline is a restricted discretionary activity.

(b) Council's discretion shall be restricted to the following matters:

(i) The extent to which the subdivision design avoids or mitigates conflict with the gas infrastructure and activities.

(ii) The ability for maintenance and inspection of pipelines including ensuring access to the pipelines.

(iii) Consent notices on titles to ensure on-going compliance with AS2885 Pipelines-Gas and Liquid Petroleum-Parts 1 to 3.

(iv) The outcome of any consultation with First Gas Limited.

AND

Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- To address reverse sensitivity effects, the submitter seeks the inclusion of a new rule under the Subdivision rules within the Industrial zone.
- The addition of a new rule would make subdivision of a site containing a gas transmission pipeline a restricted discretionary activity.

Point Number

945.22

Summary of Decision Requested:

Add a new Restricted Discretionary Activity to Rule 23.1 Land Use Activities as follows:

Establishment of a residential activity or use within 20m of a gas transmission pipeline.

Establishment of a residential activity or use within 60m of the gas network (other than a gas transmission pipeline).

Establishment of a sensitive land use (excluding residential activities within 60m of the gas network.

AND

Add the following matter of discretion to Rule 23.1 Land Use Activities:

(a) The extent to which the development will avoid or mitigate conflict with the gas network.

AND

Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- In order to protect the gas network inclusive of delivery points the submitter seeks to include a minimum setback between a delivery point and sensitive land use.
- The submitter seeks to include an additional matter over which Council's discretion shall be limited under RD1 (b) to address potential reverse sensitivity effects on the gas network inclusive of delivery points.

Point Number

945.23

Summary of Decision Requested:

Add a new condition to Rule 23.2.3.1.P2(a)(vii) Earthworks-General:

(vii) Earthworks to a depth of greater than 200mm are to be located a minimum of 12m from the centerline of a gas pipeline.

AND

Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- To address reverse sensitivity effects, the submitter seeks the inclusion of a new earthworks rule requiring a 12m setback from gas transmission pipelines where earthworks are proposed to a depth of greater than 200mm.

Point Number

945.24

Summary of Decision Requested:

Add a matter of discretion to Rule 23.2.3.1 RD1 (b) Earthworks-General as follows:

(vii) Effects on the safe, effective and efficient operation, maintenance and upgrade of infrastructure, including access.

AND

Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- The submitter seeks to include an additional matter over which Council's discretion shall be limited under RD1 (b) to address potential effects of earthworks on gas transmission lines.

Point Number

945.25

Summary of Decision Requested:

Add a new rule to Rule 23.4 - Subdivision as follows:

Subdivision-Site containing a gas transmission pipeline:

(a) The subdivision of land containing a gas transmission pipeline is a restricted discretionary activity.

(b) Council's discretion shall be restricted to the following matters:

(i) The extent to which the subdivision design avoids or mitigates conflict with the gas infrastructure and activities.

(ii) The ability for maintenance and inspection of pipelines including ensuring access to the pipelines.

(iii) Consent notices on titles to ensure on-going compliance with AS2885 Pipelines-Gas and Liquid Petroleum-Parts 1 to 3.

(iv) The outcome of any consultation with First Gas Limited.

AND

Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- To address reverse sensitivity effects, the submitter seeks the inclusion of a new rule under the Subdivision rules within the Rural Zone.
- The addition of a new rule would make subdivision of a site containing a gas transmission pipeline a restricted discretionary activity.

Point Number 945.26

Summary of Decision Requested: **Add** a new condition to Rule 24.2.4.1.P1 (a) Earthworks - General as follows:
(x) Earthworks to a depth of greater than 200mm are to be located a minimum of 12m from the centre line of a gas pipeline.
AND
Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- To address reverse sensitivity effects, the submitter seeks the inclusion of a new earthworks rule requiring a 12m setback from gas transmission pipelines where earthworks are proposed to a depth of greater than 200mm.

Point Number 945.27

Summary of Decision Requested: **Add** a new matter of discretion to Rule 24.2.4.1 RD1 (b) Earthworks - General RD1 as follows:
(xii) Effects on the safe, effective and efficient operation, maintenance and upgrade of infrastructure, including access.
AND
Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- The submitter seeks to include an additional matter over which Council's discretion shall be limited under RD1 (b) to address potential effects of earthworks on gas transmission lines.

Point Number 945.28

Summary of Decision Requested: **Add** a new subdivision rule to Rule 24.4 Subdivision as follows:
Subdivision-Site containing a gas transmission pipeline:
(a) The subdivision of land containing a gas transmission pipeline is a restricted discretionary activity.
(b) Council's discretion shall be restricted to the following matters:
(i) The extent to which the subdivision design avoids or mitigates conflict with the gas infrastructure and activities.
(ii) The ability for maintenance and inspection of pipelines including ensuring access to the pipelines.
(iii) Consent notices on titles to ensure on-going compliance with AS2885 Pipelines-Gas and Liquid Petroleum-Parts 1 to 3.
(iv) The outcome of any consultation with First Gas Limited.
AND
Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- To address reverse sensitivity effects, the submitter seeks the inclusion of a new rule under the Subdivision rules within the Country Living Zone.
- The addition of a new rule would make subdivision of a site containing the gas network a restricted discretionary activity.

Point Number 945.29

Summary of Decision Requested: **Add** a new condition (viii) to Rule 27.2.10 P1 as follows:
(viii) Earthworks to a depth of greater than 200mm are to be located a minimum of 12m from the centreline of a gas transmission pipeline.
AND
Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- To address reverse sensitivity effects, the submitter seeks the inclusion of a new earthworks rule requiring a 12m setback from gas transmission pipelines where earthworks are proposed to a depth of greater than 200mm.

Point Number 945.30

Summary of Decision Requested: **Add** a matter of discretion to Rule 27.2.10 RD1 (b) - Earthworks as follows:
(xii) Effects on the safe, effective and efficient operation, maintenance and upgrade of infrastructure, including access.
AND
Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- The submitter seeks to include an additional matter over which Council's discretion shall be limited under RD1 (b) to address potential effects of earthworks on gas transmission lines.

Point Number 945.31

Summary of Decision Requested: **Add** a new rule to Rule 27.4 Subdivision as follows:
Subdivision – Site containing a gas transmission pipeline
(a) Subdivision of land containing a gas transmission pipeline is a restricted discretionary activity.
(b) Council's discretion shall be restricted to the following matters:
(i) The extent to which the subdivision design avoids or mitigates conflict with the gas infrastructure and activities.
(ii) The ability for maintenance and inspection of pipelines including ensuring access to the pipelines.
(iii) Consent notices on titles to ensure on-going compliance with AS2885 Pipelines-Gas and Liquid Petroleum-Parts 1 to 3.
(iv) The outcome of any consultation with First Gas Limited.

AND

Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- To address reverse sensitivity effects, the submitter seeks the inclusion of a new rule under the Subdivision rules within the Rural zone.
- The addition of a new rule would make subdivision of a site containing a gas transmission pipeline a restricted discretionary activity.

Point Number 945.32

Summary of Decision Requested: Retain Section 1.5.7.7 Energy as notified.

Decision Reasons:

- Under section 1.5.7.7 the Proposed District Plan recognises the national and regional importance of existing energy resources and infrastructure, which includes (but is not limited to) gas. The submitter considers these provisions to be appropriate.

Point Number 945.33

Summary of Decision Requested: Amend Section 6.2 National Grid of the Proposed District Plan, as sought in the submission.

OR

Add a definition for "Regionally Significant Infrastructure" and corresponding objective and policy framework for "Regionally Significant Infrastructure" in order to give effect to the Waikato Regional Policy Statement.

AND

Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- The submitter generally supports the intent of the chapter but notes that regionally significant infrastructure is neither defined in the District Plan nor is the term used in the objective and policy framework.
- The submitter is of the opinion that its transmission pipeline is nationally significant and seeks that those provisions referencing the National Grid be amended to also include reference to the gas transmission pipeline. First Gas acknowledges that its distribution pipeline differs from its transmission pipeline in this regard.
- Alternatively, the District Plan should include a definition for, and corresponding objective and policy framework for Regionally Significant Infrastructure in order to give effect to the RPS for Waikato.

Point Number 945.34

Summary of Decision Requested: Retain Objective 6.1.1 Development, operation and maintenance of infrastructure.

Decision Reasons:

- The submitter generally supports the inclusion of Objective 6.1.1 which recognises the benefit of infrastructure to the social, economic, cultural and environmental well-being of the district.

Point Number 945.35

Summary of Decision Requested: Add a new clause (vii) to Policy 6.1.2 Development, operation and maintenance as follows:

(vii) the need to access infrastructure.

AND

Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- The submitter supports the inclusion of Policy 6.1.2 and in particular the acknowledgement that linear infrastructure has locational, functional and operational constraints. The submitter seeks the addition of an additional sub policy to address access.

Point Number 945.36

Summary of Decision Requested: Retain Policy 6.1.4 - Infrastructure benefits in the Proposed District Plan.

Decision Reasons:

- The submitter supports the inclusion of Policy 6.1. which recognizes the benefit of infrastructure to the social, economic, cultural and environmental well-being of the district.

Point Number 945.37

Summary of Decision Requested: Retain Policy Objective 6.1.6 - Reverse Sensitivity.

Decision Reasons:

- The submitter generally supports the inclusion of Objective 6.1.6 which seeks to ensure that infrastructure is protected from reverse sensitivity effects and not compromised.

Point Number 945.38

Summary of Decision Requested: Amend Policy 6.1.7 Reverse Sensitivity effects and infrastructure to include reference to the ability to access infrastructure which may be compromised through subdivisions in particular.

AND

Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- The submitter generally supports the inclusion of Policy 6.1.7 which seeks to avoid reverse sensitivity effects on infrastructure from subdivision, use and development. The submitter seeks that the policy also include reference to the ability to access the infrastructure

which may be compromised through subdivisions in particular.

Point Number 945.39

Summary of Decision Requested: **Amend** Objective 6.2.1 - National Grid as follows:

Objective 6.2.1 - National Grid and Gas Network

(a) The national significance of the National Grid and Gas Network is recognised and protected.

AND

Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- The submitter is of the opinion that its transmission pipeline is nationally significant and seeks that those provisions referencing the National Grid be amended to also include reference to the gas transmission pipeline. The submitter acknowledges that its distribution pipeline differs from its transmission pipeline in this regard.
- The submitter seeks minimum setbacks between the gas network and sensitive activities to ensure the safety of the gas network and the people living and working near this network.

Point Number 945.40

Summary of Decision Requested: **Amend** Policy 6.2.2 Recognise the national grid as follows:

Policy 6.2.2 Recognise the national grid and Gas network

(a) Recognise the operational, functional and technical constraints of the National Grid, Gas Network, and the interconnectedness of networks.

AND

Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- The submitter is of the opinion that its transmission pipeline is nationally significant and seeks that those provisions referencing the National Grid be amended to also include reference to the gas transmission pipeline. First Gas acknowledges that its distribution pipeline differs from its transmission pipeline in this regard.
- The submitter seeks minimum setbacks between the gas network and sensitive activities to ensure the safety of the gas network and the people living and working near this network.

Point Number 945.41

Summary of Decision Requested: **Amend** Policy 6.2.3 Operation and development of the National Grid as follows:

Policy 6.2.3 Operation and development of the National Grid and Gas Network

(a) Provide for the operation, upgrading and development of the National Grid and Gas Network.

AND

Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- The submitter is of the opinion that its transmission pipeline is nationally significant and seeks that those provisions referencing the National Grid be amended to also include reference to the gas transmission pipeline. The submitter acknowledges that its distribution pipeline differs from its transmission pipeline in this regard.
- The submitter seeks minimum setbacks between the gas network and sensitive activities to ensure the safety of the gas network and the people living and working near this network.

Point Number 945.42

Summary of Decision Requested: **Amend** Policy 6.2.4 - Maintenance and minor upgrade the National Grid as follows:

Policy 6.2.4 - Maintenance and minor upgrade the National Grid and Gas Network

(a) Enable the repair, maintenance, replacement and minor upgrade of the National Grid and Gas Network.

AND

Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- The submitter is of the opinion that its transmission pipeline is nationally significant and seeks that those provisions referencing the National Grid be amended to also include reference to the gas transmission pipeline. First Gas acknowledges that its distribution pipeline differs from its transmission pipeline in this regard.
- The submitter seeks minimum setbacks between the gas network and sensitive activities to ensure the safety of the gas network and the people living and working near this network.

Point Number 945.43

Summary of Decision Requested: **Add** to Policy 6.2.6 - Reverse Sensitivity and the National Grid as follows:

Policy 6.2.6 - Reverse Sensitivity ~~and~~ in relation to the National Grid and the Gas Network

(a)...

(b) Manage subdivision so that the access, operation, maintenance, upgrading and development of the Gas Network is not compromised by ensuring that:

(i) The Gas Network is identified on the planning maps.

(ii) Sensitive land uses, buildings and structures that may compromise the Gas Network are set back appropriately.

(iii) Subdivision is managed on land containing the gas transmission pipeline to avoid subsequent land use from compromising the access, operation, maintenance and upgrade of the pipeline.

AND

Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- The submitter is of the opinion that its transmission pipeline is nationally significant and seeks that those provisions referencing the National Grid be amended to also include reference to the gas transmission pipeline. The submitter acknowledges that its distribution pipeline differs from its transmission pipeline in this regard.
- The submitter seeks minimum setbacks between the gas network and sensitive activities to ensure the safety of the gas network and the people living and working near this network.

Point Number 945.44

Summary of Decision Requested: **Add** a new definition to Chapter 13: Definitions for "Gas Network" as follows:

Gas Network:

A network for the purpose of conveying high pressure gas and liquid petroleum including pipelines and above ground incidental equipment.

AND

Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- The submitter seeks to add a definition of the gas network to ensure that the entire network including gas transmission lines and above ground incidental equipment are provided for within the District Plan.

Point Number 945.45

Summary of Decision Requested: **Amend** the definition of "Infrastructure" in Chapter 13: Definitions as follows:

(a) pipelines that distribute or transmit natural or manufactured gas, petroleum, biofuel or geothermal energy and above ground incidental equipment;

AND

Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- The submitter seeks to amend the definition of infrastructure to ensure this includes not only gas transmission pipelines but also above ground incidental equipment.

Point Number 945.46

Summary of Decision Requested: **Retain** the definition of "Minor Upgrading of Existing Infrastructure" in Chapter 13: Definitions.

Decision Reasons:

- The submitter supports the definition of 'minor upgrading of existing infrastructure' which provides for the realignment, configuration, relocation or replacement of infrastructure as a permitted activity providing this meets the specified conditions.

Point Number 945.47

Summary of Decision Requested: **Retain** section 14.1(1) - Introduction.

Decision Reasons:

- The submitter supports the inclusion of 14.1(1) and the approach that the Infrastructure and Energy chapter shall apply across the district in all zones and overlays in the district plan and that the zone chapters and their associated overlays, objectives, policies and rules do not apply to infrastructure and energy activities unless specifically referred to within this Infrastructure and Energy Chapter.

Point Number 945.48

Summary of Decision Requested: **Retain** Rule 14.3.1 (a) P1 Permitted Activities.

Decision Reasons:

- The submitter supports the inclusion of Activity P1 which provides for the operation, maintenance, repair and removal of existing infrastructure as a permitted activity.

Point Number 945.49

Summary of Decision Requested: **Retain** Rule 14.3.1 (a) P2 Permitted Activities.

Decision Reasons:

- The submitter supports the inclusion of Activity P2 which provides for the minor upgrading of existing infrastructure as a permitted activity.

Point Number 945.50

Summary of Decision Requested: **Retain** Designation R1 being gas transmission pipelines within the District Plan Maps.

Decision Reasons:

- The submitter supports the inclusion of designation R1 on the District Plan Maps.

Point Number 945.51

Summary of Decision Requested: **Retain** gas transmission pipelines within the Proposed District Plan Maps.

Decision Reasons:

- The submitter supports the annotation of the submitter's transmission pipelines on the District Plan Maps as currently proposed.
- The identification of significant infrastructure such as the gas transmission pipelines is important when considering applications for subdivision and/or development. The submitter considers it is an appropriate and effective way to alert third parties of the presence of the pipelines.

Point Number 945.52

Summary of Decision Requested: **Add** the delivery point stations within the District Plan Maps (see plans attached to the submission).
AND
Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- The submitter seeks to ensure the gas network is protected from reverse sensitivity effects. Delivery point stations are critical to the operation of the pipelines for the distribution of gas which the VRPS identifies as regionally significant infrastructure and requires to be recognized and protected.

Point Number 945.53

Summary of Decision Requested: **Add** distribution lines to the Proposed District Plan Maps (see plans attached to submission).
AND
Any consequential amendments and other relief to give effect to the matters raised in the submission.

Decision Reasons:

- The submitter seeks to ensure the gas network inclusive of gas distribution lines are protected from reverse sensitivity effects.

Point Number 945.54

Summary of Decision Requested: **Amend** the Proposed District Plan to make consequential amendments as required to achieve the relief sought.

Decision Reasons:

- Various, as outlined in the submission.

Submitter Number: 946 **Submitter:** Dee Bond

Point Number 946.1

Summary of Decision Requested: No specific decision sought, but the submission requests more information regarding the implications of having a Building B ranking for Historic Heritage Item ID 14 - Tuakau Hotel before a final decision is made.

Decision Reasons:

- The submitter took on the building (the Tuakau Hotel) 10 years ago in a run-down state and invested heavily to bring it up to the award-winning state it is in today.

Point Number 946.2

Summary of Decision Requested: No specific decision sought, but the submission requests that information as to why the Alexandra Redoubt, Tuakau, dating from 1863, has been removed from the list of Historic Heritage Items that was proposed.

Decision Reasons:

- No reasons provided.

Point Number 946.3

Summary of Decision Requested: No specific decision sought, but the submission requests that information as to why LaValla, 131 Dominion Road, Tuakau, dating from 1921, was also removed from the proposed list of Historic Heritage Items.

Decision Reasons:

- No reasons provided.
- The original submission includes an excerpt of the history of LaValla (from the LaValla website).

Point Number 946.4

Summary of Decision Requested: **Amend** Schedule 30.2 Notable Trees, as follows;
21 - Kauri - ~~to~~ 10 Liverpool Street, Tuakau.

Decision Reasons:

- The Kauri tree is at 10 Liverpool Street, Tuakau, within the site of the historic Tuakau Post Office, now the Tuakau Museum.
- The submission includes photos of the Kauri tree.

Point Number 946.5

Summary of Decision Requested: **Amend** Rule 16.2.2 Servicing and hours of operation - Bankart Street and Wainui Road Business Overlay Area, to include "Raglan".

Decision Reasons:

- No reasons provided.

Point Number 946.6

Summary of Decision Requested:	Amend Rule 16.3.6 P3 Building Coverage, to include "Raglan".
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	946.7
Summary of Decision Requested:	Amend Rule 16.2.6.3 P1(a)(iii) Notable tree - Activities within the dripline, as follows: (iii) No Discharge of an eco-toxic substance;
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	946.8
Summary of Decision Requested:	No specific decision sought, but submission questions with regards to Rule 16.3.9.1 P3 Boundary setbacks - All boundaries, why a garage should be set back behind the front facade of the dwelling. The submission considers a garage should be on the street frontage, with the home setback to reduce the street noise to the house.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	946.9
Summary of Decision Requested:	Amend Rule 16.1.2 P4(c) Home occupation, to be limited to 2 persons multiplied by the number of bedrooms.
Decision Reasons:	<ul style="list-style-type: none"> Submitter does not think that the maximum number (2 persons) as notified, allows for a small business to be run from home and grow. Two people is an arbitrary number for which there is no logical basis. Submitter runs a business from home and has more than two. As long as there is adequate parking and sufficient toilets, the maximum number should not matter. Two people in total is too few.
Point Number	946.10
Summary of Decision Requested:	No specific decision sought, but submission states that Rule 16.1.2 P5 hours of Temporary Events, precludes multi-day wedding functions, that are normal in some cultures, after 8:30pm at night.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.
Point Number	946.11
Summary of Decision Requested:	No specific decision sought, but submission considers Rule 16.1.2 P9 Homestay limits to 4 temporary residents should be driven by the size of the property for carparking and number of bedrooms.
Decision Reasons:	<ul style="list-style-type: none"> No reasons provided.

Submitter Number:	947	Submitter:	Stuart Quigley
Point Number	947.1		
Summary of Decision Requested:	Amend the zoning of the property at 233 Wilton Collieries Road, Glen Massey, from Rural Zone to Countryside Living Zone; OR Amend the zoning of the property at 233 Wilton Collieries Road, Glen Massey, from Rural Zone to Glen Massey Village Living Zone; AND Amend the Proposed District Plan as necessary including provisions, consequential additions and cross references.		
Decision Reasons:	<ul style="list-style-type: none"> The property is no longer sustainable in its rural nature given the size of the lot (just under 40 ha) and proximity to Glen Massey village. As a consequence, it would be inconsistent with the Rural Zone. Properties closest to the site are zoned Countryside Living or Residential and the Glen Massey village school (its only amenity and centre of Glen Massey), is less than 1500m walking distance. Subdivision would be an efficient use of the property given the proximity to the Glen Massey Village Zone, the school, college bus route and being 10 minutes from Ngaruawahia. The submitter has a stalled subdivision for 16 lots on the property. Harcourts, LJ Hooker and P Sloon Realty are constantly getting enquiries about the availability of Countryside Living lots which are difficult to come by in the Glen Massey area. Rezoning 233 Wilton Collieries Road would be consistency with the objectives and policies that relate to the management of reverse sensitivity issues. 		
Point Number	947.2		
Summary of Decision Requested:	Retain the extent of land zoned as Countryside Living and Residential in and around Glen Massey village; AND Amend the Proposed District Plan as necessary, including provisions, consequential additions and cross references.		
Decision Reasons:			

- No reasons provided.

Point Number 947.3

Summary of Decision Requested: **Amend** Policy 5.6.2 Country Living Character (specific amendments are not provided);
AND
Amend the Proposed District Plan as necessary including provisions, consequential additions and cross references.

Decision Reasons:

- Submitter considers that the policy would include a 16 lot subdivision to occur on the property at 233 Wilton Collieries Road, Glen Massey.
- Submitter states that "with the definition of 'Country Living Character', then this site should be considered necessary, particularly due to the proposed rezoning of QFT site from Rural to Country Side Living."

Point Number 947.4

Summary of Decision Requested: **Amend** Policy 5.6.3 Subdivision within the Country Living Zone, as follows (or with words to similar effect):
(a) Subdivision, building and development within the Country Living Zone ensures that:
...
(vi) where sites are in close to a village Zone, subdivision can be up wards of 5,000m² unreticulated.
AND

Amend the Proposed District Plan as necessary including provisions, consequential additions and cross references.

Decision Reasons:

- Some activities are appropriate in the rural environment and the effects are to be accepted.
- Including urban activities in the list of features for the rural environment where a site is in close proximity to an urban village is appropriate.
- It is important to ensure a consistent direction with objectives and policies relating to reverse sensitivity and to provide a policy basis so that the reduction and mitigation of reverse sensitivity issues are considered with subdivision applications in the Rural and Countryside Living Zones.
- The property at is bounded by the Country Living Zone and Residential Zone, is within 1500m of the Glen Massey Village Zone and is therefore no longer appropriate to be zoned Rural. 233 Wilton Collieries Road, Glen Massey.

Point Number 947.5

Summary of Decision Requested: **Add** a new activity to Rule 23.1.1 Permitted Activities, as follows (or with words to similar effect):
P5 - child care facility - A child care facility established prior to notification of the District Plan and within 1 km of a Village Zone.
AND

Amend the Proposed District Plan as necessary including provisions, consequential additions and cross references.

Decision Reasons:

- The submitter is concerned that their activities "may not fit within the definition of Rural Activity on the basis that 16 large country living lots have been developed", but states that they are "confident they would fit within the definition of rural activity, under permitted activities".
- A Village Living Zone would be the best for the property at 233 Wilton Collieries Road, Glen Massey.

Point Number 947.6

Summary of Decision Requested: **Amend** Rule 23.1.2 Discretionary Activities, as follows (or with words to similar effect):
(1) The activities listed below are discretionary activities, unless in close proximity 1 km to a Village Zone.
...
D5 An education facility, excluding a child care facility for up to 10 children and P5 above.
AND

Amend the Proposed District Plan as necessary including provisions, consequential additions and cross references.

Decision Reasons:

- Consideration is needed for some of the discretionary activities given proximity to Tamahere Village Green, specifically D3, D4, D5, D7 and D9.

Point Number 947.7

Summary of Decision Requested: No specific decision sought, but the submitter supports in part Rule 24.4.1 Subdivision - General;
AND
Amend the Proposed District Plan as necessary including provisions, consequential additions and cross references.

Decision Reasons:

- If the property at 233 Wilton Collieries Road, Glen Massey is not rezoned due to the proximity of 700-3000 acre commercial farming, then it should be zoned Village Zone given its proximity to Glen Massey School and the small village. This will allow for appropriate subdivision of the site where there is demand while retaining the rural character.

Submitter Number: 948 **Submitter:** Christopher James Nicholson

Point Number 948.1

Summary of Decision Requested: **Amend** the zoning of the property at 233 Wilton Collieries Road, Glen Massey, from Rural Zone to Country Living Zone to join up with the adjacent site which is zoned Country Living in the Operative District Plan.

Decision Reasons:

- To have the opportunity for rural living on farm land that is better off for housing, which is less sustainable for commercial farming.

Submitter Number:

949

Submitter:

Ashley Boyd

Point Number

949.1

Summary of Decision Requested:

Amend the zoning of the property at 233 Wilton Collieries Road, Glen Massey from Rural Zone to Country Living Zone to join up with the adjacent site which is zoned Country Living in the Operative District Plan.

Decision Reasons:

- The submitter is looking to purchase a rural living section on the property.
- The property is sufficiently distant from the village, yet close enough to enjoy the rural environment.

Submitter Number:

950

Submitter:

Astra Patmore

Point Number

950.1

Summary of Decision Requested:

Amend the zoning of the property at 233 Wilton Collieries Road, Glen Massey from Rural Zone to Country Living to join up with the adjacent site which is zoned Country Living in the Operative District Plan.

Decision Reasons:

- There should be an opportunity for rural living on farm land that is better off for housing as it is less sustainable for commercial farming.

Submitter Number:

951

Submitter:

Ella Newman

Point Number

951.1

Summary of Decision Requested:

Amend the zoning of the property at 233 Wilton Collieries Road, Glen Massey from Rural Zone to Country Living Zone to join up with the adjacent site which was zoned Country Living in the Operative District Plan.

Decision Reasons:

- To have the opportunity for rural living on farm land that is better off for housing as it is less sustainable for commercial farming.

Submitter Number:

952

Submitter:

Michael Steward

Point Number

952.1

Summary of Decision Requested:

Amend the zoning of a property at 233 Wilton Collieries Road, Glen Massey from Rural Zone to Country Living Zone, to join up with the adjacent site which was zoned Country Living Zone in the Operative District Plan.

Decision Reasons:

- To have the opportunity for rural living on farm land that is better off for housing as it is less sustainable for commercial farming.

Submitter Number:

953

Submitter:

Precision Built Limited

Point Number

953.1

Summary of Decision Requested:

Amend the zoning of the property at 233 Wilton Collieries Road, Glen Massey from Rural Zone to Country Living zone, to join up with the adjacent site which is zoned Country Living in the Operative District Plan.

Decision Reasons:

- The submitter wants to purchase a section with 3-4 acres with a good rural outlook and close to the school, without being right in the town.

Submitter Number:

954

Submitter:

Ian Mathieson

Point Number

954.1

Summary of Decision Requested:

Amend the zoning of the property at 233 Wilton Collieries Road, Glen Massey from Rural Zone to Rural Living Zone to join up with the Operative District Plan zoning of the neighbouring property.

Decision Reasons:

- The property has a good location, close to country schools and community.
- Submitter has requested the opportunity to purchase one of the 16 lots when available.

Submitter Number:	955	Submitter:	Katrina Quigley
ECM Numbers:	2102535		
Point Number	955.1		
Summary of Decision Requested:	Amend the property at 233 Wilton Collieries, Glen Massey to be returned back to Country Living		
Decision Reasons:	<ul style="list-style-type: none"> Land was rural residential and was purchased at high cost to subdivide it to 18 large lifestyle blocks as it was not sustainable for commercial farming. Land has good housing aspect for large lifestyle properties for people to enjoy country living. Only a small amount of land that can be used for housing in this area and this property is one of them. 		

Submitter Number:	956	Submitter:	Joshua Quigley
Point Number	956.1		
Summary of Decision Requested:	Amend the zoning of the property at 233 Wilton Collieries Road, Glen Massey, from Rural Zone to Country Living Zone.		
Decision Reasons:	<ul style="list-style-type: none"> An opportunity is needed for people to enjoy country living. 		

Submitter Number:	957	Submitter:	Andrew Paterson
Point Number	957.1		
Summary of Decision Requested:	Amend the zoning of the property at 233 Wilton Collieries Road, Glen Massey from Rural Zone to Rural Living Zone to join up with the Operative District Plan zoning of the neighbouring property.		
Decision Reasons:	<ul style="list-style-type: none"> To have the opportunity for rural living on farm land that is better off for housing as it is less sustainable for commercial farming. 		

Submitter Number:	958	Submitter:	Paul McGuire
Point Number	958.1		
Summary of Decision Requested:	Amend the zoning of the property at 233 Wilton Collieries Road, Glen Massey from Rural Zone to Rural Living Zone to join up with the Operative District Plan zoning of the neighbouring property.		
Decision Reasons:	<ul style="list-style-type: none"> The submitter is looking at purchasing a section on this land. It is away from the Village and is handy for a Country Living environment. 		

Submitter Number:	959	Submitter:	Adri Grobler
Point Number	959.1		
Summary of Decision Requested:	Amend the zoning of the property at 233 Wilton Collieries Road, Glen Massey from Rural Zone to Rural Living Zone to join up with the Operative District Plan zoning of the neighbouring site.		
Decision Reasons:	<ul style="list-style-type: none"> Too much good farm land is being used for housing. This land is better for housing rather than non-productive farming. 		

Submitter Number:	960	Submitter:	Carlo Gorissen
Point Number	960.1		

Summary of Decision Requested: Amending of the property at 233 Wilton Collieries Road Glen Massey as Rural Living Zone.

Decision Reasons:

- The submitter purchased 265A Wilton Collieries Road, and this change will affect their property value.

Submitter Number: 961 **Submitter:** Yeungjun Yoo

On behalf of: Kyung Koo Han & Sun Kyung Kang

Point Number 961.1

Summary of Decision Requested: Delete the Significant Natural Area from the property at 7C Ridge Road, Tuakau.

Decision Reasons:

- It is just around 5m2 (see photos attached to the submission).

Submitter Number: 962 **Submitter:** Kimai & I-Jay Huirama

On behalf of: Ngati Tamainupo

Point Number 962.1

Summary of Decision Requested: Add protection on some of the significant burrow pits on the properties at 5851 Great South Road and 2831 River Road Ngaruawahia, and any other section the submitter deems to be of high cultural significance (e.g. proximity to Puke I a hua and size).

Decision Reasons:

- The principal rohe for Ngati Tamainupoo is Whaingaroa (Raglan area, near the Waitetuna harbor) and Ngaruawahia.
- The Marae is located on ancestral land at Whaingaroa, and also maintains a mana whenua link to the Ngaruawahia rohe through whakapapa to the ancestor, Ngaere, and sites of cultural and historical significance, namely Puke-i-ahua marae, Hakarimata, Te Huinga o Nga Wai (The Point), Waikato River and Waipa River.
- The submitters are mana whenua who are descendants of Ngaere, the chief of Pukeiahua Pa in the 1700s. Their marae is Mai Uenuku kite Whenua, located in Whaingaroa. Many of the marae members are fourth and fifth generation residents of Ngaruawahia. Their mana whenua link to Ngaruawahia comes from their connection to the land and the sites of significance from the ancestral story of how Ngaruawahia got its name.
- The aim for the Hapu is to protect and preserve Ngati Tamainupo identity and integrity. In order to do this they need to engage meaningfully with other stakeholders in the community to ensure that their stories are shared authentically and respectfully.

Submitter Number: 963 **Submitter:** June Penn

Point Number 963.1

Summary of Decision Requested: Add a resource management framework for the management of Genetically Modified Organisms that is regionally specific, taking into account environmental, economic and social well-being.

Decision Reasons:

- GMOs have the potential to adversely affect ecological, economic, and resource management values, and the social and cultural wellbeing of communities and Tangata whenua.
- The release of GMOs can cause:
 - Biological/ecosystem harm
 - Harm to Tangata whenua values
 - Harm to cultural value and lifestyles, concerning the communities wellbeing
 - Harm to existing or potential forms of land use.
- The effects on land uses could include:
 - Loss of organic and GMO-free certification
 - Reputational damage
 - Loss of markets and premiums paid for GMO-free produce
 - Loss of livelihood
- The Waikato is the centre of dairy offices and farms for the three major suppliers of milk and milk products in the area. Many farmers are highly concerned that their livelihoods will be affected if GMOs are released in the Waikato. Tatua, Fonterra and Miraka Milks have a GMO-free requirement for milk products. Concerns over the ability to control the grass genetic pollution is a major concern and it is important to have precautionary approach to any escape and release of GMOs.
- No matter how carefully conditions of consent for GMOs are crafted, there is still a risk of poor management, human error, or natural events that aid in breaching conditions.
- Once GMOs have been released into the environment it will be difficult or impossible to eradicate. For food products, the GE-free status would be permanently lost, along with the market advantages of that status.
- Application of integrated management and a precautionary approach to GMOs under the RMA is the best available technique for managing the potential adverse effects posed by GMOs within the region.
- It is consistent with the sustainable management purpose and Part II of the RMA to establish district plan provisions that manage the release, location, and management of GMOs where they have the potential to adversely affect the environment and other land use activities.

Point Number 963.2

Summary of Decision Requested: Add strong precautionary and prohibitive provisions, policies and rules relating to Genetically Modified Organisms that are the same or similar to those in the Far North District Plan, the Whangarei District Plan and the Auckland Unitary Plan.

Decision Reasons:

- GMOs have the potential to adversely affect ecological, economic, and resource management values, and the social and cultural wellbeing of communities and Tangata whenua.
- The release of GMOs can cause:
 - Biological/ecosystem harm
 - Harm to Tangata whenua values
 - Harm to cultural value and lifestyles, concerning the communities wellbeing
 - Harm to existing or potential forms of land use.
- The effects on land uses could include:

- Loss of organic and GMO-free certification
- Reputational damage
- Loss of markets and premiums paid for GMO-free produce
- Loss of livelihood
- The Waikato is the centre of dairy offices and farms for the three major suppliers of milk and milk products in the area. Many farmers are highly concerned that their livelihoods will be affected if GMO's are released in the Waikato. Tātua, Fonterra and Miraka Milks have a GMO-free requirement for milk products. Concerns over the ability to control the grass genetic pollution is a major concern and it is important to have precautionary approach to any escape and release of GMOs.
- No matter how carefully conditions of consent for GMOs are crafted, there is still a risk of poor management, human error, or natural events that aid in breaching conditions.
- Once GMOs have been released into the environment it will be difficult or impossible to eradicate. For food products, the GE-free status would be permanently lost, along with the market advantages of that status.
- Application of integrated management and a precautionary approach to GMOs under the RMA is the best available technique for managing the potential adverse effects posed by GMOs within the region.
- It is consistent with the sustainable management purpose and Part II of the RMA to establish district plan provisions that manage the release, location, and management of GMOs where they have the potential to adversely affect the environment and other land use activities.

Point Number 963.3

Summary of Decision Requested: Amend the Proposed District Plan so that all consents/activities that would require exemption from plan rules would be publicly notified, regardless of whether they are on genetically modified organisms or not.

Decision Reasons:

- GMOs have the potential to adversely affect ecological, economic, and resource management values, and the social and cultural wellbeing of communities and Tangata whenua.
- The release of GMOs can cause:
 - Biological/ecosystem harm
 - Harm to Tangata whenua values
 - Harm to cultural value and lifestyles, concerning the communities wellbeing
 - Harm to existing or potential forms of land use.
- The effects on land uses could include:
 - Loss of organic and GMO-free certification
 - Reputational damage
 - Loss of markets and premiums paid for GMO-free produce
 - Loss of livelihood
- The Waikato is the centre of dairy offices and farms for the three major suppliers of milk and milk products in the area. Many farmers are highly concerned that their livelihoods will be affected if GMO's are released in the Waikato. Tātua, Fonterra and Miraka Milks have a GMO-free requirement for milk products. Concerns over the ability to control the grass genetic pollution is a major concern and it is important to have precautionary approach to any escape and release of GMOs.
- No matter how carefully conditions of consent for GMOs are crafted, there is still a risk of poor management, human error, or natural events that aid in breaching conditions.
- Once GMOs have been released into the environment it will be difficult or impossible to eradicate. For food products, the GE-free status would be permanently lost, along with the market advantages of that status.
- Application of integrated management and a precautionary approach to GMOs under the RMA is the best available technique for managing the potential adverse effects posed by GMOs within the region.
- It is consistent with the sustainable management purpose and Part II of the RMA to establish district plan provisions that manage the release, location, and management of GMOs where they have the potential to adversely affect the environment and other land use activities.

Submitter Number: 964 **Submitter:** Marcus Ralph
Organisation: Ohinewai Heights Ltd

Point Number 964.1

Summary of Decision Requested: Delete the Significant Natural Area from the property at 260 Ralph Road, Huntly.

Decision Reasons:

- Other parts of Significant Natural Area have been removed from this area previously. There was land closer to the lake which had Significant Natural Area removed so this should be done as well.
- The vegetation is willow, gorse and blackberry.
- Removing the Significant Natural Area will allow the weed species to be cleared up and returned back into paddock.

Submitter Number: 965 **Submitter:** Sandra Ellmers
Organisation: Sandra EllmersFamily Trust

Point Number 965.1

Summary of Decision Requested: Amend Rule 16.4.13 (a) Subdivision creating reserves, by deleting the requirement for newly created reserves to have 50% of boundaries bordered by roads and replace instead with "all reserves to have public access".

Decision Reasons:

- To the submitter's knowledge there are no reserves in the district which have roads on 50% of their boundaries.
- Reserves which are used for the purpose of regular sports activity require parking and adequate road access but New Zealand's most iconic and frequented reserves are located on land identified as being of special significance because of location and/or natural beauty. Creating reserves within Structure Plan areas or newly created subdivisions should also, if possible, be based on the same principles.
- If land has an existing or established area of native bush or a particular feature, e.g. stream or wetland, it does not need to have adjoining roads on its boundaries to provide adequate access. The majority of the users could access by foot or would be prepared to walk a reasonable distance to access the walkway.
- There should not be a requirement for reserves to have road boundaries, only to be accessible to the public.

Point Number 965.2

Summary of Decision Requested: Delete the requirement for walkways to be at least 3m wide and be constructed for shared pedestrian and cycle use in Rule 16.4.15 (a) (i) Subdivision of land containing mapped off-road walkways.

Decision Reasons:

- Much of the Waikato terrain is very undulating so many public walkways are located in bush and traverse very hilly and undulating ground, along streams and rivers or adjacent to wetlands, e.g. Bridle Veil Falls walkway.
- 3m is very wide and natural areas are not usually suitable for dual use by cyclists. Accessing by foot is often difficult due to the clay based soils and very wet climatic conditions in the Waikato.

- The priority for walkways should be that they are accessible and enjoyable for the public.
- The most popular walkway in Raglan goes from the top of Wainui Road down through the bush to Ngaranui Beach and is not suitable for cyclists. There is no public designated public parking and the walkway borders the road for only about 5m. The Bridle Veil walkway is of similar standard with only part of the track developed.
- Proposed rule will result in mundane walkways on flat ground, which is not what the public want.
- Very few areas in Raglan are of suitable terrain for cyclists and constructing a 3m walkway through bush areas and uneven terrain would be impossible, would interfere with the natural environment and would be financially prohibitive.
- Walkways should be developed and assessed on a one by one basis in consultation with the developer and/or public and not be subject to 'blanket' rules.

Point Number 965.3

Summary of Decision Requested: Add a new activity to Rule 17.1.2 Permitted Activities for "multi unit development".

Decision Reasons:

- Raglan has a shortage of quality tourism accommodation.
- Many Waikato and Auckland residents own baches or homes in Raglan that are only used occasionally, mainly on weekends, in the summer months. These properties are under-utilised and as many are on large blocks on land the grounds and properties need on-going maintenance which can be time consuming and expensive. Therefore, there is a need for construction of smaller, higher density, low maintenance units and apartments as an option for "weekenders." This would free up many properties in established residential areas.
- It is appropriate that multi-unit development be incorporated and encouraged within Business Zones, rather than Residential areas.
- When a property has multiple residents, it can create on-going noise problems. If numerous multi-unit apartments are located within Residential areas the level of people movement and noise could ruin the enjoyment of life for the other residents.
- It is often difficult in Residential areas to accommodate adequate visitor parking for multi-unit developments as residential streets can become clogged up with visitor parking.

Point Number 965.4

Summary of Decision Requested: Amend Rule 17.1.3 RDI (a) (vii) Restricted Discretionary Activities, as follows:

Residential Unit	Minimum Area	Minimum Dimension
Studio Unit or 1 bedroom	40 6m ²	2 1.5m
2 or more bedroom	45 8m ²	2 1.5m

Decision Reasons:

- Not all above ground apartments/units or apartment owners require or want balconies or exterior living court areas.
- There should be an option when designing and constructing multi-level apartments to include (or not include) upper level balconies.
- Apartment managers do not encourage and often do not permit socialisation by groups of people on balconies as it can cause noise nuisance for other residents.
- A reasonable sized ground level communal outdoor area may be more practical than numerous individual 'living court' areas.
- The market is the best judge of what is required to upper level living court areas should be an option, not compulsory.

Point Number 965.5

Summary of Decision Requested: Amend Rule 17.2.3 PI (a) (i) Onsite parking areas - Landscaping, as follows:

(i) *The car parking area must be separated from the road by a ~~4~~5m wide planting strip, with the exception of vehicle access points;*

Decision Reasons:

- The wider the planting strip is, the more it is likely to be neglected.
- It is not practical to plant trees as they grow too high and when mature the roots can cause uplift in the paved areas and the tree branches drop and shed over the car park area. It is therefore more practical to plant either a suitable hedging variety or a row of low growing shrubs.
- Maintenance of planted areas requires constant upkeep to keep weed free and looking attractive. It is very apparent that carparks district wide are often left in a very untidy state with weeds growing and rubbish being thrown into the landscape strip.
- A 1m landscape strip is more than adequate to achieve an attractive landscape and provide separation between the road and carparks is easier to maintain and keep tidy in carpark areas.

Point Number 965.6

Summary of Decision Requested: Amend Rule 17.3.4.1 (a) (i) Building setbacks - Zone boundaries, as follows:

(a) (i) ~~7.5~~4m from rear and side boundaries adjoining the:

A. Residential Zone;

B. Village Zone;

C. Country Living Zone; or

D. Reserve Zone; and...

Decision Reasons:

- There are adequate rules in place within the current Building Code and District Plan to protect adjacent residential properties from excessive noise levels and disturbance from Business areas.
- Many Business zoned lots are small and if located adjacent to a Residential Zone the 7.5m setback requirement for side and rear boundaries would render much of the site unusable.
- A 4m separation would allow a wide driveway or storage area between the Business and Residential zones and still enable compliance.
- When purchasing a residential dwelling, the potential buyer has an option of not purchasing a dwelling adjacent to a business area if they are genuinely concerned about any possible impact.

Point Number 965.7

Summary of Decision Requested: Delete Rule 17.3.7 PI (a) (iii) Living Court.

Decision Reasons:

- Not all above ground apartments/units or apartment owners require or want balconies or exterior living court areas.
- Apartment managers do not encourage or permit socialisation by groups of people on balconies as it can cause noise nuisance for other residents.
- There should be an option when designing and constructing multi-level apartments to include (or not include) upper level balconies.
- A reasonable sized ground level communal outdoor area may be more practical than numerous individual living court areas.
- The market is the best judge of what is required so upper level living court areas should be an option, not compulsory.

Point Number 965.8
Summary of Decision Requested: Amend Rule 17.4.1.1- RD1 (a) (iii) Subdivision- Multi-unit development, as follows:

Unit of Apartment	Minimum Unit Area
Studio unit or 1 bedroom unit	6650 m ²
2 bedroom unit	6670 m ²
3 bedroom unit	10080 m ²

Decision Reasons:

- There appears to be very little recognition in the Proposed District Plan that units and dwellings worldwide are downsizing.
- There must be options within a District Plan to provide for smaller homes and units people can afford and there is not. Often units only have one permanent occupant, regardless of the size of the unit.
- 100m² is a very large unit and larger than many standard homes, therefore it seems excessive and outside the standard so it should be reduced to be more in line with what people want and can afford.
- If people require larger units they can purchase them but the option should be there to purchase units of various sizes.

Point Number 965.9

Summary of Decision Requested: Delete Rule 17.5.7 P1 (a)(ii) Gross leasable floor area.

Decision Reasons:

- Submitter currently has a proposal before Council which includes development of approximately 2ha of Business zoned land they own and if they do not decide to subdivide the area into small lots but retain ownership off the total area this rule would prevent them from erecting more than two individual leasable units on the land. Therefore, the majority of the land would be underutilised when there is a dire shortage of Business Zoned land and Business premises in Raglan.
- There is no bare land available within the Business Zone in Raglan to accommodate any sizeable buildings or developments.
- The rule if implemented would substantially limit much needed development on the only Business Zone land available for new development in Raglan.
- There is no valid reason for preventing development of more than two individual units on Business Zoned land and no valid reason for limiting the size of leasable floor area for individual units.

Submitter Number: 966 **Submitter:** Reginald Briggs

Point Number 966.1

Summary of Decision Requested: Amend Rural zoning of the pocket of houses bounded by Park Road and 6000-6012 Great South Road, Horotiu.

Decision Reasons:

- Area zoned rural, however current activities in the area indicate a more urban than rural use.
- Demand for denser development is apparent after council's approval of residential developments in the rezoned Greenfields, just north of the golf course.
- Such developments are funded mainly by developers and council has an obligation to upgrade obsolete developments through instillation of modern day infrastructure.
- Addresses 6010 and 6012 Great South Road are currently carrying out non-complying activities, indicating that a rural zoning is no longer appropriate.

Submitter Number: 967 **Submitter:** Peter Pavich

Point Number 967.1

Summary of Decision Requested: Amend the zoning of the property 41 Ormsby Road, Hamilton to change from Rural Zone to Country Living Zone.

Decision Reasons:

- The submitter wishes to subdivide to provide for their family.
- The majority of the farm will remain for farming purposes.

Submitter Number: 968 **Submitter:** Carol & Gordon Corke

Point Number 968.1

Summary of Decision Requested: Amend the zoning from Rural Zone to Country Living Zone in the Te Kowhai and Horotiu area, including the property at 476 Te Kowhai Road, Horotiu.

Decision Reasons:

- This would enable the submitter to subdivide one section off from their existing block.

Submitter Number: 969 **Submitter:** Debbie McPherson

Point Number 969.1

Summary of Decision Requested: Amend the zoning of the property at 41 Ormsby Road, Hamilton, from Rural Zone to Country Living Zone.

Decision Reasons:

- It will enable the submitter's brother to subdivide the site, allowing the submitter to bring their family up on family land.
- The land will continue to be used for farming purposes.

Submitter Number:	970	Submitter:	Margaret O'Brien
Point Number	970.1		
Summary of Decision Requested:	Amend Rule 22.3 Land Use Building and Rule 22.3.2 Minor dwelling, to allow for a "Dependent Persons dwelling" to be designated as a "Minor dwelling", particularly at 2289B Kakaramea Road, Hamilton.		
Decision Reasons:	<ul style="list-style-type: none"> • The submitter's cottage located at 2289B Kakaramea Road, Hamilton was considered as a Restricted Discretionary activity under the Operative District Plan. • This submission removes the restrictions on the submitter's consent, thus will allow the submitter to manage and determine the future use of their home. 		

Submitter Number:	971	Submitter:	Stonehill Trustee Limited
Point Number	971.1		
Summary of Decision Requested:	Retain the proposed Rural zoning at the land located to the south and west of McDonald Road, Pokeno, that is zoned Aggregate Extraction and Processing in the Operative District Plan (this land is identified in the submission at Annexure A).		
	AND		
	Amend the Proposed District Plan to make additional or consequential relief to address the matters raised in the submission.		
Decision Reasons:	<ul style="list-style-type: none"> • Synlait is currently constructing a high-tech milk powder processing facility on land adjacent, and is valued at \$250m. • Another company, Winston Nutrition, has obtained all necessary resource consents to build another milk powder processing facility next to the existing milk powder processing facility operated by Yashilli. Both the Yashilli and Winston Nutrition facilities are (or will be) located adjacent to the land currently zoned Aggregate Extraction and Processing. • The submitter understands that Yashilli has plans to expand its operation on 7 hectares of land to the west (rear) of its existing milk powder processing facility, immediately adjacent to the land currently zoned for Aggregate Extraction and Processing. • The submitter notes that, despite resource consent granted by Council in late-1998 for quarry activities within the Aggregate Extraction and Processing zone at Pokeno, the consents were not implemented, and have now lapsed. • It is no longer appropriate that this land continues quarrying and/or mineral extraction activities due to the proximity to the growing township to Pokeno, the new residential areas being developed to the north, and the presence of milk powder processing facilities close by that are sensitive to dust emissions. • There are dispersed rural residential activities to the south and west that would be adversely affected by quarry noise, dust and traffic. • The land is steep and forms part of a prominent ridgeline that rises to the south of Pokeno. Quarrying activities are by their nature visually intrusive and, in this location, would have significant detrimental visual amenity effects for the Pokeno community. A quarry activity in this location would be highly visible from the Bombay Hills and a wider area and likely involve significant landscape modification including removal of the existing volcanic scoria cone and tuff ring, which form a valuable landscape feature. • Given the urbanisation that has occurred at Pokeno over the last 10 years, the future urbanization anticipated for the area, and the changes to the planning framework that have occurred to support growth, the submitter considers that it is no longer appropriate for land adjacent to the urban area to be identified for quarrying activities. • Due to the steep topography of the land and its visual prominence and landscape value, the submitter considers that the land should remain rural in character and appearance to define the southern edge of Pokeno. Application of the Rural Zone to the land, as proposed by Council, is most appropriate in the circumstances and is supported. 		

Submitter Number:	972	Submitter:	Mark Scobie
Point Number	972.1		
Summary of Decision Requested:	Retain Objective 5.1.1 The rural environment, as notified.		
Decision Reasons:	<ul style="list-style-type: none"> • Protecting these soils from adverse effects of inappropriate use and development that may affect their life-supporting capacity is of national importance, this is now recognised with NPS for Versatile Land and High Class Soils under consideration. • Urban subdivision is an inefficient use of rural production land. Urban subdivision, particularly ad-hoc subdivision, may undermine the integrated development of identified townships and expansion areas. 		
Point Number	972.2		
Summary of Decision Requested:	Retain Objective 5.2.1 Rural Resources, except for the amendments sought below;		
	AND		
	Amend Objective 5.2.1 (a)(i) Rural resources, as follows:		
	<p>"(a) Maintain or enhance the:</p> <p>(i) Inherent life-supporting capacity, <u>accessibility</u>, and versatility of soils, in particular high class soils;"</p>		
Decision Reasons:	<ul style="list-style-type: none"> • The submitters support this sub-policy, however accessibility to versatile land is also a key consideration in managing this resource. 		
Point Number	972.3		
Summary of Decision Requested:	Retain Policy 5.2.2 High Class Soils, as notified.		
Decision Reasons:			

- The submitter supports this policy.

Point Number 972.4

Summary of Decision Requested: **Amend** Objective 5.3.1 (a) Rural character and amenity, as follows:
(a) Rural character and amenity are maintained while recognising the localised character of different parts of the District.

Decision Reasons:

- The submitters support this objective, however, recognition of the variation of what defines rural character and amenity values across a large District is needed
- The District encompasses coastal areas, hill country comprising large landholdings and primarily pastoral uses and smaller landholdings, particularly in the northern part of the District, which is used for higher value production activities such as intensive cropping, greenhouses, etc.

Point Number 972.5

Summary of Decision Requested: **Add** a new discretionary activity to Rule 22.4.1.2 General subdivision, as follows:
DL
(a) General subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.2 (iv) RD1
(b) General subdivision around established rural activities that does not comply with Rule 22.4.1.2 (iv) RD1

Decision Reasons:

- The creation of an additional vacant lot between 8,000m2 and 1.6 ha, and any additional lot between 8,000m2 and 1.6 ha as a restricted discretionary activity is supported.
- There should be flexibility in lot size to ensure that the existing farming regime can continue
- It will ensure practical boundaries and the most efficient ongoing management of the land. A lot size consistent with the established farming regime will avoid the redevelopment of farm tracks and fence lines to access a relatively small piece of land.
- There may be site specific factors that create a unique situation that is conducive to the proposed lot size whilst remaining consistent with the objectives and policies and achieving the anticipated environmental results.
- For lots smaller than 8000m2, it is necessary to confirm the provision of services within the lot boundaries.
- Lots greater than 1.6ha may need an assessment, with respect to the productive potential of the land. If the land comprises existing curtilage around the house then the lot will not result in any unreasonable effects with respect to the productive potential of the balance land. If the land comprises productive potential, then a Farm Management report should be provided to demonstrate that the both the proposed lot and the balance lot are sized to ensure rural land uses continue to predominate.
- The creation of lots that accommodate existing and well-established rural activities where these are of a viable, sustainable and permanent nature and it is appropriate for these to be subdivided from other rural activities on the site should be provided for.

Point Number 972.6

Summary of Decision Requested: **Delete** Rule 22.4.1.2 RD1 (a)(v) General Subdivision;
 AND
Add a matter of discretion to Rule 22.4.1.2 RD1 (b) General Subdivision, another clause as below:
(b)(vi) Effects on rural productivity and fragmentation of high class soils

Decision Reasons:

- There is no analysis in the s32 regarding this relevance or practicality of this rule.
- The submitters agree with the intent of this rule, which is to design subdivision to avoid the fragmentation of the high-class soils. However, the strict and arbitrary 80/20 requirement of this rule though may not necessarily result in the best layout design or productivity and fragmentation of farming outcome for the site.
- The objectives and policies (5.1.1, 5.2) give primacy to the protection of high-class soils. In addition to the objectives and policies (5.2), the submitter would like to see matters relating to the retention of high-class soils and the maintenance of productivity/farming systems addressed as a matter of discretion for the General Subdivision provisions. The strength of the objectives and policies together with expanded matters of discretion are sufficiently strong to ensure adverse outcomes on high-class soils are avoided.
- The requirement to demonstrate the 80/20 split will result in the necessary inclusion of Land use Capability Reporting with every subdivision application under the General Provisions to demonstrate that this exact figure is met. This additional compliance cost does not necessarily result in a better environmental outcome and becomes a box ticking exercise for Council. Council's Consent Planners should have the discretion of where these are required in accordance with the recommended matter of discretion.

Point Number 972.7

Summary of Decision Requested: **Amend** Rule 22.4.1.1 Prohibited subdivision, to change all of the references from "lot" to "Record of Title".

Decision Reasons:

- It may be necessary to create multiple lots and hold them in one Record of Title. This may occur where a stream or a public road bisects land held together in one Record of Title.

Point Number 972.8

Summary of Decision Requested: **Retain** Rule 22.4.1.2(a)(iv) General Subdivision, as notified.

Decision Reasons:

- The creation of an additional vacant lot between 8,000m2 and 1.6 ha, and any additional lot between 8,000m2 and 1.6 ha as a restricted discretionary activity is supported.

Point Number 972.9

Summary of Decision Requested: **Retain** Policy 5.3.8 Effects on rural character and amenity from rural subdivision, except for the amendments sought below;
 AND
Amend Policy 5.3.8 Effects on rural character and amenity from rural subdivision, as follows:

~~(b) Ensure development does not compromise the predominant open space, character and amenity of rural areas.~~

...

(d) Rural hamlet subdivision and boundary relocations ensure the following:

...

(ii) Maintenance of the localised rural character and amenity of the surrounding rural environment;

...

(e) Subdivision, use and development opportunities ensure that localised rural character and amenity values are maintained.

Decision Reasons:

- (b) duplicates (d)(ii) and (e) which both seek to ensure that rural character and amenity are maintained.
- Not all rural areas comprise open space character and amenity. The district's rural character is varied in nature and comprises landscapes, landforms and structures. These are also areas of active and dynamic primary production and associated activities rather than necessarily benign landscapes.
- It should be recognised that structures and buildings such as greenhouses and pack houses could visually alter rural landscapes. However, these are recognised as important components of primary production activities, form part of the rural environment and are generally considered rural in appearance and value.

Point Number

972.10

Summary of Decision Requested:

Amend the activities in Rule 22.4.1.1 PR1, PR2, PR3 and PR4 Prohibited Subdivision from Prohibited activities to Non-Complying activities.

Decision Reasons:

- In PR2 and PR3, there may be circumstances where the subdivision of high class soils has overall positive effects that can be supported by the objectives and policies. Not every subdivision on high-class soil would result in a significant adverse effect on the environment. Relocating consented lots within a holding, (multiple Records of Title held in the same ownership) may produce a better outcome from a farming and landscape perspective.
- There are circumstances where it may be unavoidable to create an additional Record of Title, i.e. where a title is limited as to parcels and held together by covenant.
- The rule relies on a definition of High Class Soils. This definition may not be versatile due to a range of factors identified through case law.
- It is unfair and unreasonable to prohibit the creation of lots when they are of a viable, sustainable and permanent nature and it is appropriate for these to subdivide from other rural activities on the site.
- Rural activities do not need to be held on the same certificate of title as other rural activities, and there may be circumstances where subdivision enables more significant opportunities for economic wellbeing and the efficient and effective operation of the activity.
- Commercial reasons could necessitate subdivision including the desire to sell or lease the business rather than having no other option but to dispose of the entire property, or the need to invest more capital in the operation.
- The prohibited activity status prevents opportunities for significant capital investment, particularly in buildings and the intensive rural activity will continue to be commercially viable and sustainable in the long-term following its separation from other rural activities on the site.
- PR4 may unreasonably restrict the subdivision potential over what is necessary to avoid undermining the intent of the rule under which these Records of Title were created (Rule 22B – Franklin Section). Under Rule 22B of the Franklin Section the donor certificates of title had to meet a minimum area of 1ha each, however, there is no maximum, with many donor Records of Title ranging upwards from 20ha prior to the amalgamation.
- In the Franklin Section of the District Plan, there was no corresponding rule that limited any further subdivision of the donor lot. While subdividing lots amalgamated under Section 22b of the Franklin Section require scrutiny this should merit a Non-Complying Activity status only. The land affected may contain qualifying Significant Natural Areas or may be able to relocate boundaries with a neighbor without creating an outcome that may compromise the prior transferable subdivision.
- The Proposed Plan should be sufficiently strong to ensure that the subdivision of land containing high-class soils is protected in the Rural Zone from inappropriate subdivision and development, and that subdivision in the Urban Expansion Zone does not undermine the integrated and efficient development of this zone.

Point Number

972.11

Summary of Decision Requested:

Retain Rule 22.4.1.2 (a)(i-iii) General subdivision, as notified.

Decision Reasons:

- The submitters support the inclusion of the General Subdivision rules.

Submitter Number:

974

Submitter:

Tim Lester

On behalf of:

Howard Lovell

Organisation:

Blue Wallace Surveyors Ltd

Point Number

974.1

Summary of Decision Requested:

Amend the zoning for the property at 129 Great South Road, Taupiri (Pt Lot 2 DP24220) from Rural Zone to Residential Zone.

Decision Reasons:

- The Submitter generally agrees with the approach taken by the council; however, it is considered that the Council has not adequately considered the geographical distribution of the District's residential zone (particularly in regard to residential infill development efficiency).

Location and Land Use

- The site is flanked by residential land use to the north, south and west.
- The site is considered inappropriate for rural land use as it is too small fragmented to be of productive use. (i.e., it cannot integrate with rural land to the east given separation brought about by a section of rail infrastructure).
- The sites directly to the south have already been subdivided and contain established residential land use.
- The Residential Zone is appropriate and represents an efficient undertaking within the Proposed Waikato District Plan review process currently underway.
- Easy access for traffic and will not place extra stress on the existing roading network.

Infrastructure

- Council's wastewater and water supply services are located within the Great South Road reserve.
- The Submitter considers that post appropriate subdivision design, each individual residential allotment can be connected to the councils existing storm water, water supply and waste water connections, or if necessary storm water can be managed on site (subject to a more site-specific analysis).
- The rail line is expected to act as a sufficient buffer between residential and rural land. While the conversion of this land to residential and the potential establishment of properties on the site is not expected to create any adverse reverse sensitivity effects considering the zoning and number of properties already established in the surrounding area.

Objective and Policy Assessment

- From a strategic perspective, the sought-after rezoning is not considered to be contrary to the Operative or Proposed District Plan objectives and policies.
- The Site does not contain any policy overlays that would constrain residential land use, nor are there any planning negotiations that significantly impinge upon the Site.
- The Site contains dimensions that can accommodate residential land use development (as testified by the existing residential land use surrounding the Site) and furthermore, will be able to positively contribute to the area's residential amenity within the current environmental setting.
- The zoning change from rural to residential is most relevant and obliges to the Objectives and Policies of Chapter 4: Urban Environment of the Proposed Waikato District Plan.

Submitter Number:	975	Submitter:	Glenvale Stage 2 Limited
Point Number	975.1		
Summary of Decision Requested:	Amend the zoning of Lot 1 DP 519545 (Eccles Avenue, Te Kauwhata) to reflect the extent of Reserve and Residential Zoned land, as sought within the Concept Plan in Attachment B of the submission.		
Decision Reasons:	<ul style="list-style-type: none"> The current Reserve/Residential Zone boundary under the Proposed District Plan restricts the development potential of the site by limiting the area provided on the northern side of the indicative road, which needs to be developed to provide connectivity to the surrounding area. There is little evidence that a site-specific assessment determined the present location of the Reserve/Residential boundary. Reconfiguration of the Reserve/Residential Zone may enable the site to be appropriately developed. New residential sites to the north of the indicative road will have adequate space for outdoor living, landscaping and may enjoy housing with a northern orientation. The presently zoned Residential land in the eastern corner of the site is dominated by wetlands and natural features that would benefit being included in the Reserve Zone. The eastern corner also adjoins the North Island Main Trunk Line; a less desirable location for residential housing. The Reserve Zone will increase in size to incorporate areas of wetland and increase potential connections with walkways/cycleways promoted by the Proposed Waikato District Plan. The reserves areas will vest with the Council as part of the development of the site. Large areas of the Reserve Zoned land will be accessible from the public road. The site is located within close proximity to the Te Kauwhata Business Town Centre Zone. According to the Proposed District Plan objectives, higher density residential development is promoted around Town Centres. 		
Submitter Number:	977	Submitter:	Amy and Andrew De Langen
Point Number	977.1		
Summary of Decision Requested:	Amend the zoning of the property at 436B Tauwhare Road, Matangi from Rural Zone to Country Living Zone.		
Decision Reasons:	<ul style="list-style-type: none"> The submitter currently has two houses on the property. Would like to rezone to split the property into two blocks or smaller. If property is rezoned, submitter could subdivide, enabling them to sell the properties to raise required funds to establish their business from a more suitable block of land. Understand the Council are trying to free up more housing. Opportunities for people working in the area Proposed zone change for adjoining property would affect the submitter's equestrian business so they could no longer operate safely from their property. Neighbouring property is also seeking a change in zoning to Country Living Zone. 		
Point Number	977.2		
Summary of Decision Requested:	Amend the zoning of part of the properties comprising Lot 2 DP 72565 and Section 1 SO 465505 (Matangi Dairy Factory) from Industrial Zone to Rural Zone at the submitter's property at 436B Tauwhare Road, Matangi (see map attached to submission) to end the proposed Industrial zoning.		
Decision Reasons:	<ul style="list-style-type: none"> Changes would affect submitter's boundary along the back of Lot 1 DPS 17974. Submitter was unaware these changes were in the pipeline until the owner of the property moved a building into that area without their knowledge. Would lose rural outlook which would be unpleasant to look at. Would affect submitter's property value. The zone change would have a significant impact on the submitter's equestrian business. Increased noise and activity would be dangerous to any horse riding activity. Horses are flight animals and take fright easily and risk of serious injury to stock would be high. Submitter would no longer be able to graze and ride horses on the back half of the property losing almost half of their safe grazing and training paddocks. Would have not only one short side of submitter's property affected by the industrial, but two, which would double the risks of injury to horses and riders. Submitter has invested a lot of money into developing their property so that it is suitable to run a horse business from. Changing the zone as proposed would mean that the submitter is unable to continue running their equestrian business from the property, which has been running for 18 years. 		
Submitter Number:	978	Submitter:	Brian Nabbs and Margaret Forsyth
Point Number	978.1		
Summary of Decision Requested:	No specific decision sought, although submitter expresses concerns in respect to the Maori Site of Significance (S14/117) on the property at 212D Newell Road, Tamahere.		
Decision Reasons:	<ul style="list-style-type: none"> The purposes and sentiments of s.6 of the Resource Management Act are acknowledged. WDC is statutorily obliged to take into account the provisions of section 14 of the Local Government Act. Submitters are tangata whenua. The principles of the Treaty of Waitangi and Waikato District Council's obligations need to taken into account. Submitter's property at 212D Newell Road, Tamahere is taonga. The proposed site falls within the Country Living Zone, which contemplates and permits residential use and development. In reference to s.10 of the Resource Management Act the use was lawfully established before the rule became operative or the proposed plan was notified. Within the buffer for the proposed site (s.14/117), Waikato District Council has to date permitted residential development. The local iwi would have previously been consulted on the implementation of the Country Living Zone. The community and Waikato District Council are each entitled to rely upon this previous consultation. Waikato District Council's proposal appears inconsistent with evaluation reports prepared to date, especially the New Zealand Archaeological Association reports of 1961 (Edson and Morgan) and 2002 (O Wilkes). O Wilkes in the New Zealand Archaeological Association 2002 stated "In my opinion this is probably not a pa, and if it is a pa, then it is a very old one... Edson also marked it as a possible site on his N65 index sheet and Morgan obviously must have walked past it without seeing anything." The proposal appears prime facie in breach of Waikato District Council's obligations under s.32 of the Act. 		

- The previous reports are significant.
- If Waikato District Council wishes to deviate from these findings then WDC must undertake further balanced evaluation. This does not appear to have been undertaken.
- The matters to be considered by Waikato District Council in changing its District Plan are set down in s.74. S.31 sets the boundaries.
- Prohibition of development on an unconfirmed site (i.e. not significant) does not fall within s.31.
- Nor does the matter fall under Part 2 of the Act.
- Submitter suggests that Waikato District Council engages with Ngati Hau.
- S.78 requires Waikato District Council to give consideration to the views and of persons likely to be affected.
- The submitter's views are presented pursuant to s.82 especially, but not limited to s.82(1)(b).
- The two previous reports each concluded that no paa existed on the site or if it did, it was not significant. It is only recently presented whaikorero that is suggesting the existence of a Pa site. Such evidence does not adequately and unequivocally determine the specific location of the site.
- The community is to respect issues significant to Maori equally. However WDC is obliged to respect and maintain the integrity of the Previous Reports. The recent evaluation, based upon whaikorero is not able to predominate.
- Waikato District Council is obliged to question, or at least reserve its position on the location of the site (if any) and thereafter determine whether the site crosses the threshold of sufficient significance.
- For Waikato District Council to adopt any other position would be a breach of inter alia S.28 of the Local Government Act.

Point Number 978.2

Summary of Decision Requested: **Reconsider** the significance of the Maori Site of Significance (S14/117) at the property at 212D Newell Road, Tamahere.

AND

Amend the extent of the buffer if the site is not unequivocally proven as significant.

Decision Reasons:

- The purposes and sentiments of s.6 of the Resource Management Act are acknowledged.
- WDC is statutorily obliged to take into account the provisions of section 14 of the Local Government Act.
- Submitters are tangata whenua.
- The principles of the Treaty of Waitangi and Waikato District Council's obligations need to taken into account.
- Submitter's property at 212D Newell Road, Tamahere is taonga.
- The proposed site falls within the Country Living Zone, which contemplates and permits residential use and development.
- In reference to s.10 of the Resource Management Act the use was lawfully established before the rule became operative or the proposed plan was notified.
- Within the buffer for the proposed site (s.14/117), Waikato District Council has to date permitted residential development.
- The local iwi would have previously been consulted on the implementation of the Country Living Zone.
- The community and Waikato District Council are each entitled to rely upon this previous consultation.
- Waikato District Council's proposal appears inconsistent with evaluation reports prepared to date, especially the New Zealand Archaeological Association reports of 1961 (Edson and Morgan) and 2002 (O Wilkes).
- O Wilkes in the New Zealand Archaeological Association 2002 stated "In my opinion this is probably not a pa, and if it is a pa, then it is a very old one... Edson also marked it as a possible site on his N65 index sheet and Morgan obviously must have walked past it without seeing anything."
- The proposal appears prime facie in breach of Waikato District Council's obligations under s.32 of the Act.
- The previous reports are significant.
- If Waikato District Council wishes to deviate from these findings then WDC must undertake further balanced evaluation. This does not appear to have been undertaken.
- The matters to be considered by Waikato District Council in changing its District Plan are set down in s.74. S.31 sets the boundaries.
- Prohibition of development on an unconfirmed site (i.e. not significant) does not fall within s.31.
- Nor does the matter fall under Part 2 of the Act.
- Submitter suggests that Waikato District Council engages with Ngati Hau.
- S.78 requires Waikato District Council to give consideration to the views and of persons likely to be affected.
- The submitter's views are presented pursuant to s.82 especially, but not limited to s.82(1)(b).
- The two previous reports each concluded that no paa existed on the site or if it did, it was not significant. It is only recently presented whaikorero that is suggesting the existence of a Pa site. Such evidence does not adequately and unequivocally determine the specific location of the site.
- The community is to respect issues significant to Maori equally. However WDC is obliged to respect and maintain the integrity of the Previous Reports. The recent evaluation, based upon whaikorero is not able to predominate.
- Waikato District Council is obliged to question, or at least reserve its position on the location of the site (if any) and thereafter determine whether the site crosses the threshold of sufficient significance.
- For Waikato District Council to adopt any other position would be a breach of inter alia S.28 of the Local Government Act.

Point Number 978.3

Summary of Decision Requested: **Reconsider** the Maori Site of Significance (S14/117) at the property at 212D Newell Road, Tamahere;

AND

If the site is not adequately significant or sufficiently proven, then amend the Proposed District Plan to enable the activities permitted in the Country Living Zone to be permitted activities on this site.

Decision Reasons:

- The purposes and sentiments of s.6 of the Resource Management Act are acknowledged.
- WDC is statutorily obliged to take into account the provisions of section 14 of the Local Government Act.
- Submitters are tangata whenua.
- The principles of the Treaty of Waitangi and Waikato District Council's obligations need to taken into account.
- Submitter's property at 212D Newell Road, Tamahere is taonga.
- The proposed site falls within the Country Living Zone, which contemplates and permits residential use and development.
- In reference to s.10 of the Resource Management Act the use was lawfully established before the rule became operative or the proposed plan was notified.
- Within the buffer for the proposed site (s.14/117), Waikato District Council has to date permitted residential development.
- The local iwi would have previously been consulted on the implementation of the Country Living Zone.
- The community and Waikato District Council are each entitled to rely upon this previous consultation.
- Waikato District Council's proposal appears inconsistent with evaluation reports prepared to date, especially the New Zealand Archaeological Association reports of 1961 (Edson and Morgan) and 2002 (O Wilkes).
- O Wilkes in the New Zealand Archaeological Association 2002 stated "In my opinion this is probably not a pa, and if it is a pa, then it is a very old one... Edson also marked it as a possible site on his N65 index sheet and Morgan obviously must have walked past it without seeing anything."
- The proposal appears prime facie in breach of Waikato District Council's obligations under s.32 of the Act.
- The previous reports are significant.
- If Waikato District Council wishes to deviate from these findings then WDC must undertake further balanced evaluation. This does not appear to have been undertaken.
- The matters to be considered by Waikato District Council in changing its District Plan are set down in s.74. S.31 sets the boundaries.
- Prohibition of development on an unconfirmed site (i.e. not significant) does not fall within s.31.
- Nor does the matter fall under Part 2 of the Act.
- Submitter suggests that Waikato District Council engages with Ngati Hau.
- S.78 requires Waikato District Council to give consideration to the views and of persons likely to be affected.
- The submitter's views are presented pursuant to s.82 especially, but not limited to s.82(1)(b).
- The two previous reports each concluded that no paa existed on the site or if it did, it was not significant. It is only recently presented whaikorero that is suggesting the existence of a Pa site. Such evidence does not adequately and unequivocally determine the specific location of the site.
- The community is to respect issues significant to Maori equally. However WDC is obliged to respect and maintain the integrity of the Previous Reports. The recent evaluation, based upon whaikorero is not able to predominate.
- Waikato District Council is obliged to question, or at least reserve its position on the location of the site (if any) and thereafter determine whether the site crosses the threshold of sufficient significance.
- For Waikato District Council to adopt any other position would be a breach of inter alia S.28 of the Local Government Act.

Submitter Number: 980

Submitter: Christine Madsen

Point Number	980.1
Summary of Decision Requested:	Add a Heritage Precinct for Rangiri to Section 7.1 Protection of Historic Heritage and Notable Trees; AND Add to the Proposed District Plan maps a Rangiriri Precinct to include the area opposite Rangiriri Tavern adjacent to the historic cemetery along to Murphy Street and the area on the same side of Rangiriri Road as the tavern towards Te Wheoro's Redoubt (see map attached to the submission).
Decision Reasons:	<ul style="list-style-type: none"> • Council should not abandon the Heritage Precinct based on a report by a heritage consultant. • The existing precinct should not be removed without developing an appropriate character plan in consultation with the business community in order to preserve the early appearance of Rangiriri. • Any development within this precinct should be sympathetic to listed heritage items that include the Rangiriri Tavern, cemetery arch, historic paa and Te Wheoro's Redoubt. Rangiriri is a significant part of Waikato District's heritage and the business community has been trying to create tourism opportunities around Maaori and British heritage from the period 1863 to the 1940s. • There has been no difficulty working with Council to build or relocate buildings that reflect this era.
Point Number	980.2
Summary of Decision Requested:	Retain Objective 7.1.1, in particular the relationship between heritage buildings, sites, structures, places and their settings including the view of the identified heritage item.
Decision Reasons:	<ul style="list-style-type: none"> • No reasons provided.
Point Number	980.3
Summary of Decision Requested:	Retain Policy 7.1.2 Identification, in particular the relationship between heritage buildings, sites, structures, places and their settings including the view of the identified heritage item.
Decision Reasons:	<ul style="list-style-type: none"> • No reasons provided.
Point Number	980.4
Summary of Decision Requested:	Retain Policy 7.1.3 Heritage items, in particular the relationship between heritage buildings, sites, structures, places and their settings including the view of the identified heritage item.
Decision Reasons:	<ul style="list-style-type: none"> • No reasons provided.

Submitter Number:	981	Submitter:	Andrew Wilson
Point Number	981.1		
Summary of Decision Requested:	No specific decision sought, but the submitter is supportive of recognising Maaori cultural and spiritual values, however seeks more clarity regarding Maaori Site of Significance RI4/52 at Ryan Road, Te Akau South.		
Decision Reasons:	<ul style="list-style-type: none"> • The borders of the site of significant were changed after the consultation period. • The submitter attended both meeting with questions about the proposed changes. • Confusion has arise as the answers the submitter took away do not match the information in the plan. 		

Submitter Number:	982	Submitter:	Joanne & Kevin Sands
Point Number	982.1		
Summary of Decision Requested:	Retain Objective 5.1.1 The rural environment, as notified.		
Decision Reasons:	<ul style="list-style-type: none"> • Protecting high class soils in the Waikato District is a matter of national importance which is now being recognised with the development of the National Policy Statement for Versatile Land and High Class Soils. • Urban subdivision, particularly ad hoc development, in the rural environment should be avoided because this is an inefficient use of productive rural land which may undermine the integrated development of identified townships and expansion areas. • Supports the strength of wording in this objective and agrees that urban development within the rural environment is an outcome contrary to the intent of the Proposed Plan and should be avoided. 		
Point Number	982.2		
Summary of Decision Requested:	Retain Objective 5.2.1 Rural resources, except for the amendments sought below; AND Amend Objective 5.2.1 (a)(i) Rural Resources, as follows: <i>(i) Inherent life-supporting capacity, accessibility, and versatility of soils, in particular high class soils;</i>		
Decision Reasons:	<ul style="list-style-type: none"> • Accessibility to versatile land is also a key consideration in managing the soil resource. 		
Point Number	982.3		

Summary of Decision Requested: Retain Policy 5.2.2 High class soils, as notified.

Decision Reasons:

- This policy seeks to retain high class soils and ensure that adverse effects do not compromise their life-supporting properties.

Point Number 982.4

Summary of Decision Requested: Retain Policy 5.3.1 Rural character and amenity as notified, except for the amendments sought below;
AND

Amend Objective 5.3.1 (a) Rural character and amenity, as follows:

(a) Rural character and amenity are maintained while recognising the localised character of different parts of the District.

Decision Reasons:

- Supports in part the intent of the objective.
- The variation in rural character and amenity values needs to be recognised.
- The Waikato District encompasses coastal areas, hill country comprising large landholdings used primarily for pastoral use, and smaller landholdings (particularly in the north) used for higher value productive activities such as intensive cropping and greenhouses.
- Rural character varies depending on local landholding patterns, built form, land uses, vegetation and geomorphology.

Point Number 982.5

Summary of Decision Requested: Add a new discretionary activity (D1) to Rule 22.4.1.2 General subdivision, as follows:

D1 (g) General subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.2 (iv) RD1.

(b) General subdivision around established rural activities that does not comply with Rule 22.4.1.2 (iv) RD1.

Decision Reasons:

- This rule should enable a lot to be created around an existing dwelling and curtilage so that the farming regime can continue.
- This will avoid redevelopment of farm tracks and fencelines for a relatively small lot.
- There may be situations where it is appropriate to create a new lot that is less than 8000m² or larger than 1.6ha which is consistent with objectives and policies.
- For lots smaller than 8000m², it is only necessary to confirm that services can be provided.
- A farm management report may be provided that confirms productive rural capacity for any lot greater than 1.6ha and the balance lot.

Point Number 982.6

Summary of Decision Requested: Delete Rule 22.4.1.2 (a)(v) General subdivision;

AND

Add a new matter of discretion to Rule 22.4.1.2 (b) General subdivision, as follows:

(vi) Effects on rural productivity and fragmentation of high class soils.

Decision Reasons:

- The section 32 analysis does not justify this rule.
- The 80/20 percentage requirement may not result in the best layout, design or farming outcome.
- Objectives and policies (5.1.1 and 5.2) and the expanded matters of discretion are sufficiently strong to avoid adverse outcomes on high class soils.
- The rule will mean that every subdivision application will require a land use capability report to demonstrate compliance with the 80/20 percentage requirement which is costly and this should be discretionary rather than necessary.

Point Number 982.7

Summary of Decision Requested: Retain Rule 22.4.1.2 (a)(i-iii) General subdivision, as notified.

Decision Reasons:

- The submitter supports the inclusion of general subdivision provisions.

Point Number 982.8

Summary of Decision Requested: Retain Rule 22.4.1.2 (a)(iv) General subdivision, as notified.

Decision Reasons:

- The creation of an additional vacant lot between 8,000m² and 1.6ha is supported.
- The creation of any additional lot between 8,000 and 1.6ha as a restricted discretionary activity is supported.

Point Number 982.9

Summary of Decision Requested: Retain Policy 5.3.8 Effects on rural character and amenity from rural subdivision, except for the amendments sought below;

AND

Amend Policy 5.3.8 Effects on rural character and amenity from rural subdivision, as follows:

...

~~*(b) Ensure development does not compromise the predominant open space, character and amenity of rural areas.*~~

...

(d) Rural hamlet subdivision and boundary relocations ensure the following:

...

(ii) Maintenance of the localised rural character and amenity of the surrounding rural environment;

...

(e) Subdivision, use and development opportunities ensure that localised rural character and amenity values are maintained.

Decision Reasons:

- Clause (b) should be deleted as it duplicates the statements in clauses (d)(ii) and (e) which also seek to maintain rural character and amenity.
- Not all rural areas comprise open space character and amenity as they can include active and dynamic primary productive activities.
- Rural landscapes can be altered by structure and buildings such as greenhouses and packhouses which form part of the rural environment.

Point Number 982.10

Summary of Decision Requested: Amend Rule 22.4.1.1 PR1, PR2, PR3 and PR4 Prohibited subdivision, by changing the activity status from Prohibited to Non-Complying activities.

Decision Reasons:

- There may be circumstances where a subdivision of high-class soils has overall positive effects supported by objectives and policies. Relocating consented soils within a landholding may produce a better outcome from farming and landscape perspectives.
- Sometimes the creation of an additional Record of Title is unavoidable. For example, where a title is limited as to parcels and the land parcels are held together by a covenant.
- The subdivision rule relies on a definition of high-class soils, which are defined in the Proposed District Plan, yet they may not be versatile due to a range of factors (not just the classification of soil).
- It is unfair to prohibit the creation of lots that accommodate well-established, viable and sustainable rural activities (such as greenhouses, packhouses, packing sheds, intensive farming, poultry hatcheries and commercial orchards) which are appropriate to separate from other rural activities on the site. This can result in economic wellbeing and a more efficient and effective operation of those types of activities.
- Commercial reasons could necessitate subdivision, such as selling or leasing the business, rather than having no other option but to sell the entire property or invest in more capital.
- PR4 may unreasonably restrict subdivision over and above what is necessary to avoid undermining the intent of Franklin Section Rule 22B in the Operative District Plan and therefore a non-complying activity status is more appropriate. For example, the land may be able to subdivide using a Significant Natural Area or the boundary relocation rule without compromising the intent of the transferable development right subdivision rule.
- Objectives and policies should be sufficiently strong to protect high class soils from inappropriate subdivision and development and not compromise future urban development in the Urban Expansion Area.

Point Number 982.11

Summary of Decision Requested: Amend Rule 22.4.1.1 Prohibited subdivision, by replacing the term "lot" with "Record of Title".

Decision Reasons:

- It may be necessary to create multiple lots and hold them together in one Record of Title. This may occur where a stream or a public road physically separates land parcels that are held in one Record of Title.

Submitter Number: 983

Submitter: Bill Loutit

Organisation: Hynds Pipes

Point Number 983.1

Summary of Decision Requested: Amend the zoning of the land surrounding the Industrial Zone Heavy in Pokeno from Rural Zone to an appropriate or new zoning which restricts residential activity (see Attachment A of the submission for the extent of the rezoning request).

OR

Amend the Rural Zone provisions to include appropriate activity rules and land use rules for residential development adjacent to land zoned Industrial Zone Heavy (including the property 9 McDonald Road, Pokeno)

AND

Amend the Proposed District Plan so that residential development or subdivision on Rural Zoned land adjacent to the Industrial Zone Heavy be prohibited or restricted.

AND

Any additional relief considered necessary or desirable as a consequence of the issues and concerns raised in the submission.

Decision Reasons:

- The submitter opposes the Rural zoning of the land adjacent to the Industrial Zone Heavy in Pokeno on the following basis that the provisions:
 - Will not promote sustainable management of natural and physical resources and are not the most appropriate way to achieve the purpose of the Resource Management Act.
 - do not represent the most appropriate way of exercising the Council's functions, having regard to the efficiency and effectiveness of the provisions, and in particular the assessment of the benefits and costs of the environmental, economic and social effects that are anticipated from the implementation of the provisions; and
 - without the necessary and appropriate controls the Rural Zone will not ensure that the submitter can continue its lawful operations without potential reverse sensitivity effects arising from potential redevelopment of the former aggregate extraction land.
- The rezoning of the adjacent land may enable rural residential development that in turn has the potential to affect the submitter's ability to carry out its day-to-day business activities on its site.
- There will be reverse sensitivity effects on the submitter's business operations due to effects of the submitter's activities (on the Industrial Zone Heavy land) on any new neighbouring rural residential subdivisions that may be developed under the new Rural Zone.

Submitter Number: 984

Submitter: Glenda Raumati

On behalf of: Trustee Turangawaewae Trust Board

Point Number 984.1

Summary of Decision Requested: No specific decision sought but the submission supports the introduction of a specific chapter addressing Tangata whenua concerns, issues and opportunities.

Decision Reasons:

- The Tangata whenua Chapter discusses statutory responsibilities that are required of the Treaty of Waitangi, The Waikato River Settlement Act 2010 and the Resource Management Act amongst others. It is important to Turangawaewae Trust Board that this recognition of responsibilities and commitments that the crown has made are acknowledged throughout the plan and how it is implemented.

Turangawaewae Trust Board seek the best possible opportunities to utilise lands and provide opportunities for its people and the subsequent benefits to the whole community.

Point Number 984.2

Summary of Decision Requested: Amend the Proposed District Plan to ensure that the Objectives, Policies, principles and intent of the Tangata Whenua Chapter is provided for across the plan and how it is implemented.

Decision Reasons:

- It is important that Tangata whenua issues are not simply addressed in the Tangata whenua chapter but throughout the proposed plan to ensure a holistic approach is taken to resource management, consistent with the principles of whakapapa, whanaunatanga, tangata whenuatanga, and kaitiaki.
- These principles are a way to interact and behave with the environment. By including these principles in the Proposed District Plan, Waikato District Council is committing to observe and work consistently with these principles.
- It is important to Turangawaewae Trust Board that this recognition of responsibilities and commitments that the crown has made (in the Treaty of Waitangi, The Waikato River Settlement Act 2010 and the Resource Management Act amongst others) are acknowledged throughout the plan and how it is implemented.

Point Number 984.3

Summary of Decision Requested: Amend the Proposed District Plan to allow for greater use of matauranga Maori.

Decision Reasons:

- Turangawaewae Trust Board expects that Waikato District Council look to matauranga Maori to remedy adverse effects of development.
- Matauranga Maori is increasingly being used as conditions of resource consents and in the identification of restoration projects as an alternative to engineering solutions.
- The Proposed Plan should signal and provide for greater opportunities to utilise matauranga Maori for the benefit of the environment.

Point Number 984.4

Summary of Decision Requested: Amend the Proposed District Plan to ensure that the Waikato-Tainui Environmental Plan, Tai Tumu, Tai Pari, Tai Ao has been included, following engagement with Turangawaewae Trust Board.

Decision Reasons:

- Turangawaewae Trust Board considers greater regard be given to the Waikato-Tainui Environmental Plan, Tai Tumu, Tai Pari, Tai Ao than has occurred in the notified version.
- This statutory document provides significant information to provide council staff and the community in general an understanding of the expectations upon resource users in the rohe.
- In particular, but not limited to, Turangawaewae Trust Board consider that greater weight and consideration should have been given to Chapter 7 of the Waikato-Tainui Environmental Plan, Tai Tumu, Tai Pari, Tai Ao which discusses Environmental Enhancement. At its core this chapter requires resource users not to simply mitigate adverse effects on the environment, but to act in a manner that enhances an environment for the betterment of the natural resource.
- There may be future opportunities for Turangawaewae Trust Board and Council to develop initiatives and programmes of work where marae and Maori owned land is better utilised for the benefit of the land owners.

Point Number 984.5

Summary of Decision Requested: Amend the Proposed District Plan to provide for a new district-wide Maaori land Chapter, which provides a specific objective and policy framework, a wider range of activities relevant to Maaori land, such as Urupaa and koohanga (could be specifically identified rather than just covered under the definition of Marae Complex), and Concept Management Plans which provide for permitted activities. This chapter would apply district wide and ensure the benefits are not limited to certain zones.

Decision Reasons:

- Turangawaewae Trust Board consider a more effective and efficient method of providing for the use and development of Maaori land in accordance with maatauranga and tikanga is by way of a district-wide Maaori land chapter.
- In addition to the practical benefits, this would ensure that the Tangata Whenua Chapter as notified is brought through the entire plan, not simply a heading at the beginning of the proposed plan. This approach has been successful implemented in the Auckland Unitary Plan.

Point Number 984.6

Summary of Decision Requested: Amend the definition of "Marae Complex" in Chapter 13 Definitions to provide greater clarity and include individual definitions where appropriate.

Decision Reasons:

- Turangawaewae Trust Board seek the definitions that apply to Maori land are clarified. Some definitions remain undefined and very broad.

Point Number 984.7

Summary of Decision Requested: Amend the definition of "Maaori Freehold Land" in Chapter 13 Definitions to be consistent with section 129(2)(b) of the Te Ture Whenua Maori Act 1993.

Decision Reasons:

- Turangawaewae Trust Board seek the definitions that apply to Maori land are clarified. Some definitions remain undefined and very broad.

Point Number 984.8

Summary of Decision Requested: Amend the definition of "Maaori Customary Land" in Chapter 13 Definitions to be consistent with section 129(2)(a) of the Te Ture Whenua Maori Act 1993.

Decision Reasons:

- Turangawaewae Trust Board seek the definitions that apply to Maori land are clarified. Some definitions remain undefined and very broad.

Point Number 984.9

Summary of Decision Requested: Place the district plan review process on hold so that the outcomes of the blueprinting exercise can be accommodated in the District Plan, including the development of structure plans.

Decision Reasons:

- Turangawaewae Trust Board are pleased that structure plans were referenced in various parts of the Proposed District Plan, however there appears to be an absence of structure plans when attempting to locate them in the plan.
- Turangawaewae Trust Board understands a 'Blueprinting' exercise is currently underway and will provide the basis for any future structure plans. Whilst this initiative is supported, it is considered that the timing of this process is unfortunate and would have been more effective if the process had been undertaken pre notification of the Proposed District Plan. The concern is, the Blueprinting exercise and potential structure plans will require plan change process to implement as part of the district plan. Locations such as Huntly, Mercer and Pokeno are in need of high-level planning assessment and it is disappointing that resource and time be required to get these guiding plans part of the district plan.

Point Number 984.10

Summary of Decision Requested: No specific decision sought but submission requests the blueprint and structure plan processes recognise tikanga and matauranga Maori and required meaningful consultation with hapu and mare in affected communities.

Decision Reasons:

- Turangawaewae Trust Board are of the opinion that any structure plans or Blueprinting exercises should recognise Waikato-Tainui tikanga and matauranga Maori, to reflect the population (56% of population in Ngaruawahia) and rich Maori heritage.

Point Number 984.11

Summary of Decision Requested: Amend the Proposed District Plan to provide setbacks from the waterways that are consistent with Proposed Plan Change 1 to the Waikato Regional Council and gives effect to the Vision and Strategy for the Waikato River and the Waikato-Tainui Environmental Plan.

Decision Reasons:

- Turangawaewae Trust Board have concerns that the earthworks setbacks do not adequately protect waterways and fail to be consistent with the notified Proposed Plan Change 1 to the Waikato Regional Plan. This plan change process triggered by the need to give effect to the Vision and Strategy for the Waikato River requires a minimum setback of 5m from a waterway (for cropping only) to be considered a permitted activity. The Proposed Waikato District Plan allows for a 1.5 setback in the Residential Zone and appears to have no setbacks at all for earthworks in the Rural Zone.
- The lack of a setback is inappropriate and has failed to have regard to the Vision and Strategy for the Waikato River and the Waikato-Tainui Environmental Plan. As a minimum it would be anticipated that the Proposed District Plan change would be consistent with Proposed Plan Change 1 to the Waikato Regional Plan.

Point Number 984.12

Summary of Decision Requested: Retain earthworks on Maaori Sites of Significance and Maaori Areas of Significance as a restricted discretionary activity.

Decision Reasons:

- Turangawaewae Trust Board support this activity status as early warning when such activities are being undertaken is desirable.

Point Number 984.13

Summary of Decision Requested: Retain the activity status and clearance thresholds for indigenous vegetation clearance for marae, dwellings and papakainga on Maaori Freehold Land or Maaori Customary Land.

Decision Reasons:

- Turangawaewae Trust Board support the ability to clear indigenous vegetation for the purpose of establishing these activities on Maaori Freehold Land or Maaori Customary Land.

Point Number 984.14

Summary of Decision Requested: Amend the Proposed District Plan to provide for earthworks in Significant Natural Areas that are for the establishment of marae, papakainga, dwellings and associated access, parking and manoeuvring as a permitted activity.

Decision Reasons:

- Earthworks within a Significant Natural Area associated with marae, papakainga and dwellings are not afforded the same permitted status as vegetation clearance and would be a restricted discretionary activity. There seems little point in providing for a permitted indigenous clearance for these activities but then requiring resource consent for earthworks.
- As currently proposed, consent for a restricted discretionary activity would potentially need to be obtained to establish building platforms and access.

Point Number 984.15

Summary of Decision Requested: Retain the permitted activity provisions for indigenous vegetation clearance associated with the gathering of plants in accordance with Maaori customs and values.

Decision Reasons:

- This is supported.

Point Number 984.16

Summary of Decision Requested: Withdraw or place on hold the Proposed Waikato District Plan review process to allow for the Hazards Chapter to be developed, integrated and considered as part of a thorough district plan review process.

Decision Reasons:

- Turangawaewae Trust Board are concerned that the Natural Hazards Chapter has been omitted from the notified Proposed District Plan. It is challenging to consider a Proposed District Plan without a natural hazards chapter in the plan.
- Given the vast array of natural hazards in the district, Turangawaewae Trust Board are of the opinion that it is not realistic to progress the plan without this chapter being considered in tandem with the other chapters of the plan.
- This is a major flaw in the process and to ensure consistency and integration across the plan.

Point Number 984.17

Summary of Decision Requested: No specific decision sought but submission supports the identification of areas of high and outstanding natural character and outstanding natural features and landscapes, and the engagement of experts in this field and with mana whenua.

Decision Reasons:

- No reason provided.

Point Number 984.18

Summary of Decision Requested: Amend the Proposed District Plan to include the Waikato River in its entirety as both an Outstanding Natural Feature and an Outstanding Natural Landscape

AND

Amend the Proposed District Plan maps to include the Waikato River in its entirety as both an Outstanding Natural Feature and an Outstanding Natural Landscape.

Decision Reasons:

- Turangawaewae Trust Board do not support the assessment of, and the non-inclusion of the Waikato River as an Outstanding Natural Feature and/or Landscape.
- Turangawaewae Trust Board do not believe that parts of the Waikato River can be cut into sections and not viewed holistically.
- The assessment of the Waikato River as an Outstanding Natural Feature and Landscape is both a historic and contemporary issue. A variety of legislative and policy directions have been developed that support the identification of the Waikato River as an Outstanding Natural Feature and Landscape.
- The Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 talks of the significance and holistic nature of the Waikato River is viewed. The submission quotes Part 2, Settlement redress through legislation (8).
- This acknowledgement by the Crown that the Waikato River should be considered in its entirety and not divided, as it has been assessed in the Proposed District Plan, provides what the river settlement legislation was seeking.
- The Vision and Strategy for the Waikato River was required to be included without amendment in the Waikato Regional Policy Statement. The Regional Policy Statement review assessed the Waikato River as an Outstanding Natural Feature and Landscape. This was removed in the decision's version on the basis that the Waikato River had been modified too significantly, in particular the part of the river flowing through Hamilton City to be deemed an Outstanding Natural Feature or Landscape and that the necessary assessments and understanding of the cultural significance has not been undertaken to support the rivers inclusion.
- Fast forward to the current situation where Waikato District Council are assessing the river at a more detailed district level, that does not include Hamilton City. In addition Waikato District Council have a greater understanding of the cultural significance of the Waikato River to Waikato-Tainui through the engagement process.
- The Proposed Plan and maps provide for the Waikato River as an Outstanding Natural Feature, only from the river Delta to inside the river mouth. Turangawaewae Trust Board are of the opinion the Waikato River is an Outstanding Natural Feature in its entirety and the reasons for it not attaining regionally significance was based on interpretation and lack of work on behalf of those researching the cultural significance of the river.
- The Waikato River is recognised by statute and is the subject of a previously unique authority that funds the restoration and protection annually. Alone this legislative weight potentially justifies its status as an Outstanding Natural Feature and Landscape at a district level.
- Of more importance is the cultural connection that Waikato-Tainui have with the Waikato River. Whilst the landscape assessment attached to the Proposed Plan does not support the entire river being included, it does as a starting point provide justification as to how the assessment was made (submission refers to the Proposed Plan Appendix 3).
- The cultural and heritage values do not neatly fit into the specific feature or landscape assessment criteria, however engagement with iwi and understanding the districts identity should have seen the Waikato River included as an Outstanding Natural Feature or Landscape or both. The lines that are blurred on the margins of the river by wetlands, tributaries, islands and river use in general only add to the rivers significance. Because the river does not sit neatly as an Outstanding Natural Feature or Outstanding Natural Landscape, that it should be considered both, and afforded the highest protection rather than defaulting to a partial categorisation that undermines its significance.
- The assessment criteria used appears to isolate features or places, rather than taking a more holistic approach. If this had been the case Waikato-Tainui assume that the Waikato River would have been deemed Outstanding; both as a landscape and a feature.

Point Number 984.19

Summary of Decision Requested: Amend the Proposed District Plan after undertaking a natural character assessment for the Waikato River to determine if there are any areas of high or outstanding natural character.

Decision Reasons:

- Turangawaewae Trust Board have concerns that no natural character assessment has been undertaken for the Waikato River.

Point Number 984.20

Summary of Decision Requested: No specific decision sought but the submission supports the introduction of Concept Management Plans

AND

Amend the Proposed District Plan to provide greater clarity as to what information must be provided when developing a Concept Management Plan.

AND

Provide further information as to how Concept Management Plans will be implemented as part of a Resource Management Act process.

AND

Provide greater clarity as to the application of the plan if a Concept Management Plan is not developed.

AND

Provide greater clarity as to who resources the development of Concept Management Plans and what council information and assistance will be provided to marae and/or trusts.

Decision Reasons:

- The ability of marae or trusts to develop Maori Freehold Land has historically proven challenging and any initiative that remedies this is generally supported.
- Turangawaewae Trust Board seek additional information as to the implementation of the plans. Whilst the introduction of Concept Management Plans and the potential for reduce regulation is positive, Turangawaewae Trust Board want to ensure that the development of these plans is not overly onerous. Turangawaewae Trust Board do not want to see individual marae or Maaori freehold land owners required to provide a Concept Management Plan and then still require further resource consents application to satisfy district plan requirements.
- The development and process of Concept Management Plan requires greater explanation in the proposed plan. Whilst Turangawaewae Trust Board support ease of development on marae and Maori freehold land, the potential still remains for a lengthy consenting process.

- Clarification is also sought in the proposed plan as to the application of the plan zoning when a Concept Management Plan is not developed. It is presumed that this means the underlying zone applies and this could create issues for those located in Residential and Rural Zones. It is understood that marae and papakainga housing will default to Discretionary Activity status without an approved Concept Management Plan. This would appear to be a restrictive activity status for what could be small scale development.
- Aside from the RMA issues around Concept Management Plans, Turangawaewae Trust Board understands the key benefits being the development of papakainga housing and the ability to futureproof in some situations future land use. This is supported provided additional resource consents are not required to satisfy district plan requirements.

Point Number 984.21

Summary of Decision Requested: Amend the Proposed District Plan to ensure consistency of wording in the Rural and Residential Zones in relation to the approval process for a Concept Management Plan.

Decision Reasons:

- Turangawaewae Trust Board seek additional information as to the implementation of the plans. Whilst the introduction of Concept Management Plans and the potential for reduce regulation is positive, Turangawaewae Trust Board want to ensure that the development of these plans is not overly onerous. Turangawaewae Trust Board do not want to see individual marae or Maori freehold land owners required to provide a Concept Management Plan and then still require further resource consents application to satisfy district plan requirements.

Submitter Number: 985 **Submitter:** Neil Crispe
Organisation: Koch Farms Limited

Point Number 985.1

Summary of Decision Requested: Retain Objective 5.1.1 The rural environment as notified.

Decision Reasons:

- The Waikato District encompasses valuable areas of high class soils that are of primary importance for food production both regionally and nationally. Protecting high class soils from adverse effects of inappropriate use and development is of national importance and is recognised with a NPS for Versatile Land and High Class Soils under consideration.
- Urban subdivision is an inefficient use of rural production land. Urban subdivision, particularly ad-hoc subdivision, may undermine the integrated development of identified townships and expansion areas.
- Supports the objective and agrees that urban development within the rural environment should be avoided.

Point Number 985.2

Summary of Decision Requested: Retain Objective 5.2.1 Rural resources, except for the amendments sought below
AND
Amend Objective 5.2.1 Rural resources, as follows:
(a) Maintain or enhance the:
(i) Inherent life-supporting capacity, accessibility, and versatility of soils, in particular high class soils.

Decision Reasons:

- Supports sub-policy (i) which seeks to maintain or enhance the life supporting capacity and versatility of soils.
- Accessibility to versatile land is also a key consideration in managing this resource and should be included in this policy.

Point Number 985.3

Summary of Decision Requested: Retain Policy 5.2.2 High class soils as notified.

Decision Reasons:

- Submitter supports Policy 5.2.2 which seeks to retain high class soils and ensure adverse effects do not compromise the life support properties of high class soil.

Point Number 985.4

Summary of Decision Requested: Retain Objective 5.3.1 Rural character and amenity, except for the amendments sought below,
AND
Amend Objective 5.3.1(a) Rural character and amenity as follows:
Rural character and amenity are maintained while recognising the localised character of different parts of the District.

Decision Reasons:

- Supports the intent of the objective but needs recognition of the variation of what defines rural character and amenity values across a large District.
- The Waikato District encompasses coastal areas, hill country comprising large landholdings particularly in the northern part of the district and primarily pastoral uses and smaller landholdings which is used for higher value production activities such as intensive cropping, greenhouses etc.
- Consideration of 'Rural Character' should take into account the unique variables of the locality including land holding pattern, built form, landuse activities, vegetation and geomorphology.

Point Number 985.5

Summary of Decision Requested: Retain Policy 5.3.8 Effects on rural character and amenity from rural subdivision, except for the amendments sought below
AND
Amend Policy 5.3.8 Effects on rural character and amenity from rural subdivision, as follows:
(b) Ensure development does not compromise the predominant open space, character and amenity of rural areas
...

(d) Rural hamlet subdivision and boundary relocations ensure the following:

(i) Protection of rural land for productive purposes;

(ii) Maintenance of the localised rural character and amenity of the surrounding rural environment;

(iii) Minimisation of cumulative effects;

(e) Subdivision, use and development opportunities ensure that localised rural character and amenity values are maintained.

Decision Reasons:

- Policy is supported in part.
- Policies 5.3.8(b), (d)(ii) and (e) are duplicates which seek to ensure that rural character and amenity are maintained.
- Not all rural areas comprise open space character and amenity. The district's rural character is varied in nature and comprises landscapes, landforms and structures and are areas of active and dynamic primary production and associated activities rather than necessarily benign landscapes.
- It should be recognised that Rural landscapes can be visually altered by structures and buildings such as greenhouses and packhouses, however these are recognised as important components of primary production activities, form part of the rural environment, and are generally considered rural in appearance and value.

Point Number

985.6

Summary of Decision Requested:

Amend the activity status for Rules 22.4.1.1 PR1, PR2, PR3 and PR4 Prohibited subdivision from prohibited activities to non-complying activities.

Decision Reasons:

- Oppose the Prohibited Activity status for rural subdivision activities under Rule 22.4.1.1.
- With regards to PR2 and PR3 there may be circumstances where the subdivision of high class soils has overall positive effects that can be supported by the objectives and policies. Relocating consented lots within a holding (multiple Records of Title held in the same ownership) may produce a better outcome from a farming and landscape perspective.
- There are some circumstances it may be unavoidable to create an additional Record of Title, i.e. where it is limited to parcels and held together by covenant.
- The rule relies on a definition of High Class Soils. High class soils as defined in the Proposed Plan, (relying on soil classification only), may not be versatile due to a range of factors identified through case law.
- It is unreasonable to prohibit the creation of lots that accommodate existing and well-established rural activities are viable and sustainable and permanent nature and it is appropriate for these to be subdivided from other rural activities on the site. Established rural activities include greenhouses, packhouse, packing sheds, intensive farming, poultry hatcheries or commercial orchards.
- Rural activities do not need to be held on the same certificate of title as other rural activities. Subdivision may enable more opportunities for economic wellbeing and the efficient and effective operation of the activity.
- Commercial reasons could necessitate subdivision including the desire to sell or lease the business rather than disposal of the entire property or the need to invest more capital in the operation.
- Prevents opportunities for subdivision where there is a significant capital investment, particularly in buildings and the intensive rural activity will continue to be commercially viable and sustainable following separation from other rural activities on the site.
- PR4 unreasonably restricts subdivision potential over what is necessary to avoid undermining the intent of the rule under which these Record of Title were created. Rule 22B of the Franklin Section the donor certificates of title had to meet a minimum area of 1ha each, however, there is no maximum, with many donor Records of Title ranging upwards from 20ha prior to the amalgamation. It is noted that under the Franklin Section of the District Plan there was no corresponding rule that limited any further subdivision of the donor lot. While subdividing lots amalgamated under Section 22b of the Franklin Section require closer scrutiny this should merit a Non-Complying Activity status. The land affected may contain qualifying Significant Natural Areas or may be able to relocate boundaries without creating an outcome that may compromise the prior transferable subdivision.
- The objectives and policies of the Proposed Plan should be sufficiently strong to ensure that the subdivision of land containing high class soils is protected and that subdivision in the Urban Expansion Zone does not undermine the integrated and efficient development of this zone.

Point Number

985.7

Summary of Decision Requested:

Amend Rule 22.4.1.1 Prohibited subdivision to replace the term 'lot' with 'Record of Title'.

Decision Reasons:

- It may be necessary to create multiple lots and hold them in one Record of Title. This may occur when a stream or a public road bisects land held together in one Record of Title.

Point Number

985.8

Summary of Decision Requested:

Retain Rule 22.4.1.2(a)(i), (ii) and (iii) General Subdivision, as notified.

Decision Reasons:

- Supports the inclusion of the General Subdivision rules.

Point Number

985.9

Summary of Decision Requested:

Retain Rule 22.4.1.2(a)(iv) General subdivision, which classifies creation of an additional lot between 8,000m² and 1.6ha as a restricted discretionary activity.

Decision Reasons:

- The creation of an additional vacant lot between 8,000m² and 1.6ha as a restricted discretionary activity is supported.

Point Number

985.10

Summary of Decision Requested:

Add a new discretionary activity to Rule 22.4.1.2 General subdivision, as follows:

D1

(a) General subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.2, (iv) RD1.

(b) General subdivision around established rural activities that does not comply with Rule 22.4.1.2, (iv) RD1.

Decision Reasons:

- General Subdivision creating a child lot around an existing dwelling, where a curtilage is established and farming regime is already in place on the balance lot, should be provided flexibility in lot size to ensure that the existing farming regime can continue.
- Ensure the boundaries proposed are a practical outcome to ensure the most efficient ongoing management of the land and not meet an arbitrary rule. A lot size consistent with the established farming regime will avoid the redevelopment of farm tracks and fence lines to access what is a relatively small piece of land.
- A discretionary rule should also be provided for lots less than 8,000m² and greater than 1.6ha where they contain an existing dwelling. There may be site specific factors that create a unique situation that is conducive to the proposed lot size whilst remaining consistent with the objectives and policies.
- For lots smaller than 8000m², it is only necessary to confirm the provision of services within the lot boundaries.
- Lots greater than 1.6ha may need an assessment with respect to the productive potential of the land. If the land comprises existing curtilage around the house then the lot will not result in any unreasonable effects with respect to the productive potential of the balance

land. If the land comprises productive potential, then a Farm Management report should be provided to demonstrate that the both the proposed lot and the balance lot are sized to ensure rural land uses continue to predominate.

- Creation of lots should be provided for that accommodate existing and well-established rural activities where these are of a viable, sustainable and permanent nature, and it is appropriate for these to be subdivided from other rural activities on the site.

Point Number 985.11

Summary of Decision Requested: **Delete Rule 22.4.1.2(a)(v) General Subdivision (80/20 Rule);**

AND

Add new matters of discretion to Rule 22.4.1.2(b) General subdivision, as follows:

(vi) Effects on rural productivity and fragmentation of high class soils.

Decision Reasons:

- There is no analysis in the s32 regarding this relevance or practicality of this rule.
- The submitter agrees with the intent of this rule which is to design subdivision to avoid fragmentation of the high class soils. However the strict and arbitrary 80/20 requirement of this rule though may not necessarily result in the best layout, design or farming outcome for the site.
- The objectives and policies (5.1.1, 5.2) give primacy to the protection of high class soils. In addition to the objectives and policies (5.2), the submitter would like to see matters relating to the retention of high class soils and the maintenance of productivity/farming systems addressed as a matter of discretion for the General Subdivision provisions. The strength of the objectives and policies together with expanded matters of discretion are sufficiently strong to ensure adverse outcomes on high class soils are avoided.
- The requirement to demonstrate the 80/20 split will result in the necessary inclusion of Landuse Capability Reporting with even subdivision application under the general provisions to demonstrate that this exact figure is met. This becomes an additional compliance cost that does not necessarily result in a better environmental outcome. Council's Consent Planners should have the discretion of where these are required in accordance with the recommended matter of discretion.

Submitter Number: 986

Submitter: Pam Butler

On behalf of: KiwiRail Holdings Limited (KiwiRail)

Point Number 986.1

Summary of Decision Requested: **Retain Section 1.5.4(a) and (b) Urban Growth as notified.**

Decision Reasons:

- The rail network (like other land transport networks) traverses through multiple districts. It is critical to the ongoing operation and effectiveness of the rail network that it is coordinated across different districts (a).
- Uncoordinated or ad hoc urban growth can have significant adverse effects on, and undermine, the efficient provision and use of infrastructure (b), particularly in terms of reverse sensitivity.

Point Number 986.2

Summary of Decision Requested: **Retain Section 1.5.5(a), (b), (c), (d), (e) and (g) Services and Infrastructure as notified.**

Decision Reasons:

- Like other long linear networks, the rail network is unable to easily be relocated. Therefore, KiwiRail submits that mitigation of the effects of new or altered development in the surrounding area and managing reverse sensitivity effects (a) is fundamental to ensuring that the rail network can operate and be maintained efficiently, as well as ensuring that the residents and communities of the region are provided with an appropriate quality of life.
- Land transport networks need to be integrated and coordinated (b) and (e) and protected from the adverse effects of other activities (c). Consistent Plan wide provisions which enable the effective and efficient operation of infrastructure and protect it from incompatible activities being established in close proximity is important for KiwiRail in continuing to provide rail services within the District (d).
- In addition, the rail network is infrastructure that has the potential to adversely impact on the social and economic wellbeing, as well as the health and safety, of the community if not able to operate efficiently, effectively and safely. KiwiRail therefore support Council in working to ensure that the infrastructure is protected and can operate appropriately (g).

Point Number 986.3

Summary of Decision Requested: **Retain Section 1.5.6(a) and (d) Transport and Logistics as notified.**

Decision Reasons:

- KiwiRail supports recognition of the importance of land transport networks to the District (a) and the rail network (d) as significant infrastructure networks and seeks that recognition is provided for the social, economic, environmental, and health and safety benefits to the community that arise from those networks.

Point Number 986.4

Summary of Decision Requested: **Amend Section 1.12.8 Strategic objectives as follows (or similar amendments to achieve the requested relief):**

(a) The matters set out in paragraphs ~~4.1.1 – 4.1.7~~ 1.12.1 – 1.12.7 provide the overarching directions for the development of the objectives, policies and other provisions within the district plan.

(b) In summary, the overarching directions include the following:

(i) Urban development takes place within areas identified for the purpose in a manner which utilises and integrates land and infrastructure most efficiently

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- There is a need to plan for and protect regionally significant infrastructure from the adverse effects of inappropriate urban development. The two elements should be integrated, supportive and beneficial. Urban development should not only be sited so as to utilise existing or planned infrastructure most effectively, it must also be located where it minimizes impacts on infrastructure (such as regional land transport networks) to allow them to operate effectively. The concept of integration of both infrastructure and development is a critical Plan theme which should be referenced here by changing the policy so that it promotes integration.
- Paragraph 1.12.8 refers to "paragraphs 4.1.1-4.17", which appears to be an error and should presumably refer to 1.12.1-1.12.7.

Point Number	986.5
Summary of Decision Requested:	Retain Policy 3.2.3 Management Hierarchy as notified.
Decision Reasons:	<ul style="list-style-type: none"> • KiwiRail supports the management of Significant Natural Areas and the recognition that where development is necessary these effects on Significant Natural Area values can be managed by a suite of options including avoiding, remedying, mitigating and offsetting. The rail network is not able to be easily relocated and given the function it provides for the region and the country, the rail network may cross or run parallel Significant Natural Areas. • Given KiwiRail's operational need to maintain existing corridor, it is important that it is able to utilise the measures identified in the Policy to address any adverse environmental effects.
Point Number	986.6
Summary of Decision Requested:	<p>Retain Policy 3.2.4(b) Biodiversity offsetting except for the amendments sought below</p> <p>AND</p> <p>Amend Policy 3.2.4(b)(ii) Biodiversity offsetting as follows (or similar amendments to achieve the requested relief): <i>the biodiversity offset can achieve an equivalent level of no net loss of indigenous biodiversity;</i></p> <p>AND</p> <p>Any consequential amendments to link and/or accommodate the requested changes.</p>
Decision Reasons:	<ul style="list-style-type: none"> • KiwiRail supports the management of Significant Natural Areas and the recognition that where development is necessary Significant Natural Area values are protected by avoiding, remedying, mitigating and offsetting any effects. • KiwiRail has a narrow, linear corridor which cannot easily be relocated nor can the effects of works to maintain it be completely avoided be times. The ability to off-set is important for linear infrastructure providers, such as KiwiRail, where functional and locational constraints apply. • Offsetting and its application to projects are part of the RMA framework, and the term is not exclusive to biodiversity values e.g. this could include a financial offset. In some cases, it may not be possible to achieve a 100% 'no net loss' and the policy should be broadened to accommodate acceptable proposals. • It is noted that the imperative is inconsistent with Policy 11.1 of the Regional Policy Statement.
Point Number	986.7
Summary of Decision Requested:	<p>Add a new clause (v) to Policy 3.2.6(a) Providing for vegetation clearance as follows (or similar amendments to achieve the requested relief):</p> <p><i>(a) Provide for the clearance of indigenous vegetation in Significant Natural Areas when:</i></p> <p><i>...</i></p> <p><i>(v) operating, maintaining or upgrading existing infrastructure</i></p> <p>AND</p> <p>Any consequential amendments to link and/or accommodate the requested changes.</p>
Decision Reasons:	<ul style="list-style-type: none"> • Reasonable works required to keep tracks and equipment functioning and clear of vegetation should be permitted in SNAs to ensure existing infrastructure is able to be maintained in an operational condition.
Point Number	986.8
Summary of Decision Requested:	<p>Amend Policy 3.2.8 – Incentivise subdivision as follows (or similar amendments to achieve the requested relief):</p> <p>3.2.8 Policy - Incentivise subdivision that Protects Significant Natural Areas</p> <p><i>(a) Incentivise appropriate subdivision in the Rural zone when there is which provides for the legal and physical protection of Significant Natural Areas, provided the areas are of a suitable size and quality to achieve a functioning ecosystem.</i></p> <p>AND</p> <p>Any consequential amendments to link and/or accommodate the requested changes.</p>
Decision Reasons:	<ul style="list-style-type: none"> • The policy can be read as though widespread subdivision in the Rural zone is encouraged rather than the object, which is to incentivise the legal protection of Significant Natural Areas where rural subdivision is otherwise appropriate. KiwiRail would be concerned if the policy promoted subdivision which could have adverse effects on land transport infrastructure by being encouraged where it otherwise does not meet the Rural subdivision rules. • As notified, the policy could be read as supporting ad-hoc rural subdivision and not as it is intended to be, which is to incentivise sustainable subdivision in and around Significant Natural Areas.
Point Number	986.9
Summary of Decision Requested:	<p>Add a new clause (vii) to Policy 3.3.2(b) Recognising values and qualities (or similar amendments to achieve the requested relief):</p> <p><i>(b) Recognise the attributes of the Waikato River delta and wetlands, Whangamarino Wetland and Lake Whangape identified as Outstanding Natural Features, including:</i></p> <p><i>...</i></p> <p><i>(vii) existing infrastructure, including land transport networks</i></p> <p>AND</p> <p>Any consequential amendments to link and/or accommodate the requested changes.</p>
Decision Reasons:	<ul style="list-style-type: none"> • As a continuous linear network KiwiRail's railway corridor is located within some Outstanding Natural Landscape areas. The policy should include recognition that the location of significant land infrastructure in these areas is an attribute similar to the farming and recreational activities also noted.
Point Number	986.10
Summary of Decision Requested:	Amend Policy 3.5.4(a)(iv) Protecting the natural character of wetlands, and lakes and rivers and their margins as follows (or similar amendments to achieve the requested relief):

(iv) requiring appropriate setbacks of new activities from wetlands, lakes and rivers.

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- This clause is unreasonably restrictive for linear land transport networks like KiwiRail.
- KiwiRail supports Council in requiring activities to be setback from rivers, lakes and the coastal marine area, however this policy as worded gives no recognition to existing encroachments or where activities have a functional and operational need to be located in these areas. The rail network is not able to be easily relocated and frequently crosses watercourses

Point Number

986.11

Summary of Decision Requested:

Retain Objective 4.1.1(a) Strategic as notified.

Decision Reasons:

- KiwiRail supports the objective as it recognises the interconnected nature of land use and transport planning.

Point Number

986.12

Summary of Decision Requested:

Retain Objective 4.1.2 Urban growth and development as notified

Decision Reasons:

- KiwiRail support that there is a focus on consolidating growth near existing settlements.

Point Number

986.13

Summary of Decision Requested:

Amend Policy 4.1.8 (a)(i) – Integration and connectivity as follows (or similar amendments to achieve the requested relief):

(i) Providing good access to facilities and services by a range of transport modes through the provision of integrated networks of roads, rail, public transport, cycle, and pedestrian routes;

AND

Add a new clause (v) to Policy 4.1.8(a) Integration and connectivity as follows (or similar amendments to achieve the requested relief):

(v) Avoiding or managing reverse sensitivity effects on the strategic transport infrastructure networks

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- Policy 4.1.3 (a) and (b) cover integration and connectivity issues. The railway network provides for freight transport which is an essential part of meeting the District's economic and social wellbeing. Rail should therefore be added to the policy.
- Urban development locating near land transport networks need to address reverse sensitivity effects on infrastructure which is largely dealt with in the Objectives and Policies in Chapter 6. However, given urban development needs to address certain restrictions relating to setbacks and acoustic protection across the Plan and not just in specific growth areas, there should be some mention of reverse sensitivity in this part of the Plan and in a 'location' policy topic. This higher tier policy would then apply to all the specific growth nodes which follow.
- Submissions are made to each of the nodes following 4.1.8 Policy – Integration and connectivity, in case this submission is not accepted. The purpose and principles of the Resource Management Act 1991 (the Act) are stated in Part 2. The rail network is a physical resource that needs to be sustainably managed through the Plan. Of specific relevance to the issue of safety (a key concern for KiwiRail), is that the Act seeks to enable people and communities to provide for their well-being and their health and safety. Section 7 of the Act identifies 'other matters' which need to be given particularly regard to in achieving the purpose of the Act. These include the efficient use and development of natural and physical resources.
- Part 2 of the Act also supports the efficient use and development of the rail network while also enabling people and communities to provide for their well-being and their health and safety. An appropriate balance needs to be achieved between ensuring the rail network is efficiently utilised and adjacent development can be facilitated, without compromising safety of people and communities.

Point Number

986.14

Summary of Decision Requested:

Add a new clause (iv) to Policy 4.1.10(a) Policy – Tuakau as follows (or similar amendments to achieve the requested relief):

(iv) Reverse sensitivity effects on strategic transport infrastructure networks are avoided or managed;

OR

Add a new clause (v) to Policy 4.1.8(a) Integration and connectivity as follows (or similar amendments to achieve the requested relief):

(v) Avoiding or managing reverse sensitivity effects on the strategic transport infrastructure networks

so that this applies equally to all towns and growth nodes in Chapter 4

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- Tuakau is near the NIMT which bisects the township. Growth can impact the line and any level crossings to a greater or lesser degree depending upon location of new development. The policy should be amended to provide for the avoidance of reverse sensitivity effects on strategic transport infrastructure, as this will enable development proposals to be assessed to achieve sustainable growth.

Point Number

986.15

Summary of Decision Requested:

Amend Policy 4.1.11(a) (iii) Pokeno as follows (or similar amendments to achieve the requested relief):

(iii) Reverse sensitivity effects ~~are~~ from the strategic transport infrastructure networks are avoided or managed;

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- KiwiRail supports the specific recognition that reverse sensitivity effects (which includes those on the land transport network) are required to be addressed in Pokeno, but considers the wording needs to be amended to more accurately capture the concept of reverse sensitivity. Reverse sensitivity effects are effects on existing infrastructure (and other lawfully established, effects-generating activities) that arise from the location of incompatible sensitive activities in proximity.

Point Number 986.16

Summary of Decision Requested: **Add a new clause (vii) to Policy 4.1.12(b) Te Kauwhata as follows (or similar amendments to achieve the requested relief):**
(vii) Avoids or manages reverse sensitivity effects on strategic transport infrastructure networks.
AND
Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- KiwiRail seeks specific recognition that reverse sensitivity effects (which includes those on the land transport network) are required to be addressed in Te Kauwhata. KiwiRail has recently canvassed reverse sensitivity issues with the developer in this area via Plan Change 20.

Point Number 986.17

Summary of Decision Requested: **Amend Policy 4.1.13(a)(ii) Huntly as follows (or similar amendments to achieve the requested relief):**
(ii) Reverse sensitivity effects ~~on~~ from the strategic transport infrastructure networks are avoided or managed.
AND
Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- KiwiRail supports the specific recognition that reverse sensitivity effects (which includes those on the land transport network) are required to be addressed in Huntly, but considers the wording needs to be amended to more accurately capture the concept of reverse sensitivity.

Point Number 986.18

Summary of Decision Requested: **Add a new clause (v) to Policy 4.1.14 (a) Taupiri as follows (or similar amendments to achieve the requested relief):**
Reverse sensitivity effects on the strategic transport infrastructure networks are avoided or managed.
OR
Add a new clause (v) to Policy 4.1.8(a) Integration and connectivity as follows (or similar amendments to achieve the requested relief):
(v) Avoiding or remedying reverse sensitivity effects on the strategic transport infrastructure networks
so that this applies equally to all towns and growth nodes in Chapter 4
AND
Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- The North Island Main Trunk Line will continue to pass through Taupiri township. Growth can impact the line and any crossings or a greater of lesser degree depending upon location of new development and this should be added to the policy to enable development proposals to be assessed to achieve sustainable growth.

Point Number 986.19

Summary of Decision Requested: **Add a new clause (vi) to Policy 4.1.15 (a) Ngaruawahia as follows (or similar amendments to achieve the requested relief):**
Reverse sensitivity effects on the strategic transport infrastructure networks are avoided or managed.
OR
Add a new clause (v) to Policy 4.1.8(a) Integration and connectivity as follows (or similar amendments to achieve the requested relief):
(v) Avoiding or remedying reverse sensitivity effects on the strategic transport infrastructure networks
so that this applies equally to all towns and growth nodes in Chapter 4
AND
Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- While the SH1 alignment has changed, the NIMT runs through Ngaruawahia township. Growth can impact the line and any crossings to a greater of lesser degree depending upon the location of new development and this should be added to the policy to enable development proposals to be assessed to achieve sustainable growth.

Point Number 986.20

Summary of Decision Requested: **Amend Policy 4.1.16(a)(iii) Huntly as follows (or similar amendments to achieve the requested relief):**
(iii) Reverse sensitivity effects ~~on~~ from the strategic transport infrastructure networks are avoided or managed.
AND
Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- KiwiRail supports the specific recognition that reverse sensitivity effects (which includes those on the land transport network) are required to be addressed in Horotiu, but considers the wording needs to be amended to more accurately capture the concept of reverse sensitivity.

Point Number 986.21

Summary of Decision Requested: **Amend Policy 4.2.15(b) as follows**
(or similar amendments to achieve the requested relief):
Earthworks are designed and undertaken in a manner that ensures the stability and safety of surrounding land, buildings, infrastructure and structures.
AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- Policy 4.2.15(b) seeks to ensure that earthworks do not undermine surrounding land, buildings and structures. KiwiRail seeks to add the word infrastructure to the policy to recognise the need to protect it from adjacent earthworks activity.

Point Number 986.22

Summary of Decision Requested: **Retain** Policy 4.4.2 Noise, particularly clauses (iii)-(v) as amended below

AND

Amend Policy 4.4.2(a) Noise as follows (or similar amendments to achieve the requested relief):

(iii) Maintaining appropriate setback distances between high noise environments and sensitive land uses **noise-sensitive activities**;

(iv) Managing the location of sensitive land uses **and noise-sensitive activities**, particularly in relation to lawfully-established high noise generating activities; and

(v) Requiring acoustic insulation where **noise-sensitive activities** are located within high noise environments.

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- KiwiRail supports the policy, particularly clauses (iii)-(v). These clauses support noise sensitive activities managing reverse sensitivity effects on the railway corridor including through both setbacks and acoustic design.
- The terminology used in the policy is 'sensitive land uses'. The policy should be expanded to include 'noise' sensitive activities (as this is also defined in the Plan). A separate KiwiRail submission seeks that the definitions of 'noise sensitive' and 'sensitive' land uses be clarified or combined.

Point Number 986.23

Summary of Decision Requested: **Retain** Policy 4.4.7 Managing the adverse effects of signs except for the amendments sought below

AND

Amend Policy 4.4.7(a) Managing the adverse effects of signs as follows (or similar amendments to achieve the requested relief):

(a) The location, colour, content, and appearance of signs directed at traffic is controlled to ensure signs do not distract, confuse or obstruct motorists, pedestrians and other **road land transport users**;

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- KiwiRail supports the policy as it provides for the assessment of the effects of signs on land transport safety. This is reflected in the minor amendment sought.

Point Number 986.24

Summary of Decision Requested: **Retain** Policy 4.7.11 Reverse sensitivity except for the amendments sought below

AND

Amend Policy 4.7.11(a) Reverse sensitivity as follows (or similar amendments to achieve the requested relief):

(a) Development and subdivision design minimises reverse sensitivity effects on adjacent sites, adjacent **lawfully established activities (including infrastructure)**, or the wider environment; and

(b) Avoid the potential for reverse sensitivity effects from the location of new dwellings in

the vicinity of an intensive farming, extraction industry or industrial activity, or infrastructure;

(c) Development of noise-sensitive activities is designed to avoid or mitigate reverse

sensitivity effects on transport networks

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- KiwiRail supports the policy which seeks to ensure that any urban development addresses reverse sensitivity effects. While there are policies in the Infrastructure section supporting this, it is important that the effects of subdivision on the safety and efficiency of existing network utilities such as land transport networks are considered at the time of subdivision. Good subdivision design can address many issues for example, stormwater arrangements, noise bunds and lot design.
- The addition of the term 'lawfully established activities' reflects its use in 5.6.3 Policy – Subdivision within the Country Living Zone.
- In addition, there are no targeted policies relating to KiwiRail's standards to manage reverse sensitivity effects. The requested changes relate to the setbacks (i.e. adjacent to the corridor, acoustic controls, access at level crossings) and other mitigation required to achieve sustainable development.

Point Number 986.25

Summary of Decision Requested: **Retain** Policy 5.3.7(c) Reverse sensitivity effects as notified.

Decision Reasons:

- KiwiRail supports this clause of the policy as it addresses the need for appropriate setbacks from lawfully established activities where reverse sensitivity effects may arise.

Point Number 986.26

Summary of Decision Requested: **Retain** Policy 5.3.14 Signs except for the amendments sought below

AND

Amend Policy 5.3.14(b) Signs as follows (or similar amendments to achieve the requested relief):

(b) Ensure signage directed at traffic does not distract, confuse or obstruct motorists, pedestrians and other **land transport road users**.

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- KiwiRail supports the policy as it provides for the assessment of the effects of signs on land transport safety. This is reflected in the minor amendment sought.

Point Number 986.27

Summary of Decision Requested: **Retain** Policy 5.3.15 Noise and vibration except for the amendments sought below

AND

Amend Policy 5.3.15(a)(vi) as follows (or similar amendments to achieve the requested relief):

(vi) Requiring acoustic insulation where sensitive land use activities are located within high noise environments, including near the railway corridor, the Airport Noise Outer Control Boundary, Huntly Power Station, the Gun Club Noise Control Boundary.

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- KiwiRail supports the policy which recognises that reverse sensitivity effects occur and need to be managed through managing the location of sensitive land uses in relation to lawfully-established activities, including by maintaining appropriate buffers between high noise environments and noise sensitive activities.
- The railway corridor operates 24/7 and can produce adverse effects that extend beyond the corridor boundary, such as noise and vibration, emissions, lighting/glare and dust.
- Development near the railway corridor needs to take into account the potential for these effects to be experienced and should be designed to avoid/mitigate them.

Point Number 986.28

Summary of Decision Requested: **Retain** Policy 5.6.3 Subdivision within the Country Living Zone as notified.

Decision Reasons:

- KiwiRail supports the policy's direction that existing infrastructure is not to be compromised by inappropriate subdivision, building and development, and that lawfully established activities are to be protected from reverse sensitivity effects in the zone.

Point Number 986.29

Summary of Decision Requested: **Retain** Policy 5.6.16 Noise, particularly clauses (iii)-(v) as amended below

AND

Amend Policy 5.6.16 Noise as follows (or similar amendments to achieve the requested relief):

(iii) Maintaining appropriate setback distances between high noise environments and sensitive land uses and noise-sensitive activities;

(iv) Managing the location of sensitive land uses and noise-sensitive activities, particularly in relation to lawfully-established high noise-generating activities;

(v) Requiring acoustic insulation where noise sensitive activities are located within high noise environments.

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- KiwiRail supports the policy, in particular clauses (iii)-(v). These clauses support noise sensitive activities managing reverse sensitivity effects on the railway corridor, including through both setbacks and acoustic design. The terminology used in the policy is 'sensitive land uses'. The policy should be expanded to include 'noise' sensitive activities (as this is also defined in the Plan). A separate KiwiRail submission seeks that the definitions of 'noise sensitive' and 'sensitive' land uses be clarified or combined.

Point Number 986.30

Summary of Decision Requested: **Amend** Objective 6.1.1 Development, operation and maintenance of infrastructure as follows (or similar amendments to achieve the requested relief):

(a) Infrastructure is developed, operated and maintained to benefit the social, economic, cultural and environmental wellbeing of the district.

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- KiwiRail supports the objective seeking that infrastructure is developed, operated and maintained to benefit the social, economic, cultural and environmental well-being of the district but requests that it is amended to have a wider focus, to include national and district benefits of infrastructure but seeks an amendment to recognise the wider benefits of infrastructure within and beyond the district.

Point Number 986.31

Summary of Decision Requested: **Retain** Policy 6.1.2 Development, operation and maintenance as notified.

Decision Reasons:

- KiwiRail supports the policy which provides for the ongoing use, maintenance and development of infrastructure throughout the District. KiwiRail supports policy 6.1.2 as it recognises the benefits infrastructure delivers to the District by enabling network utility operators to operate, maintain, repair, replace, upgrade or remove network utilities in a way which enables the efficient on going use and development of assets. Like other linear networks, the rail network is unable to easily be relocated and therefore supports recognition of issues such as functional need and locational constraints as part of this policy.

Point Number 986.32

Summary of Decision Requested: **Retain** Policy 6.1.3 Technological advances as notified.

Decision Reasons:

- This policy allows for the ongoing improvements created by technological advances and their implementation throughout utility networks. Given the fast pace of change it is important the new operational equipment is enabled to be rolled out quickly under the Plan.

Point Number 986.33

Summary of Decision Requested: **Retain Policy 6.1.4 Infrastructure benefits as notified.**

Decision Reasons:

- Infrastructure development and operations yield significant benefits within the District as recorded in (a) (i) – (vii). These benefits can be maximised by providing for its effective operation, upgrading, maintenance and development.

Point Number 986.34

Summary of Decision Requested: **Retain Objective 6.1.6 – Reverse sensitivity as notified.**

Decision Reasons:

- KiwiRail supports the Plan direction to ensure that subdivision, use and development avoids reverse sensitivity effects. The operation, maintenance and development of the land transport network has the potential to adversely impact on the social and economic wellbeing, as well as the health and safety of the community if not able to operate efficiently, effectively and safely.

Point Number 986.35

Summary of Decision Requested: **Amend Policy 6.1.7 Reverse sensitivity and infrastructure as follows (or similar amendments to achieve the requested relief):**

(a) Avoid reverse sensitivity effects on existing and planned infrastructure from subdivision, use and development as far as reasonably practicable, so that the ongoing and efficient operation of infrastructure is not compromised.

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- KiwiRail supports the broad intent to ensure that subdivision, use and development avoids reverse sensitivity effects. The operation, maintenance and development of the land transport network has the potential to adversely impact on the social and economic wellbeing, as well as the health and safety of the community if not able to operate efficiently, effectively and safely. KiwiRail seeks to slightly amend the policy wording to reflect planned as well as existing infrastructure.

Point Number 986.36

Summary of Decision Requested: **Retain Objective 6.1.8 Infrastructure in the community and identified areas as notified.**

Decision Reasons:

- KiwiRail acknowledges that the provision of new infrastructure is influenced by the natural and physical environment within which it is located.

Point Number 986.37

Summary of Decision Requested: **Retain Policy 6.1.9 Environmental effects, community health, safety and amenity as notified.**

Decision Reasons:

- KiwiRail acknowledges that the provision and operation of infrastructure be within appropriate health and safety parameters. This has been addressed in KiwiRail's requests for Plan standards which address both the health and safety of road users and residents.

Point Number 986.38

Summary of Decision Requested: **Retain Policy 6.4.4 Road and rail network except for the amendments sought below**

AND

Amend Policy 6.4.4 Road and rail network as follows (or similar amendments to achieve the requested relief):

6.4.4 Policy – Road and rail Land transport network

(a) Discourage Avoid subdivision, use and development that would compromise:

(i) The road function, as specified in the road hierarchy, or the safety and efficiency of

the road network; and

(ii) The safety and efficiency, including the maintenance, upgrading, development and operation of the railway land transport network.

(b) Avoid reverse sensitivity effects on the land transport network through setbacks and design controls for new residential and other noise sensitive activities established in proximity to existing or planned transport corridors.

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- KiwiRail supports the intent of the Policy, which seeks to discourage subdivision, use and development which compromises regional land transport infrastructure (including both road and rail).
- However, it seeks the following amendments:
 - o Change the title to reflect that it is specific to land transport networks
 - o Use the Resource Management Act 1991 defined word "avoid" rather than "discourage" subdivision; and
 - o Take into account the full range of functions and activities on the land transport network (including road and rail).
- KiwiRail also seeks that further arm is added to the policy to address the specific measures sought to be added to the Plan to address reverse sensitivity effects. An additional item is sought to address the mitigation needed through setbacks and acoustic insulation.

Point Number 986.39

Summary of Decision Requested:	<p>Retain Objective 6.5.1(a)(ii) Land transport except for the amendments sought below</p> <p>AND</p> <p>Amend Objective 6.5.1(a)(ii) Land transport network as follows (or similar amendments to achieve the requested relief):</p> <p>(a) An integrated land transport network where:</p> <p>...</p> <p>(ii) Adverse effects from the construction, maintenance, upgrading and operation of the transport network are managed.</p> <p>AND</p> <p>Any consequential amendments to link and/or accommodate the requested changes.</p>
Decision Reasons:	<ul style="list-style-type: none"> The objective is supported as it recognises the integral role transport infrastructure plays in the District and that it meets several key community wellbeings. Development which is inappropriately located can result in adverse effects as well as compromised amenity if not appropriately designed and located.
Point Number	986.40
Summary of Decision Requested:	<p>Retain Policy 6.5.2 Construction and operation of the land transport network except for the amendments sought below</p> <p>AND</p> <p>Amend Policy 6.5.2(a)(viii) Construction and operation of the land transport as follows (or similar amendments to achieve the requested relief):</p> <p>(viii) Discouraging the installation of new at grade road and pedestrian rail level crossings:</p> <p>(a) Promote the construction and operation of an efficient, effective, integrated, safe, resilient and sustainable land transport network through:</p> <p>...</p> <p>(viii) Discouraging the installation of new at grade road and pedestrian rail level crossings:</p> <p>(ix) A Controlling the location of buildings and other visual obstructions within the sightline areas of rail level crossings</p> <p>(x) B Railway crossing design in accordance with the requirements of the rail operator.</p> <p>AND</p> <p>Any consequential amendments to link and/or accommodate the requested changes.</p>
Decision Reasons:	<ul style="list-style-type: none"> KiwiRail supports the policy but considers it would be better expressed as separate items for clarity. KiwiRail supports the policy as it discourages new level crossings on the network. Where any new crossing is sought as part of new development, KiwiRail would need to be formally consulted and approve any proposal. Level crossings are a hazard to both rail and road traffic and every effort should be made to manage risks associated with them.
Point Number	986.41
Summary of Decision Requested:	<p>Amend Policy 6.5.5 Road safety as follows (or similar amendments to achieve the requested relief):</p> <p>6.5.5 Policy - Road Land transport safety</p> <p>Ensure that structures, vehicle access, lighting, signage and vegetation are located and designed so as to not compromise the safe and efficient operation of the land transport network, or obscure RAPID numbers.</p> <p>AND</p> <p>Any consequential amendments to link and/or accommodate the requested changes.</p>
Decision Reasons:	<ul style="list-style-type: none"> Widen to apply to land transport networks which include road and rail. Including vehicle accesses provides further policy support for KiwiRail level crossing standard.
Point Number	986.42
Summary of Decision Requested:	Retain Policy 6.5.7 Vehicle access as notified.
Decision Reasons:	<ul style="list-style-type: none"> The policy is supported in that it provides support for Plan rules restricting new access ways near level crossings.
Point Number	986.43
Summary of Decision Requested:	Retain Policy 7.1.3(e) Policy – Heritage items as notified.
Decision Reasons:	<ul style="list-style-type: none"> KiwiRail supports the identification and protection of NZ's archaeological and historic heritage. In selected circumstances, the removal of heritage sites is acceptable and the policy provides for an assessment of the reasons for the removal in these (relatively rare) occurrences.
Point Number	986.44
Summary of Decision Requested:	Retain the definition of "infrastructure" in Chapter 13 Definitions as notified.
Decision Reasons:	<ul style="list-style-type: none"> KiwiRail support that this replicates the definition in s2 of the RMA, and that at (g) this includes rail. This is consistent with the Proposed National Planning Standards.
Point Number	986.45
Summary of Decision Requested:	Retain the definition of "network utility operator" in Chapter 13 Definitions as notified.

Decision Reasons:

- KiwiRail supports that the definition directly references s166 of the Resource Management Act including at (f) it includes rail. This is consistent with the Proposed National Standards.

Point Number

986.46

Summary of Decision Requested:

Add a definition for "reverse sensitivity" to Chapter 13 Definitions based on the Proposed National Planning Standards as follows (or similar amendments to achieve the requested relief):

means the potential for the operation of an existing lawfully established activity to be compromised, constrained, or curtailed by the more recent establishment or alteration of another activity which may be sensitive to the actual, potential or perceived adverse environmental effects generated by an existing activity.

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- The definition for reverse sensitivity is sought to be added to support KiwiRail's requested measures to avoid and manage reverse sensitivity effects.

Point Number

986.47

Summary of Decision Requested:

Amend the definition of "Road network activities" in Chapter 13 Definitions as follows (or similar amendments to achieve the requested relief):

~~Road-Land transport network activities~~

Means road or rail infrastructure and transport services provided within a land transport network corridor, ~~the road~~, including:

....

(p) railway tracks, bridges, tunnels, signaling, access tracks and facilities

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- The 'road network activities' definition contains specific road and rail activities and others which could equally apply to all land based linear transport networks including rail. The definition should be amended to clarify that it provides coverage for all listed infrastructure activities within the railway corridor by changing the definition to 'road and rail network activities'.

Point Number

986.48

Summary of Decision Requested:

Amend the definition of "noise-sensitive activity" in Chapter 13 Definitions as follows (or similar amendments to achieve the requested relief):

Means the following:

buildings used for residential activities, including boarding establishments, rest homes, retirement villages, papakainga housing development, in-house aged care facilities, travellers' accommodation, and other buildings used for residential accommodation but excluding

(a) camping grounds;

(b) marae and marae complex;

(c) hospitals;

(d) educational facilities including teaching areas and sleeping rooms in an education facility and student accommodation;

(e) places of assembly.

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- The definitions of noise sensitive activity and sensitive land use are used interchangeably in the Proposed Plan. KiwiRail seeks changes to the definition of 'noise sensitive activity' to better align it with its proposed noise and vibration standards to address reverse sensitivity in the Plan.
- The definition of noise sensitive activity proposed is wider than the proposed definition for 'sensitive activity'. KiwiRail would support the definitions being consolidated; as it could be confusing when using the Plan when there are two very similar terms.

Point Number

986.49

Summary of Decision Requested:

Retain the definition of "sensitive land use" in Chapter 13 Definitions except for the amendments sought below:

AND

Amend the definition of "sensitive land use" in Chapter 13 Definitions except for the amendments sought below (or similar amendments to achieve the requested relief):

Means

(a) an education facility including a childcare facility, waananga and koohanga reo;

(b) a residential activity, including papakainga building, rest home, retirement village, travellers' accommodation, home stay; or

(c) health facility or hospital.

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- KiwiRail supports the definition of sensitive land use, but considers it should be amended to provide clarity as to the activities that fall within the definition. As notified, the definition could be read as saying that all sensitive land uses are education facilities.

Point Number

986.50

Summary of Decision Requested:

Amend the definition of "forestry" in Chapter 13 Definitions as follows (or similar amendments to achieve the requested relief):

Means the planting and growing of trees (including shelterbelts and woodlots) and is an integrated land use including land preparation, roading, tree planting and maintenance (i.e. thinning, pruning, noxious weeds and animal control) and harvesting of trees and includes the use of accessory buildings, but not the

establishment and/or use of permanent sawmills or other methods of timber processing.

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- The National Environmental Standards for Plantation Forestry defines afforestation as 'planting and growing plantation forestry trees on land where there is no plantation forestry and where plantation forestry harvesting has not occurred within the last 5 years'.
- Other Plan definitions do not cover small woodlots, nor shelter belts. The planting of shelter belts and woodlots poses a similar risk and danger to the operation of the railway network as commercial forestry.
- When planted near to the rail corridor, woodlot or commercial forestry species can intrude into sight lines which raises particular safety issues at level crossings and around curves. Such plantings often also drop branches or leaves onto the rail corridor, increasing the risk of derailment.
- Trains cannot stop in a hurry, nor are they able to drive over such impediments. Roots from trees can also result in undermining of the rail corridor through the creation of mud spots.
- Mud spots occur where ballast under the rails is removed. When a train goes over a mud spot, the track bounces, creating a risk that either the track breaks or the train derails.
- Further, replanting trees often get closer and closer to the boundary and can end up encroaching into rail land.
- Modifying the Plan's definition of 'forestry' as sought supports a new rule seeking a 10m setback from the operational railway corridor.

Point Number

986.51

Summary of Decision Requested:

Add to Chapter 14 Infrastructure a new rule section called "Rules applying to development adjacent to railway corridors" applying to new, or alterations to buildings for any Noise Sensitive Activity at any point within 100 metres from the legal boundary of any railway network (see submission for details of provisions sought to be added, or similar amendments to achieve the requested relief). This includes a new Schedule and additions to Appendix I.

OR

Add a new rule for new or alterations to buildings for any noise sensitive activity at any point within 100 metres from the legal boundary of any railway network to the following chapters (see submission for details of provisions sought to be added, or similar amendments to achieve the requested relief):

- Chapter 16: Residential zone
- Chapter 17: Business zone
- Chapter 18: Business town Centre zone
- Chapter 20: Industrial zone
- Chapter 21: Industrial zone heavy
- Chapter 22: Rural zone
- Chapter 23: Country Living
- Chapter 24: Village zone
- Chapter 25: Reserve zone

This includes a new Schedule and additions to Appendix I.

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- KiwiRail seeks that provisions be inserted requiring all new, or alterations to, buildings for noise sensitive activities be appropriately mitigated in relation to rail noise and vibration.
- The proposed Plan acknowledges reverse sensitivity with some supportive policies and objectives, which are supported by KiwiRail but does not contain a definition of reverse sensitivity – which is sought by KiwiRail.
- The Plan protects some activities sensitive to noise but not the effects from operational railway and road noise and vibration within in the District.
- The KiwiRail submission seeks to introduce new rule, which has been developed collaboratively with NZTA, providing for the Plan and developers to ensure potential adverse effects (including conflicts between incompatible activities and associated reverse sensitivity effects) are mitigated (where they cannot be avoided). Two options are proposed:
 - o The first, which is KiwiRail's preferred option, is to locate the Rule where it will apply to all plan zones; or
 - o Alternatively, add the Rule to each of the zones where state highways or rail networks are located.
- The rail network operates 24 hours a day, 7 days a week operation, and the frequency, length and weight of trains can change without community consultation. Noise and vibration effects can interrupt people's amenity and enjoyment of their dwelling, as well as people's ability to sleep. Appropriate mitigation, installed to ensure that the health and wellbeing of those living near to the rail network is not adversely affected, is pivotal to ensure that undue restrictions are not placed on the operation of the rail network.
- Part 2 of the Act supports the efficient use and development of the rail network while also enabling people and communities to provide for their well-being and their health and safety. An appropriate balance needs to be achieved between ensuring the rail network is efficiently utilised and adjacent development can be facilitated, without compromising safety of people and communities.
- The new Rule provides for new or altered buildings within 100m of the railway boundary, which can achieve the required internal noise standard, to be permitted activities. Where windows need to be closed to achieve the desired internal noise levels then ventilation performance is prescribed.
- Where a new or altered building is 50m away from the railway corridor boundary and there is a line of sight i.e. a cut or a physical barrier removing line of sight to 3.8m high, this can also be assessed as a permitted activity.
- Enhancements to building are best achieved at the time of construction. The further removed from the rail corridor a building is, the less additional mitigation may be required. The noise level proposed is in accordance with World Health Organisation standards.
- The mitigation for reverse sensitivity effects proposed through these provisions reflects that in some circumstances, e.g. smaller residential sites near the rail corridor, requiring a greater setback from the rail boundary as a means of addressing noise and vibration effects may not always be practicable. The rules seek to ensure that building development options can still maximise the use of a site, while at the same time having standards for mitigating noise and vibration effects arising from the rail corridor.
- Plan-wide rules are already included in the proposed Plan in respect of other types of infrastructure, including for example the National Grid.

Point Number

986.52

Summary of Decision Requested:

Add a new Restricted Discretionary Activity applying to development adjacent to railway corridors in Chapter 14 Infrastructure which does not comply with the new performance standard sought in the preceding KiwiRail submission point (see submission for details of provisions sought to be added, or similar amendments to achieve the requested relief).

OR

Add a new Restricted Discretionary Activity or, where there are no current listed restricted

discretionary activities in the zone, introduce a new restricted discretionary activity, to each of the zones listed below (see submission for details of provisions sought to be added, or similar amendments to achieve the requested relief):

- Chapter 16: Residential 16.1.3
- Chapter 17: Business 17.1.3
- Chapter 18: Business Town Centre 18.1.3
- Chapter 20: Industrial 20.1
- Chapter 21: Industrial Heavy 21.1
- Chapter 22: Rural 22.1.3
- Chapter 23: Country Living 23.1
- Chapter 24: Village 24.1
- Chapter 25: Reserve 25.1

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- In view of the KiwiRail request to add a Permitted Activity Rule in submission 51, new Restricted Discretionary activity criteria are required. It is noted that some zones have a Restricted Discretionary Activity category and others do not.
- KiwiRail's policy is to seek Restricted Discretionary Activity status for non-compliance with its noise and vibration performance standards. The criteria allow for a bespoke consideration of site specific effects.

Point Number 986.53

Summary of Decision Requested: **Amend Rule 16.3.9.2 Building setback – Sensitive land use as follows (or similar amendments to achieve the requested relief):**

Building setback – Sensitive land use

P1 Sensitive land use

(a) Any new building or alteration to an existing building for a sensitive land use must be set back a minimum of:

(i) 5m from the designated boundary of the railway corridor

...

P2 Railway corridor

any new buildings or alterations to an existing building must be setback 5 metres from any designated railway corridor boundary

OR

Retain Rule 16.3.9.2 P1 (a)(i) Building setback -sensitive land use if the primary relief above is not accepted

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- KiwiRail seeks that a 5metre setback apply to all new building development adjacent to operational railway corridor boundaries (i.e. not just sensitive land uses). Ensuring all new structures in all zones are set back from the rail corridor allows access and maintenance to occur without the landowner or occupier needing to gain access to the rail corridor- potentially compromising their own safety.
- Setting back buildings from the rail corridor boundary is a means of ensuring people's health and wellbeing through good design.
- Construction of buildings in close proximity to the rail corridor has significant safety risk if it is not managed appropriately in accordance with relevant standards.
- A 5m setback is not an acoustic setback. It allows for vehicular access to the backs of buildings (e.g. a cherry picker) and would also allow scaffolding to be erected safely. This in turn fosters visual amenity as lineside properties can then be regularly maintained.
- A setback is the most efficient method of ensuring intensification does not result in additional safety issues for activities adjacent to the rail corridor, whilst not restricting the ongoing operation and growth of activity within the rail corridor.
- The proposed provisions would require any development within the setback to obtain consent with matters of discretion relating to:
 - (i) location, design and use of the proposed building or structure as it relates to the rail network
 - (ii) impacts on the safe operation, maintenance and development of the rail network
 - (iii) construction and maintenance management.
- The relief provides for the rejection of the primary relief. This setback applies only to sensitive land use buildings which does not achieve the safety and amenity benefits sought throughout the district.

Point Number 986.54

Summary of Decision Requested: **Amend Rule 22.3.7.2 Building setback sensitive land use as follows (or similar amendments to achieve the requested relief):**

Building setback sensitive land use

P1 Sensitive land use

(a) Any new building or alteration to an existing building for a sensitive land use must be set back a minimum of:

(i) 5m from the designated boundary of the railway corridor

...

P2 Railway corridor

any new buildings or alterations to an existing building must be setback 5 metres from any designated railway corridor boundary

OR

Retain Rule 22.3.7.2 P1 (a)(i) Building setback sensitive land use if the primary relief above is not accepted

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- KiwiRail seeks that a 5metre setback apply to all new building development adjacent to operational railway corridor boundaries (i.e. not just sensitive land uses). Ensuring all new structures in all zones are set back from the rail corridor allows access and maintenance to occur without the landowner or occupier needing to gain access to the rail corridor- potentially compromising their own safety.
- Setting back buildings from the rail corridor boundary is a means of ensuring people's health and wellbeing through good design.
- Construction of buildings in close proximity to the rail corridor has significant safety risk if it is not managed appropriately in accordance with relevant standards.
- A 5m setback is not an acoustic setback. It allows for vehicular access to the backs of buildings (e.g. a cherry picker) and would also allow scaffolding to be erected safely. This in turn fosters visual amenity as lineside properties can then be regularly maintained.
- A setback is the most efficient method of ensuring intensification does not result in additional safety issues for activities adjacent to the rail corridor, whilst not restricting the ongoing operation and growth of activity within the rail corridor.
- The proposed provisions would require any development within the setback to obtain consent with matters of discretion relating to:
 - (i) location, design and use of the proposed building or structure as it relates to the rail network
 - (ii) impacts on the safe operation, maintenance and development of the rail network
 - (iii) construction and maintenance management.
- The relief provides for the rejection of the primary relief. This setback applies only to sensitive land use buildings which does not achieve the safety and amenity benefits sought throughout the district.

Point Number 986.55

Summary of Decision Requested: **Amend Rule 23.3.7.2 Building setback sensitive land use as follows (or similar amendments to achieve the requested relief):**

Building setback sensitive land use

P1 Sensitive land use

(a) Any new building or alteration to an existing building for a sensitive land use must be set back a minimum of:

(i) 5m from the designated boundary of the railway corridor

...

P2 Railway corridor

any new buildings or alterations to an existing building must be setback 5 metres from any designated railway corridor boundary

OR

Retain Rule 23.3.7.2 P1 (a)(i) Building setback sensitive land use if the primary relief above is not accepted

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- KiwiRail seeks that a 5metre setback apply to all new building development adjacent to operational railway corridor boundaries (i.e. not just sensitive land uses). Ensuring all new structures in all zones are set back from the rail corridor allows access and maintenance to occur without the landowner or occupier needing to gain access to the rail corridor- potentially compromising their own safety.
- Setting back buildings from the rail corridor boundary is a means of ensuring people's health and wellbeing through good design.
- Construction of buildings in close proximity to the rail corridor has significant safety risk if it is not managed appropriately in accordance with relevant standards.
- A 5m setback is not an acoustic setback. It allows for vehicular access to the backs of buildings (e.g. a cherry picker) and would also allow scaffolding to be erected safely. This in turn fosters visual amenity as lineside properties can then be regularly maintained.
- A setback is the most efficient method of ensuring intensification does not result in additional safety issues for activities adjacent to the rail corridor, whilst not restricting the ongoing operation and growth of activity within the rail corridor.
- The proposed provisions would require any development within the setback to obtain consent with matters of discretion relating to:
(i) location, design and use of the proposed building or structure as it relates to the rail network
(ii) impacts on the safe operation, maintenance and development of the rail network
(iii) construction and maintenance management.
- The relief provides for the rejection of the primary relief. This setback applies only to sensitive land use buildings which does not achieve the safety and amenity benefits sought throughout the district.

Point Number

986.56

Summary of Decision Requested:

Amend Rule 24.3.6.2 Building setback - sensitive land use as follows (or similar amendments to achieve the requested relief):

Building setback — Sensitive land use

P1 Sensitive land use

(a) Any new building or alteration to an existing building for a sensitive land use must be set back a minimum of:

(i) 5m from the designated boundary of the railway corridor

...

P2 Railway corridor

any new buildings or alterations to an existing building must be setback 5 metres from any designated railway corridor boundary.

OR

Retain Rule 24.3.6.2 P1(a)(i) Building setback -sensitive land use if the primary relief above is not accepted

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- KiwiRail seeks that a 5metre setback apply to all new building development adjacent to operational railway corridor boundaries (i.e. not just sensitive land uses). Ensuring all new structures in all zones are set back from the rail corridor allows access and maintenance to occur without the landowner or occupier needing to gain access to the rail corridor- potentially compromising their own safety.
- Setting back buildings from the rail corridor boundary is a means of ensuring people's health and wellbeing through good design.
- Construction of buildings in close proximity to the rail corridor has significant safety risk if it is not managed appropriately in accordance with relevant standards.
- A 5m setback is not an acoustic setback. It allows for vehicular access to the backs of buildings (e.g. a cherry picker) and would also allow scaffolding to be erected safely. This in turn fosters visual amenity as lineside properties can then be regularly maintained.
- A setback is the most efficient method of ensuring intensification does not result in additional safety issues for activities adjacent to the rail corridor, whilst not restricting the ongoing operation and growth of activity within the rail corridor.
- The proposed provisions would require any development within the setback to obtain consent with matters of discretion relating to:
(i) location, design and use of the proposed building or structure as it relates to the rail network
(ii) impacts on the safe operation, maintenance and development of the rail network
(iii) construction and maintenance management.
- The relief provides for the rejection of the primary relief. This setback applies only to sensitive land use buildings which does not achieve the safety and amenity.

Point Number

986.57

Summary of Decision Requested:

Add a new rule to Rule 17.3.4 Building setbacks as follows (or similar amendments to achieve the requested relief):

Building setback - railway corridor

(a) any new buildings or alterations to an existing building must be setback 5 metres from any designated railway corridor boundary.

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- KiwiRail seeks that a 5 metre setback apply to all new building development adjacent to operational railway corridor boundaries (i.e. not just sensitive land uses).
- Ensuring all new structures in all zones are set back from the rail corridor allows access and maintenance to occur without the landowner or occupier needing to gain access to the rail corridor- potentially compromising their own safety. For these safety reasons setting back buildings from the rail corridor boundary is a means of ensuring people's health and wellbeing through good design.
- Construction of buildings in close proximity to the rail corridor has significant safety risk if it is not managed appropriately in accordance with relevant standards.
- A 5m setback allows for vehicular access to the backs of buildings (e.g. a cherry picker) and would also allow scaffolding to be erected safely. This in turn fosters visual amenity as lineside properties can then be regularly maintained. A setback is the most efficient method of ensuring intensification does not result in additional safety issues for activities adjacent to the rail corridor, whilst not restricting the ongoing operation and growth of activity within the rail corridor.
- The proposed provisions would require any development within the setback to obtain consent with matters of discretion relating to:
(i) location, design and use of the proposed building or structure as it relates to the rail network
(ii) impacts on the safe operation, maintenance and development of the rail network
(iii) construction and maintenance management.

Point Number

986.58

Summary of Decision Requested:

Add a new rule to Rule 18.3 Land use - Building as follows (or similar amendments to achieve the requested relief):

Building setback - railway corridor

(a) any new buildings or alterations to an existing building must be setback 5 metres from any designated railway corridor boundary.

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- KiwiRail seeks that a 5 metre setback apply to all new building development adjacent to operational railway corridor boundaries (i.e. not just sensitive land uses).
- Ensuring all new structures in all zones are set back from the rail corridor allows access and maintenance to occur without the landowner

or occupier needing to gain access to the rail corridor- potentially compromising their own safety. For these safety reasons setting back buildings from the rail corridor boundary is a means of ensuring people's health and wellbeing through good design.

- Construction of buildings in close proximity to the rail corridor has significant safety risk if it is not managed appropriately in accordance with relevant standards.
- A 5m setback allows for vehicular access to the backs of buildings (e.g. a cherry picker) and would also allow scaffolding to be erected safely. This in turn fosters visual amenity as lineside properties can then be regularly maintained. A setback is the most efficient method of ensuring intensification does not result in additional safety issues for activities adjacent to the rail corridor, whilst not restricting the ongoing operation and growth of activity within the rail corridor.
- The proposed provisions would require any development within the setback to obtain consent with matters of discretion relating to:
 - (i) location, design and use of the proposed building or structure as it relates to the rail network
 - (ii) impacts on the safe operation, maintenance and development of the rail network
 - (iii) construction and maintenance management.

Point Number 986.59

Summary of Decision Requested: **Add a new rule to Rule 20.3.4 Building setbacks as follows (or similar amendments to achieve the requested relief):**

Building setback - railway corridor

(a) any new buildings or alterations to an existing building must be setback 5 metres from any designated railway corridor boundary

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- KiwiRail seeks that a 5 metre setback apply to all new building development adjacent to operational railway corridor boundaries (i.e. not just sensitive land uses).
- Ensuring all new structures in all zones are set back from the rail corridor allows access and maintenance to occur without the landowner or occupier needing to gain access to the rail corridor- potentially compromising their own safety. For these safety reasons setting back buildings from the rail corridor boundary is a means of ensuring people's health and wellbeing through good design.
- Construction of buildings in close proximity to the rail corridor has significant safety risk if it is not managed appropriately in accordance with relevant standards.
- A 5m setback allows for vehicular access to the backs of buildings (e.g. a cherry picker) and would also allow scaffolding to be erected safely. This in turn fosters visual amenity as lineside properties can then be regularly maintained. A setback is the most efficient method of ensuring intensification does not result in additional safety issues for activities adjacent to the rail corridor, whilst not restricting the ongoing operation and growth of activity within the rail corridor.
- The proposed provisions would require any development within the setback to obtain consent with matters of discretion relating to:
 - (i) location, design and use of the proposed building or structure as it relates to the rail network
 - (ii) impacts on the safe operation, maintenance and development of the rail network
 - (iii) construction and maintenance management.

Point Number 986.60

Summary of Decision Requested: **Add a new rule to Rule 21.3.4 Building setbacks as follows (or similar amendments to achieve the requested relief):**

Building setback - railway corridor

(a) any new buildings or alterations to an existing building must be setback 5 metres from any designated railway corridor boundary

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- KiwiRail seeks that a 5 metre setback apply to all new building development adjacent to operational railway corridor boundaries (i.e. not just sensitive land uses).
- Ensuring all new structures in all zones are set back from the rail corridor allows access and maintenance to occur without the landowner or occupier needing to gain access to the rail corridor- potentially compromising their own safety. For these safety reasons setting back buildings from the rail corridor boundary is a means of ensuring people's health and wellbeing through good design.
- Construction of buildings in close proximity to the rail corridor has significant safety risk if it is not managed appropriately in accordance with relevant standards.
- A 5m setback allows for vehicular access to the backs of buildings (e.g. a cherry picker) and would also allow scaffolding to be erected safely. This in turn fosters visual amenity as lineside properties can then be regularly maintained. A setback is the most efficient method of ensuring intensification does not result in additional safety issues for activities adjacent to the rail corridor, whilst not restricting the ongoing operation and growth of activity within the rail corridor.
- The proposed provisions would require any development within the setback to obtain consent with matters of discretion relating to:
 - (i) location, design and use of the proposed building or structure as it relates to the rail network
 - (ii) impacts on the safe operation, maintenance and development of the rail network
 - (iii) construction and maintenance management.

Point Number 986.61

Summary of Decision Requested: **Add a new rule to Rule 25.3.5 Building setbacks as follows (or similar amendments to achieve the requested relief):**

Building setback - railway corridor

(a) any new buildings or alterations to an existing building must be setback 5 metres from any designated railway corridor boundary

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- KiwiRail seeks that a 5 metre setback apply to all new building development adjacent to operational railway corridor boundaries (i.e. not just sensitive land uses).
- Ensuring all new structures in all zones are set back from the rail corridor allows access and maintenance to occur without the landowner or occupier needing to gain access to the rail corridor- potentially compromising their own safety. For these safety reasons setting back buildings from the rail corridor boundary is a means of ensuring people's health and wellbeing through good design.
- Construction of buildings in close proximity to the rail corridor has significant safety risk if it is not managed appropriately in accordance with relevant standards.
- A 5m setback allows for vehicular access to the backs of buildings (e.g. a cherry picker) and would also allow scaffolding to be erected safely. This in turn fosters visual amenity as lineside properties can then be regularly maintained. A setback is the most efficient method of ensuring intensification does not result in additional safety issues for activities adjacent to the rail corridor, whilst not restricting the ongoing operation and growth of activity within the rail corridor.
- The proposed provisions would require any development within the setback to obtain consent with matters of discretion relating to:
 - (i) location, design and use of the proposed building or structure as it relates to the rail network
 - (ii) impacts on the safe operation, maintenance and development of the rail network
 - (iii) construction and maintenance management.

Point Number 986.62

Summary of Decision Requested: **Add new matters of discretion relating to non-compliance with the 5m Building setback**

- railway corridor (sought elsewhere in other submission points) in Rule 16.1 Land Use Activities as follows (or similar amendments to achieve the requested relief):

1. The size, nature and location of the buildings on the site.

2. The extent to which the safety and efficiency of rail and road operations will be adversely affected.

3. The outcome of any consultation with KiwiRail.

4. Any characteristics of the proposed use that will make compliance unnecessary.

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- KiwiRail accepts that there will be at times situations where the proposed 5 metre Building setback - railway corridor rule cannot be met, or it is inappropriate to require compliance.
- It is noted that some zones have restricted discretionary activity categories and some don't. It's been KiwiRail's policy to seek restricted discretionary activity status for non-compliance with its noise and vibration performance standards. The criteria allow for a bespoke consideration of site specific effects.
- Application for resource consent under this rule can be decided without public notification. KiwiRail are likely to be the only affected person determined in accordance with section 95B of the Resource Management Act 1991.

Point Number

986.63

Summary of Decision Requested:

Add new matters of discretion relating to non-compliance with the 5m Building setback

- railway corridor (sought elsewhere in other submission points) in Rule 17.1 Land Use Activities as follows (or similar amendments to achieve the requested relief):

1. The size, nature and location of the buildings on the site.

2. The extent to which the safety and efficiency of rail and road operations will be adversely affected.

3. The outcome of any consultation with KiwiRail.

4. Any characteristics of the proposed use that will make compliance unnecessary.

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- KiwiRail accepts that there will be at times situations where the proposed 5 metre Building setback - railway corridor rule cannot be met, or it is inappropriate to require compliance.
- It is noted that some zones have restricted discretionary activity categories and some don't. It's been KiwiRail's policy to seek restricted discretionary activity status for non-compliance with its noise and vibration performance standards. The criteria allow for a bespoke consideration of site specific effects.
- Application for resource consent under this rule can be decided without public notification. KiwiRail are likely to be the only affected person determined in accordance with section 95B of the Resource Management Act 1991.

Point Number

986.64

Summary of Decision Requested:

Add new matters of discretion relating to non-compliance with the 5m Building setback

- railway corridor (sought elsewhere in other submission points) in Rule 18.1 Land Use Activities as follows (or similar amendments to achieve the requested relief):

1. The size, nature and location of the buildings on the site.

2. The extent to which the safety and efficiency of rail and road operations will be adversely affected.

3. The outcome of any consultation with KiwiRail.

4. Any characteristics of the proposed use that will make compliance unnecessary.

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- KiwiRail accepts that there will be at times situations where the proposed 5 metre Building setback - railway corridor rule cannot be met, or it is inappropriate to require compliance.
- It is noted that some zones have restricted discretionary activity categories and some don't. It's been KiwiRail's policy to seek restricted discretionary activity status for non-compliance with its noise and vibration performance standards. The criteria allow for a bespoke consideration of site specific effects.
- Application for resource consent under this rule can be decided without public notification. KiwiRail are likely to be the only affected person determined in accordance with section 95B of the Resource Management Act 1991.

Point Number

986.65

Summary of Decision Requested:

Add new matters of discretion relating to non-compliance with the 5m Building setback

- railway corridor (sought elsewhere in other submission points) in Rule 20.1 Land Use Activities as follows (or similar amendments to achieve the requested relief):

1. The size, nature and location of the buildings on the site.

2. The extent to which the safety and efficiency of rail and road operations will be adversely affected.

3. The outcome of any consultation with KiwiRail.

4. Any characteristics of the proposed use that will make compliance unnecessary.

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- KiwiRail accepts that there will be at times situations where the proposed 5 metre Building setback - railway corridor rule cannot be met, or it is inappropriate to require compliance.
- It is noted that some zones have restricted discretionary activity categories and some don't. It's been KiwiRail's policy to seek restricted discretionary activity status for non-compliance with its noise and vibration performance standards. The criteria allow for a bespoke consideration of site specific effects.
- Application for resource consent under this rule can be decided without public notification. KiwiRail are likely to be the only affected person determined in accordance with section 95B of the Resource Management Act 1991.

Point Number 986.66

Summary of Decision Requested: **Add new matters of discretion relating to non-compliance with the 5m Building setback**
- railway corridor (sought elsewhere in other submission points) in Rule 21.1 Land Use Activities as follows (or similar amendments to achieve the requested relief):
1. The size, nature and location of the buildings on the site.
2. The extent to which the safety and efficiency of rail and road operations will be adversely affected.
3. The outcome of any consultation with KiwiRail.
4. Any characteristics of the proposed use that will make compliance unnecessary.
AND
Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- KiwiRail accepts that there will be at times situations where the proposed 5 metre Building setback - railway corridor rule cannot be met, or it is inappropriate to require compliance.
- It is noted that some zones have restricted discretionary activity categories and some don't. It's been KiwiRail's policy to seek restricted discretionary activity status for non-compliance with its noise and vibration performance standards. The criteria allow for a bespoke consideration of site specific effects.
- Application for resource consent under this rule can be decided without public notification. KiwiRail are likely to be the only affected person determined in accordance with section 95B of the Resource Management Act 1991.

Point Number 986.67

Summary of Decision Requested: **Add new matters of discretion relating to non-compliance with the 5m Building setback**
- railway corridor (sought elsewhere in other submission points) in Rule 22.1 Land Use Activities as follows (or similar amendments to achieve the requested relief):
1. The size, nature and location of the buildings on the site.
2. The extent to which the safety and efficiency of rail and road operations will be adversely affected.
3. The outcome of any consultation with KiwiRail.
4. Any characteristics of the proposed use that will make compliance unnecessary.
AND
Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- KiwiRail accepts that there will be at times situations where the proposed 5 metre Building setback - railway corridor rule cannot be met, or it is inappropriate to require compliance.
- It is noted that some zones have restricted discretionary activity categories and some don't. It's been KiwiRail's policy to seek restricted discretionary activity status for non-compliance with its noise and vibration performance standards. The criteria allow for a bespoke consideration of site specific effects.
- Application for resource consent under this rule can be decided without public notification. KiwiRail are likely to be the only affected person determined in accordance with section 95B of the Resource Management Act 1991.

Point Number 986.68

Summary of Decision Requested: **Add new matters of discretion relating to non-compliance with the 5m Building setback**
- railway corridor (sought elsewhere in other submission points) in Rule 23.1 Land Use Activities as follows (or similar amendments to achieve the requested relief):
1. The size, nature and location of the buildings on the site.
2. The extent to which the safety and efficiency of rail and road operations will be adversely affected.
3. The outcome of any consultation with KiwiRail.
4. Any characteristics of the proposed use that will make compliance unnecessary.
AND
Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- KiwiRail accepts that there will be at times situations where the proposed 5 metre Building setback - railway corridor rule cannot be met, or it is inappropriate to require compliance.
- It is noted that some zones have restricted discretionary activity categories and some don't. It's been KiwiRail's policy to seek restricted discretionary activity status for non-compliance with its noise and vibration performance standards. The criteria allow for a bespoke consideration of site specific effects.
- Application for resource consent under this rule can be decided without public notification. KiwiRail are likely to be the only affected person determined in accordance with section 95B of the Resource Management Act 1991.

Point Number 986.69

Summary of Decision Requested: **Add new matters of discretion relating to non-compliance with the 5m Building setback**
- railway corridor (sought elsewhere in other submission points) in Rule 24.1 Land Use Activities as follows (or similar amendments to achieve the requested relief):
1. The size, nature and location of the buildings on the site.
2. The extent to which the safety and efficiency of rail and road operations will be adversely affected.
3. The outcome of any consultation with KiwiRail.
4. Any characteristics of the proposed use that will make compliance unnecessary.
AND
Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- KiwiRail accepts that there will be at times situations where the proposed 5 metre Building setback - railway corridor rule cannot be met, or it is inappropriate to require compliance.

- It is noted that some zones have restricted discretionary activity categories and some don't. It's been KiwiRail's policy to seek restricted discretionary activity status for non-compliance with its noise and vibration performance standards. The criteria allow for a bespoke consideration of site specific effects.
- Application for resource consent under this rule can be decided without public notification. KiwiRail are likely to be the only affected person determined in accordance with section 95B of the Resource Management Act 1991.

Point Number 986.70

Summary of Decision Requested: **Add new matters of discretion relating to non-compliance with the 5m Building setback**
 - railway corridor (sought elsewhere in other submission points) in Rule 25.1 Land Use Activities as follows (or similar amendments to achieve the requested relief):
 1. The size, nature and location of the buildings on the site.
 2. The extent to which the safety and efficiency of rail and road operations will be adversely affected.
 3. The outcome of any consultation with KiwiRail.
 4. Any characteristics of the proposed use that will make compliance unnecessary.
AND
 Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- KiwiRail accepts that there will be at times situations where the proposed 5 metre Building setback - railway corridor rule cannot be met, or it is inappropriate to require compliance.
- It is noted that some zones have restricted discretionary activity categories and some don't. It's been KiwiRail's policy to seek restricted discretionary activity status for non-compliance with its noise and vibration performance standards. The criteria allow for a bespoke consideration of site specific effects.
- Application for resource consent under this rule can be decided without public notification. KiwiRail are likely to be the only affected person determined in accordance with section 95B of the Resource Management Act 1991.

Point Number 986.71

Summary of Decision Requested: **Amend Policy 4.2.5 – Setback: Side boundaries as follows (or similar amendments to achieve the requested relief):**
 4.2.5 Policy – ~~Side~~ **Boundaries**
 (a) Require development to have sufficient side boundary setbacks to provide for:
 ...
 (c) Manage Reverse sensitivity by providing sufficient setbacks buildings to provide for residents' safety and amenity.
AND
 Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- The policies applying to each zone requiring setbacks from the railway corridor should include reference to the purpose of the setback.
- Existing and sought changes to the Plans objectives lend sufficient support the need for setbacks for amenity and safety, and the efficient integration of development and infrastructure.
- Adding an additional item to these plan sections will also facilitate assessment of situations where the proposed 5 metre Building setback - railway corridor rule cannot be met, or it is inappropriate to require compliance.

Point Number 986.72

Summary of Decision Requested: **Add a new clause (b) to Policy 4.3.5 Building setbacks as follows (or similar amendments to achieve the requested relief):**
 (a) Maintain existing and promote new vistas and views between buildings in the Village Zone when viewed from a road.
 (b) Manage Reverse sensitivity by providing sufficient setbacks buildings to provide for residents' safety and amenity.
AND
 Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- The policies applying to each zone requiring setbacks from the railway corridor should include reference to the purpose of the setback.
- Existing and sought changes to the Plans objectives lend sufficient support the need for setbacks for amenity and safety, and the efficient integration of development and infrastructure.
- Adding an additional item to these plan sections will also facilitate assessment of situations where the proposed 5 metre Building setback - railway corridor rule cannot be met, or it is inappropriate to require compliance.

Point Number 986.73

Summary of Decision Requested: **Add a new clause (b) to Policy 4.6.7 Management of adverse effects within industrial zones as follows (or similar amendments to achieve the requested relief):**
 (a) Manage adverse effects including visual impact from buildings, parking, loading spaces and outdoor storage, lighting, noise, odour and traffic by managing the location of industrial uses, bulk and form of buildings, landscaping and screening at the interface with roads and environmentally sensitive areas.
 (b) Manage Reverse sensitivity by providing sufficient setbacks buildings to provide for residents' safety and amenity.
AND
 Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- The policies applying to each zone requiring setbacks from the railway corridor should include reference to the purpose of the setback.
- Existing and sought changes to the Plans objectives lend sufficient support the need for setbacks for amenity and safety, and the efficient integration of development and infrastructure.
- Adding an additional item to these plan sections will also facilitate assessment of situations where the proposed 5 metre Building setback - railway corridor rule cannot be met, or it is inappropriate to require compliance.

Point Number	986.74
Summary of Decision Requested:	<p>Add a new clause (b) to Policy 5.6.4 Building setbacks as follows (or similar amendments to achieve the requested relief):</p> <p><i>(a) Maintain the existing spaciousness between buildings with adjoining sites.</i></p> <p><i>(b) Manage Reverse sensitivity by providing sufficient setbacks buildings to provide for residents' safety and amenity.</i></p> <p>AND</p> <p>Any consequential amendments to link and/or accommodate the requested changes.</p>
Decision Reasons:	<ul style="list-style-type: none"> The policies applying to each zone requiring setbacks from the railway corridor should include reference to the purpose of the setback. Existing and sought changes to the Plans objectives lend sufficient support the need for setbacks for amenity and safety, and the efficient integration of development and infrastructure. Adding an additional item to these plan sections will also facilitate assessment of situations where the proposed 5 metre Building setback - railway corridor rule cannot be met, or it is inappropriate to require compliance.
Point Number	986.75
Summary of Decision Requested:	<p>Add a new clause (e) to Policy 8.1.2 Provision, use and development of public open space and reserves as follows (or similar amendments to achieve the requested relief):</p> <p><i>(e) Manage Reverse sensitivity by providing sufficient setbacks buildings to provide for residents' safety and amenity.</i></p> <p>AND</p> <p>Any consequential amendments to link and/or accommodate the requested changes.</p>
Decision Reasons:	<ul style="list-style-type: none"> The policies applying to each zone requiring setbacks from the railway corridor should include reference to the purpose of the setback. Existing and sought changes to the Plans objectives lend sufficient support the need for setbacks for amenity and safety, and the efficient integration of development and infrastructure. Adding an additional item to these plan sections will also facilitate assessment of situations where the proposed 5 metre Building setback - railway corridor rule cannot be met, or it is inappropriate to require compliance.
Point Number	986.76
Summary of Decision Requested:	<p>Add a new clause (b) to Policy 4.5.33 Reverse sensitivity as follows (or similar amendments to achieve the requested relief):</p> <p><i>(a) Reverse sensitivity is managed by ensuring residential activities and development within the Business Town Centre Zone and Business Zone are acoustically insulated to mitigate the adverse effects of noise.</i></p> <p><i>(b) Reverse sensitivity is managed by providing sufficient setbacks to provide for residents' safety and amenity.</i></p> <p>AND</p> <p>Any consequential amendments to link and/or accommodate the requested changes.</p>
Decision Reasons:	<ul style="list-style-type: none"> The policies applying to each zone requiring setbacks from the railway corridor should include reference to the purpose of the setback. Existing and sought changes to the Plans objectives lend sufficient support the need for setbacks for amenity and safety, and the efficient integration of development and infrastructure. Adding an additional item to these plan sections will also facilitate assessment of situations where the proposed 5 metre Building setback - railway corridor rule cannot be met, or it is inappropriate to require compliance.
Point Number	986.77
Summary of Decision Requested:	<p>Retain Rule 14.2.1 P1 Permitted activities as notified.</p> <p>AND</p> <p>Retain Rule 14.2.1 P2 Permitted activities as notified.</p>
Decision Reasons:	<ul style="list-style-type: none"> KiwiRail supports P1 as this provides for the maintenance of the railway network. KiwiRail supports P2 as it enables the maintenance upgrading and operation of land transport networks across a range of routine activities within reasonable parameters.
Point Number	986.78
Summary of Decision Requested:	Retain Rule 14.3.1 P1 Permitted activities as notified.
Decision Reasons:	<ul style="list-style-type: none"> KiwiRail supports the provision which permits the operation, maintenance, repair and removal of existing infrastructure as this enables the District to meet its requirements for effective and efficient land transport network systems.
Point Number	986.79
Summary of Decision Requested:	Retain Rule 14.3.1 P2 Permitted activities as notified.
Decision Reasons:	<ul style="list-style-type: none"> KiwiRail supports the provision for minor upgrades to existing infrastructure.
Point Number	986.80
Summary of Decision Requested:	Retain Rule 14.3.1 P3 Permitted activities as notified.
Decision Reasons:	<ul style="list-style-type: none"> KiwiRail supports provision for Temporary infrastructure activities in the Plan subject to criteria.

Point Number 986.81

Summary of Decision Requested: **Amend** Activity specific conditions 14.3.1.3(1)(a) and (b) relating to P4 Permitted activities as follows (or similar amendments to achieve the requested relief);

(1) Any earthworks associated with infrastructure must comply with all of the following conditions:

(a) Do not exceed a volume of more than 2,500m³ for any single activity (with the exception of works associated with Regionally Significant Infrastructure);

(b) Do not exceed an area of more than 2,500m² for any single activity (with the exception of works associated with Regionally Significant Infrastructure);

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- Parts of the railway corridor lie either within Landscape and Natural Character Areas, Significant Amenity Landscape (SAL), High or Outstanding Natural Character areas of the coastal environment or Outstanding Natural Feature (ONF) or Outstanding Natural Landscapes (ONLs).
- As the operator of a linear transport network KiwiRail carries out linear project works within the railway corridor. These projects are usually carried out either during operations, or during blocks of line - when as much work is done as possible.
- The small limits applying to any works undertaken for the operation, maintenance or upgrading of the railway corridor would create significant difficulties where for instance work sites may need to set-up, only a small amount of the works completed, then the site(s) had to be broken down await another 'activity' period. Linear projects on the railway corridor tend to be relatively narrow.

Point Number 986.82

Summary of Decision Requested: **Amend** Activity specific condition 14.3.1.3(3) relating to P4 Permitted activities as follows (or similar amendments to achieve the requested relief);

(3) Earthworks associated with infrastructure in Landscape and Natural Character Areas must not:

(a) Exceed 1.5m in height in relation to the cut or fill batter face; and

(b) Use imported soil, other than the placement of aggregate/metal on any access track or in association with laying underground infrastructure and clean fill associated with Regionally Significant Infrastructure; and

(c) Disturb or move more than 50m³ or exceed an area of 250m² in a Significant Amenity Landscape sand dune over any consecutive 12 month time period; and

(d) Disturb or move more than 50m³ or exceed an area of 250m² in a High or Outstanding Natural Character Area of the coastal environment over any consecutive 12 month time period; and

(e) Disturb or move more than 50m³ or exceed an area of 250m² in an Outstanding Natural Feature or Outstanding Natural Landscapes over any consecutive 12 month time period (except for Regionally Significant Infrastructure works);

AND

Any consequential amendments to link and

Decision Reasons:

- Parts of the railway corridor lie either within Landscape and Natural Character Areas, Significant Amenity Landscape (SAL), High or Outstanding Natural Character areas of the coastal environment or Outstanding Natural Feature (ONF) or Outstanding Natural Landscapes (ONLs).
- Works associated with Regionally Significant Infrastructure often require the use of clean fill. As these works cannot be carried out elsewhere, KiwiRail seeks that the Plan appropriately provides for the use of clean fill in limited circumstances, where necessary to carry out required works on the rail corridor.

Point Number 986.83

Summary of Decision Requested: **Delete** Activity specific condition 14.3.1.3(1)(c) relating to P4 Permitted activities (or similar amendments to achieve the requested relief)

OR

Amend Activity specific condition 14.3.1.3(1)(c) relating to P4 Permitted activities as follows (or similar amendments to achieve the requested relief);

(1) Any earthworks associated with infrastructure must comply with all of the following conditions:

...

(c) Within 10m of a watercourse or 20m of mean high water springs do not exceed a volume of more than 5m³ and an area of more than 5m² for any single activity (excluding existing rail infrastructure);

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- This clause is unreasonably restrictive for linear land transport networks like KiwiRail.
- KiwiRail supports Council in requiring activities to be setback from rivers, lakes and the coastal marine area, however this policy as worded gives no recognition to existing encroachments or existing activities already located in these areas.
- The rail network is not able to be easily relocated and given the function it provides for the district, the region and the country, the rail network often crosses over watercourses. It is therefore likely that works exceeding the limit in (c) would not be capable of being setback in most cases more than 20m from the rivers, lakes or the coastal marine area.
- Further, there is limited scope to relocate the rail network away from watercourses so that no river crossings were ever required. Parts of the railway corridor lie either within Landscape and Natural Character Areas, Significant Amenity Landscape (SAL), High or Outstanding Natural Character areas of the coastal environment or Outstanding Natural Feature (ONF) or Outstanding Natural Landscapes (ONLs).
- The thresholds in (c) are unreasonably low when considering long linear land transport operations like railways; where parts of the corridor are on embankments, in cuttings or in remote and topographically challenging areas.
- KiwiRail seek that the rule be deleted as the effects of any works are adequately address in the remaining rule criteria e.g. control of sedimentation and overall works limits.

Point Number 986.84

Summary of Decision Requested: **Amend** Rule 14.12.1 P5 Permitted Activities as follows (or similar amendments to achieve the requested relief):

Operation, maintenance and minor upgrading of existing public roads, State Highways, rail corridors, and associated transport network activities

AND

Amend the Activity specific conditions 14.12.1.5 relating to P5 Permitted activities as follows (or similar amendments to achieve the requested relief);

(1) Operation, maintenance and minor upgrading of existing public roads, State Highways, railways, and associated road network activities must comply with the following conditions:

(a) The works occur within the road or unformed road or railway corridor;

(b) Works within the road or railway corridor must be:

(i) Incidental to, and serve a supportive function for, the existing public road or railway corridor; or

...

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- There are many elements in the 14.12.1 Permitted Activities in the Transport section of Chapter 14 which could equally apply to railway corridor activities, and should be amended so to make this clear.

Point Number 986.85

Summary of Decision Requested: Retain Activity specific condition 14.12.1.1(g) relating to PI Permitted activities as notified.

Decision Reasons:

- The Rule is consistent with Part 9 of the NZTA Traffic Control Devices Manual, Section 7.8. This rule will ensure that the potential conflicts between new vehicle access ways and level crossings are avoided.
- Level crossing accidents, whilst rare, are severe and as such require strict safety design criteria. The 30 metre distance enables sufficient stacking distance between the level crossing and the adjacent access way and minimises the risk of traffic being stopped across the railway line.

Point Number 986.86

Summary of Decision Requested: Add a new matter of discretion to Rule 14.12.2 RD1 Restricted Discretionary Activities as follows (or similar amendments to achieve the requested relief):

(a) The extent to which the safety and efficiency of rail and road operations will be adversely affected, including:

(b) The outcome of any consultation with KiwiRail.

(c) Any characteristics of the proposed use that will make compliance unnecessary.

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- Rule 14.12.1.1(g) provides "No new vehicle access shall be created within 30 metres of a railway level crossing".
- KiwiRail seeks the addition of new matters of discretion for new vehicle accesses within 30 metres of a railway level crossing, as the general matters identified in RD1 do not address specific effects on the rail network.

Point Number 986.87

Summary of Decision Requested: Add a new Activity specific condition to Rule 14.12.1.1 relating to PI Permitted activities as follows (or similar amendments to achieve the requested relief):

(1) All activities must comply with the following vehicle access conditions:

...

(h) All existing and new accesses and roads that cross an operational rail network via a level crossing must be maintained in accordance with the sight line triangles provided in 14.12.5 Railway Level Crossing Sight Triangles and Explanations

AND

Add new Railway Level Crossing Sight Triangles and Explanations to Rule 14.12.5 Transportation tables and figures. See submission for details of the provisions sought and diagrams (or similar amendments to achieve the requested relief)

AND

Add a new activity RD10 to Rule 14.12.2 Restricted Discretionary activities as follows (or similar amendments to achieve the requested relief):

RD10 Buildings and structures within a road/rail level crossing sight triangle

Discretion is restricted to:

1. The extent to which the safety and efficiency of rail and road operations will be adversely affected

2. The outcome of any consultation with KiwiRail

3. Any characteristics of the proposed use that will make compliance unnecessary

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- KiwiRail seeks the inclusion of the level crossing sightline controls. KiwiRail has developed a sight triangles standard which requires areas are kept free of physical obstructions (erected or placed) from the standards developed by NZTA, contained in the Traffic Control Devices Manual 2008, Part 9 Level Crossings, which prescribes the formula for sight lines.
- Including these diagrams in the District Plan addresses the need to avoid the poor location of land uses which can obstruct the required safety sight lines for uncontrolled (i.e. no barriers) railway level crossings.
- One of the key factors in maintaining safety is to ensure road vehicle drivers are presented with sufficient visibility along the rail tracks and obstructions do not block the visibility of level crossing signs or alarms to approaching drivers.
- 6.5.2 Policy – Construction and operation of the land transport network supports the inclusion of level crossing sightline diagrams in the Plan.

Point Number 986.88

Summary of Decision Requested: Add a new matter of discretion to Rule 16.4.1 RD1 General Subdivision as follows (or similar amendments to achieve the requested relief):

Reverse sensitivity effects, including on land transport networks

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- The design, location and service arrangements for new development carried out in the subdivision process cannot be separated from the future use of the subdivided sites. New buildings, including those containing sensitive or noise sensitive activities, their location and the design and location of access ways may all have an influence on the ultimate impact development has on existing and planned infrastructure. The potential for reverse sensitivity effects is therefore a relevant consideration at this point in the development process.

• KiwiRail seeks the addition of matters of discretion relating to reverse sensitivity effects on land transport networks to the subdivision consent criteria in the listed zones.

Point Number 986.89

Summary of Decision Requested: **Add a new matter of discretion to Rule 24.4.1 RD1 Subdivision – General as follows (or similar amendments to achieve the requested relief):**
Reverse sensitivity effects, including on land transport networks

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

• The design, location and service arrangements for new development carried out in the subdivision process cannot be separated from the future use of the subdivided sites. New buildings, including those containing sensitive or noise sensitive activities, their location and the design and location of access ways may all have an influence on the ultimate impact development has on existing and planned infrastructure. The potential for reverse sensitivity effects is therefore a relevant consideration at this point in the development process.

• KiwiRail seeks the addition of matters of discretion relating to reverse sensitivity effects on land transport networks to the subdivision consent criteria in the listed zones.

Point Number 986.90

Summary of Decision Requested: **Add a new matter of discretion to Rule 23.4.2 General subdivision (or similar amendments to achieve the requested relief):**

Reverse sensitivity effects, including on land transport networks

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

• The design, location and service arrangements for new development carried out in the subdivision process cannot be separated from the future use of the subdivided sites. New buildings, including those containing sensitive or noise sensitive activities, their location and the design and location of access ways may all have an influence on the ultimate impact development has on existing and planned infrastructure. The potential for reverse sensitivity effects is therefore a relevant consideration at this point in the development process.

• KiwiRail seeks the addition of matters of discretion relating to reverse sensitivity effects on land transport networks to the subdivision consent criteria in the listed zones.

Point Number 986.91

Summary of Decision Requested: **Amend the matter of discretion in Rule 22.4.1.2 RD1(b)(iv) General Subdivision as follows (or similar amendments to achieve the requested relief):**

(iv) potential for reverse sensitivity effects including on land transport networks

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

• The design, location and service arrangements for new development carried out in the subdivision process cannot be separated from the future use of the subdivided sites. New buildings, including those containing sensitive or noise sensitive activities, their location and the design and location of access ways may all have an influence on the ultimate impact development has on existing and planned infrastructure. The potential for reverse sensitivity effects is therefore a relevant consideration at this point in the development process.

• KiwiRail seeks the addition of matters of discretion relating to reverse sensitivity effects on land transport networks to the subdivision consent criteria in the listed zones.

Point Number 986.92

Summary of Decision Requested: **Add a new matter of discretion to Rule 17.4.1 General Subdivision as follows (or similar amendments to achieve the requested relief):**

Reverse sensitivity effects, including on land transport networks

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

• The design, location and service arrangements for new development carried out in the subdivision process cannot be separated from the future use of the subdivided sites. New buildings, including those containing sensitive or noise sensitive activities, their location and the design and location of access ways may all have an influence on the ultimate impact development has on existing and planned infrastructure. The potential for reverse sensitivity effects is therefore a relevant consideration at this point in the development process.

• KiwiRail seeks the addition of matters of discretion relating to reverse sensitivity effects on land transport networks to the subdivision consent criteria in the listed zones.

Point Number 986.93

Summary of Decision Requested: **Add a new matter of discretion to Rule 18.4.1 Subdivision-general as follows (or similar amendments to achieve the requested relief):**

Reverse sensitivity effects, including on land transport networks

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

• The design, location and service arrangements for new development carried out in the subdivision process cannot be separated from the future use of the subdivided sites. New buildings, including those containing sensitive or noise sensitive activities, their location and the design and location of access ways may all have an influence on the ultimate impact development has on existing and planned infrastructure. The potential for reverse sensitivity effects is therefore a relevant consideration at this point in the development process.

• KiwiRail seeks the addition of matters of discretion relating to reverse sensitivity effects on land transport networks to the subdivision consent criteria in the listed zones.

Point Number	986.94
Summary of Decision Requested:	<p>Add a new matter of discretion to Rule 20.4.1 Subdivision - general as follows (or similar amendments to achieve the requested relief): <u>Reverse sensitivity effects, including on land transport networks</u></p> <p>AND</p> <p>Any consequential amendments to link and/or accommodate the requested changes.</p>
Decision Reasons:	<ul style="list-style-type: none"> The design, location and service arrangements for new development carried out in the subdivision process cannot be separated from the future use of the subdivided sites. New buildings, including those containing sensitive or noise sensitive activities, their location and the design and location of access ways may all have an influence on the ultimate impact development has on existing and planned infrastructure. The potential for reverse sensitivity effects is therefore a relevant consideration at this point in the development process. KiwiRail seeks the addition of matters of discretion relating to reverse sensitivity effects on land transport networks to the subdivision consent criteria in the listed zones.
Point Number	986.95
Summary of Decision Requested:	<p>Add a new matter of discretion to Rule 21.4.1 Subdivision – general as follows (or similar amendments to achieve the requested relief): <u>Reverse sensitivity effects, including on land transport networks</u></p> <p>AND</p> <p>Any consequential amendments to link and/or accommodate the requested changes.</p>
Decision Reasons:	<ul style="list-style-type: none"> The design, location and service arrangements for new development carried out in the subdivision process cannot be separated from the future use of the subdivided sites. New buildings, including those containing sensitive or noise sensitive activities, their location and the design and location of access ways may all have an influence on the ultimate impact development has on existing and planned infrastructure. The potential for reverse sensitivity effects is therefore a relevant consideration at this point in the development process. KiwiRail seeks the addition of matters of discretion relating to reverse sensitivity effects on land transport networks to the subdivision consent criteria in the listed zones.
Point Number	986.96
Summary of Decision Requested:	<p>Amend Rule 16.2.4.1 P1(a) Earthworks-General as follows (or similar amendments to achieve the requested relief): <i>(i) Be located more than 1.5 m horizontally from any infrastructure, including a waterway, open drain or overland flow path;</i></p> <p>AND</p> <p>Any consequential amendments to link and/or accommodate the requested changes.</p>
Decision Reasons:	<ul style="list-style-type: none"> KiwiRail supports that earthworks are required to be setback from services and network systems. The rail track itself is most susceptible from adverse effects if adjacent earthworks are not adequately set back. KiwiRail seeks that rule relating to setbacks in certain zones should be amended to reflect that there should be an earthworks setback of 1.5m from infrastructure, to ensure that the efficient and effective operation of the existing network is maintained.
Point Number	986.97
Summary of Decision Requested:	<p>Amend Rule 20.2.5.1 P1(a) Earthworks-General as follows (or similar amendments to achieve the requested relief): <i>(i) Be located more than 1.5 m horizontally from any infrastructure, including a waterway, open drain or overland flow path;</i></p> <p>AND</p> <p>Any consequential amendments to link and/or accommodate the requested changes.</p>
Decision Reasons:	<ul style="list-style-type: none"> KiwiRail supports that earthworks are required to be setback from services and network systems. The rail track itself is most susceptible from adverse effects if adjacent earthworks are not adequately set back. KiwiRail seeks that rule relating to setbacks in certain zones should be amended to reflect that there should be an earthworks setback of 1.5m from infrastructure, to ensure that the efficient and effective operation of the existing network is maintained.
Point Number	986.98
Summary of Decision Requested:	<p>Amend Rule 21.2.5.1 P1(a) Earthworks-General as follows (or similar amendments to achieve the requested relief): <i>(i) Be located more than 1.5 m horizontally from any infrastructure, including a waterway, open drain or overland flow path;</i></p> <p>AND</p> <p>Any consequential amendments to link and/or accommodate the requested changes.</p>
Decision Reasons:	<ul style="list-style-type: none"> KiwiRail supports that earthworks are required to be setback from services and network systems. The rail track itself is most susceptible from adverse effects if adjacent earthworks are not adequately set back. KiwiRail seeks that rule relating to setbacks in certain zones should be amended to reflect that there should be an earthworks setback of 1.5m from infrastructure, to ensure that the efficient and effective operation of the existing network is maintained.
Point Number	986.99
Summary of Decision Requested:	<p>Amend Rule 24.2.4.1 P1 (a) Earthworks-General as follows (or similar amendments to achieve the requested relief): <i>(i) Be located more than 1.5 m horizontally from any infrastructure, including a waterway, open drain or overland flow path;</i></p> <p>AND</p> <p>Any consequential amendments to link and/or accommodate the requested changes.</p>
Decision Reasons:	<ul style="list-style-type: none"> KiwiRail supports that earthworks are required to be setback from services and network systems. The rail track itself is most susceptible from adverse effects if adjacent earthworks are not adequately set back. KiwiRail seeks that rule relating to setbacks in certain zones should be amended to reflect that there should be an earthworks setback of 1.5m from infrastructure, to ensure that the efficient and effective operation of the existing network is maintained.

Point Number 986.100

Summary of Decision Requested: **Amend Rule 17.2.5.1 P1(a) Earthworks General as follows (or similar amendments to achieve the requested relief):**
(i) Be located more than 1.5m from infrastructure, including a public sewer, open drain, overland flow path or other service pipe
AND
Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- KiwiRail supports that earthworks are required to be setback from services and network systems. The rail track itself is most susceptible from adverse effects if adjacent earthworks are not adequately set back. KiwiRail seeks that rule relating to setbacks in certain zones should be amended to reflect that there should be an earthworks setback of 1.5m from infrastructure, to ensure that the efficient and effective operation of the existing network is maintained.

Point Number 986.101

Summary of Decision Requested: **Amend Rule 18.2.4.1 P1(a) Earthworks General as follows (or similar amendments to achieve the requested relief):**
(i) Be located more than 1.5m from infrastructure, including a public sewer, open drain, overland flow path or other service pipe
AND
Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- KiwiRail supports that earthworks are required to be setback from services and network systems. The rail track itself is most susceptible from adverse effects if adjacent earthworks are not adequately set back. KiwiRail seeks that rule relating to setbacks in certain zones should be amended to reflect that there should be an earthworks setback of 1.5m from infrastructure, to ensure that the efficient and effective operation of the existing network is maintained.

Point Number 986.102

Summary of Decision Requested: **Amend Rule 19.2.4 P1(a) Earthworks General as follows (or similar amendments to achieve the requested relief):**
(i) Be located more than 1.5m from infrastructure, including a public sewer, open drain, overland flow path or other service pipe
AND
Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- KiwiRail supports that earthworks are required to be setback from services and network systems. The rail track itself is most susceptible from adverse effects if adjacent earthworks are not adequately set back. KiwiRail seeks that rule relating to setbacks in certain zones should be amended to reflect that there should be an earthworks setback of 1.5m from infrastructure, to ensure that the efficient and effective operation of the existing network is maintained.

Point Number 986.103

Summary of Decision Requested: **Amend Rule 25.2.4.1 P1(a) Earthworks General as follows (or similar amendments to achieve the requested relief):**
(i) Be located more than 1.5m from infrastructure, including a public sewer, open drain, overland flow path or other service pipe
AND
Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- KiwiRail supports that earthworks are required to be setback from services and network systems. The rail track itself is most susceptible from adverse effects if adjacent earthworks are not adequately set back. KiwiRail seeks that rule relating to setbacks in certain zones should be amended to reflect that there should be an earthworks setback of 1.5m from infrastructure, to ensure that the efficient and effective operation of the existing network is maintained.

Point Number 986.104

Summary of Decision Requested: **Add a new clause (vii) to Rule 22.2.3.1 P2(a) Earthworks – General as follows (or similar amendments to achieve the requested relief):**
(vii) Be located more than 1.5 m horizontally, from any infrastructure, including a waterway, open drain or overland flow path;
AND
Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- KiwiRail supports that earthworks are required to be setback from services and network systems. The rail track itself is most susceptible from adverse effects if adjacent earthworks are not adequately set back. KiwiRail seeks that rule relating to setbacks in certain zones should be amended to reflect that there should be an earthworks setback of 1.5m from infrastructure, to ensure that the efficient and effective operation of the existing network is maintained.

Point Number 986.105

Summary of Decision Requested: **Add a new clause (vii) to Rule 23.2.3.1 P2(a) Earthworks – General as follows (or similar amendments to achieve the requested relief):**
(vii) Be located more than 1.5 m horizontally, from any infrastructure, including a waterway, open drain or overland flow path;
AND
Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- KiwiRail supports that earthworks are required to be setback from services and network systems. The rail track itself is most susceptible from adverse effects if adjacent earthworks are not adequately set back. KiwiRail seeks that rule relating to setbacks in certain zones should be amended to reflect that there should be an earthworks setback of 1.5m from infrastructure, to ensure that the efficient and effective operation of the existing network is maintained.

Point Number 986.106

Summary of Decision Requested: **Amend Rule 16.2.4.1 P1 (vii) Earthworks general as follows (or similar amendments to achieve the requested relief):**
~~(vii) Areas exposed by the earthworks are stabilized to avoid runoff within 1 month of the cessation-re-vegetated to achieve 90% ground cover 6 months of the commencement of the earthworks~~
AND
Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- KiwiRail also seeks that the rule relating to revegetation in certain zones be amended to include other available methods to stabilise the ground to prevent runoff, including building or hard cover development. As notified, these rules are ambiguous.

Point Number 986.107

Summary of Decision Requested: **Amend Rule 17.2.5.1 P1 (a)(iv) Earthworks general as follows (or similar amendments to achieve the requested relief):**
~~(iv) Areas exposed by the earthworks are stabilized to avoid runoff within 1 month of the cessation-re-vegetated to achieve 90% ground cover 6 months of the commencement of the earthworks~~
AND
Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- KiwiRail also seeks that the rule relating to revegetation in certain zones be amended to include other available methods to stabilise the ground to prevent runoff, including building or hard cover development. As notified, these rules are ambiguous.

Point Number 986.108

Summary of Decision Requested: **Amend Rule 18.2.4.1 P1 (a)(iv) Earthworks general as follows (or similar amendments to achieve the requested relief):**
~~(iv) Areas exposed by the earthworks are stabilized to avoid runoff within 1 month of the cessation-re-vegetated to achieve 90% ground cover 6 months of the commencement of the earthworks~~
AND
Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- KiwiRail also seeks that the rule relating to revegetation in certain zones be amended to include other available methods to stabilise the ground to prevent runoff, including building or hard cover development. As notified, these rules are ambiguous.

Point Number 986.109

Summary of Decision Requested: **Amend Rule 19.2.4 P1 (a)(iv) Earthworks general as follows (or similar amendments to achieve the requested relief):**
~~(iv) Areas exposed by the earthworks are stabilized to avoid runoff within 1 month of the cessation-re-vegetated to achieve 90% ground cover 6 months of the commencement of the earthworks~~
AND
Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- KiwiRail also seeks that the rule relating to revegetation in certain zones be amended to include other available methods to stabilise the ground to prevent runoff, including building or hard cover development. As notified, these rules are ambiguous.

Point Number 986.110

Summary of Decision Requested: **Amend Rule 20.2.5.1 P1 (a)(vii) Earthworks general as follows (or similar amendments to achieve the requested relief):**
~~(vii) Areas exposed by the earthworks are stabilized to avoid runoff within 1 month of the cessation-re-vegetated to achieve 90% ground cover 6 months of the commencement of the earthworks~~
AND
Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- KiwiRail also seeks that the rule relating to revegetation in certain zones be amended to include other available methods to stabilise the ground to prevent runoff, including building or hard cover development. As notified, these rules are ambiguous.

Point Number 986.111

Summary of Decision Requested: **Amend Rule 21.2.5.1 P1 (a)(vii) Earthworks general as follows (or similar amendments to achieve the requested relief):**
~~(vii) Areas exposed by the earthworks are stabilized to avoid runoff within 1 month of the cessation-re-vegetated to achieve 90% ground cover 6 months of the commencement of the earthworks~~
AND
Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- KiwiRail also seeks that the rule relating to revegetation in certain zones be amended to include other available methods to stabilise the ground to prevent runoff, including building or hard cover development. As notified, these rules are ambiguous.

Point Number 986.112

Summary of Decision Requested:	<p>Amend Rule 22.2.3.1 P2(a)(iv) Earthworks general as follows (or similar amendments to achieve the requested relief):</p> <p><i>(iv) Areas exposed by the earthworks are stabilized to avoid runoff within 1 month of the cessation-re-vegetated to achieve 90% ground cover 6 months of the commencement of the earthworks</i></p> <p>AND</p> <p>Any consequential amendments to link and/or accommodate the requested changes.</p>
Decision Reasons:	<ul style="list-style-type: none"> KiwiRail also seeks that the rule relating to revegetation in certain zones be amended to include other available methods to stabilise the ground to prevent runoff, including building or hard cover development. As notified, these rules are ambiguous.
Point Number	986.113
Summary of Decision Requested:	<p>Amend Rule 23.2.3.1 P2(a)(iv) Earthworks general as follows (or similar amendments to achieve the requested relief):</p> <p><i>(iv) Areas exposed by the earthworks are stabilized to avoid runoff within 1 month of the cessation-re-vegetated to achieve 90% ground cover 6 months of the commencement of the earthworks</i></p> <p>AND</p> <p>Any consequential amendments to link and/or accommodate the requested changes.</p>
Decision Reasons:	<ul style="list-style-type: none"> KiwiRail also seeks that the rule relating to revegetation in certain zones be amended to include other available methods to stabilise the ground to prevent runoff, including building or hard cover development. As notified, these rules are ambiguous.
Point Number	986.114
Summary of Decision Requested:	<p>Amend Rule 24.2.4.1 P1 (a)(vii) Earthworks general as follows (or similar amendments to achieve the requested relief):</p> <p><i>(iv) Areas exposed by the earthworks are stabilized to avoid runoff within 1 month of the cessation-re-vegetated to achieve 90% ground cover 6 months of the commencement of the earthworks</i></p> <p>AND</p> <p>Any consequential amendments to link and/or accommodate the requested changes.</p>
Decision Reasons:	<ul style="list-style-type: none"> KiwiRail also seeks that the rule relating to revegetation in certain zones be amended to include other available methods to stabilise the ground to prevent runoff, including building or hard cover development. As notified, these rules are ambiguous.
Point Number	986.115
Summary of Decision Requested:	<p>Amend Rule 25.2.4.1 P1 (a)(iv) Earthworks general as follows (or similar amendments to achieve the requested relief):</p> <p><i>(iv) Areas exposed by the earthworks are stabilized to avoid runoff within 1 month of the cessation-re-vegetated to achieve 90% ground cover 6 months of the commencement of the earthworks</i></p> <p>AND</p> <p>Any consequential amendments to link and/or accommodate the requested changes.</p>
Decision Reasons:	<ul style="list-style-type: none"> KiwiRail also seeks that the rule relating to revegetation in certain zones be amended to include other available methods to stabilise the ground to prevent runoff, including building or hard cover development. As notified, these rules are ambiguous.
Point Number	986.116
Summary of Decision Requested:	<p>Amend Rule 16.2.7.2 P1 Signs – Effects on traffic as follows (or similar amendments to achieve the requested relief):</p> <p><i>(a)Any sign directed at road land transport users must:</i></p> <p>...</p> <p><i>(iii)Not obstruct sight lines of drivers turning into or out of a site entrance and intersections or at a level crossing;</i></p> <p>AND</p> <p>Any consequential amendments to link and/or accommodate the requested changes.</p>
Decision Reasons:	<ul style="list-style-type: none"> Signs erected in the City should not have an adverse effect on the safe and efficient functioning of the land transport network, including railways, and the health and safety of road users. Traffic on the railway network will grow, and with more trains the issue of minimizing driver distraction is important to ensure the efficient running of the land transport network. Further, signs should be restricted where they breach the level crossing sightline areas developed from the NZTA Traffic Control Devices Manual 2008, Part 9 Level Crossings as sought in KiwiRail submission 67. It is appropriate to restrict and prevent the placement of signs within required sight lines for vehicles access and intersections, and within the sight lines required for rail crossings.
Point Number	986.117
Summary of Decision Requested:	<p>Amend Rule 17.2.7.2 P1 Signs – Effects on traffic as follows (or similar amendments to achieve the requested relief):</p> <p><i>(a)Any sign directed at road land transport users must:</i></p> <p>...</p> <p><i>(iii)Not obstruct sight lines of drivers turning into or out of a site entrance and intersections or at a level crossing;</i></p> <p>AND</p> <p>Any consequential amendments to link and/or accommodate the requested changes.</p>
Decision Reasons:	<ul style="list-style-type: none"> Signs erected in the City should not have an adverse effect on the safe and efficient functioning of the land transport network, including railways, and the health and safety of road users. Traffic on the railway network will grow, and with more trains the issue of minimizing driver

distraction is important to ensure the efficient running of the land transport network.
• Further, signs should be restricted where they breach the level crossing sightline areas developed from the NZTA Traffic Control Devices Manual 2008, Part 9 Level Crossings as sought in KiwiRail submission 67.
• It is appropriate to restrict and prevent the placement of signs within required sight lines for vehicles access and intersections, and within the sight lines required for rail crossings.

Point Number 986.118

Summary of Decision Requested: **Amend Rule 18.2.7.2 PI Signs – Effects on traffic as follows (or similar amendments to achieve the requested relief):**

(a)Any sign directed at road land transport users must:

...

(iii)Not obstruct sight lines of drivers turning into or out of a site entrance and intersections or at a level crossing;

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- Signs erected in the City should not have an adverse effect on the safe and efficient functioning of the land transport network, including railways, and the health and safety of road users. Traffic on the railway network will grow, and with more trains the issue of minimizing driver distraction is important to ensure the efficient running of the land transport network.
- Further, signs should be restricted where they breach the level crossing sightline areas developed from the NZTA Traffic Control Devices Manual 2008, Part 9 Level Crossings as sought in KiwiRail submission 67.
- It is appropriate to restrict and prevent the placement of signs within required sight lines for vehicles access and intersections, and within the sight lines required for rail crossings.

Point Number 986.119

Summary of Decision Requested: **Amend Rule 20.2.7.2 PI Signs – Effects on traffic as follows (or similar amendments to achieve the requested relief):**

(a)Any sign directed at road land transport users must:

...

(iii)Not obstruct sight lines of drivers turning into or out of a site entrance and intersections or at a level crossing;

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- Signs erected in the City should not have an adverse effect on the safe and efficient functioning of the land transport network, including railways, and the health and safety of road users. Traffic on the railway network will grow, and with more trains the issue of minimizing driver distraction is important to ensure the efficient running of the land transport network.
- Further, signs should be restricted where they breach the level crossing sightline areas developed from the NZTA Traffic Control Devices Manual 2008, Part 9 Level Crossings as sought in KiwiRail submission 67.
- It is appropriate to restrict and prevent the placement of signs within required sight lines for vehicles access and intersections, and within the sight lines required for rail crossings.

Point Number 986.120

Summary of Decision Requested: **Amend Rule 23.2.6.2 PI Signs – Effects on traffic as follows (or similar amendments to achieve the requested relief):**

(a)Any sign directed at road land transport users must:

...

(iii)Not obstruct sight lines of drivers turning into or out of a site entrance and intersections or at a level crossing;

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- Signs erected in the City should not have an adverse effect on the safe and efficient functioning of the land transport network, including railways, and the health and safety of road users. Traffic on the railway network will grow, and with more trains the issue of minimizing driver distraction is important to ensure the efficient running of the land transport network.
- Further, signs should be restricted where they breach the level crossing sightline areas developed from the NZTA Traffic Control Devices Manual 2008, Part 9 Level Crossings as sought in KiwiRail submission 67.
- It is appropriate to restrict and prevent the placement of signs within required sight lines for vehicles access and intersections, and within the sight lines required for rail crossings.

Point Number 986.121

Summary of Decision Requested: **Amend Rule 24.2.7.2 PI Signs – Effects on traffic as follows (or similar amendments to achieve the requested relief):**

(a)Any sign directed at road land transport users must:

...

(iii)Not obstruct sight lines of drivers turning into or out of a site entrance and intersections or at a level crossing;

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- Signs erected in the City should not have an adverse effect on the safe and efficient functioning of the land transport network, including railways, and the health and safety of road users. Traffic on the railway network will grow, and with more trains the issue of minimising driver distraction is important to ensure the efficient running of the land transport network.
- Further, signs should be restricted where they breach the level crossing sightline areas developed from the NZTA Traffic Control Devices Manual 2008, Part 9 Level Crossings as sought in KiwiRail submission 67.
- It is appropriate to restrict and prevent the placement of signs within required sight lines for vehicles access and intersections, and within the sight lines required for rail crossings.

Point Number 986.122

Summary of Decision Requested: **Amend Rule 25.2.7.2 PI Signs – Effects on traffic as follows (or similar amendments to achieve the requested relief):**

(a)Any sign directed at road land transport users must:

...

(iii) Not obstruct sight lines of drivers turning into or out of a site entrance and intersections or at a level crossing;

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- Signs erected in the City should not have an adverse effect on the safe and efficient functioning of the land transport network, including railways, and the health and safety of road users. Traffic on the railway network will grow, and with more trains the issue of minimizing driver distraction is important to ensure the efficient running of the land transport network.
- Further, signs should be restricted where they breach the level crossing sightline areas developed from the NZTA Traffic Control Devices Manual 2008, Part 9 Level Crossings as sought in KiwiRail submission 67.
- It is appropriate to restrict and prevent the placement of signs within required sight lines for vehicles access and intersections, and within the sight lines required for rail crossings.

Point Number 986.123

Summary of Decision Requested: Retain matter of discretion (a)(iv) Rule 16.5.3 Restricted Discretionary activities as notified.

Decision Reasons:

- KiwiRail recently engaged for the proponents of Plan Change 20 Lakeside Precinct and developed a comprehensive set of controls relating to upgrades to the level crossing through Te Kauwhata and seek the retention of RDA criteria assessing any non-compliance with the traffic related standards imposed.

Point Number 986.124

Summary of Decision Requested: Retain Rule 16.5.7.1 Noise and vibration – North Island Main Trunk Line (NIMT) as notified.

Decision Reasons:

- KiwiRail recently engaged the proponents of Plan Change 20 Lakeside Precinct and developed a comprehensive set of controls relating to noise and vibration and activity controls to the North Island Main Trunk Line (NIMT). These have been included in the Proposed Plan and are supported.

Point Number 986.125

Summary of Decision Requested: Amend Rule 22.1.2.P6 Permitted activities as follows (or similar amendments to achieve the requested relief):

P6 Afforestation not in an Outstanding Landscape Area

Activity specific conditions: Nil Forestry replanting is setback a minimum of 10m from the rail corridor boundary if it occurs within 5 years after harvesting.

AND

Amend Rule 22.1.2.P8 Permitted activities as follows (or similar amendments to achieve the requested relief):

P8 Forestry

Activity specific conditions: Nil All planting is set back a minimum of 10m from any railway corridor

AND

Add a new restricted discretionary activity to Rule 22.1.3 Restricted Discretionary activities as follows (or similar amendments to achieve the requested relief):

Afforestation or forestry not meeting permitted activity criteria

Council's discretion is restricted to:

Effects on the health, safety and efficiency of the railway corridor

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- Both 'Afforestation not in an Outstanding Landscape Area' and 'Forestry' are defined in the Plan and permitted activities in the Rural Zone.
- The National Environmental Standard for Plantation Forestry controls the planting and location of plantation forestry. Under regulation 14 of the Resource Management (National Environmental Standards for Plantation Forestry) (NES) Regulations 2017 an afforestation setback of at least 10m is required from an adjoining property (which includes the railway corridor). Afforestation means planting and growing plantation forestry trees on land where there is no plantation forestry, and where plantation forestry harvesting has not occurred within the last 5 years. This leaves a temporal gap under the NES where the replanting of trees within 5 years of harvest, closer than 10m to the adjoining property (e.g. railway corridor) appears to be permitted. This means that if replanting of a harvested forest occurs within 5 years, trees may be located closer than 10m to a property boundary. There is currently no rule in the Plan controlling this time period.
- There are also other forms of forestry which are not covered by the NES – such as woodlots and shelter belts less than 30m wide – which may have a safety impact on transport networks and sightlines. KiwiRail seeks a change to the forestry definition to cover these.
- KiwiRail has experienced safety issues with forestry and forest lots being too close to the rail corridor and therefore wish to ensure that a standard setback (consistent with the distance provided the NES) is imposed to reduce potential safety risks.

Point Number 986.126

Summary of Decision Requested: Retain all KiwiRail designations in Section E Designations "L KiwiRail Holdings Limited" as notified

AND

Retain all KiwiRail designations shown on the

Planning maps as notified.

Decision Reasons:

- KiwiRail holds designations over its operational railway lines, yards and depots within the District and supports them being shown correctly on the Planning Maps (and as they appeared in the Operative Plan) and in Section E.

Point Number 986.127

Summary of Decision Requested: Amend all Planning Maps where KiwiRail's designations apply to change the underlying zoning from "Rural" to "unzoned" (or similar amendments to achieve the requested relief)

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- KiwiRail submits that its railway designations in the District should not be subject to underlying zoning, but should rather be marked as "un-

zoned" as roads or State Highways are. Both corridors are strategic transport infrastructure.

- The rail corridor is currently zoned Rural throughout the entire District, despite it not being used for any rural activities and in fact traversing a range of rural and urban environments. As detailed further below in submission point 76, this blanket approach to zoning the rail corridor may lead to perverse outcomes for KiwiRail's tenants, who operate under the zone rules rather than KiwiRail's designations.
- KiwiRail submits that amending the underlying zoning of the rail corridor to be "un-zoned" is the most effective way to achieve the objectives of the Plan directed towards the development, operation and maintenance of infrastructure, in particular Objective 6.1.1. As the rail corridor provides for linear infrastructure that traverses across multiple zones throughout the District, KiwiRail's activities within the corridor are most appropriately managed through its designations and the provisions of Chapter 14 – Infrastructure and Energy, rather than by reference to particular zones.
- Amending the underlying zoning of the rail corridor would also have no impact on the ability of the Plan to appropriately manage KiwiRail's railway operations, as these activities are covered under Chapter 14 – Infrastructure and Energy, which specifically provides that the provisions of the underlying zone do not apply to infrastructure activities.

Point Number 986.128

Summary of Decision Requested: **Amend the second paragraph of the Introduction in Section E Designations as follows (or similar amendments to achieve the requested relief):**
The zone rules regulate activities that are not covered by the designation. Where designated land is un-zoned, activities not covered by the designation will be subject to the rules of the adjacent zone. If there are two different zones, the adjacent zone extends to the centre line of the designated land.

AND

Any consequential amendments to link and/or accommodate the requested changes.

Decision Reasons:

- Although KiwiRail uses most of its landholdings for railway purposes, parts of KiwiRail's designated land are tenanted by third parties. The activities of KiwiRail's lessees, typically being unrelated to rail operations, are not authorised under KiwiRail's designations and so are subject to the relevant underlying zone provisions.
- Under the notified Plan, the activities of KiwiRail's tenants would be subject to provisions of the Rural Zone (as the rail corridor currently has this underlying zoning throughout the District), regardless of the activity or where it is located. The blanket approach of zoning the entire rail corridor "Rural" may lead to perverse outcomes for KiwiRail's tenants, who operate under the reasonable expectation that they will be able to carry out activities or development that are in accordance with the development pattern of the surrounding zone(s). KiwiRail's lessees should be subject to the same planning controls as the owners / occupiers of the surrounding land. To do otherwise would result in an inequitable situation where KiwiRail's tenants could be subject to stricter planning controls than their immediate neighbours, even though their activities are equally as appropriate in that location (or vice versa).
- KiwiRail submits that the most effective way to achieve the objectives and policies of the Plan, in particular Objective 6.1.1 and Policy 6.1.2, is to have the land subject to KiwiRail's designations un-zoned but include a rule in Section E providing that where activities are occurring on designated land that is un-zoned, the applicable zoning is determined by the adjacent zone. This will allow for the efficient and effective development, operation and maintenance of infrastructure while at the same time ensuring that KiwiRail's tenants enjoy the appropriate zoning for their activities.

Submitter Number: 987

Submitter: Graham and Di McBride

On behalf of: Self and M & P Stock, H & B Stratford, D & R Potter, J & P Stock, KG McBride.

Point Number 987.1

Summary of Decision Requested: **Delete the Airport Obstacle Limitation Surface at Te Kowhai from the Proposed Waikato District Plan.**

Decision Reasons:

- Lack of public engagement by Waikato District Council before it was notified.
- Lack of technical data to support/justify the inclusion of the Obstacle Limitation Surface.
- Design of the Obstacle Limitation Surface in terms of effects on the submitter's properties (213 and 220 Collie Road).
- Potential adverse effects of the Obstacle Limitation Surface - noise, duration, intensity and safety.
- Noise abatement from aircraft vis-à-vis mitigation in existing houses.
- No limitations on incremental growth of airfield/traffic/ancillary services.

Submitter Number: 988

Submitter: Graham McBride

Point Number 988.1

Summary of Decision Requested: **Amend Rule 22.1.2 P4 Permitted Activities - A home occupation, by adding a rigid maximum coverage limitation for home occupation structures.**

Decision Reasons:

- There has been an incremental creep of industrial buildings/activity in the Rural Zone.
- Within Te Kowhai, the cumulative effect from industrial buildings/activity has become noticeable and the rural character is diminished.
- Currently the maximum building coverage is limited but consent is being granted to go above the maximum, being deemed as having minor effect.
- The number of oversized structures and associated activity is becoming significant.

Report: Summary of Submissions by Submitter Number/Name

Submitter Number:	989	Submitter:	Katrina Quigley
On behalf of:	Quigley Family Trust		
ECM Numbers:			

Point Number	989.1
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Summary of Decision Requested: Amend the property at 233 Wilton Collieries, Glen Massey back to Rural/Country Living

Decision Reasons:

- The purchase of this property was made to have the opportunity for subdividing into large lots.
- Of 18 lots, only two have been titled off and the other 16 are in the s223 subdivision stage.
- When the initial two lots were titled, the council re-titled lot 20 which comprised of stages 1-4 (16 lots) over 90 acres.
- This subdivision has been halted by Council, however we are still having inquiries for the purchase of future lots.

